



Statewide Assessment Policy Issues, Questions, and Strategies

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This policy paper provides a list of questions to guide parents and parent organizations in their efforts to ensure that state and districtwide assessment systems fully and fairly include students with disabilities. In the past, students with disabilities have too often been excluded from large-scale assessments. However, students with disabilities now must be included in state and districtwide assessment programs with appropriate accommodations, as required by the amendments to the *Individuals with Disabilities Education Act* (IDEA), as well as the *Americans with Disabilities Act* (ADA), and *Section 504 of the Rehabilitation Act of 1973*.

Statewide assessments¹ have enormous ramifications for students with disabilities. Assessments frequently serve as the cornerstone of efforts to improve education. If students with disabilities are excluded from the

development and administration of statewide assessments, it is less likely that they will benefit from overall school reform improvements. Also, statewide assessments can be a way to hold schools accountable for improving educational results for all students. If students with disabilities are excluded, they may not be considered when important educational policy decisions are made.

Statewide assessments are different from the three-year individualized evaluations required by IDEA for students receiving special education services. For students in special education, a variety of tests and assessments are used to determine a student's eligibility for special education and to identify a student's specific educational needs. In contrast, statewide large-scale assessments are usually standardized, "paper and pencil" assessments. The goals of statewide assessment programs also differ from those of special education assessments. Usually, the

¹ Although the focus of this paper is on statewide assessments, the information is applicable to districtwide assessments as well (See 20 U.S.C. 1412 (17)(A)).



purpose of a large-scale assessment is two-fold:

1. to provide information about individual student achievement, and
2. to gauge the success of schools and school systems in order to hold educators accountable for student attainment of educational results.

Almost all states now have some type of statewide assessment program as a result of education reform initiatives. Many states will now need to revise their assessment policies to comply with new IDEA amendments intended to ensure participation of all students with disabilities. During this period of reform and change, it is crucial that parents knowledgeable about diverse learners (including students with IEPs) become active participants in the development of assessment policies. The following questions and discussions highlight issues critical to effective participation.

3. portfolio assessment, in which examples of students' work (essays, models, or reports) are assembled to document student progress.

Find out which type of assessments and tests your state will administer and the subject areas covered, then analyze what you think will best meet the needs of students with disabilities.

Which assessment or which contractor will the state use?

Find out if your state will use assessments that have already been developed ("off-the-shelf" assessments) or if the state will develop its own assessments, aligned with the state's standards. Ensure that the company selected to administer or develop the test has sufficient expertise and experience in assessing students with disabilities.

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What type of assessment will the state use?

It is important to know what kind of assessment your state administers.

Typically, a state's assessment includes one or more of the following types of tests:

1. multiple-choice questions;
2. performance-based assessments, in which students demonstrate their knowledge through short-answer, open-ended, and essay questions; and

What is the process for developing the assessment?

It is important to design the assessments so that they do not discriminate against students with disabilities. Often when developing a new assessment, a bias committee is established. The bias committee, which traditionally addresses race discrimination, should also address discrimination on the basis of disability. Individuals with disabilities and individuals with expertise in disability bias should be included on the committee.

Such a committee is important because some test questions rely on information unavailable to a child because of his or her disability. In addition, students with all types and significance of disabilities should fully participate in all samples, trials, and field tests.

What are the “stakes” or consequences of the statewide assessment?

It is important for parents to know how test results will be used. Find out whether students are required to “pass” the assessment in order to receive a high school diploma. Many states link assessment results to graduation. Additionally, some states use assessment results as a basis for student promotion, student awards, or recognition of exemplary performance.

Furthermore, some states use assessment results as a direct accountability tool for educators and school systems, for example, linking test scores with bonuses, school funding, or accreditation.

Will all students with disabilities participate in the statewide assessment?

Among the most critical issues to explore are your state’s policy and practices for allowing students with disabilities to participate in the statewide assessment.

The 1997 Amendments to IDEA specifically require states to include all children with disabilities in state and districtwide assessment programs. The ADA and Section 504 similarly require participation of students with disabilities.

