Profiles of Reform

Four States' Journeys to Implement Standards-Based Reform with Students with Disabilities

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Educational Policy Reform Research Institute

Profiles of Reform:
Four States' Journeys to Implement Standards-Based Reform with Students with Disabilities

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National Center on Educational Outcomes
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Urban Special Education Leadership Collaborative
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EPRRI, funded by the U. S. Department of Education's Office of Special Education Programs, investigates the impact of new educational accountability systems on students with disabilities and on special education. EPRRI addresses the research needs of policymakers and other key stakeholders by identifying critical gaps in current knowledge, seeking promising strategies, and publishing Topical Reviews, Policy Updates, and Issue Briefs. The Institute is a joint venture of the Institute for the Study of Exceptional Children and Youth at the University of Maryland, the National Center on Educational Outcomes at the University of Minnesota, and the Urban Special Education Leadership Collaborative.

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Introduction

This report is a synthesis of research conducted in four states and eight districts by the Educational Policy Reform Research Institute (EPRRI), which was funded by the U.S. Department of Education's Office of Special Education Program from 2000-2006 to investigate and describe the impact of including students with disabilities in evolving state educational accountability systems.

EPRRI documented the efforts to implement standards, assessments, and accountability with students with disabilities in two school districts in each of the following states: California, Maryland, New York, and Texas. Information was obtained over a five-year period through site visits, interviews, review of documents, and analysis of existing state-and district data. Results of this research have been reported in a series of case studies, an analysis of the extant data, and other research reports and articles. These products are available at www.eprri.org. This document synthesizes information from several of the technical reports and provides an update to Topical Reports 7and 8 with 2004-05 data.

EPRRI's research began in 2001, prior to the passage of No Child Left Behind (NCLB) and continued for several years after the passage of the law. The findings presented in this document provide an opportunity to observe the policy changes and initial impacts resulting from NCLB .

Methods

The four states that were the focus of EPRRI's research were selected based on the types of accountability system each state had in place, its history of educational reform, assessment system and the level of participation of students with disabilities in the state's assessments and accountability system. Demographic diversity was also considered. Within each of the four states, EPRRI staff worked with state special education leaders to identify two school districts to study. Districts that were considered were those known to be implementing standards driven reforms well and to have good data systems. Demographic diversity was also considered.

EPRRI researchers utilized two complementary strategies to collect information and data: analysis of documents and in-depth interviewing. Examples of the types of documents reviewed include Board of Education policies and minutes, strategic plans, reports from Superintendents and

State Commissioners of Education, and State Department letters and memos to districts. We accessed many documents on federal and state Web sites. In addition, we reviewed press releases and letters issued by the U.S. Secretary of Education; transcripts of speeches by the President and Secretary about NCLB; reports issued by the U.S. General Accounting Office on NCLB; and journal and newspaper articles about the four states. To obtain updated data and information, we continually monitored state Web sites for evolving efforts to implement NCLB. During this 5-year study, we conducted 35 interviews at the state level and 44 at the district level and within 20 schools. State level interviews occurred between October 2001 and January 2002 and district level interviews took place between April and June 2002.[1]

For all states and districts, we also collected and analyzed data obtained from the Web sites of each state and district for the school years 1999-2000, 2000-01, 2001-02, and one final time in 2004-05. Data collected include: general education and special education enrollment figures, percent of students receiving free and reduced lunch, percent of students receiving special education services, percent of students identified as English Language Learners (ELL), race and ethnicity distributions, assessment participation rates for students with disabilities, and performance scores of students receiving special education services compared to students not receiving special education services. Performance data were retrieved for elementary and middle school levels in the core subject areas of reading/ELA and mathematics. We did not include high school data because it was inconsistently reported among our four states.

State Profiles

This document includes four sections: Section 1 provides an overview of the demographics for each of the four states and eight districts, teacher-student ratios, and per pupil expenditures. In Section 2, we present assessment participation and performance data including the achievement gap between students with disabilities and general education students. Section 3 contains timelines that illustrate the changing policies in each of the four states. In Section 4, we highlight some of the major themes that emerged from EPRRI's research.

[1] A full report of methods employed and data are available on www.eprri.org in the four state Case Study Reports and Topical Review 7: Accountability for Students with Disabilities Who Receive Special Education. Note that 2004-05 data were collected for this report only.

1

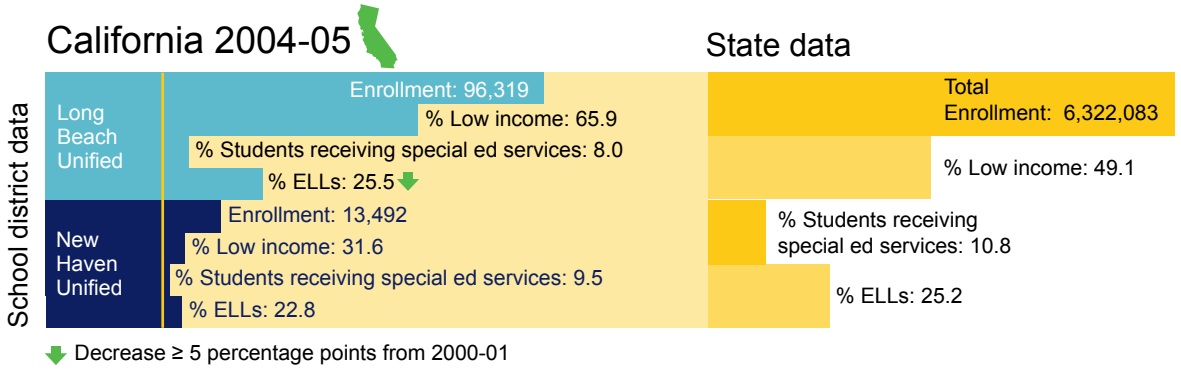
Demographics and Student-Teacher Ratios

The four states and eight districts in our study were quite diverse in terms of key demographic and contextual variables. Most state and district demographics remained relatively stable from school year 2000-01 to 2004-05. For example, state student enrollment increased an average of 4.34% while the average enrollment increase among the eight districts was 4.20%. The percent of students receiving special education services within the states and districts remained within (+/-) 4 percentage points from 2000-01 to 2004-05. The average state percentage was 11.83% in 2000-01 and 12.13% in 2004-05; the average percentage receiving special education services across all eight districts was 11.34% in 2000-01 and 11.29% in 2004-05. Following is an overview of each state and its districts; descriptions are from academic year 2004-2005, with graphics showing some of the few demographic changes.

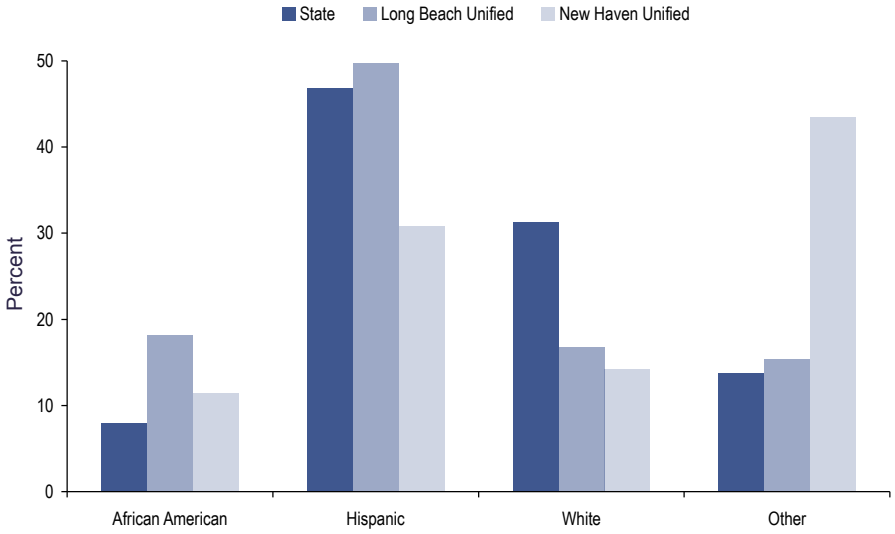
California

California had the largest enrollment of the four study states, with over 6.3 million students. Nearly half (49.1%) of the students in the state were economically disadvantaged. About 11% of California's students received special education services and 25% of the students received services for English language learners (ELL). The largest ethnic group represented by California students was Hispanic (46.8%); African Americans represented 8% of the students. The average class size in California was about 21 students per teacher, the largest among the four study states. Demographic data remained relatively stable between 2000-01 and 2004-05, with the following exceptions: there was a decrease in the percent of students receiving ELL services in Long Beach Unified; and a decrease in the percentage of White students in New Haven Unified.

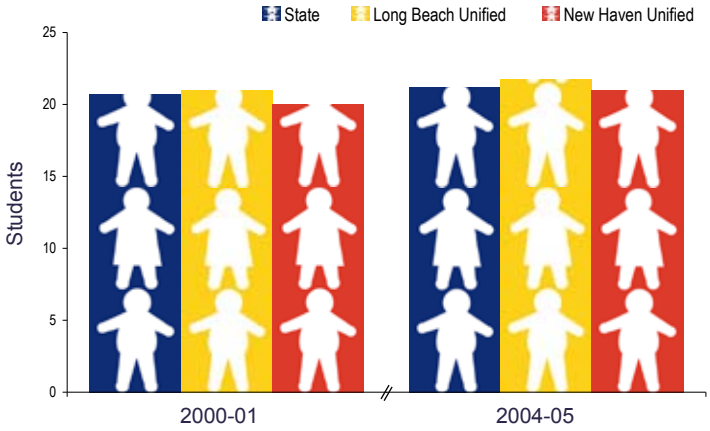
2004-05 California Enrollment, Percent Low Income, Percent Students Receiving Special Education Services (K-12), and Percent ELL



California Ethnic Data for All Enrolled Students in 2004-05



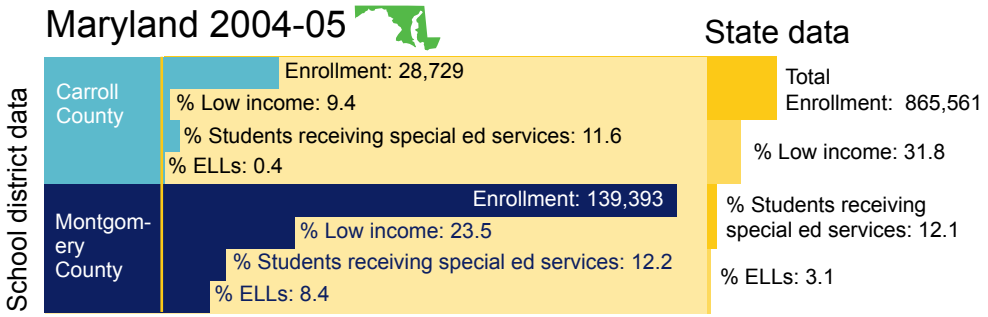
California Ratio of Students per Teacher for All Students



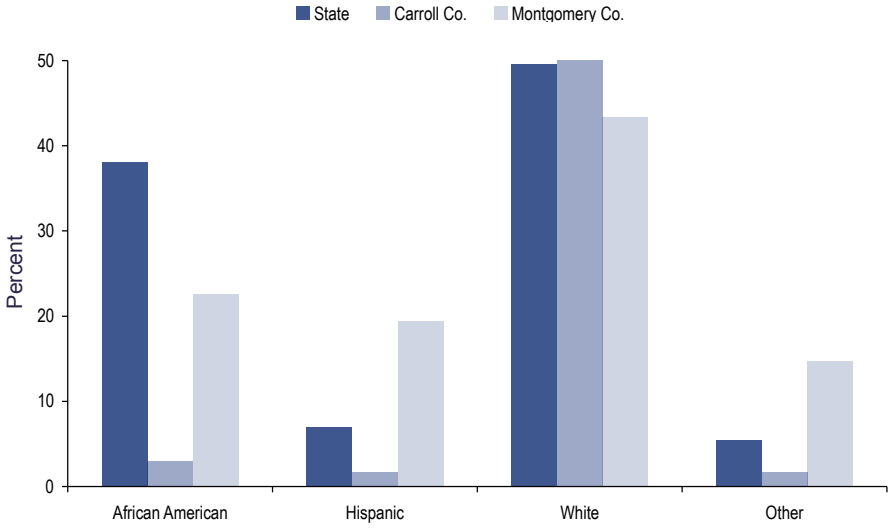
Maryland

Maryland was the smallest of the four study states, with 865,561 students. Maryland reported the lowest percentage of economically disadvantaged students (31.8%). Approximately 12% of Maryland's students received special education services and just over 3% of the students in the state participated in ELL programs and services. More than one third of the students were African American (38.1%), just under half of the total student population was White (49.5%), and Hispanic students represented over 5% of the total student population. On average, Maryland's class size was about 15 students per teacher. From 2000 to 2005, demographic data remained stable in all categories and the two LEAs.

