

**ORANGE TOWNSHIP PUBLIC SCHOOLS  
DEPARTMENT OF SPECIAL SERVICES**

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*Barbara L. Clark, Director*

*Thomas N. Kennedy, Supervisor*

January 10, 2003

TO:            Chief School Administrators  
                Director of an Approved Private School for the Disabled  
                Director of a State Facility  
                Director of a College-Operated Program  
                Director of Special Education Services

FROM:        Barbara Gantwerk, Director  
                Office of Special Education Programs

                Brian D. Robinson, Director  
                Office of Evaluation and Assessment

SUBJECT:     Participation of Students with Disabilities in Third Grade Assessment

As you know, both the Individuals with Disabilities Education Act Amendments of 1997 (IDEA 97) and the No Child Left Behind Act (NCLBA) require that all students with disabilities participate in state assessment systems. Since the IDEA 97 regulations were first implemented in 1998, participation of students with disabilities in New Jersey state assessments has increased markedly due to your leadership and the diligence and dedication of your general and special education staff members.

In the spring of 2003, in line with the Governor's Early Reading Initiative, the New Jersey Department of Education (NJDOE) will be implementing a new third grade state assessment to measure knowledge and skills in language arts literacy and mathematics. Once again, we are asking for your cooperation in ensuring that students with disabilities have access to this expansion of the assessment system.

Third graders with disabilities will participate in the state assessment system through either the new third grade assessment or through the Alternate Proficiency Assessment (APA) designed for students with severe disabilities. In line with NJAC 6A:14-4.11(a)2, a third grader with a disability will participate in the new general third grade assessment for a content area unless the student has not been instructed in any of the knowledge and skills included in the assessment and could not do any of the types of items on the assessment in that content area. If a student will not participate in one or more content areas of the general assessment according to the above, the child will participate in the APA in that/those content areas. If a student is in a self-contained class, and the district has not assigned the student a grade based on chronological age, the student will participate in the third grade assessment or the APA if the child will turn nine between July 1, 2002 and June 30, 2003. Attachment A outlines the participation grades and ages for all students with disabilities.

Decisions about whether a third grader with disabilities will sit for the general third grade assessment or the APA in each content area assessed must be made by the student's Individualized

Education Program (IEP) team. Although test specifications and sample items are not available for decision making, item formats from the test specifications of the Elementary School Proficiency Assessment may be reviewed, anticipating a lower level of difficulty commensurate with third grade expectations, to determine in which assessment a student will participate. Since the majority of IEPs have been completed for this school year, the following guidance is offered to ensure that IEPs reflect the new assessment requirements and that those changes are made efficiently.

If a third grader with an IEP will participate in the general assessment with no accommodations, no changes to the IEP are required. In addition, if a third grader's IEP reflects accommodations for standardized tests that would apply to the new general third grade assessment, and the child will participate in the general assessment with only the accommodations listed in the IEP, no IEP change is needed. In both cases, notice must be provided to the parents to inform them that their child will participate in the third grade assessment. Attachment B is a sample notice letter to be used for only those students who will be taking the general assessment without accommodations and those taking the general assessment who currently have appropriate test accommodations addressed in their IEPs. If the parent requests an IEP meeting in response to the notice, a meeting must be convened.

If a third grader's IEP does not include accommodations for standardized testing or if the child may participate in the APA, the IEP team must meet to review the IEP and include the required components regarding statewide assessment. The sample IEP form listed on the NJDOE web site will serve as a valuable resource in outlining the required state assessment components. The required components regarding all state assessments are addressed in the sample form. Attachment C is a sample form that may be used by the IEP team to document decisions regarding participation in the third grade assessment and included in the IEP. Keep in mind that an IEP meeting may be held over the phone with the required personnel. Notice of the meeting in accordance with NJAC 6A:14-2.3(e) must be provided to parents.

The final attachment is a [brochure for families regarding participation in state assessment](#) that has been updated for this year. This may be copied and disseminated to parents with notice. If you have questions regarding participation, please contact Ms. Peggy McDonald in the Office of Special Education Programs at (609) 292-3065 or by email at [peggy.mcdonald@doe.state.nj.us](mailto:peggy.mcdonald@doe.state.nj.us), or Ms. Elizabeth Celentano in the Office of Evaluation and Assessment at (609) 984-0107 or by email at [elizabeth.celentano@doe.state.nj.us](mailto:elizabeth.celentano@doe.state.nj.us).

