

The Combined Implications of the No Child Left Behind Act of 2001 and the Individuals with Disabilities Education Act of 1997 on Students with Significant Disabilities in Urban Schools

October 21, 2003

Symposium Proceedings

Introduction

The Urban Special Education Leadership Collaborative, IDEA Local Implementation by Local Administrators (ILIAD) Partnership, Council for Exceptional Children (CEC), and TASH held a symposium on October 21, 2003 in Arlington, Virginia. The purpose of the symposium was to identify and discuss the most critical issues involved in the education of students with significant disabilities in relation to the implementation of the No Child Left Behind Act of 2001 (NCLB) and the Individuals with Disabilities Education Act of 1997 (IDEA '97). The aim was to facilitate mutual sharing and learning among everyone present. During the symposium, participants were asked to discuss the key issues and challenges they were facing, evidence of implementation of the acts, and opportunities and benefits from implementing them.

Researchers presented answers to the following two questions: 1) How are urban school districts implementing NCLB as they continue to improve upon their implementation of IDEA '97 for children and youth with significant disabilities? 2) What additional information do teachers, related service providers, families, and administrators need in order to make appropriate and necessary decisions about assessment and curricula for children and youth with significant disabilities?

This paper provides a summary of the presentations and discussions that took place during the symposium.

Participants

A wide variety of interests and expertise were represented at the symposium. About half of the participants were teachers, administrators, and family members involved with children with significant disabilities. All of them were from urban school districts, and many were from Collaborative member districts. The other participants were representatives from national education organizations and the U.S. Department of Education, along with several researchers. The participants represented 18 urban areas across the United States. A complete list of participants and their affiliations is included at the end of this report.

Overview of the Symposium

The symposium began with presentations of basic information on public policy issues given by Deborah Ziegler from CEC and Jamie Ruppmann from TASH. Next, the participants were divided into five groups to discuss their views on and experiences with each of five specific topics. During lunch, the participants were encouraged to discuss these topics with people who had not been in their small groups. After lunch, Margaret McLaughlin from the University of Maryland presented reflections on the morning discussions.

Much of the afternoon was devoted to presentations by the following three researchers: Wanda Blanchett from the University of Wisconsin - Milwaukee, Diane Browder from the University of North Carolina at Charlotte, and Douglas Fisher from San Diego State University. These speakers provided participants with information on the most current research to bring back to the communities they serve. After the presentations, the floor was opened up for a large group discussion. The day ended with a brief wrap-up of key points made during the meeting.

At the beginning of the meeting, participants were given information sheets with brief overviews of all the provisions of NCLB that would be discussed. The information was taken from the U.S. Department of Education web site at www.ed.gov.

Public Policy Panel

CEC Presentation

Deborah Ziegler from the CEC presented a brief description of NCLB. She began by stating the challenges of crafting practice around policy and staying up-to-date with the quickly changing regulations of this act. She described adequate yearly progress (AYP) as an accountability system that includes all students and is based on accountability standards developed by the states. However, certain elements have to be the same throughout the country, such as the disaggregating of subgroups and the 95% participation standard on assessments. In addition, the assessments must cover mathematics and reading/language arts.

Ms. Ziegler explained the NCLB labeling system of student academic achievement under the three categories of “basic,” “proficient,” and “advanced.” The main goal is to have 100% of students reach the proficient level in reading and mathematics by the year 2014..

NCLB has a more detailed accountability system for students with disabilities than IDEA does. With NCLB, the school, school district, and/or state have sanctions placed on them if AYP is not met by all subgroups. The provisions of public school choice and supplemental services for schools that are labeled “in need of improvement” are offered to students with disabilities. However, one concern regarding public school choice and students with disabilities is that there is no guarantee that students who change schools

will receive services that are similar or identical to those they were receiving at their old school. A challenge that faces professionals in the field is how to make sure that students are receiving the services they need in the context of public school choice.

Ms. Ziegler posed a number of recommendations for the field of special education including the following:

- More staff development is needed for both teachers and administrators.
- The funding for staff development and research needs to continue.
- A definition of the term “highly qualified” teacher as it applies to special education teachers needs to be clarified.

NCLB is raising the bar for students with disabilities. The challenge facing the field of special education is to figure out how to get the students up to that bar.

TASH Presentation

Jamie Ruppmann from TASH presented a summary of the challenges in implementing NCLB that lie ahead for the field of special education. She started by saying that positive outcomes from NCLB have already started appearing. Students with disabilities now have to be included in the accountability system and the whole school – administration and teachers – are responsible for the performance and progress of students with disabilities. . As a result, they are paying more attention to the learning needs of students with significant disabilities.