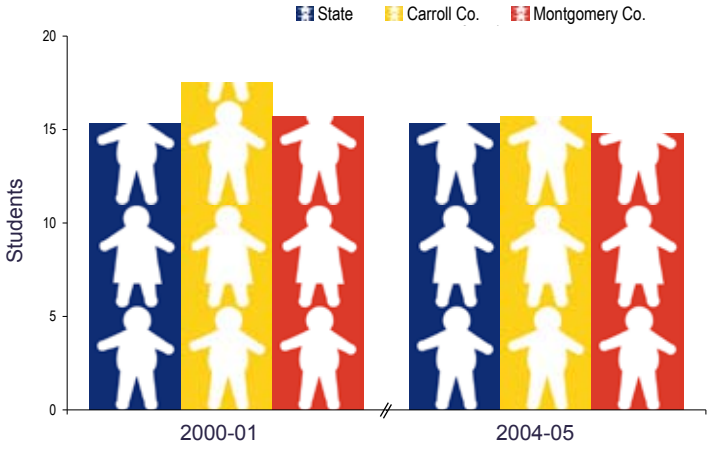
2004-05 Maryland Enrollment, Percent Low Income, Percent Students Receiving Special Education Services (K-12), and Percent ELL



Maryland Ethnic Data for All Enrolled Students in Data 2004-05



Maryland Ratio of Students per Teacher for All Students

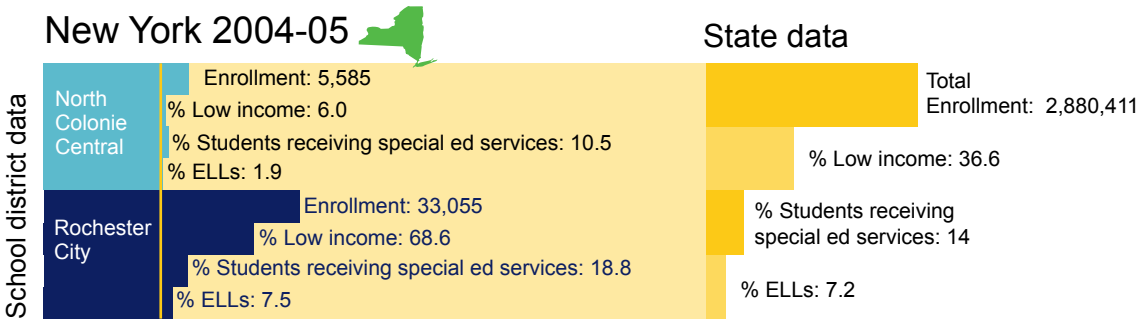


New York

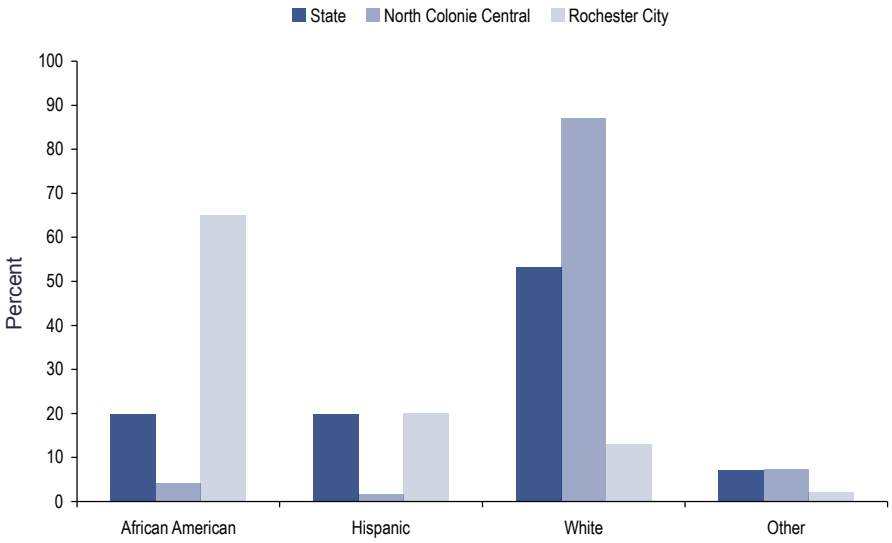
New York's public school enrollment was just over 2.88 million students. Approximately 37% of students in New York were classified as low income, and almost 7% received ELL services. The percent of students who received special education services for grades K-12 in New York was 14%, but the two districts varied by 8 percentage points.

Over half of New York's students were White (53.2%); African American and Hispanic students each represented about one fifth of the state's students (19.9% and 19.7%, respectively). Of the four states, New York had the smallest student:teacher ratio of 13:1. Across time, demographic data remained stable in all categories.

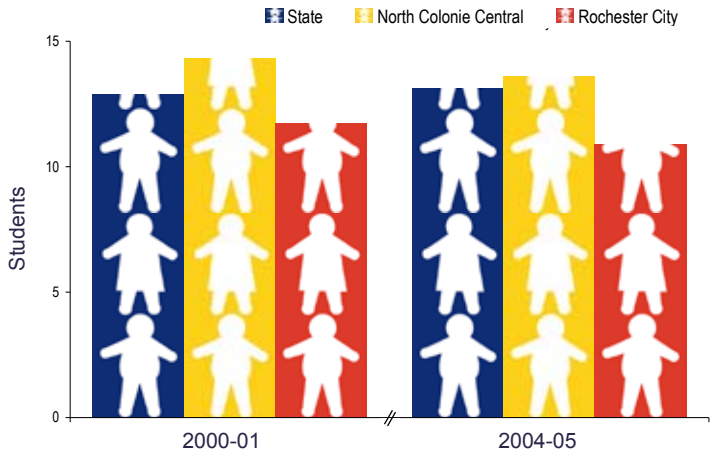
2004-05 New York Enrollment, Percent Low Income, Percent Students Receiving Special Education Services (K-12), and Percent ELL



New York Ethnic Data for All Enrolled Students in 2004-05



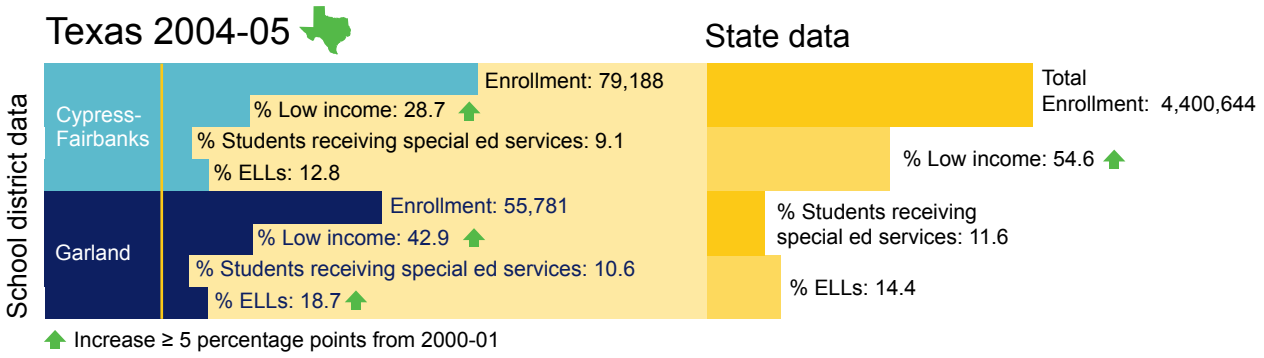
New York Ratio of Students per Teacher for All Students



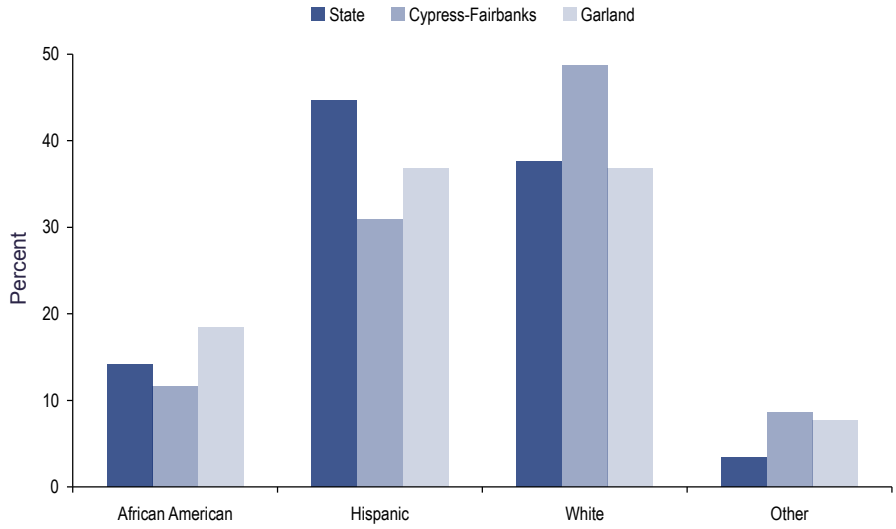
Texas

Texas enrolled over 4.4 million students in early childhood through grade 12 and identified 54.6% of the students as economically disadvantaged. About 12% of Texas' students received special education services and 14.4% received ELL services. About 45% of Texas's students were Hispanic, 38% were White, and 14% African American. The average student to teacher ratio was nearly 15:1. Between 2000-01 and 2004-05, the percentage of low income students increased by more than 5% in the state and both districts as did the percentage of students receiving ELL services in Garland. In addition, the percent of Hispanic students in both districts increased by more than 5 percentage points while the percent of White students in both districts decreased by 5 percentage points.

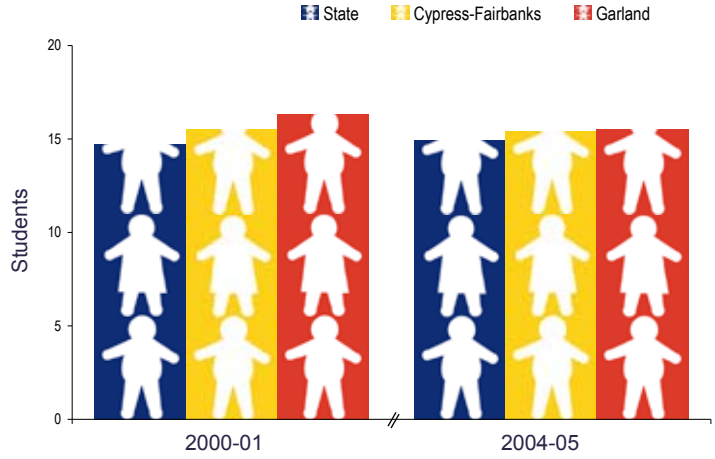
2004-05 Texas Enrollment, Percent Low Income, Percent Students Receiving Special Education Services (K-12), and Percent ELL



Texas Ethnic Data for All Enrolled Students in 2004-05



Texas Ratio of Students per Teacher for All Students



2 Participation and Performance Data

This section presents the assessment participation rates for students with disabilities and student performance data for both general and special education students by state and district. It should be noted that between 2000-01 and 2004-05 there were a number of changes across the four states in assessment and accountability policies. These include the introduction of new tests, changes in allowable test accommodations, school performance indices, and reporting requirements.

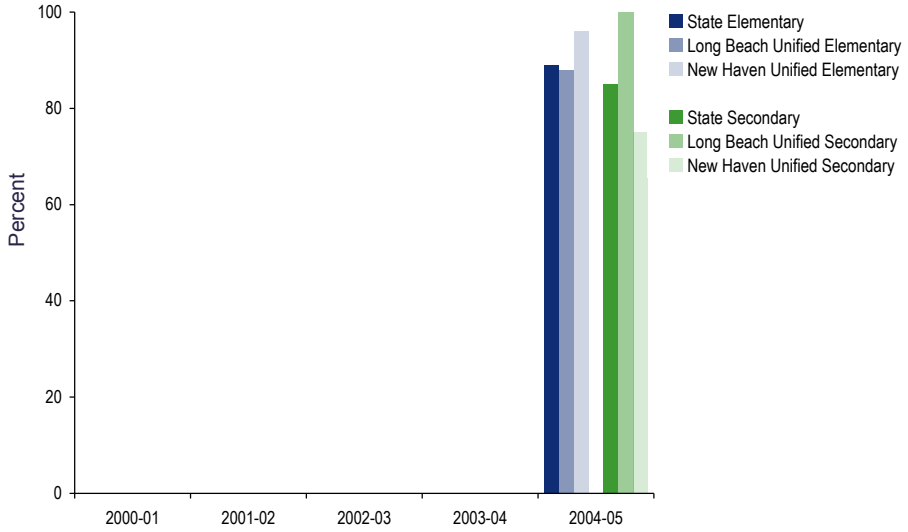
In the following sections, we present performance and participation data with the caution that any interpretations must be considered in light of the changes that were occurring over the time period and state-to-state variation in reporting methods. In addition, the following should be considered when interpreting the data: participation rate data include only students with disabilities; group performance data are presented graphically sorting the performance of students with disabilities from the performance of students without disabilities. The data from each state website varied slightly in grades assessed, years of available data, and presentation of calculated rates versus raw data, so slight variations are evident when comparing states. Data from 2004-05 were added to capture one more point in time after the implementation of NCLB. It is important to note that representatives from each state reviewed their participation and performance data and made revisions as necessary.

