

# TOPICAL REVIEW FOUR

## **Emerging State-Level Themes: Strengths and Stressors in Educational Accountability Reform**

**May 2005**



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**Topical Review 4**  
**Emerging State-Level Themes:**  
**Strengths and Stressors in**  
**Educational Accountability**  
**Reform**

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# Emerging State-Level Themes: Strengths and Stressors in Educational Accountability Reform

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One of the most visible and controversial aspects of educational reform in the United States today is the demand for public accountability for student learning at all levels of the education system. For years public school systems have measured success based primarily on inputs and programs created rather than the impact of these factors on academic achievement (Goertz & Duffy, 2003). Recent reforms attempt to measure school success by what really matters—whether or not children are learning. Performance indicators include student achievement (generally using state and local assessments), student grades, student attendance, and school retention and completion (Linn, 2000; Sebba et. al., 2000). An additional and crucial tenet of current accountability reform is that performance on selected indicators should have direct consequences to systems and to students (Heubert & Hauser, 1999).

The Institute for the Study of Exceptional Children and Youth, University of Maryland (UM) and its partner organizations the National Center on Educational Outcomes at the University of Minnesota (NCEO) and the Urban Special Education Leadership Collaborative at the Education Development Center (EDC), established this research institute to bring greater attention to the role of special education and students with disabilities in education policy reform. The Educational Policy Reform Research Institute (EPRRI) is conducting a five-year program of policy analyses, research, and dissemination involving policymakers, practitioners, parents/families, advocates, and consumers.

The purpose of this topical review is to present EPRRI's state-level qualitative findings collected during in depth interviews in our four core study states of California, Maryland, New York, and

Texas. The data presented reflect the perspectives of state-level personnel who were involved with the creation and implementation of their state accountability systems at the time that the No Child Left Behind Act was written and signed into law. This paper presents a variety of voices, from division directors to parent representatives, and attempts to reveal the strengths and stresses of including students with disabilities in educational accountability reform.

## **Students with Disabilities and Accountability Reform**

Legislation at both the state and federal level strongly supports the inclusion of students with disabilities in educational accountability reform. There are two primary federal mandates that emphasize the need to include these students in accountability reform. These are the 1997 reauthorization of the Individuals with Disabilities Education Act (IDEA) and the reauthorizations of the Elementary and Secondary Education Act (ESEA) of 1994 and 2001, the latter being known as the No Child Left Behind Act (NCLBA).

**Accountability reform and IDEA 97.** In 1997 IDEA was reauthorized with amendments that require students with disabilities to participate in general state and district wide assessments of achievement, in part to reflect the fact that schools are accountable for the success of all students (Huefner, 1999). In recognition that students with disabilities may encounter problems accessing the assessment or demonstrating their knowledge and skills due to the impact of their disabilities, IDEA 97 requires that assessment accommodations be provided to individual students as needed. An issue that arises in terms of appropriate accommodations relates to whether the proposed accommodation

threatens the validity of the student's score on a standardized test. Students with disabilities who cannot participate in general achievement tests with accommodations must participate in alternate forms of achievement testing to be developed by the state education agency (SEA) or the local education agency (LEA).

As part of the move toward public accountability, IDEA 97 requires SEAs to report to the public the number of students receiving special education services participating in regular assessments and the number participating in alternate assessments. The SEA must make performance (achievement) data available, provided that the data released are statistically sound and do not reveal the identity of the children involved. In addition, IDEA 97 requires states to identify performance goals and indicators to be reviewed by the Secretary of education and the public every two years. One of the required indicators is the performance of students with disabilities on state assessments; the others are dropout rates and graduation rates.

**Accountability reform, ESEA, and students with disabilities.** In 1965, the ESEA was enacted into law "to provide financial assistance... to local educational agencies serving areas with concentrations of children from low-income families to expand and improve their educational programs by various means, which contribute to meeting the special educational needs of educationally deprived children" (Public Law 89-10, Section 201, Elementary and Secondary School Act, 1965). The goal of the law remains the same, but, as a brief review of the legislative history reveals, the means to achieve this goal have changed over time (Wenning, Herdman, & Smith, 2002). In 1988 a new accountability system for Title I (then Chapter 1) schools was

established that required LEAs to use average individual student gains on annual standardized norm-referenced tests to identify schools with ineffective programs. However, concerns over the impact of Title I including low expectations for disadvantaged students, an emphasis in instruction on basic skills, isolation from the regular curriculum and a reliance on procedural compliance rather than outcomes, provided the momentum for further change in the next reauthorization (Goertz & Duffy, 2003).

The result of this concern was the Improving America's Schools Act (IASA, 1994), which reflected the standards-based direction of educational policy in the early 1990s (Wenning, et al. 2002). IASA eliminated the annual testing requirement by substituting testing at least once within 3 grade spans, 3-5, 6-9, and 10-12. In addition, IASA removed federal guidelines for determining annual school performance, allowing each state to define its own adequate yearly progress. Among other reporting requirements, IASA mandated that programs receiving federal funds under Title I disaggregate the performance of multiple student groups, including race and disability (Wenning, et al.)

The drive for greater accountability and educational equity is embedded in NCLBA, which also significantly increased the role of the federal government in state education policy. NCLBA aims to increase student achievement, improve schools, provide parents and the community with better information and close some long-lasting and troubling achievement gaps between disadvantaged students and their peers (Cohen, 2002). It requires states to implement statewide accountability systems covering all public schools and students and to meet specific deadlines on the scope and frequency of student testing, revamp their accountability sys-

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tems and guarantee that every classroom is staffed by a teacher qualified to teach in his or her subject area.

The requirements for standards and assessments are indeed rigorous, but largely build on the existing Title I requirements promulgated under the IASA. The performance-based accountability requirements, for most states however, require them to chart a course into new and unfamiliar territory. Accountability systems must be based on challenging state standards in reading, mathematics, and later science, annual testing for all students in selected grades, and annual statewide progress objectives ensuring that all groups of students remain on a trajectory toward proficiency by 2013-14. Additionally, the same annual achievement objectives must be determined, met, and reported for subgroups, including students with disabilities, racial/ethnic minority groups, and students with limited English proficiency (LEP).

According to the NCLB regulations, adequate yearly progress (AYP) is met when three conditions are satisfied. First, not less than 95 percent of all students and all subgroups in the school must participate in state assessments at the school level. Final regulations include the provision that the number of students in a subgroup must be of sufficient size to produce statistically reliable results for the 95 percent requirement to affect AYP. Second, all students and each subgroup of students must meet or exceed the objectives set by the state. A safe harbor provision at the school level allows a school to make AYP even if one subgroup fails to make the required progress if the number of students in that subgroup who are not proficient has declined by 10 percent and the subgroup has made progress on other academic indicators. Third, progress must

be made toward increasing high school graduation rates and on another state determined academic indicator for elementary and middle schools.

School districts and schools that fail to make AYP toward statewide proficiency goals will, over time, be subject to improvement, corrective action, and restructuring measures aimed at getting them back on course to meet state standards. Schools that meet or exceed AYP objectives or close achievement gaps will be eligible for academic achievement awards.