. One of the current challenges to implementation of the high standards of NCLB is that students with significant cognitive disabilities are being undereducated due to historically low teacher expectations. Ms. Ruppmann suggested that we can overcome this challenge through training, research, and teaching.

Another challenge is the possibility of backsliding in our efforts to educate students with disabilities. Reports from TASH and other current research indicate that there has recently been a decrease in the number of students with significant cognitive disabilities participating in general education classes, an increase in students with significant cognitive disabilities being taught by paraprofessionals, and a decrease in research on best practices for this student population.

Ms. Ruppmann made the following recommendations:

- The research and programs for students with significant cognitive disabilities must be restored as a priority.
- That the “gold standard” of randomized trials and quantitative data may not be appropriate for research focused on students with the most significant disabilities and that this should be taken into account as new policies are adopted by the U.S. Department of Education.
- Teachers must use current research to inform them as to the most successful techniques and strategies to help these students meet the achievement standards.
- Dissemination about effective strategies and techniques is critical – we need to make sure that the teachers who need to use them are receiving the information.

Findings from Facilitated Discussion Groups

Participants were divided into five small discussion groups and given a list of the following five NCLB topics:

- Adequate yearly progress
- Assessment
- Highly qualified personnel
- School choice and supplemental services
- Paraprofessionals

For each topic, each group discussed the key issues and challenges, evidence of implementation, and opportunity or benefits from NCLB. The facilitators of each group used the information sheets on the key topics handed out at the beginning of the day to start the small group discussions. Key points made during these discussions are presented below.

Adequate Yearly Progress

Key issues and challenges:

- Participants expressed concern over the scoring of assessments in schools with special classes for students with significant cognitive disabilities and in special centers for this population. Would the scores of students who are not attending their home school remain at the school of service or be transferred back to the student's home school?
- Because of the requirements that all students be held to high standards, there is a need in the field for assessment tools that can measure the outcomes, abilities, and progress of students with significant cognitive disabilities. Additionally, since most alternate assessments measure individual student growth, how will school progress from year to year be determined?
- State and district representatives, in addition to parents, noted the confusion many have with the requirements of AYP, including a 1% cap on the number of alternate assessment scores that can be reported as proficient, the subgroup into which students with disabilities should be placed, and how many days are allowable for state-wide testing. Some participants were also concerned that the requirements of IDEA '97 and NCLB seem to conflict with each other.

Evidence of implementation:

- Some districts reported that attendance at workshops on alternate assessments has increased since NCLB was put into effect.
- Because of NCLB's requirements for higher achievement standards, groups felt that special educators are aligning general education content standards with what is taught to students with significant cognitive disabilities.
- Participants commented that reporting procedures have improved, in particular for parents who have children with significant disabilities. Parents feel that the progress reports have become more specific in particular areas.

Opportunities or benefits:

- The vast majority of participants felt that since the implementation of NCLB, state, district, and school administrators are paying more attention to the progress of students with significant cognitive disabilities. As a result, many respondents felt there is also an increased interest at all levels for the advancement of this population of students.
- Participants felt that the overriding goal to narrow the achievement gap between typically high- and low-achieving students will be accomplished as progress is made. They are seeing that students with significant cognitive disabilities are being required to make gains at the same rate as their peers, which many agreed was a positive change.
- District officials felt that in response to the requirements of NCLB the principals in their schools were holding themselves more accountable for the achievement of students with significant cognitive disabilities. Principals and school staff are paying closer attention to the needs of students who typically do not achieve the high standards set for all learners.

Assessment

Key issues and challenges:

- Because many school districts have not been able to find an evaluation that students with significant cognitive disabilities can complete entirely independently of teacher support, many students in this population are evaluated using a portfolio tool. Many participants responded that the alternate assessment takes even more time in addition to lesson planning outside of school hours for special education teachers. Respondents also questioned the reliability and validity of portfolio use if teachers are selecting work samples based on IEP goals that they themselves wrote and are then rating the assessment.
- State and district officials also questioned the method of determining which students take the alternate assessment. Because NCLB does not specify who is eligible, a tenet with which most participants agreed, there are discrepancies within and across states as to who may take part in instructional level testing. There was also concern about the problem of an IEP team being forced to make a decision for or against a child taking an alternate assessment that would result in the student being placed in a non-diploma track as early as second or third grade.
- Many felt that a 1% “cap” on the number of alternate assessment scores that schools can report is limiting to students who are appropriately assessed by alternate measures. Again the issue was raised of whether students placed in special programs or regional centers would have their scores commuted back to their home school. Some respondents noted that if they are not transferred back, some schools will be over the 1% of allowable alternate assessment scores reported.