California

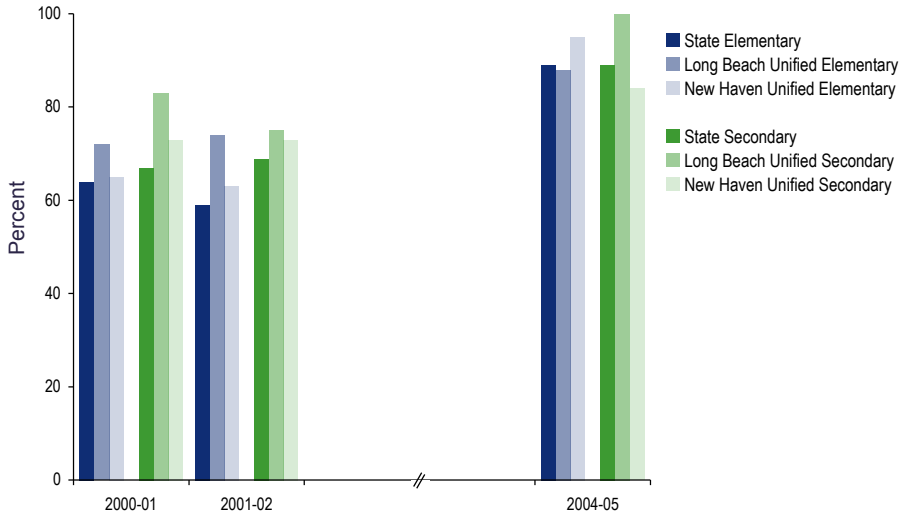
Beginning with the 2000-01 school year, California presented raw data about participation of students with disabilities on state assessments, but did not present group data for the number of all special education students. Data were not available for math participation until 2004-05. We used data from http://data1.cde.ca.gov/dataquest for the denominator to calculate the assessment participation rate as:

$$\frac{\text{\# of students reported as receiving special education \& participating in assessments}}{\text{total \# of special education students enrolled (in December of the given year)}}$$

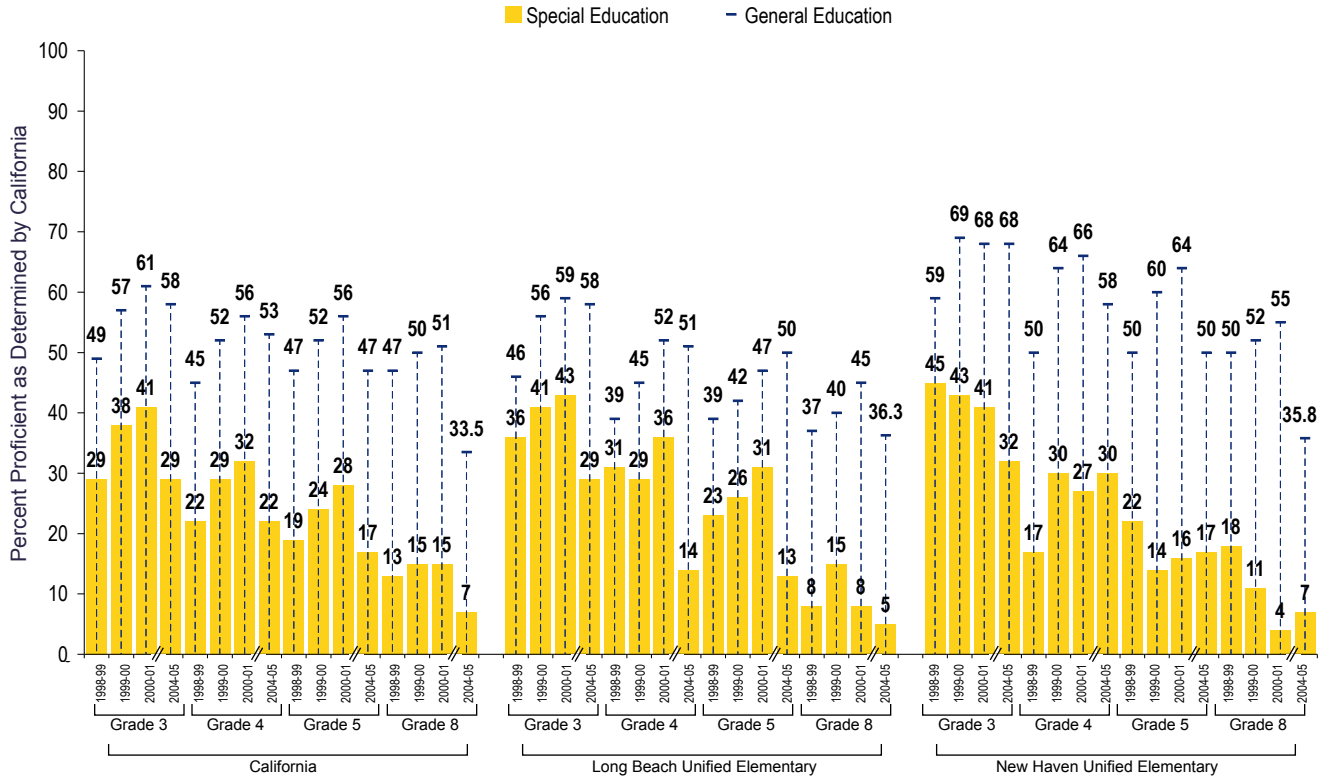
California State and District-Level Participation Rates for Students with Disabilities on Mathematics California Standards Tests



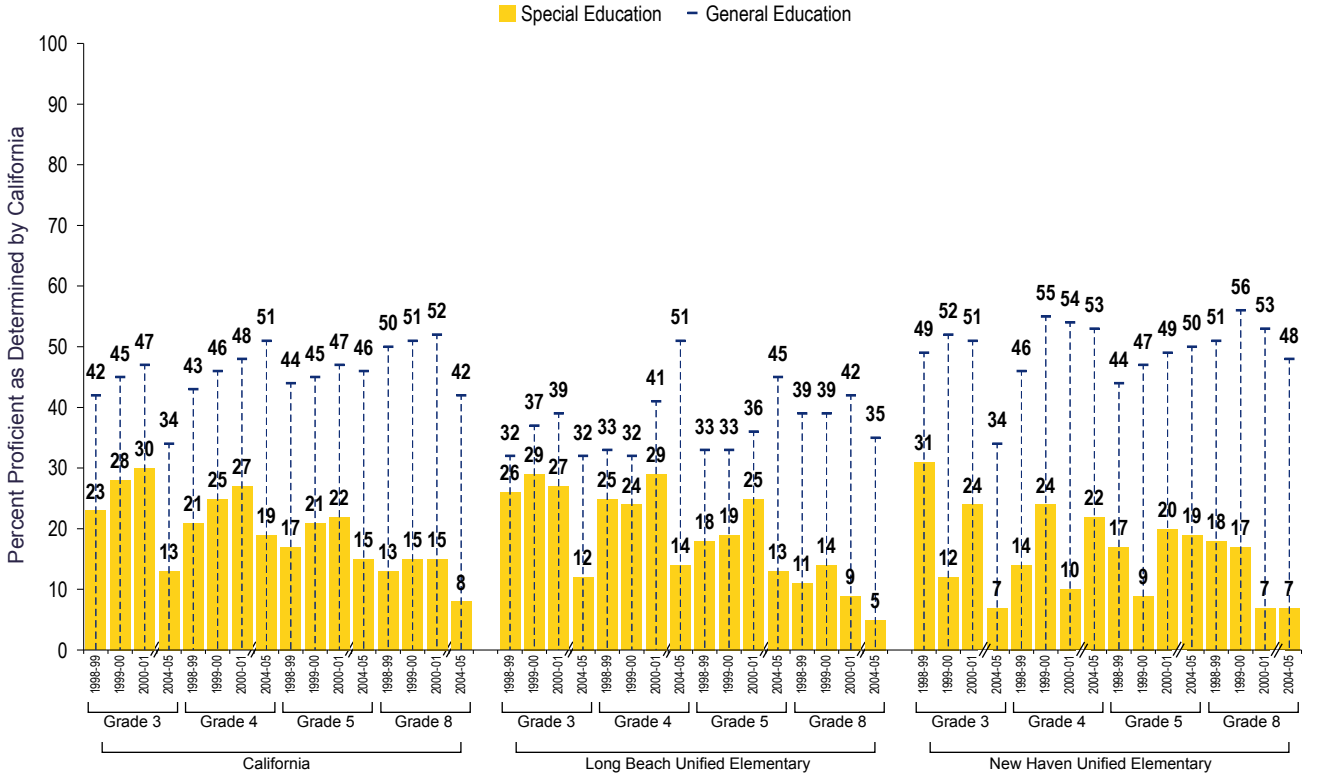
California State and District Level Participation Rates for Students with Disabilities on ELA California Standards Tests



California Mathematics: Percent of State Assessment Participants Meeting or Exceeding Proficiency Standards on the SAT9 in 1998-99, 1999-00, and 2000-01; CST During 2004-05



California Reading: Percent of State Assessment Participants Meeting or Exceeding Proficiency Standards on the SAT9 in 1998-99, 1999-00, and 2000-01; CST During 2004-05

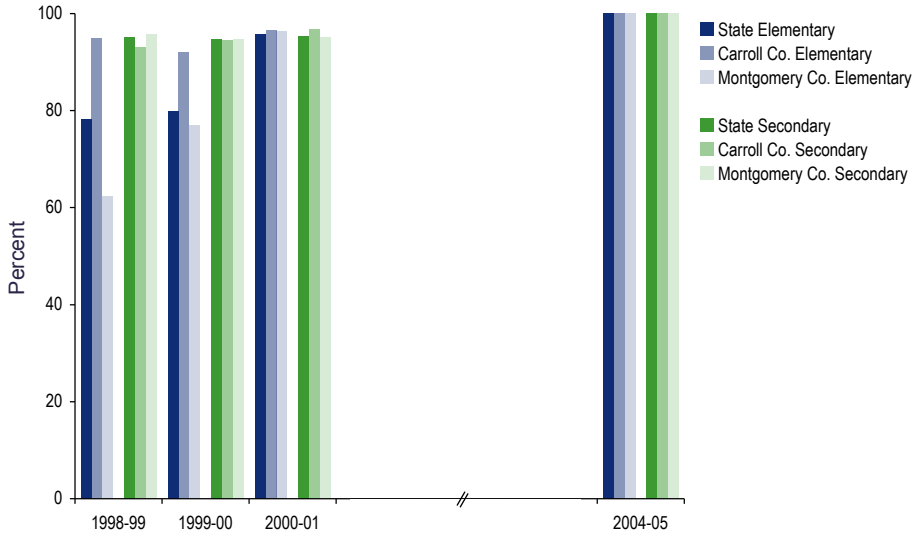


Maryland

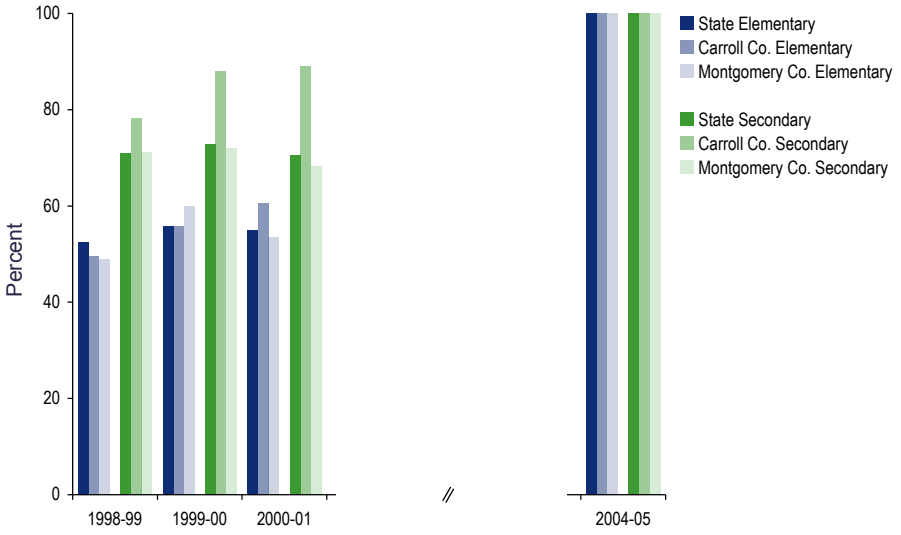
Maryland reported raw data for participation and exemption of all students with disabilities on the state assessments at the state, district, and school levels by content area and by grade level. We calculated the participation rate in the following tables as:

$$\frac{\text{\# of students with disabilities who participated in state assessments (by grade)}}{\text{total \# of students in special education (by grade)}}$$

