

STATE BOARD OF EDUCATION
STATE DEPARTMENT OF EDUCATION
ADMINISTRATIVE CODE

CHAPTER 290-4-2
INSTRUCTIONAL SERVICES

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290-4-2-.01 Student Assessment - Unified Coordinated Statewide Testing Program.

(1) The policy of the Alabama State Board of Education is to have a unified, coordinated state testing program.

(2) Alabama's Student Assessment Program is a system of assessments that measures the knowledge and abilities of students in Alabama's public schools for the following purposes:

(a) To provide information to educators and parents regarding the educational strengths and weaknesses of individual students.

(b) To provide information to assist local and state educational personnel in reviewing and planning for instructional and curricular improvements.

(c) To provide information to local and state educational personnel, policy makers, and the general public regarding the educational performance of Alabama's students.

(3) The Alabama State Board of Education shall choose the tests to be used, grades to be administered, and when chosen tests shall be administered.

(4) All students must be provided the opportunity to participate in the state testing program. See 290-040-020-.03 for specific procedures regarding students of special populations.

Author:

Statutory Authority: Ala. Const. amend. 284, Code of Ala. 1975, §§16-3-11 through 13; 16-4-4.

History: Amended: September 9, 1980. **Amended:** September 13, 1990; effective October 18, 1990. **Amended:** Filed May 20, 1998; effective June 24, 1998.

290-4-2-.02 Student Assessment - Assessment Required For Alabama High School Diploma.

(1) The State Superintendent is authorized to develop and implement an assessment required for an Alabama high school diploma. (See AAC 290-3-1-.02(8), Diploma Requirements.)

(a) *Alabama High School Graduation Exam.* Any student who was a first-time ninth grader in the 1997-98 scholastic year will have to pass the reading comprehension and language subject-area tests of the *Alabama High School Graduation Exam*, which measures the standards and objectives adopted by the State Board of Education and contained in *Standards and Objectives (Reading Comprehension, Language, Mathematics, and Science) for Alabama High School Graduation Exam*, Bulletin 1997, No. 16, as one requirement for receiving an Alabama high school diploma.

(b) *Alabama High School Graduation Exam.* Any student who was a first-time ninth grader in the 1998-99 and 1999-2000 scholastic years will have to pass the reading comprehension, language, mathematics, and science subject-area tests of the *Alabama High School Graduation Exam*, which measures the standards and objectives adopted by the State Board of Education and contained in *Standards and Objectives (Reading Comprehension, Language, Mathematics, and Science) for Alabama High School Graduation Exam*, Bulletin 1997, No. 16, as one requirement for receiving an Alabama high school diploma.

(c) *Alabama High School Graduation Exam.* Any student who was a first-time ninth grader in the 2000-01 through the 2005-06 scholastic years will have to pass the reading comprehension, language, mathematics, science, and social studies subject-area tests of the *Alabama High School Graduation Exam*, which measures the standards and objectives adopted by the State Board of Education and contained in *Standards and Objectives (Reading Comprehension, Language, Mathematics, and Science) for*

Alabama High School Graduation Exam, Bulletin 1997, No. 16, and *Standards and Objectives (Social Studies) for Alabama High School Graduation Exam*, Bulletin 1998, No. 13, as one requirement for receiving an Alabama high school diploma.

(d) *Alabama High School Graduation Exam*. Any student who was a first-time ninth grader in or after the 2006-07 scholastic year will have to pass the reading comprehension, language, and mathematics subject-area tests of the *Alabama High School Graduation Exam*, which measures the standards and objectives adopted by the State Board of Education and contained in *Standards and Objectives (Reading Comprehension, Language, Mathematics, and Science) for Alabama High School Graduation Exam*, Bulletin 1997, No. 16; the social studies subject-area test of the *Alabama High School Graduation Exam*, which measures the standards and objectives adopted by the State Board of Education and contained in *Standards and Objectives (Social Studies) for Alabama High School Graduation Exam*, Bulletin 1998, No. 13; and the science (biology) subject-area test of the *Alabama High School Graduation Exam*, which measures the content standards adopted by the State Board of Education and contained in the Biology Core course in the *Alabama Course of Study: Science*, Bulletin 2005, No. 20, as one requirement for receiving an Alabama high school diploma.

