



Policy Memo: Guidance on 40-hour Waiver for Testing

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Overview

Minnesota ABE programs are required to wait until a student has completed at least 40 contact hours since their previous test before administering a post-test. This waiver does not change that requirement, but it allows for an exception in SPECIFIC and LIMITED situations when a student can be tested with less than 40 contact hours between tests. In general, **this waiver/exception can be used only when a student with at least 12 contact hours is exiting ABE because they have completed the instruction necessary to achieve a specific academic or occupational goal.** The waiver may not be used when a student is exiting for any other reason, such as being released from a correctional facility or moving out of the community.

Policy Language

The Minnesota ABE Assessment Policy states:

“Post-testing must not occur before at least 40 hours of instruction unless a specific, individual waiver is granted by a local program administrator. **Post-tests may be administered before 40 hours of instruction** since their last assessment with an alternate form of the same test type and modality **only if a student completes a course of study and/or is ready to complete a diploma, a college-ready credential, or an occupational assessment or credential, and plans to exit the program.** Waivers must be kept in the student file.”

Definitions

Local program administrator: An individual who has supervisory or leadership responsibility of ABE programming at a particular site and has been granted authority by the ABE consortium to approve test waivers. This could be a supervisor, manager, coordinator or lead teacher. The consortium needs to decide and define who has the authority to approve student test waivers in the consortium’s Assessment Procedures.

Course of study: A course that has a defined start and end date. Examples: 32-hour CNA prep course, 15-hour ACCUPLACER® prep course, 36-hour College Algebra 101 course at a college where ABE students are co-enrolled.

Student file: The student's electronic record in the SiD data system.

Diploma, college-ready credential, or occupational assessment or credential:

- Diploma:
 - High school diploma through credit completion
 - Standard Adult High School Diploma
- College-ready assessment:
 - ACCUPLACER®
- Occupational assessment or credential:
 - An assessment or credential that is necessary for a specific occupation, such as CNA, Commercial Driver's License or ParaPro

UPDATE (JULY 2026): Please note that in the past this waiver could be used for students working toward passing the GED® or HiSET®. This is no longer an allowable use of the waiver. In 2024, Measurable Skill Gain (MSG) 1d was implemented. A student earns MSG 1d by passing any single subject test of the GED® or HiSET®, and once a student has achieved an MSG, it is no longer necessary to post-test them.

Guidance for Using the 40-hour Waiver

The 40-hour waiver is a history item in SiD. When this history item is assigned to a student, SiD will allow a test to be entered for that student if they have a minimum of 12 hours of instruction since their last test. When assigning the history item, one of two options must be selected: 1) *Student exiting program AND completing assessment or credential* or 2) *Student exiting program AND course is ending*.

IMPORTANT NOTE: The comments section of the history item **MUST** be filled out anytime this waiver is used. Two items should be included in the comment box: 1) the name of the local administrator who approved the use of the waiver and 2) the name of the credential or assessment that the student is ready to complete OR the name of the course the student completed.

It is also important to note that the 40-hour history item will apply for the remainder of the program year (July 1 – June 30) in which it was added. Because of this, when using the waiver in June it will be necessary to ensure that the student receives a post-test on or before June 30 when the waiver expires.

Data on usage of the 40-hour waiver is available on the Desk Audit Report, so that programs can easily track when and for which students the waiver is being used. ABE consortia are expected to monitor the use of this test waiver to ensure it is used appropriately and not overused. The state ABE team at MDE will also be monitoring use of this waiver statewide to ensure appropriate use and watch for any potential overuse.

The consortium's process on implementing the test waiver must be clearly documented in the Consortium Assessment Procedures and communicated with all consortium providers. The procedures should include guidelines for who is approved to grant a test waiver.

For More Information

For additional guidance on using the waiver in SiD, including screen shots with example comments, read the SiD online help article:

<https://mnabe.zendesk.com/hc/en-us/articles/360035909312-Waiver-for-40-hour-Testing-Requirement>

Contact SiD support staff (SiDsupport@literacymn.org) for additional questions not addressed in this memo.

Frequently Asked Questions (FAQs)

Q: Can we use this waiver for students who are working towards a GED® or HiSET®?

UPDATE (JULY 2026): A: No. In this past this was an allowable use of the waiver. However, since the implementation of Measurable Skills Gain (MSG) 1d in 2024 a student earns an MSG when they pass any subject test of either the GED® or the HiSET®. Once a student has achieved an MSG, it is not necessary to post-test them.

Q: Can we use this for a student who is exiting ABE because they are being released from a correctional facility?

A: No. In this case the student is not exiting because they completed an academic or occupational goal. Ideally, individuals who were receiving ABE instruction while incarcerated will re-connect with ABE services once they are back in the community. If a formerly incarcerated student does continue ABE instruction after release and achieves a measurable skill gain through test-based level gain or diploma attainment, that gain also counts for the ABE program in the correctional facility if the student had 12 or more ABE hours in the correctional facility during the same program year that the gain was achieved.

Q: Can we use this for a student who is leaving ABE because they are moving out of the state?

A: No, unless they have finished a course of study or are ready to complete a diploma, a college-ready assessment, or an occupational assessment or credential.

Q: Can we use this for a student who is leaving ABE because they got a new job and no longer have time to attend classes?

A: No, unless they have finished a course of study or are ready to complete a diploma, a college-ready assessment, or an occupational assessment or credential.

Q: What happens if a student gets a waiver, takes a test, exits, and then comes back to re-enroll in ABE?

A: This should be rare because the waiver should be used when a student has accomplished a goal and is moving on. However, we recognize this is possible. In SiD, once the waiver has been used once, the testing timeline is reset to 40 hours. So, if this student re-enrolls, they will once again need to complete 40 hours of instruction before their next test.

Q: Could this waiver be used for students co-enrolled with ABE and a college when the college course is coming to an end?

A: Yes, AS LONG AS the student will no longer be enrolled in ABE.

Please note: Instruction intended to improve academic literacy and/or math skills of ABE students often requires significant time. Therefore, providing at least 40 hours of ABE instruction is best practice in many ABE/college co-enrollment situations.