Despite these requirements, currently some states exempt certain groups of students with disabilities from state assessments, based on disability categories, the child’s reading level, or the restrictiveness of the child’s placement. Other states already include all students in the assessment system, providing accommodations or alternate assessments that enable students with disabilities to participate fully.

It is crucial to ensure that all students with disabilities participate in the statewide assessment, as required by law. If students with disabilities are excluded from testing, there is usually no mechanism to determine whether these students receive the benefits of education reform. Further, if certain groups of disabled students are exempt, then the achievement of the excluded students will not be considered when evaluating a school or school district’s performance. Schools will have less incentive to improve education for students whose scores do not count. For those states where test results have significant consequences for the individual students, such as receipt of a diploma, participation becomes even more critical.

Who determines if a student with disabilities needs accommodations in order to participate in the assessment?

IDEA requires that a child's IEP specify the need for modifications in the administration of a state (or districtwide) assessment. Through the IEP process, individualized decisions must be made regarding whether a student with a disability can participate in the assessment "as is" (without accommodations) or whether the student requires accommodations in order to participate. In a relatively few cases, the IEP team may determine that a student requires an alternate assessment in order to receive an equal opportunity to demonstrate his or her proficiency and achievement.

Most states currently rely on the IEP team to determine how students with disabilities will participate in the assessment. The individual decisions regarding how a child will participate in the assessment are subject to due process procedures required by IDEA.

What type of accommodations are available to students with disabilities?

States currently have wide-ranging policies regarding the type of accommodations available for

assessments. There are generally four types of accommodations that should be considered by the IEP team:

- Timing of test: e.g., extended time, breaks, extending over days, time of day
- Setting of test: e.g., small group, alone, front of room, study carrel
- Presentation of questions: e.g., large print, Braille, readers, sign language, assistive technology
- Methods of response: e.g., dictate to scribe, point to response, sign language, computer, tape recorder

Some states allow students to use the same accommodations for assessment that are included in students' IEPs and used in classroom instruction. Other states have a limited list of "approved accommodations" that IEP teams must choose from. In this case, IEP teams should still be allowed to specify unlisted accommodations if necessary to ensure equal opportunity to participate in the assessment.

Accommodations necessary to remove barriers to participation must be provided. It is important to acknowledge that use of some types of accommodations can be controversial. These issues generally become most apparent when the accommodation is closely related to the skill being assessed (e.g., reading a reading test). State policy which allows IEP teams to consider the full range of accommodations, including those utilized in classroom instruction, such as a reader for all subjects, should protect against discrimination in test

administration. Such a policy is critical, especially for high-stakes tests.

IDEA recognizes that some students may require “alternate” assessments in order to participate in the assessment system. The recent amendments to IDEA require states to develop and begin conducting alternate assessments no later than July 1, 2000.

How will the test results be used?

The way test results will be used at the classroom and school level is very important. This issue is especially critical for students who perform poorly on the assessment. Test results should be used to ensure that these students receive the instructional support and opportunities they need to improve their performance, and to further ensure that any remedial educational opportunities are provided in the mainstream. Test results should not be used as a basis for holding students back, tracking, or pull-out instruction, and the test results alone should not be used as the basis for referral to special education.

How will the test scores of students with disabilities be reported?

States usually report school and districtwide test scores, as well as individual student scores. Exclusion of students with disabilities from assessment has led to exclusion of many students

from these reports. Recent amendments to IDEA require that school systems disaggregate as well as aggregate test scores of students with disabilities.

Therefore, consistent with IDEA, states should report the scores of students with and without disabilities together (aggregating the scores), in addition to providing the test scores of students with disabilities separately (disaggregating the scores).

When the scores of students with disabilities and students without disabilities are reported together (“aggregated”), it is clear that the progress of all students will be given equal weight when evaluating the effectiveness of public school systems. At the same time, it is also important to provide mechanisms to separate the scores of students with disabilities in order to hold schools accountable for their achievement. Many states will need to change their reporting practices to comply with new IDEA reporting requirements.