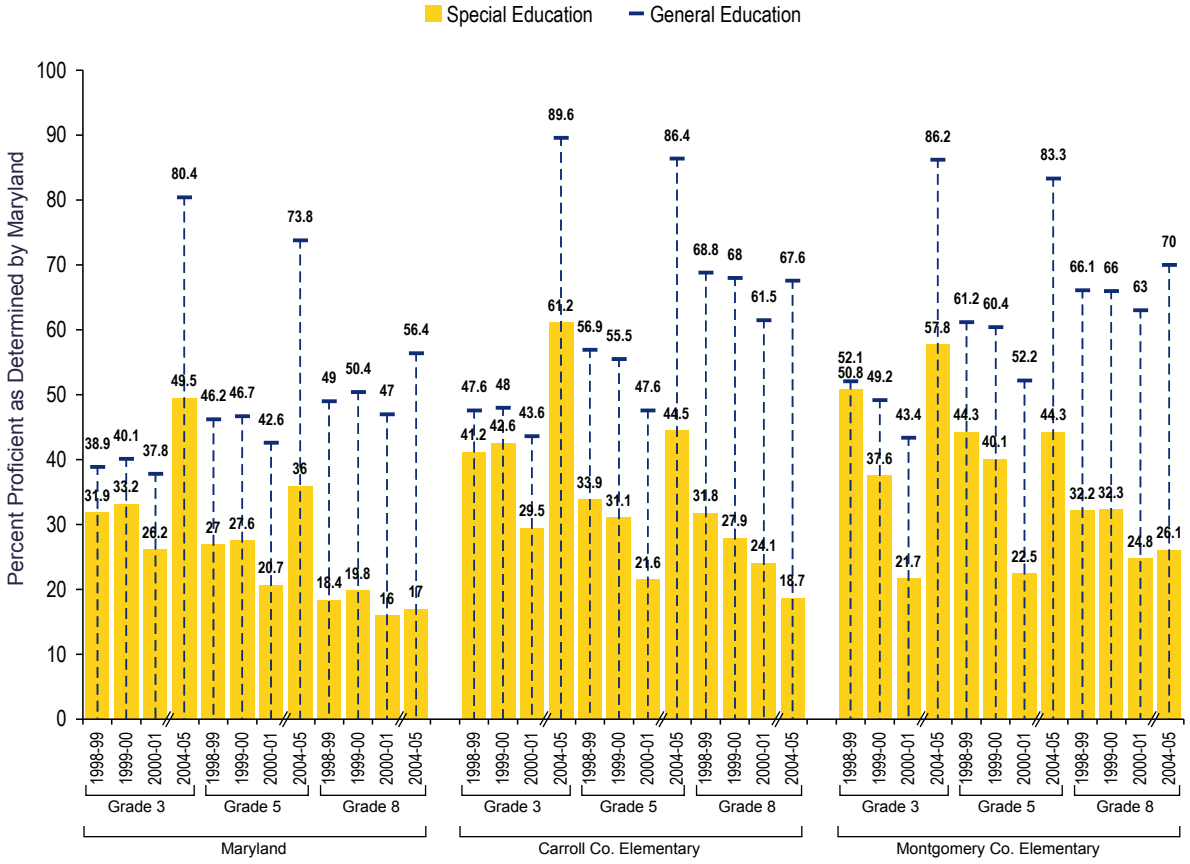
Maryland State and District-level Participation Rates for Students with Disabilities on the MSPAP Mathematics in 1998-99, 1999-00, and 2000-01; MSA Mathematics 2004-05



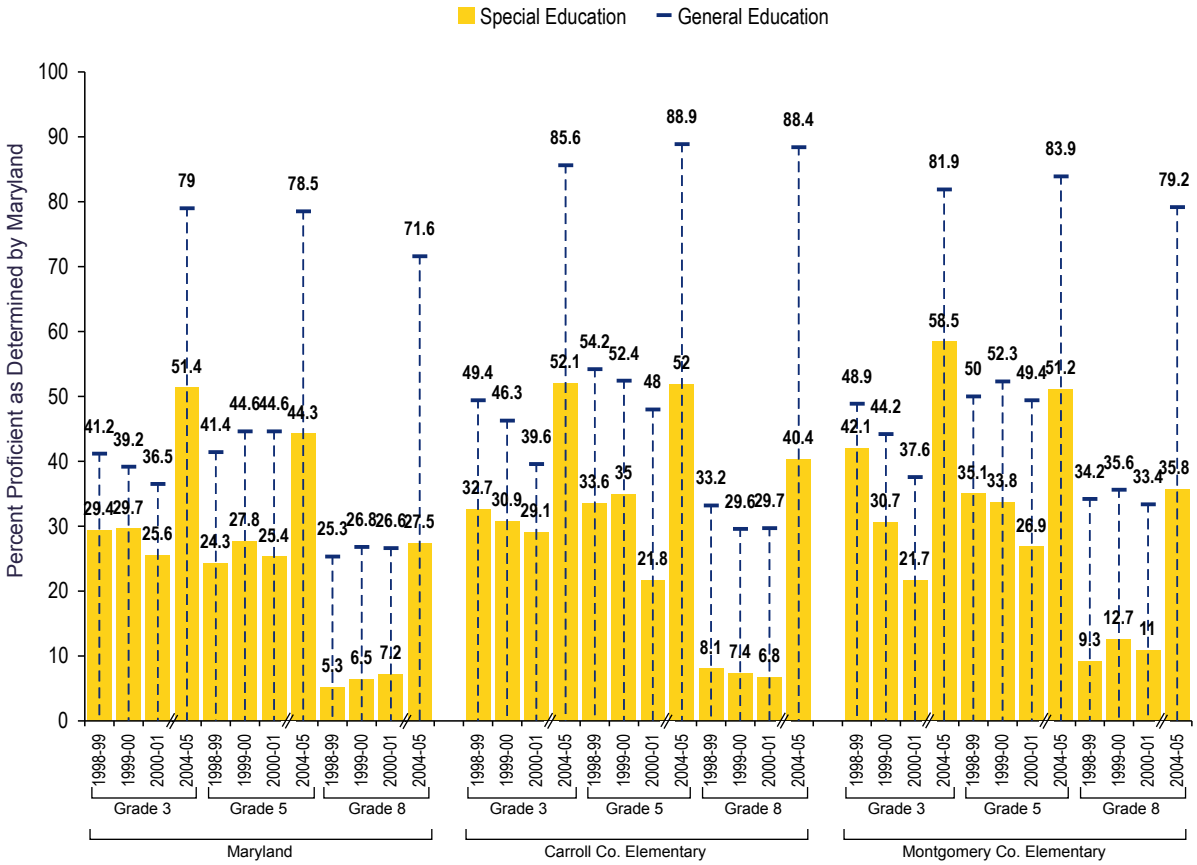
Maryland State and District-level Participation Rates for Students with Disabilities on the MSPAP Reading in 1998-99-1999-00, and 2000-01; MSA Reading in 2004-05



Maryland Mathematics: Percent of State Assessment Participants Meeting or Exceeding Proficiency Standards on the MSPAP in 1998-99, 1999-00, and 2000-01; MSA in 2004-05



Maryland Reading: Percent of State Assessment Participants Meeting or Exceeding Proficiency Standards on the MSPAP in 1998-99, 1999-00, and 2000-01; MSA in 2004-05

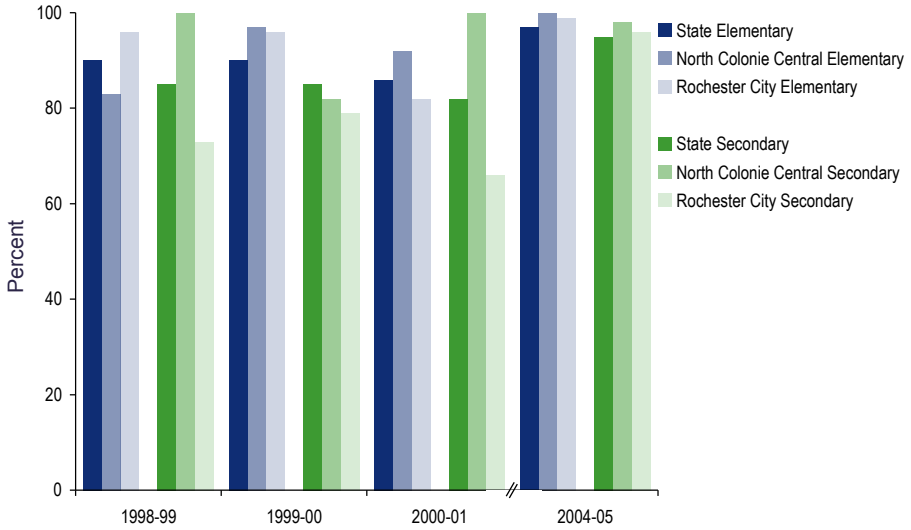


New York

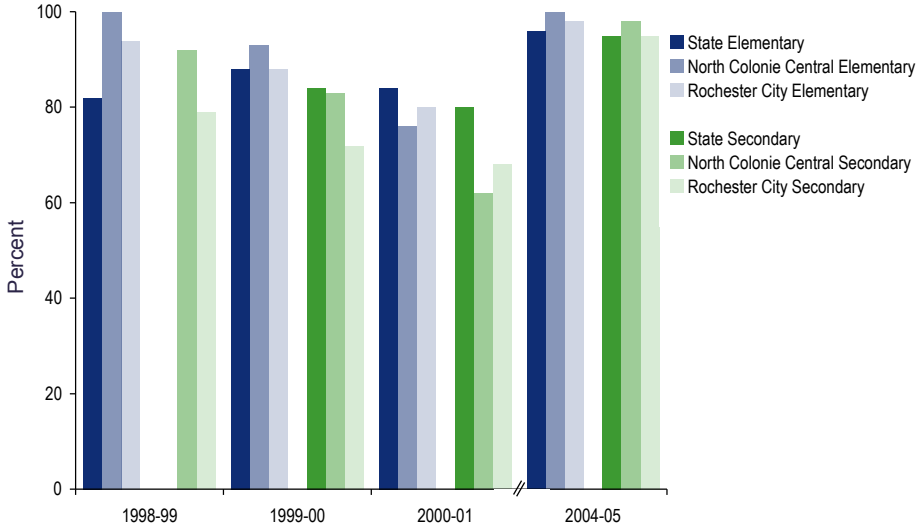
We were able to gather 1999-2000 data from the *Performance Report of Educational and Vocational Services and Results for Individuals with Disabilities, 1999-2000 – Volume 2*. To determine participation we calculated the total number of special education students reported as "tested" in the state to those identified as "exempt" and "absent" in each school district. The total number tested (aggregate of all public school districts) was then divided by this aggregate denominator. The formula is indicated below:

$$\frac{\text{total \# of students with disabilities tested}}{\text{total \# students with disabilities + students "exempt/absent"}}$$

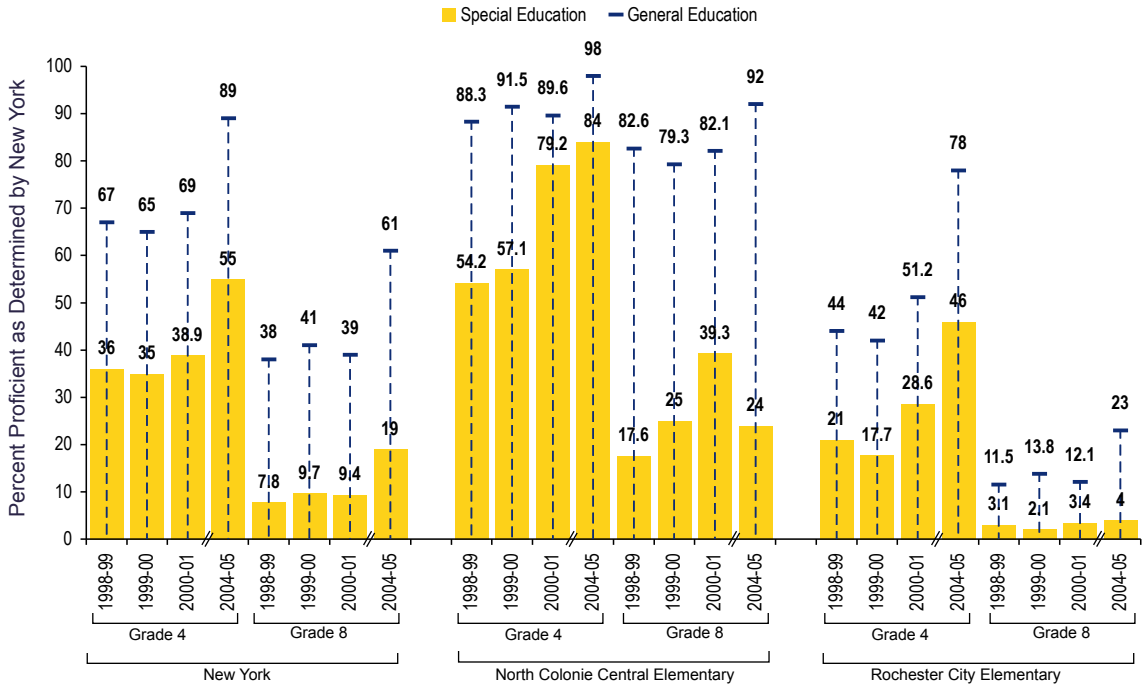
New York State and District-Level Participation Rates for Students with Disabilities on the State Mathematics Test