(e) *Alabama High School Graduation Exam*. Any student with a disability(s) (defined by the *Individuals with Disabilities Education Act* and/or *Section 504 of the Rehabilitation Act of 1973*) who is working toward an Alabama high school diploma shall take the *Alabama High School Graduation Exam* with state-approved accommodations or without accommodations (according to the IEP Team and/or 504 Committee) through Grade 12. If one subject-area test of the *Alabama High School Graduation Exam* is not passed, but all other graduation requirements for an Alabama high school diploma have been met, then alternate documentation (obtained all required course credits for an Alabama high school diploma, documented the disability(s) which substantially limits his ability to demonstrate achievement in the area where a subject-area test of the AHSGE is not passed, participated in remediation of the AHSGE subject-area test not passed, met attendance requirements, and holds a cumulative C average in Grades 9-12) is used to confer an Alabama high school diploma. The flexibility granted here is retroactive to first-time ninth graders in or after the 1997-1998 school year (Class of 2001) and applies only to students with a disability(s) (defined by the *Individuals with Disabilities Education Act* and/or *Section 504 of the Rehabilitation Act of 1973*) taking the *Alabama High School Graduation Exam*.

(2) Students enrolled in an adult diploma program will have to pass an exit examination as one of the requirements for receiving an Alabama adult high school diploma.

(a) Effective July 1, 2000, students enrolling in an adult diploma program will have to pass the reading comprehension and language subject-area tests of the *Alabama High School Graduation Exam*, which measures the standards and objectives contained in *Standards and Objectives (Reading Comprehension, Language, Mathematics, and Science) for Alabama High School Graduation Exam*, Bulletin 1997, No. 16.

(b) Effective July 1, 2001, students enrolling in an adult diploma program will have to pass the reading comprehension, language, mathematics, and science subject-area tests of the *Alabama High School Graduation Exam*, which measures the standards and objectives contained in *Standards and Objectives (Reading Comprehension, Language, Mathematics, and Science) for Alabama High School Graduation Exam*, Bulletin 1997, No. 16.

(c) Effective July 1, 2003, students enrolling in an adult diploma program will have to pass the reading comprehension, language, mathematics, science, and social studies subject-area tests of the *Alabama High School Graduation Exam*, which measures the standards and objectives contained in *Standards and Objectives (Reading Comprehension, Language, Mathematics, and Science) for Alabama High School Graduation Exam*, Bulletin 1997, No. 16, and *Standards and Objectives (Social Studies) for Alabama High School Graduation Exam*, Bulletin 1998, No. 13.

(d) Effective July 1, 2009, students enrolling in an adult diploma program will have to pass the reading comprehension, language, and mathematics subject-area tests of the *Alabama High School Graduation Exam*, which measures the standards and objectives adopted by the State Board of Education and contained in *Standards and Objectives (Reading Comprehension, Language, Mathematics, and Science) for Alabama High School Graduation Exam*, Bulletin 1997, No. 16; the social studies subject-area test of the *Alabama High School Graduation Exam*, which measures the standards and objectives adopted by the State Board of Education and contained in *Standards and Objectives (Social Studies) for Alabama High School Graduation Exam*, Bulletin 1998, No. 13; and the science (biology) subject-area test of the *Alabama High School Graduation Exam*, which measures the content standards adopted by the State Board of Education and contained in the Biology Core course in the *Alabama Course of Study: Science*, Bulletin 2005, No. 20.

(e) Effective July 1, 2000, a student with a disability(s) (defined by the *Individuals with Disabilities Education Act* and/or Section 504 of the Rehabilitation Act of 1973) who enrolls in an adult diploma program may take the *Alabama High School Graduation Exam* (AHSGE) with state-approved accommodations or without accommodations (according to the IEP Team and/or 504 Committee). If one subject-area test of the AHSGE is not passed, but all other graduation requirements for the Alabama Adult High School Diploma have been met, then alternate documentation (obtained all required course credits for the Alabama Adult High School Diploma, documented the disability(s) which substantially limits his ability to demonstrate achievement in the area where a subject-area test of the AHSGE is not passed, participated in remediation, met attendance requirements, and holds a cumulative C average in Grades 9-12) is used to confer the Alabama Adult High School Diploma. The flexibility granted here applies only to the *Alabama High School Graduation Exam*.

(3) Administration of the assessment required for an Alabama high school diploma must be implemented as prescribed in *The Handbook of Administrative Procedures for the Alabama Graduation Examination Program* as published by the State Department of Education and disseminated to appropriate local education agency personnel.

(4) Copies of these publications may be obtained without cost from Student Assessment, State Department of Education, Montgomery, AL 36104.

(5) High Hopes Program Grants—Effective August 2000, local education agencies may apply for grants to develop tutoring and mentoring programs for high school students who are in danger of failing the *Alabama High School Graduation Exam* through collaboration with community colleges, universities, and nonprofit community-based organizations. Local school systems meeting the following requirements are eligible to apply for High Hopes Program Grants.

(a) Eligibility Criteria.

1. Local school systems must develop a partnership with community colleges, senior colleges and universities, and nonprofit 501(C)3 community-based organizations.

2. School systems must establish an advisory board that has the responsibility of developing the program at the local level. The composition of the advisory board must be as follows:

(i) The board will have a maximum of 25 voting members to include local high school principals, teachers, students, counselors, and parents; representatives of PTA/PTO and PTSA; and other concerned citizens.