Evidence of implementation:

- Since NCLB requires the assessment of all students, schools and districts are making stronger efforts to include as many students as possible in the general assessment. As a result, administrators report that accommodations and supports

are being put into place more rigorously and as a pro-active method of making children successful in the general assessment. Additionally, because general and special educators now hold more shared responsibility for all learners, there is more collaboration in the process of choosing appropriate accommodations for students with disabilities.

- Because alternate assessments typically provide the only appropriate means of measuring the progress and achievements of students with significant cognitive disabilities, many schools are looking at the tasks and content areas covered by their alternate assessments and linking them more closely with the general education content standards. Consequently, IEPs for students with significant cognitive disabilities are more reflective of the general education curriculum.
- Administrators report seeing the goals and objectives of IEPs more aligned with those of the general education curriculum. They are seeing fewer goals and objectives for students with significant cognitive disabilities that merely touch on an academic area and instruct in terms of a functional life skill. For example, schools are no longer accepting students reading a sign to wash their hands as a demonstration of competent reading.

Opportunities or benefits:

- Our participants reported that they are seeing more students with significant cognitive disabilities included in the general education setting. Because special educators are accessing general content areas more frequently than before NCLB, there is more collaboration among all teachers, regardless of their area of expertise.
- Given the recent requirements of tying the alternate assessment to the general education content standards, principals are taking on roles of monitoring the progress of students with significant cognitive disabilities more than they have in the past. Participants reported that many principals are seeing their schools as one educational unit rather than as a place with general education students and students receiving special education services.
- States and districts are finding ways to increase parent involvement in the alternate assessment. The parent involvement is helping them gain more information about students with significant cognitive disabilities so that they can communicate a more inclusive portrayal of a student's strengths and needs. Parents are feeling more empowered as a result. States and districts reported that most parents say they feel more knowledgeable about their rights and the abilities of their child. As a result, some districts report seeing increases in parents successfully requesting private placements.

Highly Qualified Personnel

Key issues and challenges:

- One issue that arose in all five groups was whether it is necessary for teachers of students with significant cognitive disabilities who teach across content areas in self-contained classrooms at the middle and high school levels to be "highly qualified" in all of the subjects they teach.

- Participants were concerned over the growing teacher shortage, particularly in special education, and wondered if placing stricter requirements on current and future educators would exacerbate areas of need.
- Because many respondents did not find the language in NCLB to be clear in describing highly qualified teachers, there was also concern over the decision-making process in determining a teacher to be highly qualified. Many representatives from the district level felt that if this term is to have any real meaning, the exact terminology and requirements for highly qualified teachers should be pinned down more and made consistent within and across states.

Evidence of implementation:

- The requirement to have highly qualified teachers in every classroom is leading to increased accountability for special educators because they are now responsible for both content area knowledge and the techniques of teaching students with disabilities. Many representatives felt this is leading special educators to have dual areas of expertise.
- Because many districts are having difficulty finding teachers that meet the highly qualified requirements for special education, paraprofessionals are being encouraged to become certified in special education. Districts are saying the increase in pay is what entices most paraprofessionals to opt for a career shift. While this may temporarily relieve the burden of a teacher shortage, the issue of recruiting and maintaining highly qualified special education teachers still exists.
- The well-publicized requirement of highly qualified teachers is giving more power to parents than ever before. Districts report that parents are now requesting information about the qualifications of the teachers educating their children. Because parents are becoming more inquisitive about the credentials of general and special educators, states and districts are paying more attention to the qualifications of their educators.

Opportunities or benefits:

- Some district level officials noted an increase in the participation of special educators in curriculum development workshops. They felt that general and special education teachers are working more closely together for the benefit of all children. There has been a shift away from identifying children as “yours” and “mine” to seeing them all as children who need to achieve high standards.
- A number of respondents noted that special educators are now seen as a positive support system for students with disabilities, particularly those with significant cognitive disabilities.
- Respondents noted the increased abilities of general education teachers to work with students who have significant cognitive disabilities, in addition to other special education populations.

School Choice and Supplemental Services

Key issues and challenges:

- Many respondents were concerned about the service delivery options for students with significant cognitive disabilities. Some felt that if supplemental services are

- only delivered in the areas of reading and math, there may be little benefit for some students who are participating in the alternate assessment. Additionally, schools are concerned that vendors receiving supplemental services contracts will have little training in teaching students with disabilities.
- Some participants, mostly parents of children with disabilities, felt that the increase in school choice will lead to a breakdown of neighborhood schools. Participants were concerned that most children will have to commute to new higher-achieving schools instead of attending ones in their own neighborhoods. An additional concern was the responsibility and cost of transportation to other school locations, particularly for students with severe physical disabilities.
 - Many participants felt little attention has been paid to the choices given to parents of students with significant cognitive disabilities. Many state and district respondents, as well as parents, wondered if parents are able to choose for their child to attend a regional center or a nonpublic placement serving only students with disabilities instead of their low-achieving school. Similarly, parents and administrators inquired about the problem of moving a child with a disability who was receiving services in a special program housed in a regular education school. If that school goes into program improvement, what choices are available for moving that child to a school that is not failing?