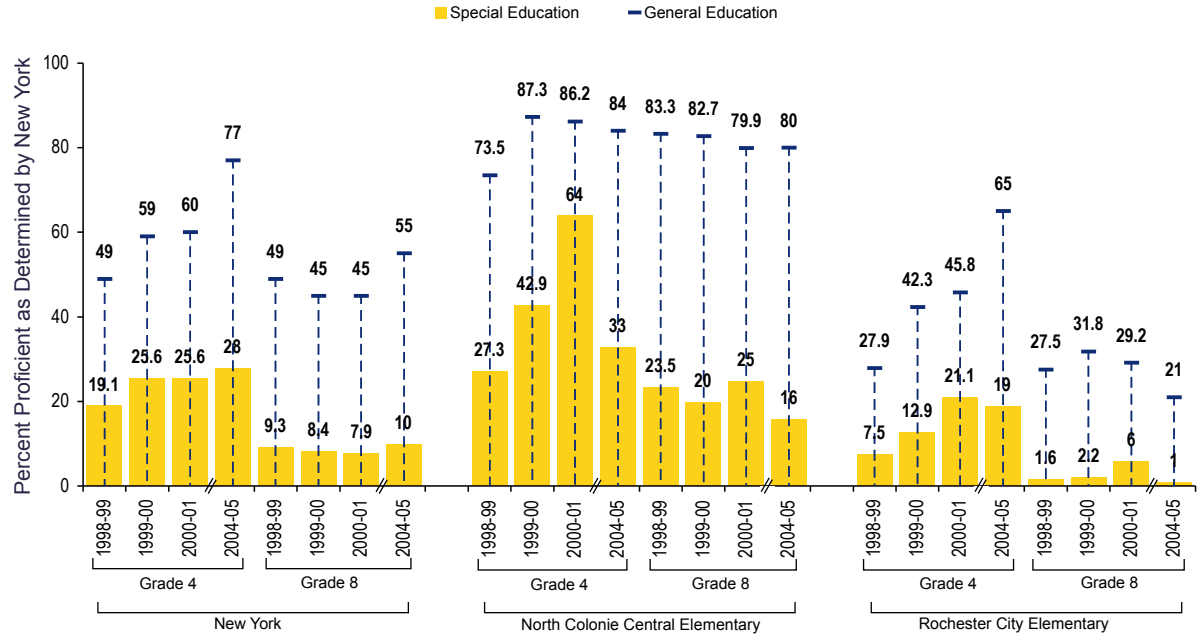
New York State and District-Level Participation Rates for Students with Disabilities on the State English Language Arts Assessment



New York Mathematics: Percent of State Assessment Participants Meeting or Exceeding Proficiency Standard on the State Math Assessment (Students with disabilities may have taken locally selected standardized assessment in 2004-05)



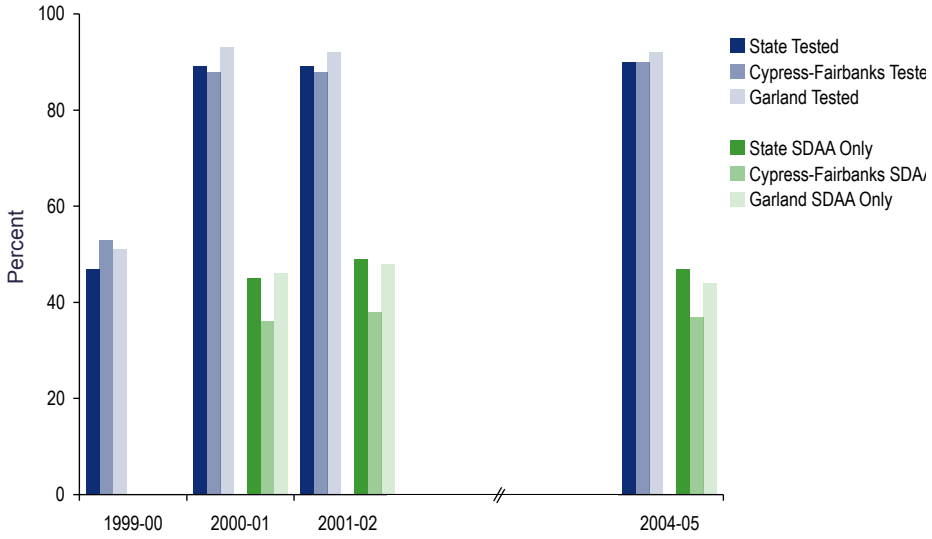
New York Reading: Percent of State Assessment Participants Meeting or Exceeding Proficiency Standards on the State English Language Arts Assessment (Students with disabilities may have taken locally selected standardized assessment in 2004-05)



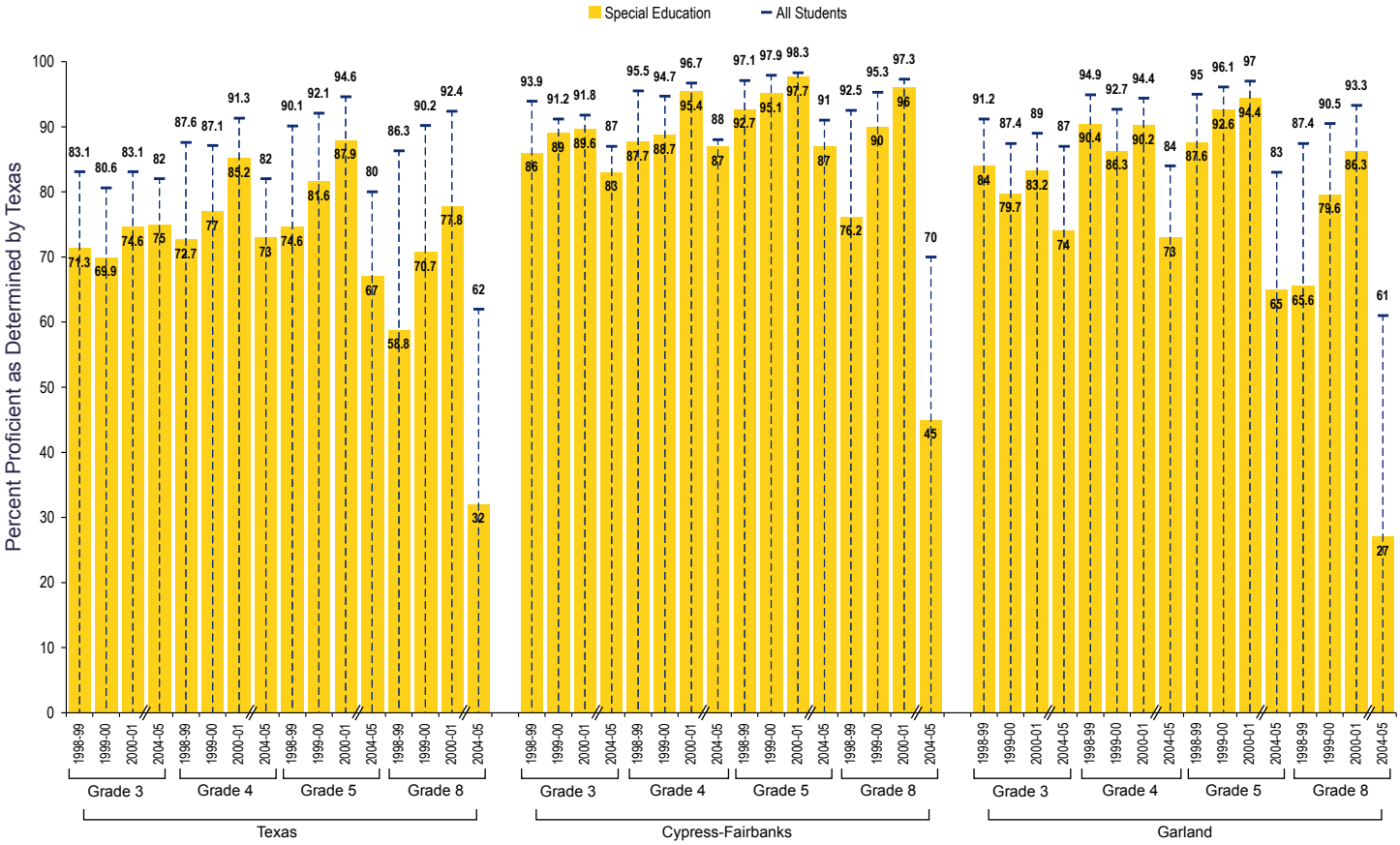
Texas

State and district level participation and performance data presented by Texas in the Academic Excellence Indicator System (AEIS) reports were retrieved from http://www.tea.state.tx.us/perfreport/aeis/. Participation rates include percentage of all students with disabilities tested, and those who were tested on the State Developed Alternate Assessment (SDAA) only for the 2000-01, 2001-02, and 2004-05 school years. Beginning in 2000-01, the SDAA was administered to special education students in grades 3-8 who received instruction in the Texas Essential Knowledge and Skills (TEKS). The SDAA assessed the areas of reading, writing, and mathematics and measured individual students' academic growth from one test administration to the next. A student's Admission, Review, and Dismissal (ARD) committee determined whether the students would be assessed on the SDAA and the expected level of achievement (based on individual student's growth expectations) for that assessment. A second generation of the alternate assessment, the SDAA II was first administered in 2005. We reported the state calculations for participation.

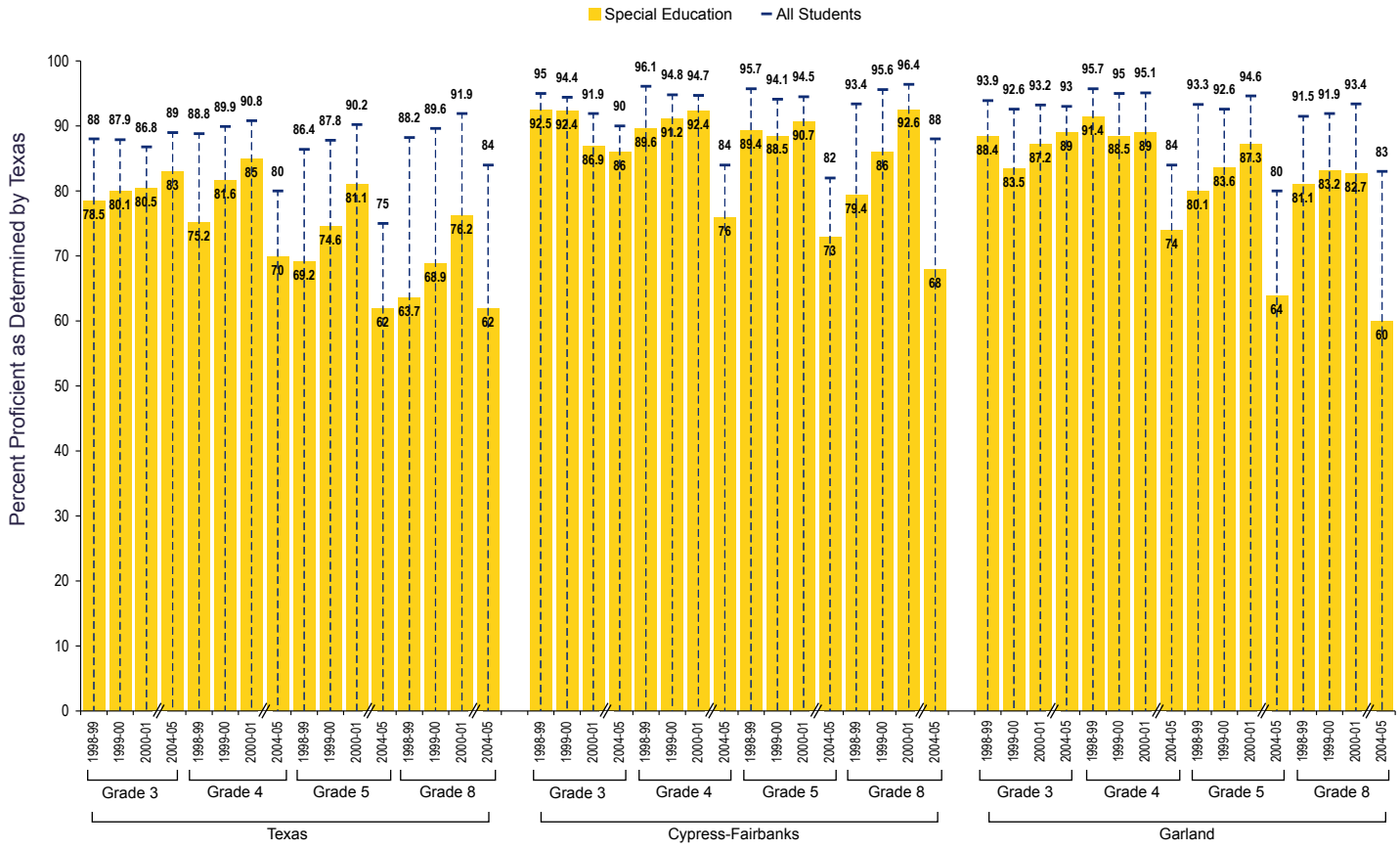
Texas State and District-Level Participation Rates for Students with Disabilities on TAAS and SDAA in 1999-00, 2000-01, and 2001-02; TAKS and SDAA in 2004-05