**NCLBA: Issues and challenges for students with disabilities.** The requirement for disaggregated participation and performance data and comparable progress for target groups is new to federal accountability reform. Graham-Keegan, Orr, and Jones (2002) suggest that it is to ensure that schools concentrate on improving the academic progress of all students rather than concentrating initially on the more high achieving affluent children, and to enable states to monitor their progress in closing the achievement gap. Wenning, et al., (2002) suggest that this provision attempts to “rectify distortions and variations in performance masked by the reliance on school-wide averages” (p.38).

For students with disabilities the mandated 95 percent participation rate will end their widespread exclusion from participation in large-scale state assessments (Goldhaber, 2002). Commentators have pointed out that when states had the discretion to make their own exemption decisions, the result in some states was the exclusion of up to 40 percent or even 50 percent of school-age students with disabilities from assessment participation (Thurlow, Nelson, Teelucksingh, & Ysseldyke, 2000). In a study by NCEO it appears that states are offering



a range of test accommodations and modifications that allow more students with disabilities to participate in state large-scale assessments. However, they now face the issue of how to ensure that these assessments generate valid data (Thurlow, Lazarus, Thompson, & Robey, 2002).

Goertz (2002) points out that while more and more students with disabilities are being tested, states vary considerably in whom they include in their assessment accountability index and whose scores are reported publicly. Issues of test validity and construct-relevance underlie the decisions that states have made about who is tested on what and how, whose test scores are reported and how, and whose scores are included in accountability measures (Goertz, 2002; Wenning, et al. 2002).

The decision on subgroup size for reporting and AYP accountability purposes is left to the states. The size chosen for reporting and accountability will have implications for students with disabilities due to the small number of this target group in many schools, especially at the elementary school level and in rural schools. A high minimum “n” may mean that some schools will slip through the system, as it will not be possible to hold them accountable for the progress of students with disabilities. However, once these data are aggregated at the district level the situation may occur that although all schools are determined to have made AYP, the school district will not. In addition, some schools may not even report the scores of students with disabilities if the state has adopted a high minimum “n” for reporting. Thus, it may not be possible for parents or the community to make informed decisions concerning this target group.

## **The Purpose of the Education Policy Reform Research Institute (EPRRI)**

EPRRI is active in four core study states: California, Maryland, New York, and Texas. Within each state EPRRI staff and core state representatives identified and secured participation in the study of two school districts. EPRRI, in collaboration with core district representatives, identified individual schools in which to conduct further research activities. Five research questions frame EPRRI’s research activities at the state, district, and school level (Figure 1):

### **Figure 1: EPRRI’s Guiding Research Questions**

1. How do broad education policies that incorporate high-stakes accountability include consideration of students with disabilities?
2. What are the criteria to which special education has historically been held accountable?
3. What impact have educational accountability mechanisms had on students with disabilities at the system and individual student levels?
4. How are students with disabilities affected by educational accountability reforms?
5. What changes could be made to better align special education with accountability reform?

EPRRI’s activities are conducted across three overlapping phases. Phase 1 focused on identifying the gaps in knowledge with respect to five specific

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research questions. In Phase 2, which is ongoing, EPRRI is engaging in a high quality program of research conducted within four core study states and districts. Phase 3 consists of a strong, varied, and strategic dissemination program. During this study EPRRI has utilized both quantitative and qualitative research methodologies to investigate the impact of educational accountability systems on students with disabilities and special education programs. The purpose of this review is to present EPRRI's state-level qualitative research findings.



### Research Design

EPRRI conducts its research in four states: California, Maryland, New York, and Texas. When the study sites were selected, they varied across several key accountability features, including high-stakes versus low-stakes accountability consequences, recentness of reforms, stability versus instability of reform efforts, participation of students with disabilities in all accountability reports, and use of alternate assessments. However, since the inception of the study, sites have moved into high-stakes accountability as defined by NCLBA. In addition, the states also reflect geographic and demographic diversity, including students with disabilities who are also members of minority, culturally and linguistically different groups as well.

EPRRI is using “embedded case study methodology” involving within and cross-case analysis of extant data, interviews, site visits, focus groups, and document reviews. As Yin (1989) noted case study research can involve qualitative data only, or quantitative data only, or both. Although EPRRI’s overarching research design combines both data types, the data presented here are qualitative in nature. EPRRI researchers utilized two complementary strategies to collect qualitative data: in depth interviewing and analysis of documents (Marshall & Rossman, 1999). The use of two methods of data collection and multiple data sources allowed for triangulation by data source. In addition, EPRRI staff developed a sound understanding of the history and context of educational reform in each of the core study states.

EPRRI staff conducts an ongoing review of individual state policies available on state web sites or directly from state participants. Examples of the types of documents reviewed include state

board of education policies and minutes, strategic plans, reports from state Superintendents and Commissioners, state department of education memos, state policies relating to standards based reform, assessments, and accountability, press releases, and state level reports. In addition, EPRRI staff review journals, newspaper articles, and legal cases when appropriate.

The goals of the research project are to describe variations in policies, implementation strategies, issues, and impacts; to examine relationships between certain decisions and effects on students and systems; and to examine state/district interactions that enhance or inhibit increased performance. We took the guiding questions for the research directly from the Office of Special Education’s grant priority and were broken into subheadings and sample issues/indicators. In February 2001, the state-level participants and EPRRI staff together reviewed and revised a draft template of research questions. This process led to the development of 10 individual interview protocols focused on the areas of accountability, assessment, monitoring, curriculum and instruction, special education, teacher certification and professional development, Title I, transition, and parent viewpoints.

### Participants

Participants were 35 individuals from the state education agencies (SEAs) in EPRRI’s four core study states. The state special education director participated in the identification, initial contact, and interview arrangements with key personnel. We interviewed knowledgeable personnel from the following departments in each SEA: special education; accountability; testing; special education monitoring; Title I monitoring; curriculum; teacher certification; and professional development. We

sent a copy of the relevant interview protocol ahead of time to participants to familiarize them with the areas of specific interest to EPRRI.

## **Procedure**

During the late Fall of 2001 and spring of 2002 EPRRI staff conducted a series of interviews with key state level staff in all four core study states. The interviews were between one and two hours in length and adopted an open-ended response structure with the interview protocols acting as rough guides. Two interviewers were present, with EPRRI's project manager present at all interviews to ensure continuity. The interviews were audio-taped with the consent of the participants so that the interview could take the form of a conversation. Multiple researchers conducted the interviews (Eisenhardt & Bourgeois, 1988). This allows the researchers to overlap data analysis and data collection as recommended by Glaser and Strauss (1967) and Van Maanen (1988). The use multiple investigators provided complementary insights to add richness to the data analysis and enhance confidence in the findings (Eisenhardt, 2002).

