

FITNESSGRAM®

Exemptions for Students with Disabilities

The Texas Education Code (TEC) and the Texas Administrative Code (TAC) permit an exemption for students with disabilities from participating in the physical fitness assessment.

A student can be completely or partially exempted from FITNESSGRAM® assessments based on the conditions of their disability. There is no requirement to indicate these exemptions in the software or report them to the Texas Education Agency. If the student completes some, but not all, of the test items based on a restriction from particular types of physical activity, the scores for the completed tests should be entered into the FITNESSGRAM® software. Test items that are not completed should be left blank. NOTE: Blank entries will not count against a student or a school's overall percentages. The agency will only see aggregated data that reflects test items that were completed. To protect confidentiality, there will be no indication of test items not completed for a specific student.

All students, regardless of a disability, should be included in the physical fitness assessment. Modifying the test items when necessary to provide an opportunity for students to participate in a safe and relevant manner is recommended, but the data resulting from these modifications should not be entered into the software or submitted to the agency. If the modification for the student changes the test in a way that it would be unfair to judge the student against the regular FITNESSGRAM® standards, it would be inappropriate to enter the scores. It is recommended that the district maintain this information.

Questions and Answers:

1. Does this mean that all students with disabilities are exempt from the FITNESSGRAM®?

No. The majority of students with disabilities will be able to participate in the FITNESSGRAM® without accommodations or modifications to the assessment. Only students (with or without disabilities) who have been "restricted" in accordance with TAC Sec. 74.31, are exempt from participation in the administration of the FITNESSGRAM®.

Sec. 74.31. Health Classifications for Physical Education.

For physical education, a district must classify each student, on the basis of health, into one of the following categories.

- (1) Unrestricted (not limited in activities).
- (2) Restricted (excludes the more vigorous activities).
 - (A) Permanent. A member of the healing arts licensed to practice in Texas must provide the school written documentation concerning the nature of the impairment and the expectations for physical activity for the student.
 - (B) Temporary. The student may be restricted from physical activity of the physical education class. A member of the healing arts licensed to practice in Texas must provide the school written documentation concerning the nature of the temporary impairment and the expected amount of time for recovery. During recovery time, the student must continue to learn the concepts of the lessons but may not actively participate in the skill demonstration.
- (3) Adapted and remedial (specific activities prescribed or prohibited, as directed by a member of the healing arts licensed to practice in Texas).

2. What actions should a school take when a student can participate in the FITNESSGRAM® when provided appropriate accommodations or modifications to the assessment?

School personnel should exercise good judgment when including students with disabilities. If the student is considered "unrestricted" in accordance with TAC Sec. 74.31, the student must be administered the FITNESSGRAM® in the same manner as any other students. If the student with disabilities is participating in the regular physical fitness assessments without accommodations and/or modifications, there is no need to a meeting of the Admission, Review, and Dismissal (ARD) committee. However, if school personnel and/or the parent believe the student will require certain accommodations/modifications to participate, then an ARD committee may need to be convened to consider any such accommodation/modifications to the assessment based on the individual student's disability. ARD committee should consider participation in FITNESSGRAM® in the same manner as they consider other required state assessments.

3. What if an Admission, Review, and Dismissal (ARD) committee determines that some items in the FITNESSGRAM® are not appropriate for individual students with a disability?

The student's Individual Education Plan (IEP) should include a statement explaining why the student cannot participate in the test items that are determined by the ARD committee to be inappropriate.

4. What if a student's disability is of sufficient severity to make it dangerous or impossible for the student to participate in any portion of the FITNESSGRAM®?

For some students with significant disabilities the FITNESSGRAM® assessment will be inappropriate. Documentation for excluding the student should be maintained by the district.

5. If a student has already been determined by an ARD to have restricted physical education/activity, is it necessary to have the ARD go back to make a determination regarding FITNESSGRAM® participation?

If the ARD committee has already outlined a student's restriction from physical activity to address the existing curriculum requirements, and the guidance is sufficient to address the physical fitness assessment, there is no need for the ARD to meet to address this specific issue.