Texas Mathematics: Percent of State Assessment Participants Meeting or Exceeding Proficiency Standards on the TAAS in 1998-99, 1999-00, 2000-01; TAKS in 2004-05



Texas Reading: Percent of State Assessment Participants Meeting or Exceeding Proficiency Standards on the TAAS in 1998-99, 1999-00, and 2000-01; TAKS in 2004-05



3

State Timelines

We constructed timelines for each state in order to capture the extraordinary number of changes that have occurred within state policies related to standards, assessment and accountability systems. The major policies are organized according to the following categories: content standards/curricular frameworks; assessments; assessments for students with disabilities; accountability; and graduation/diploma requirements.

The following pages provide a graphic overview of the evolution of standards-driven reform policies in each of the four states.

California's Reform Timeline

Early Reforms: Pre-1995	1995 to IDEA 1997	Post-1997 IDEA Amendments to Pre-NCLB 2001	Post-NCLB 2001 to 2003 Regulations	Post-NCLB Regulations to 2006
Content Standards/Curricular Framework				
	1995: State legislature established the Commission for the Establishment of Academic Content and Performance Standards to develop new grade-by-grade standards.	1997: English language arts (ELA) and math content standards were developed. 1998: History, social science, and science standards were adopted. 1999: CSBE adopted new textbooks and instructional materials designed by publishers to foster universal access to the curriculum for special populations. 2000: History-social standards and curriculum framework were adopted. 2000: Math and reading/ language arts curriculum frameworks were adopted.	2001: Visual and performing arts content standards were developed. 2001: Foreign language content standards and framework were adopted. 2002: Science content standards and framework were adopted. 2002: Health content standards were revised. 2003: Visual and performing arts standards were revised.	2003: Instructional Materials Funding Realignment Program (IMFRP) to align standards and school/ classroom materials 2004: Visual and performing arts curriculum framework was adopted. 2005: Physical education content standards were developed. 2005: Math content standards were revised and math curriculum framework was adopted. 2006: Reading/ language arts curriculum framework was revised. **Proposed** 2008: Revised health standards are required. 2009: Revised foreign language standards are required.
Assessments				
1972: California Assessment Program (CAP) began. 1983: Comprehensive educational reform began in response to Nation at Risk. 1991: California Learning Assessment System (CLAS) - Later CLAS was replaced by the Pupil Testing Incentive	1997: Standardized Testing and Reporting Program (STAR) was adopted. 1997: Stanford Achievement Test Series, 9th edition, Form T (SAT9) were chosen as the STAR program assessment.	1998: CSBE authorized the development of standards based tests in ELA and Math, which were named the California Standards Tests (CST) to augment SAT9. 2000: CSBE authorized development of standards based tests	2001: STAR program was reauthorized. 2002: CSBE designated Educational Testing Service (ETS) as the contractor for the California Achievement Tests, 6th edition survey (CAT/6), to replace the SAT9, and to develop the CA Standards Tests (CTSs).	2004: STAR program was reauthorized. **Proposed** Proposals have been accepted and reviewed from other contractors to administer the STAR program from school year 2006-07 to 2008-09. Reduce CAT/6 to two grade levels.

California's Reform Timeline (page 2 of 3)

Early Reforms: Pre-1995	1995 to IDEA 1997	Post-1997 IDEA Amendments to Pre-NCLB 2001	Post-NCLB 2001 to 2003 Regulations	Post-NCLB Regulations to 2006
Program (PTIP). 1994: Physical education curriculum framework adopted.		in writing, history-social science, and science which were also part of the CSTs.	2002-06: ETS held the contract to administer the STAR assessment program.	
Assessments for Students with Disabilities				
		2001: Alternate Assessment Advisory Workgroup (AAAW) created functional performance indicators for students with significant disabilities based on content standards.	2003: First administration of the California Alternate Performance Assessment (CAPA)	2006: Out-of-level testing was no longer allowed for students with disabilities. **Proposed** 2007: California Modified Assessment (CMA) will be field tested. 2008: CMA will be administered to students with disabilities.
Accountability				
	1995: California Assessment and Academic Achievement Act.	1999: Public Schools Accountability Act (PSAA) including the Academic Performance Index (AIP) was passed. 1999: The numerically significant subgroup equaled to at least 30 students with valid test scores who made up at least 15% of the schools valid test scores or at least 100 students with valid test scores. 1999: PSAA identified the following subgroups: African American or black, American Indian or Alaskan Native, Asian, Filipino, Hispanic or Latino, white, and socio-economically disadvantaged.	Pre-2003: Each school had to achieve minimum annual growth target on the API.	2004: The numerically significant subgroup equaled to at least 50 students with valid test scores who made up at least 15% of the schools valid test scores. 2005: PSAA's identified subgroups included students with disabilities and English language learners (ELL) students. 2005-06: Students who received modifications on the CSTs were not counted in the NCLB participation rate.

California's Reform Timeline (page 3 of 3)

Early Reforms: Pre-1995	1995 to IDEA 1997	Post-1997 IDEA Amendments to Pre-NCLB 2001	Post-NCLB 2001 to 2003 Regulations	Post-NCLB Regulations to 2006
Graduation / Diploma Options/Exit Exams				
		1999: California High School Exit Examination (CAHSEE) became graduation requirement. 1999: A certification of completion became a diploma option.	2001: Law suit was filed over assessment accommodations and modifications on the CAHSEE (Juleus Chapman et al. v. California Department of Education). 2001: State level appeals process for modifications on CAHSEE was implemented. 2003: CAHSEE's implementation was delayed as a graduation requirement for the Class of 2006. 2003: Appeals process for modifications on CAHSEE was moved to the local level.	2006: One-year exemption to pass CAHSEE for certain students with disabilities was granted. a) Regular high school diploma - state course requirements and CAHSEE b) Certificate of proficiency - California High School Proficiency Exam (CHSPE) c) Diploma equivalent - General Educational Development (GED) test **Proposed** 2008: Two Diploma Plus High Schools (DP) for 9th-12th grade students who are not successful in regular high schools are scheduled to open.

Maryland's Reform Timeline

Early Reforms: Pre-1990	1990 to IDEA 1997	Post-1997 IDEA Amendments to Pre-NCLB 2001	Post-NCLB 2001 to 2003 Regulations	Post-NCLB 2003 Regulations to 2006
Content Standards/Curricular Framework				
1977: MD's Project Basic was school reform efforts to focus on basic competency skills.	1990: Maryland Learning Outcomes (MLO) were established by MD State Board of Education (MSDE).		2002: Creation of a voluntary state curriculum (VSC) began; VSC was based on the MLOs, MD Content Standards, and core learning goals for reading/ELA, math, science, and social studies (pre-k - 8th) and 10th grade reading standards. 2002-03: MD Content Standards specified what students in grades K-12 should know and be able to do in math, ELA, science, and social studies.	
Assessments				
1984: MSDE created the Maryland Functional Testing Program (MFTP) to assess functional skills required for graduation.	1990: MSDE established the school accountability system, the MD School Performance Program (MSPP); MSDE implemented the system. 1990: Maryland School Performance Assessment Program (MSPAP) began; MSPAP was a criterion referenced assessment used to assess school-level performance on the MLOs; individual child scores were not reported and not all children participated in the assessments. 1990: MSPAP assessments were criterion-referenced performance assessments linked to reading, writing, language usage,		2001-02: High School Assessments (HSAs) were launched; HSA measured student knowledge in English, algebra/data analysis, government, and biology; HSA to become h.s. exit exam in the future. 2002: MSPAP ended and was replaced by the MD School Assessment (MSA) in anticipation of annual and individual NCLB reporting requirements. 2002: MSA used to assess reading & math in 3rd - 8th; planned addition of science in the future; data provided student, school, school system, and state performance	2003: MSDE recommended and MSBE established HSA passing scores for algebra, biology, & government. 2004: Maryland Functional Tests (high school exit exams) ended. 2005: MSDE recommended and MSBE established HSA passing score for English. 2004: Individual student assessment scores were aggregated to determine individual student competency rating.

Maryland's Reform Timeline (page 2 of 4)

Early Reforms: Pre-1990	1990 to IDEA 1997	Post-1997 IDEA Amendments to Pre-NCLB 2001	Post-NCLB 2001 to 2003 Regulations	Post-NCLB 2003 Regulations to 2006
	math, science, and social studies. 1990: 3rd, 5th, & 8th graders were assessed on mastery of basic skills and applied knowledge in authentic problem-solving situations.		data; test items were both norm and criterion referenced.	
Assessments for Students with Disabilities				
	MSPAP policy: Students with disabilities could be exempted from MSPAP if they were not pursuing the MLOs and were instead pursuing alternative or life skills outcomes. ESL students could be exempted if they did not have the minimum language proficiency required for participation in MSPAP. Pre-2003: Students with severe cognitive disabilities not participating in MSPAP took the Independence Mastery Assessment Program (IMAP). Pre-2003: IEP team determined if students could be excused from IMAP due to severe medical complications.		2003: IEP team determines whether student takes Alt-MSA or MSA. 2001: Accommodations policy was established . 2003: Accommodations policy was revised (some more restrictive; some more inclusive). 2002-03: IMAP alternate assessment phased out. 2003: MSA is based on the MD Content Standards; students with disabilities might participate in the Fundamental Life Skills Curriculum.	2003: Alternate MSA (Alt-MSA) became alternative assessment for students unable to participate in MSA; all students must take MSA or Alt-MSA. 2005: To take Mod-MSA, student must have 3 consecutive years of individualized instruction & not progressing on grade level; must demonstrate they cannot achieve proficiency in grade level MSA, even with accommodations 2005: IEP team determines whether student takes Alt-MSA, Mod-MSA, or MSA. 2005: Accommodations policy was revised (some more restrictive; some more inclusive).
Accountability				
1970s: Education reform conversations began with the focus on ensuring that high school graduates could function in society.	1990: MD School Performance Assessment Program (MSPAP) was the accountability system to			

Maryland's Reform Timeline (page 3 of 4)

Early Reforms: Pre-1990	1990 to IDEA 1997	Post-1997 IDEA Amendments to Pre-NCLB 2001	Post-NCLB 2001 to 2003 Regulations	Post-NCLB 2003 Regulations to 2006
1989: Governor's Commission on School Performance recommended a statewide, school accountability system.	determine school progress toward learning outcomes targets. Assessments were administered annually to some 3rd, 5th, & 8th graders. 1990: MSDE established MLO's with 10 year targets for school performance in attendance, dropout rates, and test scores. 1990: School Performance Reports were generated for MSPAP accountability. Reports included a School Performance Indicator (SPI) rating of "satisfactory" or "excellent" that was generated from attendance rates, MSPAP scores, MFT scores, and high school dropout rates. 1990: MSPAP data were disaggregated by gender, race, and "other characteristics;" no individual student scores were reported. 1990: MSPAP school results were reported on 5 proficiency levels (1 low; 5 high); satisfactory was 70% of students at proficiency Level 3+, with at least 25% of students scoring Level 2+.		2001: The state did not meet any of the original MSPAP targets. The focus shifted from comparison-between-schools to school improvement; if progress was not satisfactory, school improvement efforts were expected. 2002: MSPAP ended; Maryland School Assessment (MSA) began. 2002: MSA measured achievement in reading and math for 3rd - 8th graders. 2002: MSA individual student scores data were disaggregated by race/ethnicity, SES, disability, and ELA. 2002: 3 MSA ratings options for schools and students: basic, proficient, or advanced.	2006: USDOE determined that MD meets all NCLB testing requirements.