Evidence of implementation:

- Several participants reported that only small percentages of eligible parents, including parents of children with significant cognitive disabilities, have exercised their right to supplemental services or school choice.
- A few administrators reported that children with significant cognitive disabilities are being placed in regular education classrooms at higher rates than before the implementation of NCLB. Schools also reported establishing programs for students with significant cognitive disabilities as a means of providing them with supplemental services and after-school tutoring.
- Many principals have taken on stronger leadership roles in their schools because of the possibility that parents will choose to move their child to a higher-achieving school. Reportedly, principals have taken steps to make all parents feel welcome in the school and to better include students with significant cognitive disabilities.

Opportunities or benefits:

- In many schools and systems, programs marked as needing improvement experienced substantial gains in student achievement after implementing supplemental services. They also noted however, that other steps were taken to improve the school's performance. Students with disabilities, including those with significant cognitive disabilities, seem to be achieving the same positive growth as their peers without disabilities.
- Many families have reported that they are feeling like a larger part of their child's school because principals and teachers are taking strides to keep everyone at the school.

- A number of administrators commented that they had not really experienced successful outcomes yet because there were few occasions of supplemental services being used and school choice options being exercised.

Paraprofessionals

Key issues and challenges:

- The one area of almost unanimous agreement was on the issue of pay for paraprofessionals. Respondents commented that in order to recruit highly qualified paraprofessionals, or at least those with more than a high school diploma, competitive salaries are necessary.
- Participants noted that if we increase the requirements and pay of paraprofessionals, we must subsequently increase their role in the classroom to include more direct involvement with the students. When used in a setting specifically for students with significant cognitive disabilities, paraprofessionals should be held accountable for the documentation of progress, just as a teacher would be. The argument was then made that many paraprofessionals may not want this type of a role, especially those who left teaching positions for less involved roles in the classroom.
- Similar to the dilemma involving highly qualified teachers, participants are concerned about the areas of expertise required of paraprofessionals. Should those who work with students with disabilities be trained to assist a content area teacher or those who teach students with particular disabilities?

Evidence of implementation:

- As the need for trained paraprofessionals grows steadily, so are the number of colleges and universities holding training seminars for the professional development of paraprofessionals. Additionally, schools and districts are holding workshops for paraprofessionals during contracted time.
- State and district officials report looking more closely at the paraprofessionals they hire, given the new requirements for higher qualifications. Although it has been more difficult to fill vacancies and needed positions, schools feel that the people with whom they are provided are more qualified than before.
- Some counties have adopted this requirement of NCLB by creating different levels of paraprofessionals, ranging from strict requirements for those who have more direct involvement with students who have significant cognitive disabilities to less stringent qualifications for paraprofessionals who serve in the role of assistant to lead teachers.

Opportunities or benefits:

- Lead teachers are showing paraprofessionals with increased roles in classrooms how to accurately collect data, particularly for students with significant cognitive disabilities. This is leading to increased levels of accountability for paraprofessionals who work with students with disabilities.
- Some administrators report that paraprofessionals are being included in the IEP development process because of the level of increased interactions they now have with students receiving special education services. Many report that

- paraprofessionals have brought valuable information to IEP meetings, especially giving insight into the student's abilities to demonstrate skills across instructors.
- Respondents report that the need for more highly qualified paraprofessionals is making everyone aware that only skilled educators should be responsible for the instruction of students with significant cognitive disabilities. Because instruction often needs to be varied for the individual needs of students with significant cognitive disabilities, paraprofessionals need more specific training. Considerable attention is being paid to this subject as a result of the increased requirements.

Working Lunch

During lunch, the members of the small groups were dispersed to different tables to share the information they gained from their discussions. Many discussions centered on the difficulties schools and districts are having making AYP, particularly when examining the scores of students with disabilities in disaggregated data. Other groups spoke in more depth about the need to align the requirements of IDEA with those of NCLB. There was concern among many participants that some students, particularly those with significant cognitive disabilities, will meet the conditions of one of these laws but not the other. The overriding feeling in the room was that the efforts of NCLB to raise standards and progress for all students is a good place from which to start, but that it may not be meeting the needs of students with significant cognitive disabilities at the present time.