## **Data Analysis**

EPRRI researchers followed the qualitative data analysis procedures recommended by Miles and Huberman (1994). Field notes were written-up by individual researchers and added to the data corpus. Graduate research assistants transcribed the taped interviews verbatim, which produced approximately 500 single spaced pages of data. Data analysis began with the creation of a contact summary sheet by EPRRI's project director to develop an overall picture of the main points of each interview. The initial transcriber then read each contact summary sheet to identify bias and selectivity. We developed

detailed descriptive write-ups for each site, based on the field notes, the contact summary sheet, and document reviews. This step in the data analysis is central to the generation of insight and helps researchers to cope with the enormous volume of data (Miles & Huberman, 1994; Pettigrew, 1988).

We then entered the transcripts into a qualitative software program called Ethnograph, which allows for the analysis of text-based data into codes and categories of meaning. EPRRI researchers adopted a coding approach partway between the a priori and inductive approaches discussed by Miles and Huberman (1994). A general coding scheme, based on that developed by Bogdon and Biklen (1992) was created to provide a structural, conceptual, and coherent order to the emerging codes. This coding scheme was based on the general domains covered by the research matrix and allowed codes to develop inductively, but enabled the researcher to "think about categories in which codes will have to be developed" (Miles & Huberman, p.g. 61).

We developed clear operational definitions for each code so that the codes could be applied consistently. Code names closest to the concept being described were applied to the chunks of data. Initial coding of the data corpus was performed by the first author and a team of graduate researchers, who read and reread each interview line by line and coded the sentences or phrases relating to the participants' perceptions of the effects of accountability on students with disabilities and the systems that serve them. EPRRI researchers followed the recommendations of Miles and Huberman (1994) relating to check-coding. Two researchers separately coded the first 8 pages of the opening interview from the first state visit and reviewed the coded sections to-

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gether. Intercoder reliability was determined using the following formula:

$$\text{Reliability} = \frac{\text{number of agreements}}{\text{total number of agreements} + \text{disagreements}}$$

Initial intercoder reliability at the state level was 83 percent and rose to 91 percent after the differences were clarified. A further check was performed two thirds of the way through the data analysis.

A conceptually clustered matrix was developed during the early analysis based on the interview protocols. The following decision rules were applied as themes were identified: First a theme was coded as present for a participant if it was mentioned repeatedly or with strong emphasis during the interview. Second a theme was coded as present for a study site if mentioned by 2 or more participants.

The second step in the analysis was to put the data back together again in a new way to reveal themes and stressors related to the impact of accountability at the state level. This process, similar to axial coding in grounded theory (Strauss & Corbin, 1990) involved grouping and comparing the initial codes with each other and merging similar concepts together into larger encompassing themes. During this process, all key ideas, findings, and interpretations were presented and discussed by the EPRRI staff and core state representatives (Miles & Huberman, 1994). Original transcripts were used as evidence to support the emerging themes and at all times the researchers searched for examples that would contradict key findings (Yin, 1989).

The next stage in the research was to conduct comparative or cross case analyses between each study site to enhance generalizability beyond each

specific case and thus inform policy and practice. This stage of the research involves identifying similarities and constant associations to begin to form more general explanations (Ragin, 1987).



The state level interviews revealed many similarities and some differences in the ways that participants from the four core study states perceived the effects of accountability on students with disabilities. Although interviews in one state were conducted before the passage of NCLBA, state informants from all states were cognizant of its potential implications. Six major themes relating to the impact of accountability reform on students with disabilities emerged from the state level data: 1) changing beliefs regarding students with disabilities; 2) increasing collaboration between regular and special education systems; 3) increasing alignment between state content standards and district instructional practices; 4) improving educator capacity (improving the quality of new teachers and increasing the capacity of existing district and school personnel); 5) aligning special education accountability reform with general education accountability reform; and 6) meeting the technical challenges involved with including students with disabilities in general education reform. The following section will demonstrate the complexities involved in implementing educational accountability reforms that include consideration of students with disabilities.

### **Changing Beliefs Regarding Students with Disabilities**

We asked participants for their perspectives on the elements of accountability reform that had positive impacts on students with disabilities and those elements that they were concerned about. Participants across all study states identified two key aspects of accountability reform that they felt were working for students with disabilities: higher expectations for students with disabilities and the

requirement to report performance results. Interestingly, only one informant expressed concerns that students with disabilities could be blamed if schools and districts failed to make AYP solely because of them. However, others were concerned that schools and districts may try to “hide” students with disabilities once their scores counted in accountability systems.

**High expectations for all students.** One of the main premises of performance-based accountability is the requirement that schools hold high expectations for all students. Informants from all four states agreed that expectations for students with disabilities were too low. For example, this participant pointed out that educators, both special and general, underestimate the abilities of students with disabilities and offer instructional programs that virtually ensure that students with disabilities meet these low expectations. For this representative, performance-based accountability reform had the potential to break this cycle and allow children with disabilities the opportunity to demonstrate their abilities:

So I think historically, if you learn from history, that we underestimate the ability of children with disabilities generally. We usually set up our instructional program around those estimates and expectations, which mean that they are almost always lower than they should be. What we want to do is force people to reconsider their expectations and then get on with allowing children to have opportunities they haven't had before.

Another participant from the same state expressed surprise at the high level of performance of students with disabilities on the state's examinations and interpreted these findings as verification that low expectations are partly to blame for the poor performance of students with disabilities:



If you had asked me two years ago, I never would have told you that double the number of kids this year passed the new exam than took them 2 years ago. I think that right now what it says is that there were an enormous number of kids out there for whom expectations were unbelievably low, and that in fact what they are telling us is “I can do this.”

A participant from a different state also identified low expectations as a reason for the poor performance of students with disabilities, especially those from minority groups. This participant echoed the belief of other participants that performance-based accountability reform gave students with disabilities the chance to be successful and prove wrong those who underestimated their skills and abilities:

You know when folks around this table asked me what causes this (poor performance for students with disabilities). I was scared, but I said it’s a lot of things, including low expectations of general education. And even though they have the problem, we contributed to it, so it’s our problem too. The one thing you can’t account for, how do you write a policy for teacher bias? Other than the fact that we continue to prove that kids can be successful. Those that say it can’t be done are usually interrupted by someone doing it.

**Reporting requirement.** Participants across all study sites expressed the belief that reporting the results of students with disabilities on state assessments would lead to better outcomes. One participant commented that once it became clear how badly some students were doing schools would have to offer better instruction:

We are hoping that one of the results of all of this data and obviously much more clearer and informative data now than we have ever had is going to push people to improve their instructional programs. People didn’t know before how badly some of those kids were doing and now they do. They are just starting to understand that now and it’s not really acceptable to a lot of people. Some superintendents are very unhappy with this stuff, but they didn’t even know about it until recently. I think you

are going to see really measured efforts to improve those scores. More and more people are less and less satisfied with poor results.

Several participants from across the four study sites explained that the reporting of student scores was a key component of improving outcomes for students with disabilities. This participant explained how he/she had originally not supported public reporting, but now did:

I was against public reporting, but I really believe that is the only way—that’s the wake up call, unfortunately. Once those scores are posted, that’s when we get the calls. It isn’t until those scores are made public that people are beginning to say, ah, here’s where we need to focus.