Marylands's Reform Timeline (page 4 of 4)

Early Reforms: Pre-1990	1990 to IDEA 1997	Post-1997 IDEA Amendments to Pre-NCLB 2001	Post-NCLB 2001 to 2003 Regulations	Post-NCLB 2003 Regulations to 2006
	1990-00: Schools received awards (monetary & public recognition) and sanctions (improvement plan with access to supplemental funding, technical assistance, monitoring, & reconstitution) for school performance. 1993: MSDE adopted regulations about school reconstitution.			
Graduation / Diploma Options/Exit Exams				
	1990: Maryland Functional Tests (MFT) in Reading, Writing, and Mathematics becomes graduation requirement .			2004: MFT discontinued as exit requirement; replaced by High School Assessments (HSA). 2004-05: Diploma options: regular diploma or completion certificate. 2004-05: To earn a regular diploma, students must pass all 4 HSA, or earn a minimum score in each test. 2006: Development of Comparable HSA is in progress. 2008-09: Students must pass the HSA (aggregate score of 4 sections) to earn a MD high school diploma. State proposes extension for IEP, 504, and ELL students.

New York's Reform Timeline

Early Reforms: Pre-1985	1985 to IDEA 1997	Post-1997 IDEA Amendments to Pre-NCLB 2001	Post-NCLB 2001 to 2003 Regulations	Post-NCLB 2003 Regulations to 2006
Content Standards/Curricular Framework				
1984: Regents Action Plan: A New Compact for Learning was released; the plan highlighted the need for consistency between curriculum and assessment and provided a framework for LEAs, but curriculum & instruction was determined by LEAs.	1996: NY Board of Regents released 28 state Learning Standards in 7 curriculum areas. LEAs maintained discretion over curriculum and instruction. 1996: NY State Education Department (SED) issued core curricula related to learning standards; core curricula provided key ideas and performance ideas, but were not designed as local/district curricula.			2005: Math learning outcome was revised.
Assessments				
1970s: Pupil Education Program (PEP) was established through state statute as a student assessment system.	Pre-1999: PEP assessments in math, reading, and writing in 3rd, 5th, & 6th Pre-1999: Preliminary Competency Test in English was administered in 8th & 9th grade.	1999: NY State Assessments replaced PEP and Preliminary Competency Tests; new assessment was administered in 4th & 8th in ELA & Math. 1999: Other assessments included: 5th & 8th social studies assessment; 8th technology assessment; 4th & 8th science assessment		2005-06: Annual testing of students in grades 3rd - 8th in math & ELA in response to NCLB
Assessments for Students with Disabilities				
		1999: Range of accommodations allowed for students with disabilities was approved by NYSED. 1999: NY State Alternate Assessment (NYSAA) was created for students with severe disabilities.	2002: Accommodations policy was revised (restricting some allowable accommodations). 2002: NYSED allowed locally selected, standardized assessments to be used in lieu of state assessments at 4th, 8th, & before graduation for some students with disabilities.	

New York's Reform Timeline (page 2 of 3)

Early Reforms: Pre-1985	1985 to IDEA 1997	Post-1997 IDEA Amendments to Pre-NCLB 2001	Post-NCLB 2001 to 2003 Regulations	Post-NCLB 2003 Regulations to 2006
		1999: Superintendent and Committee of Special Education had authority to exempt students with severe disabilities from general assessment.		2005-06: To comply with NCLB, NYSAA changes were required so students with severe cognitive disabiliites would be assessed according to birth dates aligned with grade level equivalents.
Accountability				
1984: State established the Action Plan to Improve Elementary and Secondary Education Results in NY.	1996: Leadership & Learning plan was issued by the Board of Regents; elements of standards-based reform were evident in the plan (high standards for all; build capacity; public accountability). 1996: State legislature approved a $2.6 billion increase in State Aid to LEAs.	1998-99: NY reported the performance of students with disabilities on state assessments. 1999-00: System of Accountability for Student Success (SASS) established a single accountability system for school effectiveness; schools received Level 1-4 performance index (PI); scores for students participating in NYSAA were included in school PI; database of student scores was the System for Tracking Educational Performance (STEP). 1999-00: High schools held accountable for percentage of students graduating with a Regents diploma in 4 years and decreasing dropout rates. 1999-00: All students participated in state assessments (regular or alternate) and were reported through the Local Educational Agency Program (LEAP).	2001: Changes were made to STEP: NYSESLAT, NYSAA, & graduation/ dropout rate were included in the accountability system; performance index standards increased by holding LEA accountability for all student subgroups. Post-NCLB: schools must create a Local Assistance Plan (LAP) required for SURR; school accountability changed so standards were based on 100% of children, rather than 90%. Post-NCLB: Student performance was reported by grade.	

New York's Reform Timeline (page 3 of 3)

Early Reforms: Pre-1985	1985 to IDEA 1997	Post-1997 IDEA Amendments to Pre-NCLB 2001	Post-NCLB 2001 to 2003 Regulations	Post-NCLB 2003 Regulations to 2006
		Pre-NLCB: LEAP & STEP used to determine if school met each state standard using a 4 level rating system; lowest level of performance labeled Schools Under Registration Review (SURR); schools expected to show that 90% of their students met minimum proficiency; accountability system was used to close the achievement gap. Pre-NLCB: school performance accountability was determined by aggregating student assessment scores across grades.		
Graduation / Diploma Options/Exit Exams				
	Pre-1996: Local diploma was awarded to students passing 5 Regents Competency Tests (RCTs); Regents diploma was awarded for students passing 8 higher level exams. 1996: Regents announced that RCTs would be phased out & all students must pass 5 higher level Regents; exam scores determined whether a student was eligible for a local or Regents diploma.	1999: Implementation of Regents high school exit exam and termination of RCTs over a 8-year period was scheduled.	Students entering grade 9 in 2001-02 had the following diploma options: a) Regents diploma, b) Local diploma, c) IEP diploma, and d) Regents diploma with an advanced designation. 2002: Students with disabilities were provided a safety net policy that allowed them for 2 years to pass local assessments and receive an IEP diploma or pass an RTC and receive a local diploma. 2003: RCT "Safety-net" provision was extended for 2003-04 academic year.	2003: Revised Regents Policy was approved for students first entering grade 9 in 2000 until fall 2004. RCT "Safety-net" policy was extended through 2009-2010. Passing standards and graduation credit requirements are constantly increasing.

Texas's Reform Timeline

Early Reforms: Pre-1993	1993 to IDEA 1997	Post-1997 IDEA Amendments to Pre-NCLB 2001	Post-NCLB 2001 to 2003 Regulations	Post-NCLB 2003 Regulations to 2006
Content Standards/Curricular Framework				
1985-98: Essential Elements implemented. 1990-92: Phased out lower level or remedial high school courses.	1995-97: Legislature created the Texas Essential Knowledge and Skills (TEKS). 1996: Texas Reading Initiative was established. 1998-99: TEKS were implemented.		2001: Texas Math Initiative was established.	
Assessments				
1980-84: Texas Assesment of Basic Skills (TABS). 1985-90: Texas Assessment of Minimum Skills (TEAMS).	1990: Legislature passed the Texas Assessment of Academic Skills (TAAS). 1993-94: First administration of the TAAS.	1999: Texas Legislature passed the Texas Assessment of Knowledge and Skills (TAKS).	2002-03: First administration of TAKS.	
Assessments for Students with Disabilities				
	Based on ARD decision, students with disabilities participated in one of two ways: (a) were exempted from TAAS assessment or (b) participated in assessment at grade level.	1996: Legislature adopted the use of State Developed Alternate Assessment (SDAA). 1999: Field testing of the SDAA. 2001-02: First administration of the SDAA. 2001: Locally Designed Alternate Assessment (LDAA) was administered.	2003-04: Last adminstration of the SDAA. 2005: First administration of the SDAA II.	2004-05: Increased the number of approved accommodations. 2005-06: TAKS-I was administered under IDEA-Part B Requirements in grades and subjects not currently accessed in SDAA II.
Accountability				
	1990s: Accountability System included annual district and campus ratings based on TAAS scores disaggregated by subgroups and dropout rates. 1990-91: Legislature created the Academic Excellence Indicator System (AEIS).	1999: "Academically Acceptable" rating was defined as at least 45% of "all students" and each student subgroup pass each section of the TAAS. 1998-99: Students with disabilities were included in accountability system.	2002: Texas wrote an Adequate Yearly Progress (AYP) plan which was sent to the United States Department of Education (USDOE) for approval. 2003: Texas' AYP plan was granted "conditional approval" by USDOE. 2003: Students taking the LDAA were included as "non-participants" in AYP calculations.	2004: Texas sent USDOE the proposal for the inclusion of SDAA II in the AYP plan. 2004: USDOE responded to proposal - approving the inclusion of SDAA and LDAA scores but denying the time extension on the December 2003 regulations.

Texas's Reform Timeline (page 2 of 2)

Early Reforms: Pre-1993	1993 to IDEA 1997	Post-1997 IDEA Amendments to Pre-NCLB 2001	Post-NCLB 2001 to 2003 Regulations	Post-NCLB 2003 Regulations to 2006
	1993: Legislature mandated the creation of school and district ratings. 1994: Accountability Rating System was implemented for schools and districts. 1995: Legislature passed Public Education Grants (PEG) to allow parents of students attending poor performing school to transfer to schools that were higher performing in other districts.	2000: "Academically Acceptable" rating was defined as at least 50% or more passing state assessment.	2003: Students taking the SDAA were included as "non-participants" in AYP calculations. 2003-04: A new rating system was implemented based on TAKS scores.	2004: SDAA and LDAA scores were included in AYP calculations.
Graduation / Diploma Options/Exit Exams				
1981: Three graduation plans were established: Minimum, Advanced, and Advanced with Honors.	1993: Recommended High School Program replaced Advanced Program. 1995: Distinguished High School Program replaced Advanced with Honors. 1995: Exit level performance was required for graduation. ARD team could determine graduation rquirements for students with disabilities.			2003-04: Passing TAKS at grade 11 became a graduation requirement for students enrolled in Grade 8 or a lower grade on January 1, 2001, and graduating in 2004-2005 or later. 2003-04: passing standards for TAKS in each subject-area test have been gradually increasing. 2004-05: State established requirements for graduation that requires recommended diploma as the default graduation plan effective for 2007-08 graduates. **PROPOSED** Class 2007 are the first students to meet the fully implemented standards.

4

Key Themes

In the previous sections of this document, we presented an overview of key data collected over the period of our investigation. We also presented an overview of the state policy context.

This final section synthesizes the key themes from both an examination of the data presented in Sections 1-3 and from interviews conducted as part of the individual state case studies described in the introduction to this document.

Theme 1: Constancy of Changes

Clearly evident throughout the entire research effort were the almost continuous changes in state policies in all areas related to standards, assessments and accountability. Not every state made the same changes, at the same time, or in the same order. Moreover, changes in some states appeared less drastic, reflecting adjustments to existing policy as opposed to wholesale revision. Nevertheless, the changes impacted districts and schools as they were required to adjust practices and engage in additional professional development. Following are some of the more interesting findings:

- All four states initiated their standards-based reform initiatives in the early to mid-1980s. However, the pace of change began to accelerate in the mid 1990s. In New York and California, high school assessment policies changed at least five times between 1995 and 2006. Maryland's policies changed three times between 1990 and 2006. Texas made significant changes to its exit exams at least twice between 1997 and 2006. As of 2004, the four states had multiple types of diplomas or completion certificates: California and Maryland had three; New York students had four; and Texas students had one. On average, between 1997 and 2006 each state also made four changes to their policies concerning how students with disabilities would participate in their assessment systems.

- School and district personnel became reform weary over the years. Local district personnel expended a great deal of effort adjusting their implementation efforts to each new state policy change or revision. Local district administrators faced challenges in understanding new policy requirements and communicating these to principals, teachers, and families. For some

states and districts the imposition of new federal requirements posed major challenges. For instance, New York administrators noted that they were always faced with the challenge of reconciling a tradition of local district autonomy and control with increasingly directive federal and state policies. This created challenges to consistent implementation.

- The majority of state-level policy changes were the result of federal policy requirements, specifically NCLB and IDEA. However, state specific factors also forced changes. For example, California changed its accountability system in reaction to federal requirements, judicial decisions, and changes in elected state leadership. In Maryland and Texas, interviewees described the importance of disability advocates in promoting change. In Maryland, educational advocates contacted State Board of Education members who then supported recommended changes; in Texas, advocates contacted members of the legislature which modified accountability policies to include students with disabilities.