Reflections on the Morning Conversations

Margaret McLaughlin, University of Maryland

Dr. McLaughlin highlighted that one of the most serious problems we currently face with the implementation of NCLB is the inconsistency with which information is disseminated within and across state and district administrations. She reported that while listening to conversations of the various small groups during the morning session, she became aware of the nuances of interpretation currently present in the field, both vertically and horizontally. Of particular concern was that information about the requirements of NCLB is not necessarily trickling down clearly to schools, teachers, or parents. Special educators and parents of students with disabilities are the two groups that most need consistent information.

One of the main areas of concern was "The 1% Rule." Dr. McLaughlin clarified that NCLB does not put a 1% cap on the number of students eligible to participate in alternate assessments, but rather on the percentage of alternate assessment scores that districts may report. She further stated that the students with significant cognitive disabilities who are eligible to take the alternate assessment may not be the students who are of particular concern to schools. Schools tend to focus more on students with high-incidence disabilities. These students are a greater percentage of the students receiving special education services.

Another area of concern was the inherent tension that currently exists between the entitlement to an individualized program provided to students with disabilities by IDEA and the accountability for achieving the rigorous content standards set by NCLB. Although IDEA defines the roles and responsibilities of the IEP team as well as how a student will participate in an assessment, NCLB is the law that outlines consequences for not making adequate progress towards proficiency in core academic areas. According to NCLB, states must establish standards for measuring progress that apply to *all* students. The problem is that it can be difficult to fit the needs of students as diverse as those with significant cognitive disabilities into one set of standards. We do not yet have examples of “universally designed” standards that would include these students.

In conclusion, Dr. McLaughlin highlighted the positive discussions that groups had. Predominately, groups felt that because of the new regulations, students with significant cognitive disabilities are becoming more visible than ever before. There is a feeling at the state and district levels that principals and school personnel are trying to devise ways to better serve and report the progress of this population, rather than hide the areas needing improvement. Finally, Dr. McLaughlin noted that all participants showed a great sense of hope that NCLB will promote more collaboration between general and special educators.

Research Panel Presentations

Presentation 1

Dr. Wanda Blanchett from the University of Wisconsin – Milwaukee presented on the disconnect between NCLB; what we know about effective teachers of culturally, ethnically, and linguistically diverse students in urban settings regardless of the presence or absence of a significant disability; and the current situation for students with significant cognitive disabilities in urban areas. First, there is a disconnect between NCLB’s definition of “highly qualified” and what the existing literature documents in terms of teachers who are effective with students in urban settings. When we talk about this issue, we need to ask several questions. Who are the students in urban settings? What do they look like? What are their socio-economic backgrounds? Who are their teachers? What are their backgrounds?

On the most basic level, there is a disconnect between teachers and many students in urban classrooms. The students are generally of high poverty, multi-cultural backgrounds, and many are English second language learners. Yet, the typical urban service provider is generally a middle class, white female who lives in the suburbs. Most teachers of urban classrooms for students with significant cognitive disabilities are of similar backgrounds but are less qualified due to specific teacher shortages in this area. Although diversifying the teaching force in urban schools should remain a priority, it is not enough by itself. Even when teachers are from diverse backgrounds themselves, many of them were trained by teacher preparation programs that lacked the “will” or capacity to prepare them to provide culturally responsive curricula and instruction to their diverse students with significant disabilities in urban settings.

NCLB maximizes the disconnect between students and teachers in urban settings by narrowly defining “highly qualified” teachers on one hand while requiring special educators to become content area experts on the other. It is very difficult to get teachers meeting the requirements of “highly qualified” in urban school districts with such a narrow definition. Ironically, all of this is occurring while NCLB is exempting charter schools and privately sanctioned teacher preparation programs from proven best practices in both teacher preparation in general and urban teacher preparation in particular.

Many of the teachers in urban school districts are teaching on emergency, temporary, or provisional waivers. NCLB states that certification requirements cannot be waived on an emergency, temporary, or provisional basis. This means that some teachers who may be effective in teaching culturally, ethnically, and linguistically diverse students with significant disabilities may not meet NCLB’s definition of “highly qualified.” So, where does that leave the urban school districts? Without highly qualified urban teachers?

The problem is not only that it is hard to get highly qualified teachers in urban settings, but also that teachers who are “highly qualified” as defined by NCLB may not be the best option for students in urban school districts. NCLB does not include the necessary knowledge, skills, values/beliefs, and dispositions of an urban teacher in its definition of “highly qualified” teachers.

There are several qualities that make urban teachers most effective. They must believe that all students can learn. They must see themselves as facilitators of learning for culturally and ethnically diverse students. Teachers and students must share in the process to make it successful. Teachers are not expected to know everything about all races or ethnicities, but they do need to be open to learning and to helping students learn about themselves and others.