We recognize that changes to the assessment system at this point in time will require additional staff time in order to comply with the requirements of IDEA and NCLBA. This guidance is intended to provide an efficient manner in which to make the required changes. We must ensure also that the guidance we offer will assist you in complying with current federal and state mandates. We appreciate your cooperation in this matter.

BG/BDR/pm

Attachments

c: Members, State Board of Education  
Commissioner William L. Librera  
Dwight Pfennig  
Isaac Bryant  
J. Michael Rush  
Judith Weiss  
Cecelia Downey  
Peggy McDonald  
County Supervisors of Child Study

Gloria Hancock  
Albert Monillas  
Richard Ten Eyck  
Tim Peters  
Elizabeth Celentano  
County Superintendents

## ATTACHMENT A

### Grades/Ages for Participation of Students with Disabilities in Statewide Assessments

| If a student with disabilities is in grade ... | OR, if the student does not have a grade assignment, AND between July 1, 2002 and June 30, 2003, will turn age ... | The student will participate in the following assessment:                        |
|--|--|--|
| 3  | 9  | Grade Three Proficiency Assessment<br><b>OR</b><br>APA*                          |
| 4  | 10   | Elementary School Proficiency Assessment – Grade 4 – (ESPA)<br><b>OR</b><br>APA* |
| 8  | 14   | Grade Eight Proficiency Assessment– (GEPA)<br><b>OR</b><br>APA*                  |
| 11   | 18   | High School Proficiency Assessment– (HSPA)<br><b>OR</b><br>APA*                  |

\*A student may participate in the APA in one or more content area and in the general assessment in other content areas in accordance with the IEP.

## ATTACHMENT B

|  |  |  |
|--|--|--|
| _____(Student Name)_____ will participate in the following state assessment(s) in mathematics and language arts literacy.  | Modifications/Accommodations [NJAC 6A:14-3.7(d)5] for the general third grade state assessment, if appropriate | If the student will be participating in one or both subject areas of APA, explain why the general third grade assessment is not appropriate [NJAC 6A:14-3.7(d)5i]. |
| <p>Check one assessment for each content area:</p> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <div style="text-align: center;">             Math           </div> <div style="text-align: center;">             LAL           </div> </div> <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div>General Grade 3 Assessment</div> <div style="width: 100px; border-bottom: 1px solid black;"></div> <div style="width: 100px; border-bottom: 1px solid black;"></div> </div> <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div>Alternate Proficiency Assessment (APA)</div> <div style="width: 100px; border-bottom: 1px solid black;"></div> <div style="width: 100px; border-bottom: 1px solid black;"></div> </div> </div> </div> |  |  |

- Decisions about participation must be made for mathematics and language arts literacy separately. The student must participate in only ONE assessment for each content area.
- If the student will not participate in the third grade state assessment in one or more content areas, the student will participate in the APA in that/those content area(s)
- The list of allowable accommodations for statewide assessments in New Jersey may be found on the NJDOE web site at [www.state.nj.us/education](http://www.state.nj.us/education) under the topic of either “special education” or “standards and assessment.”
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## ATTACHMENT C

**Parental Notice of Participation in State Third Grade Assessment  
(For students taking the general third grade assessment with accommodations  
currently listed in their IEPs)**

Student's Name: \_\_\_\_\_

Address: \_\_\_\_\_

Student's School: \_\_\_\_\_

Date: \_\_\_\_\_

Dear \_\_\_\_\_ (Parent's Name) \_\_\_\_\_ :

For the first time, in the spring of 2003, the New Jersey Department of Education will administer a state assessment to students in third grade in language arts literacy and mathematics. The third grade assessment will be similar to the format of the Elementary School Proficiency Assessment (ESPA) except that the knowledge and skills measured will be commensurate with expectations for our third grade students.

The purpose of this letter is to notify you that due to abilities demonstrated by your child, the \_\_\_\_\_ (*name of school district*) proposes that your child participate in the third grade assessment with the accommodations currently listed in his/her IEP. Additional information regarding the content of the assessment will be provided to parents prior to administration of the assessment.

Students with disabilities who would not be able to complete any of the types of items planned for the third grade general assessment will participate in the Alternate Proficiency Assessment (APA) designed for students with severe disabilities. The APA is not considered an appropriate assessment for your child at this time.

Enclosed is a brochure regarding the requirement of the Individuals with Disabilities Education Act of 1997 and the No Child Left Behind Act that all students with disabilities participate in state assessments. If you have any questions regarding your child's participation in the assessment, please contact \_\_\_\_\_ (*case manager's name*) at \_\_\_\_\_ (*case manager's phone number*) .

Sincerely,

\_\_\_\_\_