A participant in a different state commented on the role of the media in giving a high profile to accountability reform:

I think we have a very aggressive media in terms of education issues. The first year where special education students’ results mattered there were some campuses where the exemption rate went from 0% to a very high percentage and we got a lot of phone calls from newspapers across the state. The papers really do look at this stuff and again whether they are special ed. friendly or sensitive or not, special education students are a big part of the media attention focused on school districts.

This participant, who was from the same state, echoed these sentiments and commented: “The state public accountability system and the publicity that goes with it does more than these federal programs to bring a school out of the low performing category.”

A participant from a different state explained the effect that reporting and comparing scores by school and district had on parents of students with disabilities. According to this participant, making

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information available to stakeholder groups provides an impetus for change:

The capital newspaper puts in all the scores of everybody in comparison of district by district, including special education scores. So I've actually had parents who know me come up next to me and say 'did you see how that school's special education student graduation rate is twice as high as mine?' I say well that's interesting, what do you think? And they say 'well I'm going to go to the next school board meeting and ask them.' And that's what people are doing. I've heard this in states that haven't been through it yet or are just starting, how the press is going to beat everybody up, but it isn't beating everybody up, it's more a public information service that people are using smartly. People are asking what are you going to do to improve. And then the next day the Superintendent announces a new initiative. When the assessment scores come out every single newspaper in the city will publish them.

A participant from a different state articulated a similar view of the effect that publishing results had on schools and districts. This participant perceived that publishing results had the effect of changing behavior, of bringing districts together and encouraging dialogue on how to improve:

Last year we published for the first time every district in the state that has more than 200 kids. We had a few excited superintendents. They're paying attention now. The other interesting piece is that we're showing them if they have lousy dropout rates there's a comparable district that has a great track record and they're starting to talk to each other. Just publishing stuff changes how people do their jobs.

Interestingly, another participant from the same state pointed out that though reporting was a good idea, making improvement of the scores binding for all groups reported may have the unforeseen consequence of denying funds to schools that really need them:

The requirement of comparable improvements would actually serve to disadvantage some of the various schools that you are seeking to help. The compromise solution to this, of course, is to report it out without making a binding and I think, I mean that solution has always intrigued me but the downside is we certainly want to steer away from anything that's getting into a blame game.

**Hiding students with disabilities.** Several state informants admitted to concerns that schools and school districts, because of the expectation that students with disabilities would not score very highly on state assessments, may try to "hide" students with disabilities. Interestingly, one of our study states already had an accountability system very similar to that legislated by NCLBA. We asked special education personnel in this state what their experiences had been with the state accountability system. State informants explained that initially the scores of students with disabilities were not included in the school accountability ratings. However this situation later changed. Several participants described what happened and how schools and school districts responded. One participant pointed out some school districts in the state responded to the state's decision to include students with disabilities in accountability indices by exempting large numbers of students with disabilities from taking the state assessment:

In 1999 the special education exemption rates rocketed. You might interpret that as, well they are trying to hide their special education students, or they are not trying to do what's best for them. But many of our school districts were distressed because the reason they had their special education students taking the state assessment was in hopes that at some point they would exit special education and be prepared to take the high school assessment. They make a strong case: we have the best interests of the child at heart, but now you are forcing us, because of our district rating, to protect ourselves instead of doing what's right for students.

On the same issue, another participant commented that districts did not want to injure students, but that because the district rating was at risk the stakes were very high:

It's a balance all the way along. I don't think they're deliberately out there trying to hurt students. Now we've got a very high stakes accountability system and when push comes to shove, they chose their district rating over their philosophy of doing what's best for students.

Another state was in the process of clarifying its policy to school districts regarding the IEP team and its role in determining how students with disabilities should participate in state assessments. Several informants in this state described their concerns over the number of special education students "exempted" from participation in the state's assessment by individual IEP teams:

We did a comparison of the percentage of kids that were reported special education, you know in the fall and the number of kids that actually took the state test. There are some schools that exempt a large percentage of their kids from being tested. And that issue has been taken up by the special education division. They are working with schools that have a high rate of exemptions.

When asked if the IEP team made the decision to exempt a student with a disability this participant confirmed this and added that it was possible that the schools themselves may have pressured the IEP team to exempt students with disabilities from the state assessments:

We are concerned about that, because there are some high schools, for instance, that all their kids with disabilities were exempted and that didn't seem very likely. So this year, 2002 what we are doing is, we're having every student enrolled in the district will have the test header sheet submitted. There is a space on there to say that they are exempted IEP, a parent opt out or they just didn't end up taking the test for whatever reason. And that

will give us a lot more information about the whole school population and how these different exemptions are affecting how they look and whether it's legitimate.

Another participant from this state explained that from 2003 onwards there would be no IEP exemptions and that the IEP team should determine only the type of assessment used or the nature of the accommodations required and not whether the student with a disability participated in assessments:

We've tried to be clear in state assessment directions that an IEP team may not exempt a student from any of the tests. That the role of the IEP team is to identify how the student will participate and that that participation may be the test with no accommodations, the standard accommodations, the non-standard accommodations or on the alternate. But that we do expect that the student will be assessed. The only legitimate exemptions are the parent requests and those parent requests are open for any parent – disabled student or nondisabled student.

Several participants from one state explained that the state was also monitoring the number of students with disabilities assessed using the state's alternate assessment. Unlike many alternate assessments, this one was not designed for students with severe disabilities, but rather for those students with disabilities who were receiving instruction in the general curriculum at a lower level than their same age peers. Several participants expressed concern that the number of students assessed by the alternate assessment would be too high:

I think that we are going to see a higher percentage of students taking alternate than we are comfortable with. So that will be the next thing to look at, through monitoring look at the decision-making process from the state level to the school level. Really focusing on why special education students who are in the regular general curriculum with an accommodation of extended time are not taking the regular assessment.

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Another participant from the same state reiterated this concern:

Some of our future challenges with the new law will be the need to monitor those decisions about how many students tested with the regular assessment and how many tested with the state's alternate. We worry about the impact at the local level given the media attention and the already high stakes nature of the state's accountability system that too many students will be tested with the alternate that really meet the board requirement to take the regular assessment. So that will shift for us rather than monitoring for too few students tested to are schools testing appropriately.

### **Increasing Collaboration between Regular and Special Education Systems**

Data from across all study sites revealed that special education personnel were not always an integral part of state accountability reform initiatives and that the needs of students with disabilities were not always considered in the formulation of policy. Comments from several participants reflect a strong sense that special education had been on the periphery of the reform agenda in the four study states, but that this situation was changing. For example, one participant pointed out that the division of special education was not even in the same building as the rest of the state department of education and historically had not been an integral part of previous policy formation in education:

You notice we're out in the portable. We are not in the main office. I told the state superintendent that I'm out in a portable and my digs are nicer than hers, however, it's not okay to be out in a portable and maybe we should get a re-locatable and put it in the grass in front of the State Office of Education. There's been the general education program, sometimes they'll let the at-risk folks come to the table, sometimes they'll let the English language learner folks come to the table, and very infrequently did they ever let special education come to the table.