***** There are no other permissible exemptions for this state regulation. It is critical that those administering the assessment communicate the importance of student health. To merely state that it is a requirement, without teaching the value of the assessment, will potentially lead to student disinterest and parent discontent.**

6. Are there methods to garner support from students and parents?

- Share with students and parents that the data will be utilized to improve curriculum, direct resources, and provide opportunities for students to improve their own health.
- Send a letter home to parents to communicate the requirements and the importance of this initiative before the test is facilitated.
- Share the "parent report" and "student report" (both generated by the software at no cost) to the parents when the assessment is complete.
- Share research articles with both students and parents that describe positive effects on students who are healthy, such as improved performance, concentration, and attendance rates.
- Host an assembly for students and/or a family fitness night to share the benefits of a healthy lifestyle and demonstrate test protocols.

Districts are encouraged to consider the guidance from the Texas Association of Health, Physical Education, Recreation and Dance (TAHPERD) regarding adaptive physical education as indicated by ARD committee recommendations. This guidance is available at: http://www.tahperd.org/LINKS/links_physical_ed.html

**Northside Independent School District
Physical Fitness Assessment Exemption Form**

Dear Physician:

According to state law, all students in grades 3-12 are required to take a fitness assessment called the Fitnessgram one time per year. The Fitnessgram assessment measures cardio-vascular fitness, muscular strength and flexibility. The assessment is a measure of good health as opposed to athletic ability. The assessment includes the following test components:

- Curl Up
- 90° Push-up
- One-Mile Walk
- Trunk Lift
- Shoulder Stretch
- Height and Weight

A school district is not required to assess a student who, as a result of disability or other identified medical condition, is not physically able, or is at risk to take the tests prescribed by the Fitnessgram. If you determine that your patient should not be assessed, please describe the condition(s) below:

Name of Student _____ School _____

Student ID Number _____

FINDINGS AND RECOMMENDATIONS

I have examined the above named students and find the following physiological condition(s):

Condition is: permanent temporary

Please list any other medical contraindications to physical assessment as described above:

Recommendation valid until _____, 20 ____

Signature of Physician _____

Date _____

Address _____

Phone _____

Alternative Fitness Testing For Students With Special Needs



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Objectives of Presentation

- ▶ Knowledge of Federal Law and Mandates: Update
- ▶ Knowledge of State Applications: Questions and Discussions

Federal Update



Federal

- ▶ On any district or statewide test individuals with disabilities cannot be excluded (IDEA, 2004).
- ▶ Based on IDEA (2004) and NCLB (2001), no student, including those with a disability is exempt from districtwide or statewide assessments.
- If fitness testing is required for all students, or if it is a component of the physical education curriculum, considerations must be made regarding how best to include students with disabilities in fitness testing.

Federal/State

- Although Senate Bill 530 states that a district is not required to assess a student for whom the instrument is inappropriate, based on NCLB (2001) and IDEA (2004), an alternative or modified assessment *must* be used unless there is a written medical exemption.
- One percent of the student population is allowed to use an *alternative* assessment and a district may apply up to 2% more for additional alternative assessments for those individuals with significant cognitive disabilities and are unable to participate in the other statewide assessments even with substantial accommodations and/or modifications (Texas Education Agency, 2007).

State

- ▶ Therefore, 97% to 99% of students with disabilities should be administered the *FITNESSGRAM* with some being provided accommodations (4 types).
- ▶ The remaining students will be administered alternative assessment techniques that meet the same purpose as the original test.

Federal

Questions and Answers from:



wrightslaw.com/law/osep/faqs.idea.Assessment

Accountability

Question #1: Are students with disabilities required to participate in a States' accountability system?

Answer:

All students with disabilities in those schools must be included in the assessment system, and the scores of students with disabilities must be included in the assessment system for purposes of public reporting and school and district accountability (always exclusionary – up to 5%).

Accountability

Question #2: How do States and LEAs use their assessment results?

Answer:

Under IDEA, States must use information about the performance of students with disabilities in State and districtwide assessment programs to revise their State Improvement Plans as needed to improve their performance.

IEP Process

Question #4: May IEP teams exempt children with disabilities from participating in the State or districtwide assessment program?

Answer:

No. The IEP team determines **HOW** individual students with disabilities participate in assessment programs, **NOT WHETHER**. The only students with disabilities who are exempted from participation in general State and districtwide assessment programs are students with disabilities convicted as adults under State law and incarcerated in adult prisons.