(ii) No more than 51% of voting members may be employees of the school system.

(iii) All voting members must reside in the local school district.

(iv) The term of service for board members is three years. Initially, one-third of the members shall be appointed for one year, one-third for two years, and one-third for three years on a lottery basis.

(v) Members are appointed to the High Hopes Advisory Board by the local board of education upon recommendation of the local superintendent or any board member. The High Hopes Advisory Board may have any number of ex-officio members (non-voting) appointed by the local superintendent.

(b) Application Content.

1. The application must include the number of students identified as being in danger of failing the graduation exam. Students in danger of failure are those who have failed one or more subjects on any of the five subject areas tested on the graduation exam.

2. The application must include the number of tutors (which may be amended) who are certified in one or more of the five subject areas addressed in the exam. Background checks must be completed on tutors who have unsupervised access to students before involvement in High Hopes activities.

3. The application must include a list of mentors who are citizens of good moral character and fitness. Background checks must be completed on mentors who have unsupervised access to students before involvement in High Hopes activities.

4. A plan of collaboration with community colleges, senior colleges and universities, and nonprofit 501(c) 3 community-based organizations must be included with the application.

(c) Approval Process and Awarding of Funds.

1. The Office of the Deputy Superintendent of Education and the Office of the Executive Director of the Governor's Office on National and Community Service will review, remand, and approve all applications.

(i) If the offices of the Deputy Superintendent and the Executive Director disagree on approval or disapproval of an application and reach an impasse, then the matter shall be referred to the State Superintendent of Education for resolution.

(ii) If the State Superintendent's decision is contested, the matter shall be appealed to the Alabama State Board of Education.

2. Funds may be released to a grantee only after approval of application and proper filing of necessary paperwork to request payments.

3. The State Department of Education will process and handle requests for payments through its normal financial management system.

4. Local school systems will be awarded a dollar amount based on the number of students identified as being in danger of failing any part of the graduation exam.

(i) The award amount is to be determined by dividing the total amount available by the number of students in the state who are determined to need assistance.

(ii) The per-student allocation will then be multiplied by the number of students in danger in each school system to calculate system allocation.

(iii) The calculated amount will then be allocated to the local school systems to be used in high schools to provide immediate assistance to students in danger of failing the graduation exam.

Note: See AAC Rule 290-3-1-.02(8), Diploma Requirements.

Note: See AAC Rule 290-3-1-.02(16), Adult Diploma Program.

Author: Dr. Ed Richardson

Statutory Authority: Ala. Const. amend 284, Code of Ala. 1975, §§16-3-11 through 13; 16-4-4.

History: New Rule: April 27, 1977. **Amended:** April 15, 1980; September 9, 1980, April 13, 1982; December 8, 1988. **Amended:** 290-4-2-.02(2)(a)1. and 2. [to reflect 1982 Edition Revised 1988] effective January 16, 1989. **Amended:** Filed May 20, 1998; effective June 24, 1998. **Amended:** Filed May 20, 1998; effective

June 24, 1998. **Amended:** Filed November 18, 1999; effective December 23, 1999. **Amended:** Filed May 11, 2000; effective June 15, 2000. **Amended:** Filed June 8, 2000; effective July 13, 2000. **Amended:** Filed November 9, 2000; effective December 14, 2000. **Amended:** Filed October 10, 2002; effective November 14, 2002. **Amended:** Filed May 13, 2004; effective June 17, 2004. **Amended:** Filed December 20, 2007; effective January 24, 2008. **Amended:** Filed May 8, 2008; effective June 12, 2008.

290-4-2-.03 **Student Assessment - Students Of Special Populations.** Detailed policies and procedures for testing students of special populations are found in *Alabama Student Assessment Program Policies and Procedures for Students of Special Populations*, Bulletin 1998, No. 11.

Author: Dr. Ed Richardson

Statutory Authority: Const. of Ala. of 1901, Amend No. 284, Code of Ala. 1975, §§16-3-11 through 14; 16-4-4.

History: **Amended** May 19, 1981; May 9, 1985 (added Note); December 8, 1988 added 290-4-2-.03(2) effective January 16, 1989.

Repealed and Replaced: Filed May 12, 1995; effective June 16, 1995. **Amended:** Filed May 20, 1998; effective June 24, 1998.

290-4-2-.04 **Student Assessment - Test Security.**

(1) Test Security Procedures. The use of test results for educational evaluation and improvement is dependent upon the procurement of accurate test data. To this end, test developers outline in detail the standardized procedures under which tests must be administered. Another requirement for obtaining accurate test data is to guarantee that tests are secure. In order to provide standardized test security measures throughout Alabama, the following procedures are adopted by the State Board of Education:

(a) The Alabama State Department of Education (SDE) will organize and oversee test security procedures throughout the state. Specifically the SDE will:

1. Use changing enrollment figures to determine test materials needed in local education agencies (LEAs) and supply these to LEAs.

