2002

Accountability Tests and Assessment of Students with Disabilities: High-Stakes Are for Tomatoes! A review of Literature

Paul J. Gerber
Virginia Commonwealth University, pjgerber@vcu.edu

Accountability Tests and Assessment of Students with Disabilities: High-Stakes Are For Tomatoes!

A Review of the Literature

Prepared by:
Dr. Paul J. Gerber
Professor of Education

Virginia Commonwealth University
September 2002

Table of Contents

Legislation Background 2

Status of Students with Disabilities Prior to Oregon Suit..... 5

State of Oregon Class Action Suit 6

National Center for Learning Disabilities Policy Recommendations..... 7

The Role of the Individualized Education Program (IEP) 10

Testing Accommodations 11

Alternate Assessment 16

State Outcome Data for Academic Year 2001 17

1998 Virginia Statewide Assessment Data for Students with Disabilities.... 18

Virginia Alternate Assessment 2000-2001 Results 19

Intended and Unintended Consequences 20

Conclusion 21

Glossary of Terms 22

References 24

May, 2002

Since the landmark work A Nation at Risk (1988), a report that warned about "the rising tide of mediocrity in American public education", school systems in the United States have been evolving by way of a myriad of reform efforts, particularly with regard to the "standards movement". There has been much scrutiny of student achievement by a variety of constituencies – policymakers, school boards, and unions; school administrators, teachers and parents. Each has viewed the metamorphosis of the K-12 system through its own lens. Moreover, each group has been most interested in the "bottom line" of educational efforts. That is, the outcomes of standards-based education, performance as measured by accountability and assessment systems. Currently, 47 states have some kind of statewide assessment program. The generally-stated purpose of the state assessment programs are 1) to provide information about individual student achievement, and 2) to gauge the success of schools and school systems, particularly holding educators accountable for student assessment of educational outcomes (Landau, Vohs and Romano, 1998). Quenemoen, Lehr, Thurlow & Massanari (2001) have observed:

"Generally, the theory of standards-based reform is that, if states set high standards for student performance, develop assessments that measure student performance against standards, give schools the flexibility they need to change curriculum, instruction, and school organization to enable their students to meet the standards, and hold schools strictly accountable for meeting performance standards, then student achievement will rise"(p.3). Most important, they will rise for *all* students, including *students with disabilities*. This issue is a very complicated one that states and school divisions struggle with even to this day.

Much of the writing on this issue so far focuses on the generic concept of disability in an undifferentiated way. There are, however, a myriad of issues when disability is broken into smaller disability-specific parts. For example, particular issues abound for students with learning disabilities, the highest incidence disability, as well as other students who are disabled and cognitively/academically–able. On the other hand, there are very important issues for those students with disabilities who are not cognitively-able or have adaptive skills deficits, yet must be included in the system of

accountability testing in some way. Without question, if the entire system of testing is to be valid and credible, then it has to be fair for all students, including students with disabilities. This is important because a lot is "riding on" the test scores collectively and individually.

Much is predicated on the performance of students on accountability tests. According to a report by Disability Rights Associates (DRA) (2000) in Fall, 2000, 23 states required students to pass a high school exit examination to receive a diploma; another seven states planned to adopt exit examinations in the next three years. Moreover, accountability-type tests are routinely used to award scholarships, grant advanced placement, and earn honor credit. Thirteen states used accountability tests to determine whether students should be promoted or retained. Some states even proposed that data be used to determine suitability for acceptance to state universities and even employment (p.3).

This paper has as its purpose, to review the literature of educational accountability as it pertains to the issue of high-stakes assessment for students with disabilities. It is an issue that has implications for the thousands of students with disabilities across the United States. Closer to home, it also affects all students with disabilities in Virginia's school divisions.

Legislation Background

The field of education is adjusting to the mandates of federal legislation and a new paradigm that includes students with disabilities in accountability testing. The reauthorization of the Elementary and Secondary Education Act (ESEA), called the Improving America's Schools Act (IASA), in 1994 contained a Title 1 provision that expectations and outcomes for students served by Title 1 be the same for all students. Specifically, the legislation mandates that a state must have "...in effect policies and procedures to ensure that ...children with disabilities are included in general state and district-wide assessment programs, with appropriate accommodations as necessary" [20 U.S.C. 1412(a) (17)]. Prior to this legislation as many as 50 percent of students with disabilities were excluded in statewide assessments, varying from state to state (Landau, Vohs, and Romano, 1998). Moreover, it required the states and their school districts to

set challenging standards for student achievement and develop and administer assessments to measure student progress. Key to the wording of IASA was that *all* students were to be held to the established standards and that the standards be measured and reported to the public. Further, data from the tests are to be used to improve instruction and educational systems and structures, in theory, to improve student achievement outcomes. Quenemoen, Lehr, Thurlow and Massanari (2001) have observed, "These features of Title 1 law are the core components of what is called standards-based reform: content and performance standards set for all students, development of measurement tools to measure progress of all students toward the standards, and accountability systems that require continuous improvement of student achievement" (p.2).