Effective urban teachers must also use culturally responsive teaching practices. These practices value the experiences and knowledge that the students bring into the classroom and use the cultural and ethnic diversity of the students to make learning activities more relevant and effective. Culturally responsive teaching needs to:

1. Bridge the gap between home and school
2. Be comprehensive by teaching to the intellectual, social, and emotional parts of the child
3. Be multidimensional by incorporating the students’ culture or ethnicity into the classroom climate and instructional strategies
4. Be empowering by focusing on improving the student as a learner and an individual
5. Be transformative and emancipating

In addition to characteristics of effective urban teaching, there are a number of practices that urban teachers should use. A few of these are:

1. Being knowledgeable about students’ cultural and ethnic backgrounds
2. Being seen as a member of the school community
3. Participating in community events in the school neighborhood

4. Providing instruction that centers on fostering the development of a second language

Although research has shed light on culturally responsive teaching and it is getting more attention, very few schools are actually implementing it. NCLB also does not reflect culturally responsive teaching practices. Teacher certification and licensing exams do not include the knowledge, skills, and dispositions needed for effective urban teachers. Since NCLB relies solely on teacher testing for certification and licensing, it may result in culturally responsive and competent teachers not being certified or licensed.

Although this presentation was geared for urban settings, the information can also be applied to poor, rural areas with similar problems. In fact, Dr. Blanchett said that culturally responsive teaching is good practice for *all* teachers and that she wants to make it a required teaching technique.

Dr. Blanchett suggested a few ways for teachers to begin the process of becoming culturally responsive. First, they need to understand themselves. Teachers need to know and understand how who they are and their life experiences shape their beliefs, values, and classroom practice. Becoming a culturally responsive teacher will probably also include retraining oneself to look at teaching, students' learning, and the classroom in a different way. She suggested three books to help teachers on the path to cultural responsiveness, *Cultural Responsive Teaching: Research, Theory, & Practice* by Geneva Gay, *Dream Keepers* by Gloria Ladson-Billings, and *Holler If You Hear Me* by Gregory Miche.

Presentation 2

Dr. Diane Browder from the University of North Carolina at Charlotte spoke about the research she is currently conducting on alternate assessments. She described the Charlotte Alternative Assessment Project and specifically focused on the CMS/UNCC Model demonstration, the National Survey on Alternative Assessments, and the teacher case study.

The CMS/UNCC Model demonstration was conducted in the Charlotte Mecklenburg School System, which had 112,500 students in pre-K through grade 12. Seventy-five percent of the students were in grades requiring testing (about 84,375 students) and 294 students participated in the North Carolina Alternative Assessment (about 0.25% of the school population).

The CMS/ UNCC model focused on:

- IEP goals linked to state standards and alternate assessments while honoring student/parent priorities (increasing the number of IEP goals and objectives in reading and math areas as opposed to functional skills)
- Assessment methods that capture student progress and can be used for instructional decisions
- Using portfolio assessments to improve instructional effectiveness and student progress (measurable not passive skills)

The study presented and accomplished four main objectives.

Objective #1 included obtaining higher NCAAP (alternate assessment) scores. The alternate assessments of the students included in the model showed a large jump in the percent achieving the proficient level. There was a large difference between the percent of proficient students in this model and those who were not included in the model.

Objective #2 included monitoring meaningful growth on IEPs. Since IEP growth is a criterion validity measure for NCAAP scores and there was a very high correlation between growth across all IEP objectives and NCAAP scores, this objective was met.

Objective #3 included an accurate report of the student gains that teachers and parents reported. Seventy-eight percent of teachers said that students made progress as a result of being included in the model and seventy-five percent thought students had better IEPs. Eighty-three percent of the parents said the students' IEPs were better, there was more progress on the IEPs, and the students were learning meaningful goals for the future.

Objective #4 looked at whether teachers mastered and used the model components. A large majority of the teachers were able to identify skills clearly related to alternate assessment domains and use data sheets that contained all components needed for state requirements. Most teachers were also able to summarize progress, and half the teachers could use decisions based on data. The CMS/UNCC Model was found to be successful and now the CM School System is bringing the model to scale.

UNC at Charlotte also conducted a case study follow-up on seven teachers whose students scored as proficient or above on the NCAAP. Six major factors were found that influenced the outcomes of the alternate assessments:

- Resources available to the teacher
- Teacher characteristics (belief in the purpose of alternate assessment, high expectations of students, strong organizational skills)
- Curriculum with well-specified objectives
- Effective instruction (direct instruction, using data to inform change, and incorporating self-determination)
- Data collection methods (collecting data that closely matches what scorers are looking for)
- The state's alternate assessment format (the alternate assessments count in the state accountability system).