This participant went on to say that the situation was changing largely due to the changes in personnel that allowed the assessment division and the special education division to work together and combine their knowledge and skills:

In the past we didn't have as friendly a relationship with our assessment people as we do now, but when [name removed] came, he/she really is a breath of fresh air, he/she allows our folks to work together, and the special education division has some very strong advocates who understand assessment and test instruction and validity and all that stuff. So they should have been working together all along.

Another participant from a different state described a similar situation in terms of physical and programmatic separation from the rest of the department of education:

I'm a special educator who converted to the other side and I keep saying we can't be separate any longer. Please come over and see how we are still in two buildings and we talk about these kids and those kids and our kids.

A participant from a third state attempted to explain the complex nature of the problems involved in merging special education and regular education policy. This participant pointed out that it required a balancing act because usually the division of special education wanted to be part of the general education initiatives from the beginning, but occasionally adopted a 'wait and see' approach. Interestingly, this participant also identified the importance of personal relationships in ensuring that special education remain involved in educational reform, but it is clear that this remains an ongoing issue:

Our goal has been to try and latch onto many of the initiatives that are going on for all kids. Just be part of them... we're not an afterthought, we are not an add on, we are part of it from the beginning if possible. That's not always been easy to do. In fact there have been some projects they really

needed to get fixed before I wanted us to be part of it, but when they got it right we wanted in as quickly as we could. We're not over the hump yet. I'm lucky because I've got so many people who trust me. There are still some folks that don't get it. It's not that we are an afterthought, we're not a thought at all.

We asked state informants whether their state's content standards included accommodations for diverse student populations and the extent to which the teachers were aware of these curriculum frameworks. Participants from all states commented that their state's content standards included students from diverse backgrounds generally by including stakeholder groups in the decision-making process. For example, one participant described how each content area committee included a representative from special education:

We tried to make sure that there were people on every writing team that had a background with special needs students and gifted students within the state. Another thing we did was to create a separate group including people from the special population areas whose job was to look across all the subject areas for vertical and horizontal alignments. They recommended revisions, additions or changes that needed to be made as a result of their knowledge of the special populations.

Another participant from a different state explained that the needs of students with diverse backgrounds were now required to be addressed in the curriculum and supporting instructional materials:

I think the key thing here is that the needs of diverse learners are not an afterthought and not separate from the regular curriculum. It has to be interfaced. They are to be part of the entire curriculum through the day and then there's additional support for them interfaced with the curriculum.

## **Increasing alignment between State Content Standards and District Instructional Practices**

The extent to which the state directed or approved district curriculum and instructional materials and checked that they were aligned with the state assessment depended on the philosophy dominant in the state: state control or local control. For example, in one state a participant explained that the actual curriculum taught in the schools was the responsibility of the local district and not the state. The state provided the content framework, learning standards, and practical examples of performance indicators, but would not recommend text books or tell local districts what they should be teaching:

What we've been doing for the last decade is re-setting our standards. There are 28 standards and each one of these has what we call performance indicators, which are the classroom level indicators for teachers to pay attention to. These weren't enough, people were saying what does this mean, what does this look like, help me find it and see it in my class. We don't endorse textbooks and we don't put out lists of publishers who have aligned their curriculum to ours. Where we draw the line is developing actual state curriculum—that we are not going to do unless we are forced. We're still pushing back saying no this is your responsibility.

Another participant from a different state explained that the state content standards were aligned with state assessments. The state specified learning goals in the content areas that were assessed and had “back mapped” the content standards through the grades:

Our content standards are integrated with our assessments for the state's learning outcomes. We actually developed a model for the standards in those content areas, we have worked with the content areas to backward map, basically from high school, to 7<sup>th</sup>, to 6<sup>th</sup> all the way down to pre-K. Now these aren't scope and sequence over the course of the school year, but by the end of the school year here are what the students should be able to do.

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We asked this participant if the state planned to establish a state curriculum at any time and what the response of the school systems may be. This participant responded that a state curriculum was a strong possibility in the future and that districts were likely to have mixed responses:

The visionary panel, I am pretty sure is going to recommend a state curriculum, how the school systems respond is still...I used to say I could predict that, but no longer. I can identify school systems that are large, medium and small who want it and others who say this is the craziest thing, why are you doing this?

A participant from a different state pointed out that although his/her state standards were voluntary, the state's new assessment instrument and high stakes accountability system for schools was based on those standards and this obviously encouraged districts and schools to adopt them. Interestingly, interviews in this state took place in January 2002 and this participant clearly identified NCLBA as a major force.

The unique thing about this state is that the standards are voluntary so we don't have a mandate. However, the assessment system is based on the standards. But see I actually think the opportunity to learn is being built throughout the system and this is a very concrete example of it. The bigger picture is with No Child Left Behind and a standards-based model and for the most part many districts moving to standards-based report cards. If you are expected at the classroom level and the student level to teach the standards then there really has to be an opportunity to learn.

Interestingly, a different participant from this state had an alternate perspective on the effect of standards based reform. This participant believed that the state's approach represented a victory of one educational philosophy over another and had

not had the effect of uniting the educational profession.

Remember that when our standards were created, they were highly controversial, and they represented the victory of one educational political pole over those who lost out. So there isn't an educational community embracing the standards. The standards turned out not to be a consensus document, but rather an agenda document – an agenda of a subset of educationally concerned people. We've got the standards, we've got assessments aligned to the standards, we have textbooks which represent an ideology with certain prescribed instructional strategies, not choice.

One of EPRRI's study states originally adopted a state curriculum over twenty years ago and has gone through several versions of state assessments. The state curriculum was made more rigorous in 1997 and at the time of these interviews was currently in middle of aligning its new assessments to the 1997 curriculum. This participant explained:

The curriculum itself is not changing. It's been in place for several years now and is the curriculum for all students, including students with disabilities. Our theory is that the curriculum ought to be in place for a generation of kids. We need to be careful because the new test will be based on the curriculum in place the day the test was made.

We asked all participants for their perspectives on whether, at the classroom level, teachers were teaching to the state content standards. State informants recognized that this issue was very important, but differed in their beliefs as to whether classroom instruction was aligned with the state standards. One participant explained that the skills tested at the high school level began back in middle school and that if the curriculum was not aligned then students would be in difficulty at the high school level: "If you don't have aligned curriculum and textbooks, how far back does that set you? Because the math

standards—a lot of them come from sixth, seventh, and eighth grade.”

A participant from the same state said that at the state level everyone understood the importance of the standards, but whether the districts and schools were implementing the state’s vision was uncertain and dependent on local leadership and the knowledge of individual teachers:

The message needs to be strong and clear to the teachers and to the field in general that the depth and breadth of the standards should be taught. So I think the beauty of it is that finally, you know, everybody is on that same path and I think that for a state this large to finally get there is truly exciting. Now, how it’s applied is another story. I couldn’t guarantee you that every classroom is going to look exactly like the vision that everyone had, it will depend on the expertise of the leadership and the teachers and the professional development and all of that.