It is noteworthy that the intent of the IASA legislation was to include *all* students, which included students with disabilities. The amendments to the Individuals with Disabilities Education Act (IDEA) in 1997 elaborated on the expectations of IASA by challenging school districts to include students with disabilities in assessment and accountability systems. In essence, "the assessment provisions of IDEA must be considered within the context of the accountability provisions of IASA (Quenemoen, Lehr, Thurlow and Massanari, 2001). Specifically, the IDEA Amendments of 1997 "require that all children with disabilities be included in general state and district-wide assessment programs, with appropriate accommodations, where necessary. In some cases, alternate assessments may be necessary, depending on the needs of the child, and not the category or severity of the child's disability."

IDEA contained other provisions that had a bearing on assessment of students with disabilities. It stated that IEPs must include "… a statement of any individual modifications in the administration of state or district-wide assessments of student achievement that are needed in order for the child to participate in such assessment" [20U.S.C. 1414(d)(i)(A)(v)(l)].

Moreover, IDEA provides directives on how scores are to be reported. "Reports to the public… must include aggregated data that include the performance of children with disabilities together with all other children and disaggregated data on the performance of children with disabilities"[Rule 34 C.F.R. 300.139 (b)]. In essence, IDEA requires two

kinds of reporting of assessment scores of students with disabilities. "First, school, district, and statewide summaries must report the scores of students with disabilities with the scores of other students (aggregated scores). This provision is important because if the scores of students with disabilities are only reported separately, the achievement of students with disabilities is likely to be considered as less important when evaluating school performance.... In addition, school, district and statewide summaries must also report the performance of children with disabilities separately from the scores of students without disabilities (disaggregated scores) to allow analysis of student performance and identification of specific trends" (Landau, Vohs, and Romano, 1998)(p.4).

Consistent with other special education legislation the notion of "appropriate accommodations" is not operationalized and is to be determined by the states. In turn, that process evolves to the school division as the custodian of the individualized education program (IEP) process. Most important, IDEA mandated that by July, 2000 alternate assessments be developed for those students with disabilities who cannot participate in standard assessments.

Overall, there are a number of reasons for all students (including students with disabilities) to be included in assessment and accountability systems. They are to:

1. promote high expectations
2. provide an accurate picture of education
3. allow all students to benefit from reforms
4. enable accurate comparisons to be made
5. avoid unintended consequences of exclusion
6. meet legal requirements (NCEO, 2001).

The benefits to students with disabilities have been described by the Boston-based PEER (Parents Engaged in Educational Reform) project (1998), a federally-funded grant to explore the issues of accountability testing and students with disabilities from a national perspective. Benefits in four areas have been identified.

1. A Key to Higher Expectations. The overall goal for our nation's many education reform initiatives is to raise the level of learning for all students, including students with disabilities. This goal is grounded in the belief that all students are capable of meeting much higher standards than have been expected of them in the past. Historically, expectations for students with disabilities have been appallingly low, as these students have been discouraged from participating in general

curriculum studies. Students with disabilities must participate in assessments to ensure meaningful access to the same high curriculum and standards that drive education for all other students.

2. School Accountability for All . Participation in assessments sends the message that schools are accountable for all students reaching higher levels of learning. The higher expectations placed on schools can result in increased use of accommodations or adaptations and other strategies to help students with disabilities reach higher standards.

3. A Role in Shaping Policies and Programs . To help students meet higher standards, state and local education agencies are developing new instructional methods and technologies. Data from assessments can be used to gather information about promising practices and to improve programs. If students with disabilities are included in assessments, their needs will be considered in shaping education policies, programs, and practices.

4. High-stakes for Individual Students . For individual students, the importance of assessment may even be more direct and critical. Increasingly, assessments are used as the basis for awarding diplomas or for gaining access to post-secondary opportunities. Students with disabilities must have equal opportunities to demonstrate their competencies in order to have full and equal access to future life opportunities (p.2).

Status of Students with Disabilities Prior to the Oregon Suit

A number of studies investigated the participation of students with disabilities on high-stakes state accountability tests. Although the evidence is scant, there is a trend that shows students with disabilities at-risk when taking state assessment tests. In the 1970s, when minimum competency tests were routinely given in the states, many students with disabilities were excluded from state graduation test programs (NRC,1999) and those who were tested failed at rates of over 50 percent (McLaughlin, 2000). According to 1998 data, 14 states showed disturbing trends in the performance of students with disabilities on statewide assessment tests. Students with disabilities consistently failed state graduation tests at rates 35 to 40 percentage points higher that those students who were not disabled (Ysseldyke, et al. 1998).

State of Oregon Class Action Suit

In this landmark case, the advocates of students with learning disabilities alleged that Oregon's assessment system was discriminatory. The contention of the suit was that when the assessment system was designed and subsequently implemented, the state board did not take into account the needs of students with dyslexia, attention deficit disorder and other learning disabilities. In the lawsuit, the plaintiffs contended that it was unfair for students with learning disabilities to be accommodated in their classroom work, but not allowed these same forms of educational supports on the Oregon Certificate of Initial Mastery Tests that are given in grades 3, 5, 8, and 10. Consequences of failure were dramatic: not being promoted to the next grade and mandatory attendance in summer school programs. In 1999, 95 percent of students with disabilities failed the tests as did 70 percent of non-disabled students.

The settlement of the lawsuit produced a 42- page report from a panel of experts that contained 30 recommendations to ensure the fair treatment of students with learning disabilities in future accountability tests. A court-appointed monitor was chosen to oversee the remedies of the class suit action. In essence, the state of Oregon, like many other states in the country, was found guilty of developing tests of accountability that were developed and implemented without any consideration of their impact on students with disabilities. In some cases, students with disabilities were tested in the area of their disability and on curriculum that was never taught.

