

## **ABILITY TO BENEFIT TESTS (ATB TESTS) (Subpart J)**

*A significant number of changes were made to the NPRM.*

**Rationale for Regulation:** According to the department's inspector general, abuses in the administration and grading of ATB tests at for-profit schools have enabled unqualified students to attend college and obtain federal student aid.

### **Key Provisions of the Regulation:**

- The lengthy regulations detail various aspects of the creation and use of these tests. They include requirements for accommodations for the disabled and non-English speakers and that these accommodations be reported.
- The final regulations also clarify that a test administrator must be “certified” and what constitutes an independent test administrator, and requirements for some non-English speaking test takers.

**Regulatory Language:** Subpart J—Approval of Independently Administered Tests; Specification of Passing Score; Approval of State Process of part 668 is found at <http://ifap.ed.gov/fregisters/attachments/FR102910Final.pdf>, pages 130 - 137.