

Assessment Exemption

Responsibility for deciding which students shall be exempted from all or part of the Oregon Statewide Assessment Program shall be that of an instructional team with knowledge of the individual student, in consultation with the student's parent. The team will decide whether to have the student participate under standard conditions, modified test conditions or to exempt the student. A report of numbers and conditions for exemption shall be reported annually to the Board in conjunction with the district's assessment result.

Parents who object to having their child participate in the statewide assessment for religious or other reasons may have their child excluded from testing.

The district will make every effort to ensure all students absent are given an opportunity to make up the assessment and have their results included in the district results.

Special Education Students

1. The individualized education program (IEP) team will determine whether the student can be appropriately assessed with the regular education assessments. The IEP team will include the student's parents, the building administrator, at least one regular education teacher, at least one special education teacher and the student, where appropriate. Additional members may be included as needed.
2. A statement must be included in the student's IEP of any individual modifications in the administration of state and district assessments.
3. The following issues will be considered when making a decision to exempt a student from participation in the Oregon Statewide Assessment Program under standard conditions or to modify the testing procedures:
 - a. The student's experience and IEP do not and never have included the Content Standards (e.g., the student's IEP emphasizes life skills);
 - b. The student is enrolled in special education classes for the specific subject matter included in the assessment and the student's IEP does not include a majority of the Content Standards and benchmark indicators included in the test.
4. If the IEP team determines that the student will not participate in a particular district or state assessment, a statement of why the assessment is not appropriate for the student and how the student will be assessed will be included in the IEP.

Students who participate under modified testing conditions will have their tests scored, but will not be included in the district’s results.

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Section 504 Students

An instructional team, which will include parents knowledgeable about the student, will make the decision whether the student will participate in the assessment under standard conditions, modified test conditions or to exempt the student from the assessment. A statement of why the assessment is not appropriate and how the student will be assessed will be included in the student’s Section 504 Accommodations Plan.

ESL/Bilingual Students

A teacher or instructional team should make the decision, in consultation with the student and the student’s parent, whether the student will participate in the assessment under standard conditions, modified conditions or to exempt the student. Each student will be assessed individually.

END OF POLICY

Legal Reference(s):

[ORS 40.245](#)
[ORS 326.565](#)
[ORS 326.575](#)
[ORS 329.485](#)
[ORS 336.187](#)

[OAR 581-022-0606](#)
[OAR 581-022-0610](#)
[OAR 581-022-0612](#)
[OAR 581-022-1510](#)
[OAR 581-022-1910](#)

Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000).

Protection of Pupil Rights, 20 U.S.C. Section 1232h; 34 CFR Part 98 (2000).

Education of the Handicapped Act of 1975, as amended, 20 U.S.C., Sections 1400-1427, as amended and renamed Individuals with Disabilities Education Act (IDEA), P.L. 101-476, 104 Stat 1103 (1990), as amended P.L. 105-17 (1997). [P.L. 94-142 is a well-known “short” reference to this federal legislation.]

Rehabilitation Act of 1973, 29 U.S.C. Sections 791, 793 and 794.

Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).

Oregon Statewide Knowledge and Skills Assessments - Administration Manual, Oregon Department of Education (2003).

Oregon Statewide Performance Assessment - Administration Manual, Oregon Department of Education (2003).