There were a number of weighty quotes that emerged form that court settlement against the Oregon State Board of Education. Alison Aubry, a lawyer with Disability Rights Associates who represented the plaintiffs (students with learning disabilities) commented, "Under the settlement Oregon will modify its current testing system so that students with learning disabilities will be able to demonstrate their abilities and are not tested on their disabilities." A Portland mother elaborated on that thought, "Smart and talented students with learning disabilities were failing because they weren't provided with the accommodations needed in order to show their actual knowledge. With this settlement kids with learning disabilities will now have an equal chance on the assessments."

The Oregon case, while focused on students with learning disabilities, was a case that had implications for all states around the country. State accountability tests were reexamined and revisited. Moreover, the report produced for the state of Oregon by the expert panel became a "blueprint for all states to follow in order to make sure that assessment systems are fair for students with learning disabilities." There were numerous recommendations to remedy Oregon's assessment system. They included statements about options, approved accommodations, IEP decision-making, information dissemination, and advocacy training. The ramifications extended beyond *just* learning disabilities to all students with disabilities. States had the material to analogize the recommendations for students with learning disabilities to other students with disabilities.

National Center for Learning Disabilities Policy Recommendations

In response to the Oregon class-action suit and the recommendations from the panel of experts the National Center for Learning Disabilities (NCLD) (2000), a leading policy and advocacy organization headquartered in New York City, proffered eight policy recommendations for students with learning disabilities relative to the issue of "high-stakes" accountability testing. They were:

1. Opportunity to Learn – Students with learning disabilities must have access to the general curriculum throughout their school years to ensure they will be best able to demonstrate their intelligence, abilities, knowledge and skills on high-stakes assessments. Likewise, the educators charged with the responsibility to provide highly individualized instruction to these students need time and opportunity to gain the skills and information needed to provide full access to the curriculum being assessed.

2. Test Validity and Reporting – Students with disabilities are usually not included in the sample population used in test development nor are students with disabilities, when included, given appropriate accommodations. This results in a lack of test validity and the development of assessments that are, in fact, assessing the students' disability, not his or her ability. Assessments should be designed and validated so as to ensure that the normative sample includes students with disabilities using appropriate accommodations. Testing results should report both aggregated and disaggregated data and should be reported at the state, district, and school level. Data should be used to determine the effects of high-stakes assessment on students with learning disabilities.

3. Access to Accommodations – Students with learning disabilities must be provided the same accommodations on the assessments that they have used during their educational careers. Decisions about the accommodations to be provided on assessments is the sole responsibility of those involved in the formulation if the student's individualized education program (IEP) or Section 504 Plan, generally a team consisting of the student, his or her parents, and appropriate school personnel. Such decisions should not be limited by any predetermined list of accommodations formulated at the district or state level. Accommodations should not be labeled as "standard" or "nonstandard". The test results of students with learning disabilities who participate in an assessment with accommodations should count for whatever purposes the assessment system has been validated and the scores of these students should not be "flagged" in any way that will have a stigmatizing effect.

4. Alternate Assessment – Most students with learning disabilities do not require a different set of standards, but they do require both instruction and assessments that are better suited to their unique needs. Just as these students require differentiated instructional approaches in order to learn the same material as their non-disabled peers, they should have access to a meaningful alternate assessment system that is based on the same standards as the regular assessment. Alternate assessments should allow students with learning disabilities to demonstrate their knowledge, rather than the effects of their disabilities.

5. Parent and Student Involvement – Parents and students should be given clear and accurate information about the assessment system, accommodations, alternate assessments, and appeals. The short and long-term effects of non-participation should be fully discussed with parents and students to ensure a complete understanding of the consequences of any large-scale assessment system.

6. Political and Administrative Considerations – Considerations, such as how the inclusion of students with learning disabilities in high-stakes assessments will affect reporting scores of schools and districts, must not be allowed to override the rights and needs of students with learning disabilities nor adversely affect the benefits of students once included.

7. Use of Test Scores – In designing and implementing remediation options for students failing or performing poorly, educators, and administrators must protect the rights and needs of students with learning disabilities.

8. Limit on Use of High-Stakes Tests – Multiple measures of student performance should be utilized in the assessment system, and no one measure or test score should determine the educational future of students.

NCLD's policy (found on their website, http: www.ncld.org) is the most comprehensive statement about high-stakes assessment to come from the myriad of

organizations that espouse the cause of learning disabilities. Their guidance on this issue is coincidental in parts pertaining to students with disabilities to the American Educational Research Association (AERA) position statement on high-stakes testing in PreK-12 education.

The AERA position statement is based on the 1999 Standards for Educational and Psychological Testing. These standards (12 items) represent a consensus from the fields of education and psychology on appropriate practice in testing in the nation's schools. It is intended to provide clear direction, guidance and caution for policymakers, professionals and consumers on how to proceed with high-stakes testing in the current educational environment of accountability testing. Also, it is endorsed by the American Psychological Association and the National Council on Measurement in Education. The three portions of the AERA position statement that directly address the issues for students with disabilities are as follows. (Note: this statement is not disability-specific.)

