Sec. 1. LOCAL TESTING

In addition to the state-administered assessment instruments, Midland Academy Charter may adopt and administer criterion-referenced or norm-referenced assessment instruments, or both, at any grade level. Any such locally adopted norm-referenced assessment instrument must be economical, nationally recognized, and state-approved.

For purposes of this Policy, "assessment instrument" means a Midland Academy Charter-commissioned achievement test, either nationally normed or criterion-referenced, that is group administered and reported publicly (such as to the Board) in the aggregate.

A company or organization scoring an assessment instrument shall send test results to Midland Academy Charter for verification. Midland Academy Charter shall have 90 days to verify the accuracy of test data and report the results to the Board.

Midland Academy Charter shall follow procedures for test security and confidentiality set forth in 19 TAC Chapter 101, Subchapter C.

Education Code 39.026, .032; *19 TAC 101.101*.

a) *Limits on Local Testing*

In a subject area for which a state assessment is administered, Midland Academy Charter may not administer locally required assessments designed to prepare students for state-administered assessments to any student on more than 10% of the instructional days in any school year. A campus-level planning and decision-making committee may limit the administration of locally required assessments to 10% or a lower percentage of the instructional days in any school year. This prohibition does not apply to the administration of college preparation assessments, advanced placement tests, international baccalaureate examinations, or state assessments.

Education Code 39.0262.

Sec. 2. BENCHMARK ASSESSMENT INSTRUMENTS

"Benchmark assessment instrument" means a Midland Academy Charter-required assessment instrument designed to prepare students for a corresponding state-administered assessment instrument. An assessment instrument designed to prepare students for state-administered assessment instruments is one that:

1. Evaluates students' potential performance relative to the state's blueprint in whole for a state-administered assessment; or
2. Is primarily focused on test-taking techniques.

© March 31, 2022 Schulman, Lopez, Hoffer & Adelstein, LLP
All rights reserved.

It does not include an assessment designed to evaluate students' mastery of parts of the Texas Essential Knowledge and Skills or the efficacy of instructional practice.

Midland Academy Charter may not administer to any student more than two benchmark assessment instruments to prepare the student for a corresponding state-administered assessment instrument.

This prohibition does not apply to the administration of a college preparation assessment instrument, including the PSAT, the ACT-Plan, the SAT, or the ACT, an advanced placement test, an international baccalaureate examination, or an independent classroom examination designed or adopted and administered by a classroom teacher.

A parent of or person standing in parental relation to a student who has special needs, as determined in accordance with Commissioner of Education rule, may request administration to the student of additional benchmark assessment instruments.

Education Code 39.0263; *19 TAC 101.6003*.

Sec. 3. <u>COLLEGE PREPARATION ASSESSMENTS</u>

Each school year, and at state cost, Midland Academy Charter may administer an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument:

1. To students in the spring of the eighth grade for the purpose of diagnosing the academic strengths and deficiencies of students before entrance into high school; and
2. To students in the tenth grade for the purpose of measuring a student's progress toward readiness for college and the workplace.

The provisions of Education Code 39.0261(a)(1) and (a)(2), with respect to the administration of college preparation assessment instruments at state cost, apply only if the legislature appropriates funds for those purposes.

Education Code 39.0261(a)(1)-(a)(2), (f).

High school students, in the spring of the eleventh grade or during the twelfth grade, may select and take once, at state cost:

1. One of the valid, reliable, and nationally norm-referenced assessment instruments used by colleges and universities as part of their undergraduate admissions processes; or
2. The assessment instrument designated by the Texas Higher Education Coordinating Board under Education Code 51.334.

A high school student is not prohibited from taking a test more than once, at his or her own expense.

© March 31, 2022 Schulman, Lopez, Hoffer & Adelstein, LLP
All rights reserved.

Education Code 39.0261(a)(3), (e).

Sec. 4. ARMED SERVICES VOCATIONAL APTITUDE BATTERY TEST

Each school year, Midland Academy Charter shall provide students in grades 10 through 12 an opportunity to take the Armed Services Vocational Aptitude Battery test ("ASVAB") test and consult with a military recruiter.

The test must be scheduled:

1. During normal school hours; and
2. At a time that limits conflicts with extracurricular activities, to optimize student participation.

Midland Academy Charter shall provide each student in grades 10 through 12 and the student's parent or person standing in parental relation to the student a notice of the date, time, and location of the scheduled administration of the ASVAB test.

Midland Academy Charter may elect not to provide the ASVAB test only if it provides an alternative test that:

1. Assesses a student's aptitude for success in a career field other than a career field that requires postsecondary education;
2. Is free to administer;
3. Requires minimal training and support of Midland Academy Charter faculty and staff to administer the test; and
4. Provides the student with a professional interpretation of the test results that allows the student to explore occupations that are consistent with the student's interests and skills and develop strategies to attain the student's career goals.

Education Code 29.9015.

© March 31, 2022 Schulman, Lopez, Hoffer & Adelstein, LLP
All rights reserved.