The one element not discussed by the teachers was family influence.

A national teacher survey was also conducted by UNC at Charlotte. Five states agreed to participate in the study on the impact and process of alternate assessments and what factors influence the scores. The impact results showed that many teachers agreed that alternate assessments encourage high expectations and use of age-appropriate materials but compete with teaching time and individual students' needs. Many teachers do not think that alternate assessments decrease time in general education, make it easier to

include students in extracurricular activities and community-based instruction, and have a negative effect on IEPs.

The process results showed that over half the teachers understood the alternate assessment process and that it was part of their everyday class routine. Teachers disagreed that students understood their scores, parents participated, scoring was consistent, and the assessment affected the teachers' performance evaluation. As factors that influenced scores, the teachers reported knowledge of how the alternate assessment was scored, the supports to meet the individual needs of students, teaching in a variety of settings, use of age-appropriate materials, student schedule, health status of student, one-to-one instruction, assistive technology, administrative technology, and time on tasks versus down time.

Dr. Browder answered many questions about the scoring process and curriculum for the alternate assessments. She explained that the classroom teachers collect data on specific data sheets. These sheets are compiled and sent to the state. The label of "proficient" is given by state-level professional scorers who evaluate the data sheets from the teachers. The comparative data could be obtained because the CMS/ UNCC Model gave teachers the same data sheets that could be adapted to specific objectives and show subtle progress. When a participant asked how the curriculum was adapted, Dr. Browder responded that the teachers in the model were shown how to modify the general education curriculum for reading and math. Dr. Browder also acknowledged that a long-term study needs to be conducted to evaluate how the students in the CMS/UNCC Model who take the alternate assessment transition into the next natural environment.

Presentation 3

Dr. Douglas Fisher from San Diego State University presented information on how AYP and NCLB have impacted the schools in California. The state has decided to use a three-phase model to integrate the new accountability system into the schools. In phase 1, students' achievement scores are reported. In phase 2, students' Academic Performance Index (API) at the school level is reported. Then in phase 3, the scores of the alternate assessments are factored in to create the final AYP status. If schools fail in one of these phases, they have failed to meet AYP for that year. If a school passes AYP standards in phases 1 and 2 but fails to meet AYP standards when the scores from the alternate assessments are factored in, then the school has failed to meet AYP for that year. California is planning to use this model for the next two years.

One main concern with this three-phase model and the disaggregated scores has to do with the possibility of placing blame on certain groups of individuals for keeping the whole school from meeting AYP. All AYP reports with the scores of the disaggregated subgroups are posted online or published in newspapers. The whole school does not meet AYP if one subgroup does not meet the AYP standard in one area (mathematics, reading/language arts, or number of students participating.) If the alternate assessment scores "pull" the school's scores down so much that it does not meet the AYP standard in one area, the students with disabilities taking those assessments may be blamed for keeping the school from meeting AYP.

Another concern that Dr. Fisher addressed was with the minimum size criterion for AYP used in California. Currently, it is 100 students. This means that the school does not report the scores for any subgroup that has fewer than 100 students. In other words, the school is not held responsible for these students' achievement. Dr. Fisher stated that he has seen a phenomenon of "move 'em out" beginning in the schools. If the schools can get under 100 students in any subgroup by moving them to other schools or settings, then those students will not affect the school's AYP standing. Currently, the most common practice associated with this phenomenon is checking on the students' attendance rates and addresses. If students have not attended school for awhile, the school cannot be held accountable for them. If the students do not live in the school district, the school can move them to their true school districts and not be held accountable for them.

Dr. Fisher discussed the phenomenon and concern he calls "round 'em up." Some schools are simply not meeting AYP because they do not have enough students taking the assessments, and therefore are not meeting the AYP participation standard. Schools are doing anything they can to get students to come into school on the testing days and just get them to write their names on the assessment. Then the school can count them as participating in the assessment and meet the AYP participation standard.

The fourth concern of Dr. Fisher's was with remedial programs. These programs are starting to target students who are on the edge of achieving proficient levels in the statewide assessments and concentrate on them. The students who achieve significantly below the proficient level are likely to be ignored because they are less likely to help the school meet AYP.

In his research Dr. Fisher has interviewed a number of school administrators about their perspectives on NCLB and meeting AYP. One common perspective has been, "We will never make it, why bother." These administrators are giving up before they even really get started. Another perspective is, "With a war and the economy, this too shall pass." These administrators think that the large amount of attention on NCLB is a trend or phase the country will pass through and get over.