1. Appropriate Attention to Language Differences Among Examinees – If a student lacks mastery of the language in which a test is given, then the test becomes, in part, a test of language proficiency. Unless the primary purpose of a test is to evaluate language proficiency, it should not be used with students who cannot understand the instructions or the language of the test itself. If English language learners are tested in English, their performance should be interpreted in the light of their language proficiency. Special accommodations for English language learners may be necessary to obtain valid scores.

2. Appropriate Attention to Students with Disabilities - In testing individuals with disabilities, steps should be taken to ensure that the test score inferences accurately reflect the intended construct rather than any disabilities and their associated characteristics extraneous to the intent of the measurement.

3. Opportunities for meaningful remediation for Examinees Who Fail High-Stakes Tests - Examinees who fail high-stakes tests should be provided with meaningful opportunities for remediation. Remediation should focus on the knowledge and skills the test is intended to address, not just the test performance itself. There should be sufficient time before retaking the test to assure that students have time to remedy any weakness discovered.

An example of a response to the question of high-stakes testing for students with disabilities from a state teachers' union comes from the Missouri National Educational

Association (MNEA). Their position (2000) argues for multiple criteria with a de-emphasis on a "single testing event,"

> "While the Missouri NEA believes that testing is a necessary part of the educational process, we also believe that a single testing event does not provide a multifaceted picture of the student as a motivated learner and a member of society. MNEA believes that students should be held accountable for their learning. However, a single test is an extremely limited method of demonstrating student proficiency. MNEA believes that assessment of student learning should include, but not limited to, achievement tests, portfolios, grades, teacher recommendations, attendance, extra curricular activities, community involvement, 504 plans, and IEP goals. Taken together, these means of evaluating student performance and accomplishments create a more complete picture of student achievement as well as a greater level of motivation in students....(p.1)

The Role of the Individualized Education Program (IEP)

Assessment accommodations are driven by the individualized education program (IEP) and the IEP team, a multi-disciplinary collection of professionals. Under the provisions of IDEA the IEP team "is authorized and required" to identify any accommodation that a student with a disability will need in district-wide or state assessments. These accommodations are not inconsistent with the nonstandard testing conditions that are typically employed in regular classroom testing. In fact, the accommodations for classroom testing and district-wide assessment often coincide.

The PEER project (1998) has reported that the vast majority of states empower their IEP teams to determine individual accommodations. This practice puts the states *slightly out of compliance.* About 75 percent of states have a list of approved accommodations. This precludes IEP teams from recommending an accommodation that is not on the "approved list." The PEER project analysis contends that this practice is "inconsistent with IDEA because it limits the ability of the IEP team to chose the accommodations or modifications based on the student's individual needs" (p.5). In addition, five states permit their IEP teams to chose accommodations that are not on the state approved accommodation list. Twelve states allow for an appeal process from IEP teams to request an accommodation not on then state's approved accommodation list.

Testing Accommodations

Accommodations for students for disabilities are quite varied. They are divided into two kinds of accommodations – standard accommodations and nonstandard accommodations. Standard accommodations are accommodations that allow a student to take a test in a different way without changing what is being measured. Nonstandard accommodations are those that significantly change what is being measured. Below is a list of accommodations used for students with disabilities in school-age programs excerpted from work done by the PEER Project (Landau, Vohs, and Romano (1998), for the website LD Online (2000) that were culled from state assessment policies. "The examples of accommodations listed here are organized into four categories that should be considered by the IEP team: a) Timing/Scheduling Accommodations, b) Setting Accommodations c) Presentation Accommodations d) Response Accommodations. The examples are summarized or, in some instances, excerpted from the original policy documents.

A. Timing/Scheduling Accommodations

- At time of day or week most beneficial to student
- Multiple testing sessions
- In periods of ___ minutes followed by rest breaks of ___ minutes
- Extended time to complete tests
- Untimed testing sessions
- ...until, in the administrator's judgment, the students can no longer sustain the activity due to physical disability or limited attention span. (Allow test administrator to determine length of sessions and need for breaks based on observation of student's ability to successfully sustain the activity. Additional sessions would be scheduled as needed to complete testing.)

B. Setting Accommodations

- In a small group, in a separate location
- Individually, in a separate location
- In a carrel
- In the special education classroom
- With student seated in front of classroom
- With teacher facing student
- Near student's special education teacher or aide
- At the student's home

- At the hospital
- With special lighting
- With special acoustics
- Individual testing stations for students responding verbally
- With adaptive or special furniture
- In location with minimal distractions
- Students with visual impairments may be separated from other examinees if their method of response is distracting to other students.
- Students should not be required to take exams in corridors or other uncomfortable locations.