Parental Permission

Question #6: Is parental permission required for c/w/d to participate in State and districtwide assessment programs if parental permission is not required for the participation of students who are not disabled?

Answer:

No. If parental permission is not required for participate in the State and districtwide assessment programs for students who are non-disabled children, it is not required for children with disabilities.

Alternative Assessments

Question #10: What is an alternative assessment?

Answer:

Generally, an alternative assessment is understood to mean an assessment designed for those s/w/d who are unable to participate in general large-scale assessments used by a school district or State, even when **accommodations** are provided.

It should be noted that alternative assessments need to be **ALIGNED** with the general curriculum.

Accommodations

- ▶ The words “**accommodations**” and “**modifications**” are both used in the federal statute and regulations, but the precise meanings are unclear.

Accommodations

- ▶ If there accommodations within the assessments
 - There are student that can take the test with accommodations.
 - Then there are those that are severe that need an alternative assessment (i.e., modifications).

Federal Government

What are accommodations?

You accommodate **within** the test: 4 types

1. Presentation (e.g., repeat directions)
2. Response (e.g., use poly spots, use picture cards)
3. Setting (e.g., special lighting, separate room)
4. Timing/Scheduling (e.g., extended time, frequent breaks)

Modifications / Alternatives

▶ Modification (Alternative)

- Use another test that tests for the same attributes (i.e., Brockport, Blending Tests).

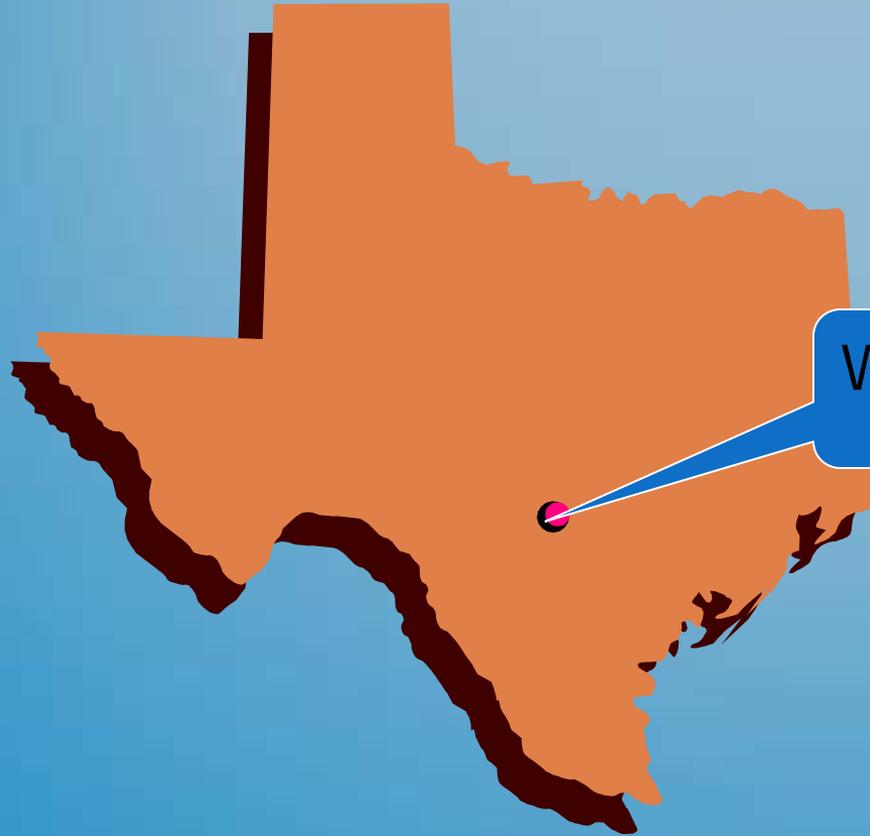
Reporting

Question #19: What reports on assessment are required by IDEA?

Answer:

****IDEA requires States to report to the Secretary and to the public every 2 years on the progress of the State and the c/w/d in the State toward meeting performance goals including performance on assessments, drop-out rates, and graduation rates.***

Texas – Discussion and Questions



What does TEA say?