The last concern Dr. Fisher addressed was the supplemental services that are offered in San Diego. According to NCLB, economically disadvantaged students can receive supplemental services after their school has been labeled in need of improvement for two years. In San Diego, there are only five approved supplemental service providers. One is the school district, one is at the state level, and three are Internet-based. He raised the following question: If a student is poverty-stricken, what is the likelihood that he or she has a computer at home to access the three Internet-based supplemental service providers?

Even though Dr. Fisher brought up a number of concerns and negative perspectives from school administrators, he also presented positive themes that have resulted from NCLB. There has been a shift in curriculum to align it with state standards. There has also been evidence that what is being taught in the classrooms is actually what is written in the

curriculum. Increasing numbers of students with disabilities have been accessing the general education curriculum. There have also been new types of leadership in the schools. Principals have had to find new ways to engage teachers in really helping students and the school. One principal challenged all the teachers in the school to each mentor 10 students and track their progress through the whole year—to really believe in and commit to focusing on the progress of these students.

Principals are being held accountable for their schools now. On the principal's evaluation, it is noted whether the school meets AYP. If the school is not labeled "acceptable," the principal is placed on probation. After two years of being on probation, if the school still makes no progress, the principal can be fired.

Large Group Discussion

Following the research panel presentations, the three speakers opened the floor to questions from the large group. One question that spurred much discussion was whether the way NCLB is implemented is doing enough to support students with significant cognitive disabilities. Dr. Fisher responded that there is speculation that NCLB causes more concern for students with higher incidence disabilities. Dr. Browder added that we should not give up on NCLB before real efforts are even made. She further explained that "No Child Left Behind opens a window of opportunity" for holding schools accountable for the achievement standards for students participating in the alternate assessment.

Dr. Blanchett asserted, on the other hand, that one of the misconceptions with NCLB is that more students with significant cognitive disabilities will be included. Another common misconception is that just because you have assessments, you consequently have accountability. Dr. Blanchett also expressed concern over the inequitable practice of requiring special educators to have expertise in both special education and a core content area, while general educators are only required to have expertise in a core content area.

The next question from the audience was directed towards Dr. Browder regarding the best way to involve parents in the alternate assessment process. She explained that in North Carolina, the requirements of the alternate assessment are linked to the IEP goals and objectives. During the IEP team meetings, parents are involved in the development of the plan. The skills on the IEP later function as the pool from which the student's teacher selects samples for the portfolio. Once the portfolio is complete, parents are asked to review the samples of their child's work to validate the skills demonstrated. This process is more empowering to parents than having them complete a questionnaire after the portfolio is finished.

The issue was also discussed as to whether longitudinal studies exist to measure the growth of students with cognitive disabilities over time. Dr. Browder explained this as a weakness of alternate assessments because they are not able to sample from any set scope and sequence, contrary to general education assessments. She added that because states are now trying to align the alternate assessments with the general education curriculum,

we are just beginning to see a scope and sequence take shape. However, this can only be taken so far because of the individualized educations guaranteed to students receiving special education services.

Another area of need for alternate assessments is to include information such as the time the students spend in general education and their graduation rates. Few states are able to focus on this now because all their resources are concentrated on making AYP. State and district participants were also concerned that achievement expectations on alternate assessments do not seem to increase from year to year. Dr. Fisher suggested that we establish one set of alternate assessment content standards linked to the general education curriculum and assessments, and then vary the artifacts and work samples accepted from students based on their level of functioning. He explained that in California, when teachers lowered standards for specific groups of learners, expectations and achievements were subsequently lower.

The discussion concluded with a question to Dr. Blanchett regarding best practices for teaching students with significant cognitive disabilities who come from low-income, urban environments as speakers of other languages. Her recommendation was to continue desegregating classrooms and include these students in general education classrooms more. If teachers are properly trained in sensitivity to these students, good teaching can accommodate all learners in the same classroom.

Wrap-up: Implications for Research, Practice, and Policy Implementation

David Riley provided final thoughts on the day and reiterated some key points from the discussions:

- Investments in a broad range of research topics are critical to improving education for students, especially students with significant cognitive disabilities.
- Everyone, from teachers to administrators to parents, is working hard to make the implementation of No Child Left Behind as smooth a transition as possible. We should not give up on this policy before we try to make it work.
- Families must be an integral part of the education process for all students, and most particularly for those with significant cognitive disabilities.
- What most special education teachers lack today is a depth of knowledge and skills to teach content. On the other hand, most general education teachers lack the knowledge and skills to work with students with disabilities. The current need is to find a way to provide both with what they need in a collaborative and effective way.
- Finally, there is concern in the field about “down the road.” Few teachers ever elect to work in a failing school, so how do we stop the cycle?

The Urban Special Education Leadership Collaborative and TASH in association with ILIAD IDEA Partnership and other partner organizations sponsored this event.