C. Presentation Accommodations

- Large print editions of tests
- Braille editions of tests
- Directions read aloud by test administrator
- Test items read aloud by test administrator
- Test given by person familiar to child
- Standard directions read several times at start of exam
- Directions reread for each new page of test items
- Directions given in simplified language
- Key words in directions (such as verbs) underlined or highlighted
- Directions provided for each new set of skills in the exam
- Directions repeated as needed
- Student asked to demonstrate understanding of directions
- Directions given in any format necessary to accommodate student (signing, auditory amplification, repeating, etc.)
- Directions provided on verbatim audiotape (for students who have difficulty with printed words or numbers and/or who acquire knowledge primarily through the auditory channel)
- Student given a written copy of examiner's instructions (from examiner's manual) at time of tests
- Additional examples provided
- Practice tests or examples provided before test is administered
- Student [physically] assisted to track the test items by pointing or placing the student's finger on the items
- Spacing increased between test items
- Size, shape, or location of the space for answers altered as needed
- Fewer items placed on each page
- Size of answer bubbles enlarged
- Cues (e.g., arrows and stop signs) provided on answer form
- Student cued to remain on task
- Physical assistance provided
- Paper placed in different positions
- Student's test taking position altered
- Opportunity for movement increased or decreased

- Stimuli reduced (e.g., number of items on desk limited)
- Test administered by special education teacher or aide
- Directions and test signed by interpreter
- Appropriate adjustment of any medication ensured to prevent interference with the student's functioning
- Use of glasses, if needed
- Proper functioning of hearing aids ensured
- Students who use Braille edition of test use Braille rulers
- Sign language interpreter, amplification, or visual display for test directions/examiner-led activities
- Videocassette with taped interpreter signing test instructions and test items
- Cued speech interpreters, and/or oral interpreters
- Magnifying equipment (closed circuit television, optical low-vision aid, etc.)
- Assistive technology (adaptive keyboard, word processor, voice-activated word processor, voice synthesizer, etc.)
- Amplification equipment (e.g., hearing aid, auditory trainer)
- Noise buffers worn by student
- Augmentative communication systems or strategies, including letter boards, picture communication systems and voice output systems
- Loose-leaf test booklet (allow student to remove pages and insert them in a device such as printer or typewriter for doing math scratchwork)
- Placemarker, special paper, graph paper, or writing template to allow student to maintain position better or focus attention
- Acetate color shields on pages to reduce glare and increase contrast
- Masks or markers to maintain place
- Visual stickers
- FM (frequency)or other type of assistive listening device
- Closed-caption or video materials
- Tape or magnets to secure papers to work area
- Mounting systems, including slantboards and easel
- Device to screen out extraneous sounds
- Each test site must have two adults when using an interpreter to sign the test: 1) a test administrator who reads the information aloud (e.g., directions, test questions) and 2) a qualified interpreter who signs to the students. It is recommended that the school use an interpreter who has previously signed for the students.
- The interpreter must be proficient in sign language or the student's individual communication modality. The interpreter should not fingerspell words that have a commonly used sign. Test administrator and interpreter must attend all training sessions.
- Because the interpreter must be familiar with the concepts of writing/open-ended and multiple-choice test questions, he or she is

allowed to review writing/open-ended test items for up to 15 minutes and multiple choice items for up to 2 hours per subject on the day of testing under secure conditions. The interpreters must not disclose the content or specific items of the test. Test security must be maintained.

- Place keepers, trackers and pointers; allow students to use a device [for] place keeping or the assistance of a proctor to nonverbally assist in the manual tracking of item to item or item to answer sheet. Proctor must have training in performing the service without giving verbal or nonverbal clues to student.
- On some tests, students with disabilities may be unable to complete a test item due to item format. Whenever possible, the format of the item should be changed to allow student to complete the test. However, this is not always possible, i.e., some test items can't be reproduced in Braille. Questions presented auditorally can't always be signed without changing purpose of the item. In such case, questions should be omitted and the credit for the question prorated. (Only use when inability to complete due to item format, not due to lack of competence in skills or knowledge being measured.)
- ...audiocassettes used in conjunction with a printed test to provide multi-sensory stimulation.
- Assist the student to track the test items by pointing or placing the student's finger on the items.
- Directions are nonsecure documents and may be reviewed prior to test administration.
- Reading assessments may be read to student when the intent of reading is to measure comprehension, only if this is the normal mode as documented in IEP/504 plan.

D. Response Accommodations

- Student marks answers in test booklets
- Student marks answers by machine
- Student writes answers on large-spaced paper
- Student dictates answers to proctor or assistant who records it
- Student dictates answers to scribe or tape recorder to be later transcribed; students are to include specific instruction about punctuation on the Writing Assessment
- Student signs or points as alternative responses
- Student audiotapes responses
- Periodic checks provided to ensure student is marking in correct spaces
- Spelling, punctuation and paragraphing requirements waived
- Use of Response Aids, such as:
- Abacus
- Arithmetic table

- Chubby, thin, or long well- sharpened pencils
- Misspeller's Dictionary, if student identified as having a disability which interferes with ability to learn how to spell (not special accommodation - electronic dictionaries are special accommodations)
- Calculator, if documented disability interferes with mental or physical ability to perform math processes without calculator
- Word processor or typewriter
- Calculator/ talking calculator
- Communication devices such as language board, speech synthesizer, computer, or typewriter
- Other assistive communication device
- Additional answer pages for students who require more space for writing due to size of their handwriting
- Pencil adapted in size or grip diameter
- Slate and stylus, Braille writers, and modified abacus or speech output calculators (re: Braille only)
- Spell-check device (either separate device or as word processing function)
- Grammar-check device
- Scribe - The students should know the identity of the scribe, who should have previous experience working with the students.
- Answers to questions designed to measure writing ability in English or in a second language may be recorded in an alternative manner (e.g., dictation). Spell check and grammar check devices are permitted. Students with severe spelling disabilities may be excused from spelling requirements.
- In general, the student who uses an aid to record responses must provide all information, including spelling of difficult words, punctuation, paragraphing, grammar, etc. Only those students whose disability affects their ability to spell and punctuate should be excused from providing such information. Modifications can't include both a spell check device and deletion of spelling requirements (either/or).
- Only those students whose disability affects their ability to either memorize or compute basic math facts should be allowed to use computational aids.
- Regardless of the response option used, all student responses must be recorded in a regular spring test booklet before materials are sent in for scoring. If student's answers are marked in large print or separate sheet, test administrator must transfer the responses to a regular print test booklet.
- If a student has no means of written communication sufficient to complete the writing assessment due to severe physical disability, that student can be exempted from the writing portion only of the basic skills test or high school graduation test. An exemption for this reason does not affect that student's eligibility for a regular high school diploma. Any decision to exempt a student from writing assessment should be clearly documented with justification in IEP."

