INSTRUCTION

Testing

I. Prince William County Public Schools shall comply with the requirements of the Virginia Assessment Program, to include all Standards of Learning (SOL) assessments and annual language proficiency assessment of English Language Learners (ELL), and deploy best practices for assessments required by the School Division including those used for helping to identify students for gifted education.

II. The parent(s) and/or guardian(s) of a student, or an adult student, shall be informed and/or provide consent in accordance with current law before individual assessments are administered or assessment results are exchanged with public or private agencies for the purposes of determining eligibility for or providing special education services in accordance with the Regulations Governing Special Education Programs for Children with Disabilities in Virginia. Informed parental consent is required before:
   A. Conducting an initial evaluation or reevaluation, including a functional behavioral assessment if such assessment is not a review of existing data conducted at an IEP meeting;
   B. An initial eligibility determination or any change in categorical identification;
   C. Initial provision of special education and related services to a child with a disability;
   D. Any revision to the child’s IEP services;
   E. Any partial or complete termination of special education and related services, except for graduation with a standard or advance studies diploma.

III. When assessments are conducted or assessment results utilized for the purposes of determining eligibility for or providing special education services in accordance with the Regulations Governing Special Education Programs for Children with Disabilities in Virginia, informed parental consent is not required before:
   A. Review of existing data as part of an evaluation or reevaluation, including a functional behavioral assessment;
   B. Administration of a test or other evaluation that is administered to all children unless, before administration of that test or evaluation, consent is required of the parent(s) of all children;
   C. The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation;
   D. Administration of a test or other evaluation that is used to measure progress on the child’s IEP goals and is included in the IEP;
E. A teacher’s or related service provider’s observations or ongoing classroom evaluations; or

F. Conducting an initial evaluation of a child who is a ward of the state and who is not residing with his parent(s) if:

1. Despite reasonable efforts, the local educational agency cannot uncover the whereabouts of the parent(s);
2. The parent’s rights have been terminated; or
3. The rights of the parent(s) to make educational decisions have been subrogated by a judge and an individual appointed by the judge to represent the child has consented to the initial evaluation.

IV. Assessments shall be:

A. Selected and administered so as not to be discriminatory on a racial or cultural basis;
B. Administered in the format most likely to yield accurate information;
C. Used for the purposes for which they are designed; and
D. Administered by trained and knowledgeable personnel in accordance with the instructions provided by the producer of the assessment.

V. The parent(s) and/or guardian(s) of a student, or an adult student, shall be provided with the opportunity to review the student’s performance on any assessment with a trained, knowledgeable staff that is qualified to provide appropriate interpretations of that student’s performance.

VI. The parent(s) and/or guardian(s) of a student, or an adult student, has the right to refuse to have the student participate in any assessment, evaluation or testing. In the event that right is exercised by a parent(s) or guardian(s) of a student, or an adult student, then the individual making the request should be informed of the consequences of their request and the impact their decision may have on the individual student.

The Associate Superintendent for Student Learning and Accountability (or designee) is responsible for the implementation and monitoring of this regulation.

The Associate Superintendent for Student Learning and Accountability (or designee) is responsible for reviewing this regulation in 2016.