A participant from a different state commented that the state had a lot of work to do with teachers in explaining what the state content standards were and how they could be taught at the classroom level: “So do I think it’s happening at the classroom level? I want to believe it is, but I think we have so much more to do.” This participant also pointed out that there was some resistance in the state from the teachers and the teaching unions about the content standards and that there was resistance because teachers did not really understand what they were to do:

Here’s a story. Just a few months ago the state united teachers union asked us for a meeting to talk about the new curriculum and standards and they brought in teachers from school districts to talk with us about why we should stop. We asked the teachers how many had had their schools give them an opportunity to sit down and really be there to align what they had been doing to the standards. None had. So that’s why I say we have a lot of work

to do. That’s where the rubber hits the road. Until we give teachers that opportunity to really sit down and see what it means and what it is going to look like for me, what are they to do other than say ‘this isn’t for me, it’s going to harm kids.’ It’s just not real.

We asked our state informants what the main barrier to curricular alignment was for students receiving special education services. Several informants across all study sites identified the lack of content knowledge possessed by special education teachers as the most crucial issue. For example, this informant explained that the special education faculty in many schools was not trained to teach content:

The barrier is special education folks not knowing what the curriculum is. But I don’t think that’s unusual. But you also have a lot of special education faculty and faculty in general who have been in schools a long time now and their training was not such that they were supposed to be able to teach math at a certain level or science at a certain level. So you have whole system that doesn’t believe in itself and so all that creates resistance to change, so you are going to come in and try to realign the curriculum with people that don’t even want you to do it. That’s a significant barrier

## Improving Educator Capacity

It came as little surprise that the issue of educator capacity was very much on the minds of all state informants. In many ways the data reveal little that is new on this issue, but rather underscore the pivotal importance of teacher quality to student learning. When we asked how schools could improve the performance of low performing students and schools one participant said:

My first thing is, we’ve got to have the best teachers that we can possibly have. To move those kids around the first critical thing is the quality of the teacher. So our lowest performing schools in the state are typically ones where we have the least

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experienced teachers and the highest turnover of teachers. So I think that the first thing is stabilizing and upgrading the quality of the teaching. If you don't have a good teacher there's no curriculum that's going to meet the needs of all those kids. The teacher is the person who sits down with that group of kids, the teacher needs to know these are the skill sets and then they need tools to help the students get there.

Another participant from a different state agreed and added that two issues were involved. The first issue was the preparation of new teachers and the second was to improve the capacity of existing teachers and principals. This participant believed that the latter area was neglected in the past:

There has over time been a realization that if you're going to increase student achievement you need to start looking at the quality of the teachers. We have two issues going on at the same time. One is trying to ratchet up the qualifications and preparation of teachers. The other issue that has been a little slower to progress, but is increasingly getting the attention of our state board and our state superintendent, is the capacity of the existing teachers and elevating the capacity of teachers – not only teachers, but principals – in terms of focusing on instructional outcomes.

**Improving the quality of new teachers.** All of EPRRI's study states were aware of the threat that a lack of teacher capacity posed for the success of accountability reform and all had initiated policies to respond to the problem. States adopted several approaches such as increasing the rigor of licensing examinations, revising teacher standards, and redesigning teacher preparation programs.

Several states have made changes to the teacher licensing examinations in light of the belief that they lacked rigor. One participant described the state's teacher initiatives as part of the overall plan for increasing student achievement. The new examina-

tion requires initial certification teachers to pass the content specialty test.

In 1996 the Chancellor convened a task force on teaching to try to define what kind of teachers we want in our system to help ensure that all students moved to the higher learning standards. We now require in 2004 preservice teachers to pass the liberal arts and science test, the assessment teaching skill written examination, and the content specialty test.

A participant from a different state explained why the state changed from one teaching examination to another. In addition, this participant explained that it was important to study the rigor of examinations and passing scores overtime to maintain the quality of the teaching force:

We have had teacher prep tests in the state since 1987 and in 1987 adopted the National Teachers' exam. What we were finding over time was that it didn't take very long for the scores that we set in 87 to be less than rigorous and that our pass rates were really in the 96-97%. So over time what we learned was that it's important to look at and revisit our teacher certification test, so in 1998 Praxis I and II were brought on board.

One participant described the role that special education had played in the development of new teacher standards:

We helped in part of the review of the standards for the new special education credentials and really fought hard to make sure that they had reading, math, and behavior embedded in the standards. So that whoever came out of a school with a special ed. degree could teach reading, could teach math and could manage behavior in an effective way.

However, a participant from a different state commented that the division of special education had not been involved in determining the knowledge and skills that special educators should have in that state. This participant described how the teacher credentialing board had a monopoly on policy and



that as result the division of special education had little influence over teacher standards for special educators. This participant felt that the quality of teachers had suffered because of this:

Nobody is at the table for teacher credentialing, except the commission on teacher credentialing. They are a powerful entity unto themselves and they've mucked around with credentials and college requirements and we're getting very poor quality teachers. They're very busy putting together the graduation requirements and the testing requirements for all that stuff. But they're not looking at turning the university system on it's ear, which is what they have to do.

All of EPRRI's study states reported that they had state-level initiatives to improve the quality of teachers by establishing more rigorous teacher standards for preparation programs:

The teacher education standards that we use to register teacher education programs ensure that all prospective teachers are able to teach the state learning standards. You look at the learning standards books and they're rather comprehensive in terms of all the things that kids have to learn from k-12.

An informant from a different state explained that the state now required preparation programs to include rigorous academic preparation and longer field experiences. This participant also discussed the pivotal role of federal legislation in enabling states to influence the content and design of teacher preparation programs:

Title II is probably the biggest effort thus far to put some accountability on teacher prep programs, and so that is underway in our state. Title II requires for the first time teacher prep programs to report the pass rates of their program completers on the teacher certification tests and in our state we've had some schools that have had low pass rates. I have personally met with the presidents of each one of those campuses because we feel it's important for

them to know, because the stick is that these campuses will have to report in all of their publications that they are a low performing campus.

The same informant emphasized the crucial role that higher education must play in improving the quality of teachers and pointed out that higher education needs to be part of the information loop:

Teacher prep is a very important aspect of higher education's contribution to the quality of our K-12 public schools. There needs to be a strong connection between teacher preparation programs and K-12 priorities in terms of what the state and federal government are asking of teachers and of students so that the teacher prep programs wouldn't be working in isolation of what K-12 schools are being asked to do. And also in keeping with the redesign and understanding K-12 priorities, they need to understand that we have a very rigorous state assessment program and it has, over the time, provided a tremendous wealth of trend information.

An informant from another state pointed out that the state hoped to improve the skills of both regular and special educators through changes in teacher preparation requirements. In terms of teacher quality, this participant believed that a hybrid teacher would be the next natural step in teacher preparation, especially at the elementary level and echoed the need for strong content preparation for special educators:

We have a sort of strategic overall goal, which obviously has to do with teacher capacity. It's really personnel capacity and we're working on it at different levels. For instance you have the recent change in teacher preparation programs and that's aimed at preparing a much more content strong special education faculty. There will be more emphasis on the general education side on disability. So long as there is a general education credential and a special education credential they are at least to be more conversant with each other. A lot of our higher education institutions, however, go into a sort of blended programming, I guess you'd call it.