Alternate Assessment

Within the population of students with disabilities, there are those who are unable to take accountability tests with standard accommodations because of the severity of their disability (i.e. cognitive impairment, adaptive functioning issues). In that case, students are administered tests in an "alternate assessment" format. A good example of an alternate assessment system can be found in the Commonwealth of Virginia. Their rationale for alternate assessment was developed by the Virginia Alternate Assessment Steering Committee. In 1997 they established principles for the program. They formulated nine guiding principles that are listed below:

1. The Alternate Assessment is designed for students who are pursuing a functional curriculum regardless of their educational placement (e.g. general curriculum classroom, special education classroom, hospital, homebound, private school, state-operated program.
2. Decisions about participation in the Alternate Assessment program are made collaboratively by the IEP team.
3. Students who participating in the Alternate Assessment program must have access to and show progress in the general education curriculum to improve the student's quality of life and prepare students for employment and independent living.
4. Student performance in a variety of settings with social interactions and in natural context will be based on multiple sources of data.
5. Assessment must yield reliable and valid information that leads directly to student learning and improved instruction.
6. Alternate Assessment will follow nondiscriminatory practices and will be sensitive to issues to cultural competence.
7. Student performance on the Life Skills Strands and Performance Indicators and access to the Delivery Practices are viewed as equally as important in improving the student's quality of life and in preparing them for employment and daily living.
8. The Alternate Assessment will parallel the state and district-wide assessment to the greatest extent possible.
9. Schools will be accountable and have high expectations for all students (p.4).

All of these principles were developed for an assessment system in which 1) tests are administered at the same grade level as required by the state for general education students, 2) student choice and decision making is reflected, 3) all students to demonstrate strengths rather than weaknesses, 4) demonstrate skills in multiple settings, and 5) assistive technology is used when appropriate (p.3). The spirit of these principles is consistent with those that have been developed by many states across the country. With

the implementation of alternate assessment and testing with accommodations all students are included in state accountability testing as mandated by federal law.

State Outcome Data for Academic Year 2001

The 2001 data were taken from the Eighth Survey of State Directors of Special Education from 50 states and 11 federal jurisdictions by the National Center on Educational Outcomes (NCEO) at the University of Minnesota. The purpose of the report by NCEO was to "capture the state of the nation as states build the participation and performance of students with disabilities in state and district assessments and accountability systems, and to provide information to help states view their own progress in light of other states" (p.5). Year 2001 data are reflective of the first time states and their respective school districts implemented a system of alternate assessment.

The executive summary of the report highlights the general trends in the data. The overall statement of NCEO reads, " A positive theme throughout this report is that the benefits of inclusive assessment and accountability systems are beginning to outweigh the challenges, and many states are taking positive approaches as they face the challenges ahead" (p.5). More specifically the data trends showed:

1. "More states listed positive consequences of inclusive standards, assessments, and accountability than listed negative consequences.
2. More than half of the states reported increases in participation rates.
3. In 66 % of the states, directors reported stable or increased performance levels of students with disabilities on state tests.
4. Nearly 60 % of states keep track of the use of accommodations, and half of these reported increased use of accommodations.
5. Most states are using a portfolio or body of evidence approach for their alternate assessments.
6. While students may use accommodations whether or not they are approved, nearly 50 % of the states do not report the scores of students who use non-approved accommodations.
7. 25 states include alternate assessment participants in all components of their accountability systems"(p.5).

The authors of the NCEO report made the overall general comment that "the benefits of inclusive assessment and accountability systems are beginning to outweigh

the challenges, and many of the states are taking positive approaches as they face the challenges ahead" (p.5).

A number of current issues imbedded in high-stakes testing of students with disabilities were discussed in the 2001 NCEO report. One issue was diploma (exit document) options. Forty-two states (84%) give a diploma for successful school completion and 26 states (52%) offer a diploma to alternate assessment participants. Other options offered by the states were: certificate of completion, certificate of attendance, certificate of achievement as well as other exit documents. Currently, the exit documents that are available to students with disabilities who take high-stakes tests are: regular diploma (52%), special education diploma (16%), certificate of completion (34%), certificate of attendance (24%), certificate of achievement (6%), other (14%), and undecided (16%).

The conclusion of the report cites the emerging issues and the future challenges anticipated by the states in the coming years. The importance of the issues were ranked by percentage. By far the most important emerging issue was inclusive reporting (18 %), followed by inclusive accountability (13 %), and an item listed as the "gray areas of assessment" (13 %).