Theme 2: Key Features of State Accountability Systems

At the beginning of EPRRI's research, the four state accountability systems differed in (a) state-mandated curricula; (b) assessment instruments; (c) subjects and grade levels assessed; (d) students included in the assessments; (e) how results were disaggregated; and (f) how student performance was used in school and district accountability ratings. By the end of the study, the state policies in these areas were far more uniform.

- In 2000, California and Texas were administering assessments in grades 3 through 11. New York administered its assessments in 4th, 5th and 8th grades and once in high school. Maryland assessed at 3rd, 5th, 8th, and 11th grades. At the end of EPRRI's data collection, all four states were administering assessments in grades 3 through 8 and at least once in high school.

- Although graduation standards varied and changed across the time of this study, all four states had a high school assessment as part of its graduation requirements in 2006.

- By the end of EPRRI's research in summer 2006, all four states were still developing their alternate assessment options for students with disabilities. "Modified" assessments were under development in Maryland and California; Texas was seeking approval from the U.S. Department of Education for its alternate assessment based on alternate achievement standards.

Theme 3: Students with Disabilities in State Accountability Systems

A particular focus for EPRRI was investigating how students with disabilities were being included in the accountability systems in their respective states and districts and the perceived and documented impacts of their participation. The four states varied in: (a) when all students were included in state assessments; and (b) when the assessment results of students with disabilities were included in the school performance ratings.

To put into perspective how students with disabilities were faring in the accountability systems, it is important to consider that the proportion of general education students who met or exceeded state proficiency standards on the statewide assessments varied greatly across locale, subject area, and grade level. However, as previously noted, states made a number of changes in their assessment policies during the time data were collected, making it extremely difficult to establish clear trends in performance. In addition, how performance data were reported and used to rate schools also changed over time, including such policies as the number of rating options a school might have and the consequences for school performance imposed by a state.

States began including performance data for at least some students with disabilities in their accountability systems early on; however, these were students who were taking the general assessment with accepted or no accommodations. In Maryland, scores for students with disabilities in their high school assessments were included in accountability ratings in the 1970s. Texas began including the scores in the 1980s. In California and New York, student performance scores were included in school accountability ratings beginning in the 1990s.

Participation Rates

The passage of NCLB appeared to have the biggest impact on assessment participation rates of students with disabilities. Participation in math and reading assessments increased between 10 and 41 percentage points between 1999-2000 and 2004-05. Participation rates for the four states and eight districts ranged from 47% to 90% at the outset of the research. (The year listed was the first time participation rates were publicly available.) Following are some illustrations of the variability across the four states:

- California: average 65% participation for reading in all grades (2000).
- Maryland: average 58% for reading and 90% for math (1998).
- New York: average 86% for reading and 87% for math (1999).
- Texas: average 47% for aggregate of reading and math (1999)

In the 2004-05 assessments, participation rates for students with disabilities continued to vary across sites, but the range decreased (88% to 100%). The state average participation rates for the reading and math assessments were:

- California: average 89% for reading and 88% for math.
- Maryland: average 100% for both reading and math.
- New York: average 96% for reading and 95% for math.
- Texas: average 90% for aggregate of reading and math.

Assessment Accommodations

Permissible accommodations and policies for how IEP teams determined an individual student's accommodations varied across states and districts. Specific accommodations varied both in whether they were allowed or not, and in their implications of scoring and aggregation. Accommodation policies changed within states over time as well resulting in a continuously evolving guide. Teachers and other IEP team members often did not know which accommodations were allowed nor did they understand the implications of accommodations decisions (e.g., that the students' scores may count in a different way or be invalidated.

Alternate Assessments

Between 1999 and 2006, all four states changed their alternate assessment at least one time. In 2000-01, Maryland and New York provided an alternate assessment option for students with disabilities. By 2003, all four states provided at least one alternate assessment option.

The Performance Gap

In general, the gap between the performance of general education students and their peers who receive special education increased over time in three of the four states but varied within states and across grade levels and subjects. Performance at the 8th grade, particularly in math showed the least gain. Only Texas demonstrated a decrease in the gap in some areas. Some state specific observations about the performance gap include:

- In California the percentage of general education students in the state and districts that met proficiency generally increased or remained stable across time, while students with disabilities' performance generally decreased. Statewide, the gap between general education and special education students grew at all but 8th grade reading and 4th and 8th grade math.
- In Maryland the percentage of students meeting proficiency increased or remained stable across time for all students, with

the exception of 8th grade math. Although student performance increased for all students, the gap between general education and special education student performance got wider across time.

- In New York the percentage of students who met proficiency increased at the state level and in both districts, with the exception of 8th grade reading. The gap between general education and special education students increased across the state and the districts, with the exception of 8th grade reading in Rochester City and 4th grade math in North Colonie.

- In Texas the percentage of general and special education students meeting proficiency decreased, with the exception of 3rd grade special education students in reading and math and 4th grade students with disabilities in math. The gap between general education and special education students decreased for 14 of the 24 possible data points. Overall, Texas students demonstrated the smallest gap between general education and special education students in reading and math performance. [Note that these data were collected during the time that Texas had a state alternate assessment in which about 50% of its students with disabilities participated.]

Perceptions of School Administrators

EPRRI researchers conducted in-depth interviews with a variety of state and local general and special education administrators between fall of 2001 and spring of 2002. Interviews focused on broad issues and challenges associated with students with disabilities in the state and local district accountability procedures. The interviews provide a perspective on the impacts of the accountability reforms on this subgroup of students that mere analysis of data cannot. The words of administrators bring to life some of the positive aspects of the reform policies as well as the challenges in implementing these reforms.

Changing Expectations

Administrators who were interviewed during the course of the study had many things to say about including students with disabilities in the new accountability policies. Among the most frequent comments were those that emphasized how the expectations for students with disabilities had been altered as these students began to take the assessment and their performance became visible. They also noted how administrators had to confront the reality that poor performance could also be attributed to lack of opportunity provided to the students with disabilities.

- "At first the Board expected low

performance. 'You have children with low ability so they are going to give [the district] low performance.' I pulled out the data for students and said 'here are the ranges of IQ scores', because they understand IQs….and I said here are kids with average to high IQs and horrible scores. Why? Because of inappropriate instruction in reading and math. They were never taught to read."

- "They [the administration] focus on students with disabilities because they don't think these children should be in the [accountability] system. But, it is not only students with disabilities, we [need to] work on pulling all students up."
- "I think historically that we have underestimated the abilities of children with disabilities. We set up our instructional programs around expectations that are always lower than they should be. We want to force people to reconsider their expectations and allow children to have opportunities they have not had before."
- "Before NCLB we had more discretion over which students with disabilities would participate in our alternate assessments and the expectations for student performance were always low."
- "We were concerned with how some students with disabilities were assigned to the alternate assessment. Some [of these students] can do much better than [IEP] team expectations."

An interesting finding was the emergence of a new informal "classification" of students with disabilities. Throughout the interviews, teachers and administrators frequently referred to groups of children based on the type of assessment the students took or their performance levels : "These are alt assessment kids" "For the children just 'below Basic" we have extra remediation." Performance on assessments took on a new and more important meaning than other student characteristics.

However, we found that when teachers or school practitioners categorize students with and without disabilities based on their performance levels, they report that they lower expectations for the students at the lowest end of the distribution and administrators perceived that teachers provided less attention to increasing the achievement on state standards for these students.

Leadership

Clearly throughout the interviews, we heard many comments about the importance of district and school leadership in making sure that students with disabilities were included in the accountability systems. Leadership made a difference in how quickly schools were able to adjust instruction or other practices to include students with disabilities.

- "To give our Superintendent credit, I think he really came on very strong [to make] sure that all students [are held to] the same expectations including students with disabilities. That [happened] from the beginning and [it] made a big difference."

- "Our Superintendent believes that all kids, including those with disabilities can achieve and that's what we're doing. It's pretty much a part of our culture here."

Theme 4: Personnel

System capacity is an important component of standards-based reform and administrators in all four states and eight districts expressed concerns about the ability of teachers to meet the ambitious goals set for students with disabilities. Administrators were acutely concerned about the quantity and quality of special education teachers who they viewed as critically responsible for improving the performance of students with disabilities. In addition, administrators were faced with the need for well qualified general education teachers who knew their subject matter and could teach it to diverse groups of children.

States responded to personnel quality and capacity issues by adjusting policies, increasing monitoring of credentials, and modifying training programs. Some examples of state and district strategies include:

- Instituting tracking systems to monitor the credentials of teachers statewide and dismissing those who fail to meet state certification standards

- Providing incentive pay for teachers who will teach in "failing" schools

- Limiting school district discretion over how to allocate professional development days and funds

- Establishing mentoring programs in collaboration with local colleges and universities

- Requiring general education teachers to increase their skills in working with students with disabilities

Some strategies that were specifically targeted at special education personnel include:

- Changing state certification to focus more on subject matter content and less on disability

- Promoting co-teaching between general and special education teachers to capitalize on the general education teachers' knowledge of subject matter and the special education teachers' skills in individualizing instruction.

Conclusions

The poet Edmund Spenser wrote hundreds of years ago of the "ever-whirling wheels of change," and today there may be no more apt descriptor of the state of education policies. Over an extraordinarily short period of time, states have had to grapple with the implications of major changes in the Individuals with Disabilities Education Act (IDEA) as well as the implementation of the No Child Left Behind Act (NCLB). Both policies are reshaping instruction and accountability for students with disabilities in the United States.

As state and local administrators continue their efforts to fully integrate students with disabilities into NCLB, it is important to examine the changes that have occurred and challenges that lie ahead. This report features only a snapshot of what was happening nationally. Through an in-depth and intense focus on four states and eight districts prior to the implementation of NCLB, our research serves as a baseline measure for the changes effected by this far-reaching legislation.

Through IDEA and NCLB, the Congress has made a clear and explicit policy commitment to including all students in the educational reforms that dominate US educational policy. Students with disabilities are expected to share in the opportunities created by education reform and be fully included in states' content and achievement standards, assessments, and accountability systems. Furthermore, there is an expectation that these students will benefit from participation in these state initiatives.

Clearly, what our research has shown is that all four states had initiated statewide, standards-based accountability policies prior to NCLB. In addition, several of the eight districts had also moved ahead with their own comprehensive reforms, including additional standards and accountability procedures. The passage of NCLB required changes to these systems and accelerated the pace of change in the states. Not surprisingly, the result was greater homogeneity across state policy.

There is no doubt that over time students with disabilities had greater opportunity to fully participate in the state assessment and accountability systems. Findings from the research point to an overall improvement in participation rates of students with disabilities during the research period. Rules regarding exemptions tightened with the implementation of NCLB. Prior to 2001, three of the four study states allowed special education students to not participate in their state assessments if their IEPs explicitly exempted them. After IDEA 1997 and prior to NCLB, there were still large numbers of students with disabilities who did not participate in state assessments and/or whose scores were excluded from the accountability system, despite the law's requirements.

Prior to NCLB, all four states reported

disaggregated performance data for students with disabilities at the school, district, and state levels. However, the performance data were not included in accountability indices. Furthermore, since participation rates were not reported, it was impossible to know how many students with disabilities were assessed and how many scores of students who had received certain accommodations were excluded from the reporting. As a result, it was impossible to have accurate school-level accountability for the performance of students with disabilities. With the passage of NCLB, accountability for this subgroup was intended to be ensured; however, it is not entirely perfect.

Findings from the EPRRI research illustrate how difficult it has been to establish state, district or school-level performance profiles, let alone compare across states. Collecting data from such disparate and volatile systems is challenging: data were not always publicly reported; data specifically on special education students were not always available at the school level; data were unavailable because of subgroup size and confidentiality rules; and frequent changes in policy and practice made comparisons over time suspect.

Overall, there was great variation in achievement of students with disabilities from year to year in our case study states, most likely as a result of the ongoing revisions that were taking place in assessment and/or accountability policies in the states.

As states move into full implementation of the 2004 amendments to IDEA and the reauthorization of NCLB in the next few years, the results of this research provide some clear findings as well as some that are far more ambiguous at this time.

First, it is clear that students with disabilities are part of the accountability systems in their respective states and that their performance is both visible and counted. This has led to greater scrutiny of these students, including what they were being taught and who is teaching them. It has caused individuals in schools and districts to reconsider some of their low expectations and beliefs about the limitations of these students. At the same time, administrators face huge challenges such as the inadequate supply of well-qualified teachers…both general and special education…who can teach these students.

Even at this point in the implementation of NCLB, the policy environment remains fluid, which challenges assumptions regarding achievement trends. Changes in assessments and accommodation policies continue. The pressure on schools to implement the almost continuous state and federal policy changes takes a toll on practitioners and until policy and practice are stabilized, developing a true picture of the effectiveness of reform will continue to confound researchers and policymakers.