Texas

Question #1: Does this mean that all students with disabilities are exempt from the *FITNESSGRAM*?

Answer:

No; the majority of students with disabilities **will be** able to participate in the *FITNESSGRAM* without accommodations or modifications to the assessment. Some s/w/d will require accommodations or modifications to the assessment based on the individual student's disability, but many will be able to participate without any accommodations or modifications. Only students (w/or/w/o disabilities) who have been "restricted" in accordance with TAC §74.31, shall not participate in the administration of the *FITNESSGRAM*.

Texas

Question #2: What actions should a school take when a student can participate in the *FITNESSGRAM* if provided appropriate accommodations or modification to the assessment?

Answer:

School personnel should exercise good judgment when including s/w/d in the *FITNESSGRAM*. If the student is considered “unrestricted” in accordance with TAC §74.31, then the student must be administered the *FITNESSGRAM* in the same manner as any other student. If school personnel and/or the ARD committee may need to be convened to consider accommodations or modifications to the assessment based on the individual student’s disability. **ARD committees should consider the student’s participation in the *FITNESSGRAM* in the same manner as they consider other required state assessments.**

Texas

Question #3: What if an ARD committee determines that some items in the *FITNESSGRAM* are not appropriate for individuals students with a disability?

Answer:

The student's IEP should include a statement explaining why the child cannot participate in test items that are determined by the ARD committee to be inappropriate.

Texas

Question #4: What if a student's disability is of sufficient severity to make it dangerous or impossible for the student to participate in any portion of the *FITNESSGRAM*?

Answer:

Assessment using the *FITNESSGRAM* will be inappropriate for some students with significant disabilities. Documentation for excluding the student should be maintained by the district.

There are no other permissible exemptions for this state regulation. It is critical that those administering the assessment communicate the importance of the student health.

Texas

Question #5: If a student has already been determined by an ARD to have restricted physical education/activity, is it necessary to have the ARD to go back to make a determination of participation in fitness assessments?

Answer:

If the ARD committee has already outlined a student's restriction from physical activity to address the existing curriculum requirements and the guidance provided is sufficient to address the physical fitness assessment, there is no need for the ARD to meet again to address this specific issue.

Texas

Question #6: Are there methods to garner support from students and parents?

Answer:

- ▶ Share with parents and students that the data will be utilized to improve curriculum, direct resources, and provide opportunities for students to improve their own health.
- ▶ Send a letter home to parents to communicate the requirements and the importance of this initiative before the test is facilitated.

Texas, cont'd:

Question #6: Are there methods to garner support from students and parents?

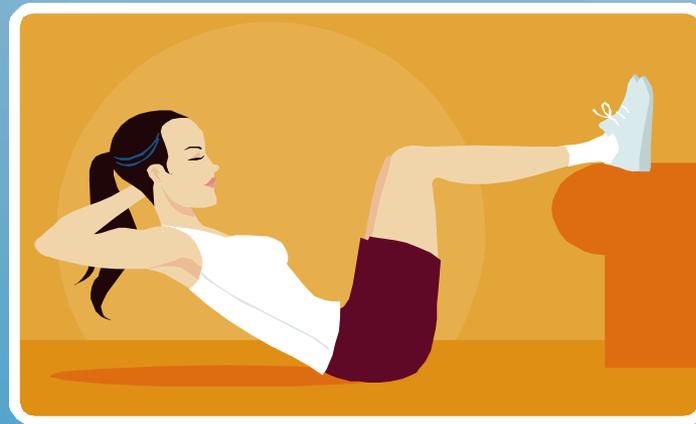
Answer:

- ▶ Share the “parent report” and “student report” (both generated by the software at no cost) voluntarily when the assessment is complete.
- ▶ Share research and articles with students and parents that describe the positive effects on students for taking care of their health, such improved performance, concentration, and attendance rates.
- ▶ Host an assembly for students and/or a family fitness night to share these insights and demonstrate the test protocols.

TAHPERD website

www.tahperd.org

http://tahperd.org/LINKS/links_pdfs/Fitness_Testing_Special_Needs.pdf



Statewide Physical Fitness Testing and Students with Disabilities
in Texas (Silliman–French, Buswell, & French, 2008)



Closing Remarks