A number of issues were given lesser ranking in percentage terms. Percentage rankings ranged from 9 to 4. They included: linking standards and instruction to assessment, alternate assessment, unintended consequences, student stakes, and limited English proficiency. The category "other" garnered (8%); however, issues were not specified.

1998 Virginia Statewide Assessment Data for Students with Disabilities

The only Virginia data available to date on students with disabilities and statewide assessment has been collected by the PEER project (1998). It is important to keep in mind that these data were collected prior to the year 2000 legislative mandates of alternate assessment when testing students with disabilities.

Students tested – grades 3,5,6,8,11 and certain high school courses

Subjects tested – language, reading writing, mathematics, science, history,

computer technology

Types of questions – multiple choice, direct writing (writing prompt)

Test results are used for – high school graduation, student diagnosis, student promotion, identification of students at-risk, improvement of instruction, program evaluation, school performance reporting

Tests used – Standards of Learning Assessments(grades 3,5,8, and certain high school courses), Stanford Achievement Test (grades 3,5,8,11)

Students with disabilities exempt- Exemptions given to students whose instructional programs have not and will not include learning objectives on which the tests are based, as determined by IEP teams. Documentation that ramifications of exclusion have been explained to and agreed upon by parents is required.

Accommodations available when tested – Accommodations available as recommended by IEP team, based on what is generally used during instruction (with some restrictions).

Scores of students with disabilities reported – School, district and statewide reports combine (aggregate and separate (disaggregate) scores of students with and without disabilities.

Virginia Alternate Assessment 2000-2001 Results

In the 2000-2001 reporting year, 2,008 students with disabilities out of 1,132,673 students in the Commonwealth of Virginia participated in the Virginia Alternate Assessment program. This number of students with disabilities represents .8 % of the total state school census. When compared to the total number of students with disabilities with IEPs (157,441), the number represents 1.3 % of the disabled population.

Of the 2008 students with disabilities who were tested via the Virginia Alternate Assessment Program, approximately 82 % passed specific content areas. A breakdown of scores reveals that 87 % passed in Math content area, 82 % passed in Science content area, and 83 % passed History. The scores for the English content area were not published, however. It was identified as "the most difficult" and explained as "not surprising given one of the main difficulties with students of this population is communication skills" (p.10).

Scores for students participating in the Virginia Alternate Assessment Program were based on an aggregation of five scores. Ratings were set for students as: "Pass Proficient", "Pass Advanced" or "Needs Improvement'. Cut scores were established by the Virginia Department of Education.

Intended and Unintended Consequences

As a result of assessment and accountability systems for all students, there are a number of positive and negative consequences for students with disabilities (Quenemoen, Lehr, Thurlow, and Massanari (2001). On the positive side, a system that has tackled the challenges of teaching and testing all students can expect higher levels of learning and achievement when held to accountability standards. More students get access to the general curriculum, and there is greater opportunity to learn, specifically mastering grade-level material. Diplomas are meaningful and accountability systems are updated and constantly reevaluated for their reliability and validity. In turn, the curriculum becomes more flexible and this fosters quality teaching and learning.

In addition, there are positive aspects of accountability testing for students with disabilities that transcend the school-age years. Accommodations that are provided during the K-12 years also are relevant in testing situations such as undergraduate admissions tests (i.e. SAT, ACT), postsecondary testing (i.e. two and four year colleges and vocational/technical schools), graduate admissions tests (i.e. GRE, MAT, GMAT), as well as exit and licensure tests in the professions and in a variety of vocational/technical areas. Moreover, accommodations are sometimes needed for pre-employment testing, which can be an integral part of the job hiring process. In essence, students with disabilities and their advocates learn the necessity for testing accommodations while in school and then are able to link that process to the basic tenets of Section 504 of the Rehabilitation Act and the Americans with Disabilities Act (ADA) for self-advocacy during their adult years. Prior to the assessment initiative in the accountability movement, the importance and technical aspects of nonstandard testing simply were not understood by educators or students with disabilities.

Negative issues are present as well. All stakeholders need to be vigilant for unintended consequences produced by accountability and assessment systems. There are

possibilities of lowered expectations in IEP objectives to ensure mastery. This may lead to a misinterpretation of achievement results. There can be higher rates of dropouts, lower retention, absenteeism and lower graduation rates of students. There is also a risk of teacher burnout beyond the high levels that already exist in the field both in general and special education. Last, there is a possibility of high rates of exemption/exclusion of special education students through lowered prognosis of student outcomes.

Conclusion

High-stakes testing has established its presence in the nation's schools and is readily accepted by most stakeholders of the educational process. With the advent of systems to provide for the needs of students with disabilities during the assessment process, increased credibility has been added to accountability testing. No system of assessment is fair unless it addresses the issues of validity, particularly social validity.

The principle of normalization (Wolfensberger, 1971), first proffered to the field of disabilities in the early 1970s, argued for a social system that allows for persons with disabilities to live their lives in as "normalized a way as possible." That concept was the impetus for such social movements as deinstitutionalization and such educational innovations as least restrictive environment, mainstreaming and inclusion. Particularly in the educational arena, the outcomes for students with disabilities were uneven and questionable. With the advent of assessment for the purposes of determining accountability, students with disabilities have finally arrived at the point of parity with their nondisabled peers. No longer are they separated out via waivers and disaggregated score reports. Now they are an integral part of the "educational mix." Educational accountability can no longer be the "lip service" mantra for students with disabilities. After many years of participating in a de facto dual system, students with disabilities have become part of a truly integrated K-12 educational system.

