

# Admission and Release Committee (ARC) Guidance for Nonverbal Assessment

April 2024



**A nonverbal assessment should not be used when an evaluation can be conducted in the student’s native language or typical mode of communication.**

“[Section 300.304\(c\)\(1\)\(ii\)](#), consistent with section 614(b)(3)(A)(ii) of the Act, requires that assessments and other evaluation materials used to assess a child be provided and administered in the child’s native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do, unless it is clearly not feasible to so provide or administer. We agree that this provision should not be improperly used to limit evaluations in a child’s native language...” [[IDEA Part B, 71 Fed. Reg. 156, p. 46642 \(Aug 14, 2006\)](#), [Frequently Asked Questions on Effective Communication for Students with Hearing, Vision, or Speech Disabilities in Public Elementary and Secondary Schools, Appendix B](#)].

When an ARC determines it would not be feasible to administer the assessment in the student's native language or current “mode of communication most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally” [[707 KAR 1:300, Section 4 \(2\) \(b\)](#)], an ARC may need to discuss other valid and reliable assessment methods. An ARC should first ensure they have considered methods to address the student’s native language or mode of communication needs. Modes of communication for the ARC to consider for administration of assessments may include (but are not limited to):

- Sign language (American Sign Language, Conceptual Signs, Conceptually Accurate Signed English, Manually Coded English);
- Augmentative communication (pictures, technology programs or devices); and
- Braille.

If the ARC determines traditional evaluation methods are not able to accommodate the student’s native language or current mode of communication, the use of a nonverbal assessment may be considered. A nonverbal assessment may be used when:

- The student does not have the ability to verbally express themselves;
- The ARC has interviewed the family and discussed languages or best methods to assess the child; and
- The ARC determines the student’s current means of communication or response would not yield information about what the child knows and can do [[CPIR Building the Legacy](#)].

When choosing which type of assessment should be administered, the ARC should consider that some assessments may deviate from traditional standardization processes thus impacting the validity and reliability of assessment findings. However, the Individuals with Disabilities Education Action (IDEA) requires the ARC to use a variety of assessment tools and strategies [[707 KAR 1:300, Section 4 \(5\)](#)] when determining the unique abilities and needs of the student.