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We asked participants the extent to which they perceived that higher education was responsive to the needs of schools and districts. Several participants perceived that higher education needed to be cognizant of what teachers were actually required to do in the classroom. One participant described this as a key component of the state's redesign of teacher education:

One of the theoretical underpinnings of this is that teachers in K-12 schools would benefit from working with higher education faculty who are on the leading edge, the cutting edge of teacher preparation. And that also higher education faculty would understand the day to day operations of schools and tailor and reengineer their teacher preparation programs to take into account what teachers are really being asked to do.

Another participant from a different state explained that college presidents were unhappy at having to spend money to improve programs, but that the Deans of education were more positive as the state's new requirements meant they could argue for the need for more resources in education. However, the smaller independent colleges with less money found it harder to respond to increased state requirements:

The college presidents bemoaned anything that cost more money, whereas the Deans welcomed the ability to leverage greater resources out of their institutions. One large institution knew that they had to do a better job, they absolutely knew and they brought in a university dean and revamped the programs. The commission of colleges of independent colleges, they were split. The bigger ones didn't have a problem, the smaller ones did because of the financial strain. The independents thought it was very much the role of the board of trustees at the individual institutions, and it's a very interesting issue. We are requiring all our teacher education programs to be accredited by a teacher education accrediting body.

The same informant discussed the reaction of university faculty to the state's initiatives to improve teacher preparation programs. From the perspective of this participant, faculty viewed the state's restriction on semester teaching hours unfavorably.

Faculty is tough. Because we put restrictions on the number of semester hours you can teach a semester in education. The intent was to break away from the cash cow approach where we just funnel as many kids as we can through the school of education and make money off them. So we said, no, this is an academic discipline, you have to only teach x numbers of semester hours per faculty person, that caused a lot of stink.

A participant from the same state confirmed the initiative and commented that to improve the quality of teachers the state had to work on the teacher education faculty first:

Here's my problem. Who is going to be teaching a teacher, and who is going to tend to that? That's my concern. Who's going to train the professor. Our idea this year is going to be developing materials to train the professor on how to teach the content, the pedagogy, and the key ideas.

Another participant in a different state described an initiative directed toward university professors who teach elementary and special education: "Our special ed. professors at all universities are being trained in the very best reading research based practices. So that when they train their students these kids leave university with the stuff they need."

In attempting to solve the teacher shortage crisis, several states had allowed alternate certification programs to be established. One participant explained that it was very important to the success of the alternate route that institutions of higher education be involved so that stakeholders viewed them as comparable in quality to traditional programs:

I was one of the architects of the alternative certification program, and we very precisely, very clearly left it within the realm of higher education because we knew that we needed to keep them engaged and we knew that we had to demonstrate to a larger community that these are not second rate teachers, they're going to have the same qualities, they're just going to have a different approach.

A participant from the same state described the approach taken toward second career individuals and emphasized that the policy was designed to attract successful individuals who could bring a different approach to teaching.

We created a new certificate called a transitional certificate to try to bring second career individuals into the teaching profession. Our intent is to take people who are trained, that have made it in another career that are interested in changing. They're not kids, they're adults and they bring a different set of skills to the table than a 21 year old entering a tough school. That's our hope of trying to widen the net in terms of capturing more people in the teaching profession.

However, participant perceptions of the likely success of this approach were mixed. One participant from another state expressed doubts over alternate certification programs directed to second career individuals. This participant did not think that second career individuals made good teachers and that the numbers of second career individuals were simply not great enough to make a dent in the teacher shortage problem:

I'm not a big fan of trying to recruit second career folks. I've not seen that that produces a big number. I can take you to a number of folks who have come into teaching from those careers and suddenly are confronted with a bunch of kids. They say 'Now I know why I didn't have kids' and 'now I know why I'm glad my kids left home'. And so they certainly can't cope with the energy, the diversity, all those issues.

An informant from a different state commented that the quality varies for alternative route candidates

In terms of pass rates, the alternative programs have varying rates of success. Some are quite high, some not so high. I don't know what will happen with the new tests in 2002. Some people predict we'll be losing teachers because the tests will be harder and they encompass more content areas.

The data revealed that states had identified several innovative initiatives to try to attract new teachers to the profession and to try to retain newly qualified teachers. One participant described several state office recruitment strategies at the college and high school level:

First, they are trying to use the money to free up professors so they could spend more time recruiting potential students much the way we recruit football players. Where the professor gets to know not just the kid, but the parents. The second part, the districts offer to kids at the high school level the elective Peer Assist for Students with Disabilities. One university program has done a data run on the kids that took that course and then went to them and offered summer camps around the state and asked would you like to be a special educator?

Another participant from a different state described other initiatives directed toward increasing the number of teachers in the state:

We are trying to get other teachers from other states in here and give them a couple of years to pass the test. We have legislative proposals trying to allow teachers who are retired to come back in without pension penalties and they could teach part-time. We have legislative proposals on pension portability among teachers.

In another state an informant described some district level initiatives in which local districts adopted a "grow your own" approach in partnership with smaller universities: "A lot of school districts,

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in particularly large school districts, build relationships with their neighboring universities and they're looking at creative ways to encourage people to come into teaching and to stay in teaching."

The data revealed that participants regarded the issue of retention as a major problem, especially in the early years of an individual's career. For example, one participant commented:

The data are showing that we're getting more and more first year teachers into the workforce than ever before. Whereas 10 years ago about 38 percent were first year teachers, and it's up to like in the big cities 65 percent of the new hires are first year teachers.

Although several initiatives to support beginning teachers were described by participants, it was clear that funding for these initiatives remained uncertain in the long term. One participant described his state's beginning teacher support system, which was a pilot program serving 10 percent of the state's new teachers. This participant explained that the program had funding problems and may be abandoned if a new funding source could not be found:

The state is experiencing a teacher supply problem in the areas of special education, foreign language, math and science. It is at a critically low level. It's more a problem of retention than supply. Fifty percent of teachers here leave the profession after five years; one third leave after three. It is a common problem in most states. Right now we have 10 percent of teachers being supported by a beginning educator support system. It would need to be available to approximately 14,000-17,000 new teachers in the state each year. Federal funding for this program disappears at the end of this year. We are working now to get more money and if we can get to where we're supporting even half of the new teachers we can keep teachers in the classroom.

A participant from a different state expressed similar funding concerns as to whether the legislature would provide the resources the SEA had asked for to support the first year mentor program. "The first year mentoring: will the legislature support that with the dollars we've asked for. It's not so much a new policy, but whether or not this existing policy has to be adjusted."