Glossary of Terms

The following terms that are frequently used in the discussion of alternate testing and students with disabilities are listed below.

educational outcomes – Knowledge and skills students acquire as a result of their educational experiences; the intended results of schooling. Some educators use the term "outcomes" to mean goals, objectives, or standards. In response to pressure for accountability, states have been specifying the results they expect for students. In special education, the term also implies greater emphasis on the results of education (i.e., what students actually know and are able to do).

exempt – To excuse or exclude a child with disabilities or a group of children from participating in an assessment.

exit exam – An exam a student has to pass in order to receive a high school diploma; an example of a "high-stakes" test with attendant serious consequences for individual students.

504 plan – A plan written in accordance with Section 504 of the Rehabilitation Act of 1973, usually for students with disabilities who do not qualify for special education under IDEA. Section 504 prohibits discrimination against a person due to his or her disability. A 504 plan specifies the accommodations a student needs in order to have full and equal access to educational opportunities and to benefit from his or her educational program. Although some school districts have specific formats for 504 plans, there is no federally prescribed format.

high-stakes – Significant consequences for an individual or an organization; used in education reform to reform to refer to tests or assessments that have serious sanctions or rewards for students, teachers, administrators, schools, or school systems. An exam that must be passed in order to receive a high school diploma is an example of high-stakes for students. Examples of high-stakes for schools include loss or gain of accreditation or funding or increases in teachers' salaries.

IDEA – Individuals with Disabilities Education Act, the federal special education law, as amended in 1997.

IEP – See Individualized Education Program (IEP).

inclusion – The practice of education all students, including students with disabilities, together in heterogeneous classrooms, with appropriate adaptations and supports sufficient to meet each child's learning needs.

Individualized Education Program (IEP) – IDEA requires that each child with a disability receive special education services in accordance with an IEP. It is written by a

team consisting of the child's parents, teachers, and other professionals who have knowledge of the child and expertise in the child's area(s) of special needs.

instructional supports – Accommodations and services provided to children with disabilities as specified in their IEPs or 504 Plans, giving students equal opportunities to learn.

large-scale assessment – Data collection efforts in which large numbers of students are assessed. Results are usually used to compare groups of students in districts, states, and nationally. Assessment results area used to describe the educational status of students, make decisions about individual students, and develop or revise existing local, state, and national policies. These assessments can include the "minimum competency tests" and "graduation exams" that students must pass to receive a high school diploma.

performance standards – what students have to do to show that they can use and apply what they have learned. Performance standards indicate how well a student must read, write, calculate, etc.

standards – Expectations of what students need to know and be able to do. Content standards define the learning goals (curriculum) in various academic subjects. Performance standards specifically define how an to what extent students must demonstrate what they know.

References

American Educational Research Association (2000). AERA position statement concerning high-stakes testing in pre-k-12 education. 1-5. http://www,aera.net/about/policy/stakes.htm

Commonwealth of Virginia Department of Education (2001). Virginia Alternate Assessment Program 2001 Report. 1-33.

Disability Rights Associates (2000). Do no harm – High-stakes testing and students with learning disabilities. http://www.dralegal.org/publications/dnh.bd

_____ Online. (2000)1-6. http://www.ldonline.org/ld_indepth/special-education/peer-accommodations.html

_____. (2000). High-stakes testing a mixed blessing for special students. CEC Today . 7,2. 1-4.

_____. (2000). High-stakes testing: MNEA position paper. http://www.mo.nea.org/resource/histake.htm

Individuals with Disabilities Education Act (IDEA). (19--). Public Law ----.

Landau, J.K., Vohs, J.R., & Romano, C.A. (1998). All kids count. Boston, MA: Federation for Children with Special Needs.

National Center for Learning Disabilities (NCLD). (2000). NCLD Policy Brief. High-stakes Assessments and students with learning disabilities.1-4. http://www. ncld.org/advocacy/high_stakes.cfm

Quenemoen, R.F., Lehr, C.A., Thurlow, M.L., & Massanari, C.B. (2001). Students with disabilities in standards-based assessment and accountability systems: Emerging issues, strategies, and recommendations. National Center on Educational Outcomes. (Synthesis Report 37. Minneapolis, MN: University of Minnesota.

National Commission on Excellence in Education (1988). A nation at risk . Washington, DC: National Commission on Excellence in Education.

Thompson, S. & Thurlow, M.L. (2001). 2001 state special education outcomes: A report on state activities at the beginning of a new decade. Minneapolis, MN: National Center on Education Outcomes. 1-29. http://education.umn.edu/NCEO/OnlinePubs/2001StateReport.html

Wolfensberger, W. (1971). Normalization. Washington, DC: National Institute on Mental Retardation.

Ysseldyke, J. E., Thurlow, M.L., Langenfeld, K., Nelson, J.R., Teelucksingh, E. & Seyfarth, A. (1998). Educational results for students with disabilities. What do the data tell us? (Technical Report 23). Minneapolis: University of Minnesota, National Center on Educational Outcomes.

Wrightslaw. (2001). Joint Policy Memorandum. Students with learning disabilities and state of Oregon settle class action suit over high-stakes assessments in public schools.
http://www.wrightslaw.com/law/news/OR_settlement_dyslexia.htm