2. Keep an inventory of all test materials stored at the SDE.

3. Secure under lock and key all test materials stored at the SDE.

4. Allow only authorized personnel to have access to test materials.

5. Monitor test administration procedures in randomly selected LEAs during statewide testing to ensure adherence to standardized testing conditions.

6. Specify content that must be described in LEA's test security plans.

7. Approve LEA test security plans and keep a copy on file at the SDE.

8. Provide technical assistance to LEAs regarding test security procedures.

(b) LEAs will organize and oversee test security procedures throughout their systems. Specifically, each LEA will:

1. Ensure that all students are provided the opportunity to participate in the state testing program and that all answer documents are sent in for scoring.

2. Submit to the SDE a detailed test security plan which must include the following:

(i) A description of the procedures used in inventorying, disseminating, collecting and storing test materials before, during, and after test administration.

(ii) A description of the procedures used in accounting for lost tests booklets.

(iii) A description of the procedures used in accounting for and destroying old or damaged tests booklets.

(iv) A description of the location and security of storage areas used for test materials.

(v) A description of the procedures for monitoring test administration in individual schools to ensure adherence to standardized testing conditions.

(vi) A description of the procedures used to ensure the security of norm-referenced tests purchased for local programs, other than the state testing program.

(vii) A description of the plan used in training personnel in test security as outlined in part (2) of AAC Rule 290-4-2-.04.

3. Implement the approved test security plan described in part (b) of AAC Rule 290-4-2-.04(1).

4. Designate a system test coordinator to be responsible for the testing program and test security in that system.

5. Designate a building test coordinator at each school to be responsible for the testing program in that school.

6. Secure under lock and key all test materials stored at the LEA and limit access to authorized personnel only.

7. Provide technical assistance to local personnel regarding all requirements outlined in AAC Rule 290-4-2-.04.

8. Maintain evidence that personnel have seen or signed the agreement to abide by the test security policy as outlined in AAC Rule 290-4-2-.04.

9. Submit in writing to the SDE for approval any plans for use of the test booklets for purposes other than test administration.

(2) Test Security Policy. Failure to follow security procedures promulgated by the Alabama State Board of Education and published in the AAC Rule 290-4-2-.04, the Student Assessment Handbook, and the test administrator's manuals may result in disciplinary action by the local board of education and/or revocation of the teaching certificate by the SDE. The following list, although not exhaustive, has been provided to identify specific actions which are inappropriate and violate, in spirit and intent, the stated policy:

(a) To photocopy or in any way reproduce or disclose secure test items (including pilot materials) or student responses before, during, or after administering the assessment.

(b) To review, read, or look at test items or student responses before, during, or after administering the assessment, unless specifically permitted in the test administrator's manuals.

(c) To give students answers to test questions using verbal or nonverbal cues before, during, or after administering the assessment.

(d) To alter student responses on answer documents.

(e) To alter the test procedures stated in the test administrator's manuals.

(f) To allow students to use notes, references, or other aids unless the test administrator's manual specifically allows.

(g) To have in one's personal possession secure test materials except during specified testing dates.

(h) To allow students to view or practice secure test items before or after the scheduled testing times.

(i) To make or have in one's possession answer keys for secure tests.

(j) To leave secure test materials in nonsecure locations and/or unattended by professional staff.

(k) To fail to report a test security violation.

Author: Dr. Ed Richardson

Statutory Authority: Const. of Ala. of 1901, Amend No. 284, Code of Ala. 1975, §§16-3-11 through 13, 16-4-4.

History: **New** April 13, 1982; December 8, 1988 amended rules [to reflect 1982 Edition Revised 1988] effective January 16, 1989.

Repealed and Replaced: Filed May 12, 1995; effective June 16, 1995. **Amended:** Filed May 20, 1998; effective June 24, 1998. **Amended:** Filed November 18, 1999; effective December 23, 1999.

cf. The Alabama State Department of Education bulletins, Regulations and Accommodations for Exceptional Students, 1982 Edition; Minimum Standards and Competencies (Reading, Language, Mathematics) for Alabama Schools, 1982 Edition; and Minimum Standards and Competencies (Reading, Language, Mathematics) for Alabama Schools, 1982 Edition, Revised 1988 effective July 1, 1989.

290-4-2-.05 **Student Assessment - Test Security.** (Repealed)

Author: Dr. Ed. Richardson

Statutory Authority: Const. of Ala. of 1901, Amend No. 284, Code of Ala. 1975, §§16-3-11 through 13, 16-4-4.

History: New April 13, 1982. **Repealed and Replaced:** Filed May 12, 1995; effective June 16, 1995. **Repealed:** Filed May 20, 1998; effective June 24, 1998.