Making an Impact: Strategies for improving your state's assessment policy

✓ *Obtain copies of your state's education reform and assessment legislation, regulations, and policy documents.*

- Call your state department of education to request these documents. You can also request them from your local legislator.
- Review state documents to determine current policy regarding inclusion of students with disabilities and provision of accommodations.
- Decide whether a change in law or policy is necessary to ensure appropriate inclusion of all students with disabilities in state and districtwide assessment programs with necessary accommodations. You can contact your state's Parent Training and Information (PTI) center,² Protection and Advocacy (P&A) organization, disability and children's advocacy organizations, legal services, or the American Civil Liberties Union to request assistance in reviewing your state's law and policy.
- Propose changes to your state law and policy that will address concerns about the inclusion of students with disabilities.
- Work with key stakeholders (other parent and disability organizations, P&As, children's advocacy organizations, state special education advisory committee, etc.) to secure the changes necessary to fully and

fairly include all students with disabilities in assessment programs.

✓ *Identify who will be making policy decisions about participation of students with disabilities.*

- The state department of education or your local legislator can help you determine whether the legislature, state board of education, or department of education will be the leader in this area.

✓ *Get involved in the decision-making process.*

- If your state or district has an assessment advisory group, join the group, or ensure that parents of children with disabilities, adults with disabilities, and special education and inclusion experts are appointed to the group. The state department of education or your superintendent can inform you whether an advisory group exists.
- Set up meetings with the decisionmakers and provide materials and information to support your positions about the policy questions listed above. Provide proposed language for necessary policy changes, and provide examples of how students with disabilities may be included in the assessment.

² To locate the PTI in your state, call the National Information Center for Children and Youth with Disabilities (NICHCY) at (800) 695-0285, or visit the Federation's web site, www.fcsn.org.

✓ ***Consider a variety of advocacy strategies to effect changes in your state policy and practice.***

Any of the following strategies may prove to be useful or necessary: disseminating position papers, proposals, and reports; providing information and training to parents of children with disabilities statewide; meeting with staff at the state department of education; testifying at legislative hearings or before the State Advisory Council (SAC), and state board of education; providing information to media; filing complaints with the Office for Civil Rights or your state department of education; and taking legal action. (Note: Some state departments of education have a process that includes filing complaints at the local level.)

✓ ***Identify other organizations or constituencies with similar concerns and positions.***

Bilingual parent groups, Title I parent groups, PTAs, teacher unions, and educators' professional organizations may prove to be useful allies.

✓ ***Ensure that the organization administering your state's assessment is qualified to assess students with disabilities.***

- Contact the PEER Project or the PTI in your state to get information about contractors and assessments being considered for selection or already chosen by your state. Ascertain the experience and expertise of testers in including students with disabilities in

assessments and the appropriateness of proposed tests. You can also call the National Center for Fair and Open Testing (FAIR Test), at (617) 864-4810 for information.

- Develop questions to ask all contractors to ascertain their history and expertise in including students with disabilities. For instance, ask them for the percentage of students with disabilities who have participated in other assessments they have developed. Request policies regarding participation and accommodations for other assessments they administer. Request resumes of the staff who will be involved in the project. Request specific details about the organization's experience including its experience testing students with significant disabilities.

✓ ***Ensure that participation in assessments is fully addressed at IEP meetings.***

- Work with your local school district or state department of education to ensure that IEPs specifically address participation in state (or districtwide) assessments. IEP members must specify whether the student with a disability can participate in the assessment:

- (1) under routine conditions;
- (2) with accommodations, or
- (3) with an alternate assessment.

The IEP should state the specific types of accommodations or alternate assessment required.

- Consider whether changes to the IEP form developed by the state department of education or local district would help IEP teams fully and fairly address these issues.

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This publication has been reviewed and approved by the U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS). Funding for this publication was provided by the Office of Special Education Programs, OSERS, U.S. Department of Education, through grant #H029K50208.