Participants also pointed out that new teachers may not have the pedagogical skills that they needed to teach children with a range of abilities. For example one participant explained that teachers need a variety of instructional strategies to teach the wide range of abilities found in regular classrooms: "It's critical that we provide preservice teachers with real world and intensive training so that they can serve any child in the regular classroom and not worry if they have a disability or not. That's number one." Another participant from a different state explained the situation in more detail, saying that having content knowledge was just one part of being a teacher. This participant believed that a teacher needed to know how to teach different types of students too:

Many of the skills that we want teachers to possess are beyond academic areas. Part of what we want to do is make sure that all students are successful and all teachers must be prepared to teach all students. So there is a big component of inclusion—teachers have to be prepared to teach students with special needs, and they have to be prepared to teach students of low socio-economic background, they have to be prepared to teach kids who are English language learners, they have to be prepared to teach students of color.

An informant from a different state commented on the need for teachers to learn different strategies for teaching students with different learning styles.

From this participant's viewpoint there are a large number of students with problems who could be taught if teachers have the skills they need:

We have a lot of kids with a lot of problems. I first started in general education; if you learned good teaching you learned good teaching. You learned straight-faced and focused on the child. You looked at developmental levels and if you focused on the interaction of the kid and meaningful activities and you make it all make sense. You don't need special education. Yes I acknowledge there are tremendous variations in learning styles across kids and it's a problem because you do need to have different tricks in your little bag to pull out and try to work with different kids. We've got so many kids who have problems it's the norm now, it's not a disability, it's a normal range of individual differences that take teaching skills.

On the same subject, this participant from another state explained that increasing the ability of new teachers to work with diverse learners was the third component of the state's overall strategic plan: "A third component is exposing teacher candidates to a diverse student population. And diversity is broad in the sense that it does include special education. But diversity includes students of varying socio-economic strata and ethnicity."

One participant pointed out the conflict between teacher quantity and teacher quality at the policy level. Schools and districts need to have teachers in classrooms and therefore need to get prospective teachers through the certification system as quickly as possible. On the other hand schools also need teachers who are competent—both in content and pedagogy—a task that is not necessarily amenable to cutting corners:

When they did this whole plan, they understood that they had two main objectives and they were not necessarily compatible: quality and quantity. You don't want to short-change kids with teachers

that are inadequately prepared. At the same time we have to face the fact there's a supply and demand issue, so we are going to have to look at everything.

These sentiments were echoed in other states. For example, one participant pointed out that just as the state was trying to raise teacher standards, fewer people wanted to become teachers and that this was working against them:

We're facing a demographic problem. We're trying to raise the standards for both the content knowledge and the pedagogic knowledge of our teachers, at the same time that the number of people who want to be teachers is not growing or at least not fast enough to solve our teaching problems. Or teachers who are maybe willing to go to some schools. That's a complex issue. It starts with your best teachers and your best principals. Now how do you get them there?

## **Increasing the capacity of existing teachers and school leaders.**

Data from across all study sites revealed that informants were very concerned about the needs of existing teachers and personnel shortages. However, in three out of four states the informants commented that higher education and the districts needed to address the issue of professional development. For example, this participant described the complexity of the issues, but reiterated that existing teachers needed support:

We import a lot of teachers so that's why you can't just tackle it on the front end, because as teachers come in either with experience from other states or from other states with no experience, there's an in-service or professional development component here that needs to be addressed and picked up by the district and higher education has a role to play in that. I mean, they can be a provider of quality professional development just as anybody else can. But attention needs to be focused on the incumbent teacher.

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A participant from another state pointed out that the state laid down guidelines for professional development, but that within those parameters the local district, teachers and administrators had to come together and determine their needs:

The concept was to decentralize as much as you can. There's no fountain of wisdom from the SEA. All the research that we looked at showed that when professional development was locally developed and was focused on what kids needed to learn and when all the other noise went away it had a measurable impact. Districts have to do an annual plan, a professional development plan based upon two key variables: teacher capacity and student learning needs. It has to be decentralized, it has to be done locally, by teachers and administrators, and approved by the local board of education.

Another participant from the same state explained that as a result of accountability reform the state now instructed districts how to spend their state professional development funds:

So now we look at the data and say that 80 percent of the money we give you this year is going to have to focus on these things in this region, based on test scores and the other key indicators. Then you can use 20 percent of your money to your own local flavor. Now they then go to the schools and look at the data. It's not so open ended anymore. The things that people are interested in going into staff development are very different than they used to be.

The same participant went on to explain when the state altered the existing certification system, it also revised professional development requirements to ensure that from 2004 onwards, teachers who entered the profession were required to take 175 hours of professional development every 5 years in order to remain certified:

These new teachers that are coming in 2004, they will get an initial certificate, after 3 years they get their masters, which has to have 12 hours of content

or pedagogical content. Once they get their professional certificate, then instead of that being a permanent certificate they get to keep forever and ever they have to keep that professional certificate alive by completing 175 hours of professional development every five years.

A participant from a different state described a similar initiative: "It changed from a lifetime certification to a 5 year renewable certification with 150 hours of professional development education required. Teachers are required to keep records of professional development hours, which aren't checked unless there is a problem."

A different informant from this state commented that sometimes districts were unwilling to give teachers release time to attend training courses at the educational service centers. In an attempt to solve this, the state legislature will require districts to provide training in special education directed toward regular education teachers:

It's still up to the district to release its personnel to the center to receive training and we hear a lot of complaints from teachers that their principal or superintendent won't let them go. A new state law was passed just this spring that for the first time beginning in the 2002-2003 school year requires districts to provide annual training in special education and target it specifically to general education teachers.

One participant from another state expressed frustration at what he perceived was a negative attitude of school boards of education toward professional development:

The key is, and always will be and never will change, is showing the boards of education there's value in this activity. Until a superintendent does that, then forget it. Many people consider professional development a sop to the unions so that teachers get the time off to do whatever they want to do. The mindset, I mean, when you talk about a 12 billion dollar

industry and continued development of your work force is not part of it you wouldn't be a CEO for very long. But education works differently, there's a different set of priorities and people controlling it.

The data revealed that building the capacity of the teaching profession to teach mathematics and reading were the focus of state resources toward staff development. Several participants pointed out that many teachers, especially at the elementary level, may not know the content standards that they are expected to teach and may not have the content knowledge to teach those standards in their classrooms:

They are not seeing the significance of taking those standards and bringing them down to the classroom level into instructional strategies for youngsters to learn and for teachers to know. How many teachers know how to teach algebra to youngsters at the 5<sup>th</sup> and 6<sup>th</sup> grade level? They don't have that content background. The teachers are saying to me they don't have the content background or they don't have the instructional strategies to do this and I blame myself. I say what am I going to do to make sure that we build that for them because I have to say part of those scores are a direct link to the standards in my lap.

Another participant from the same state commented that special education teachers in particular need more math content area knowledge:

Most of our special education teachers are in elementary buildings, but practically speaking, we've talked to a lot of special education teachers, it's math. What it comes down to is better preparation in mathematics for a lot of these special education teachers who have to deal with that resource room.

Another participant from a different state echoed this perspective:

In this state probably 65 percent of the middle school math teachers are elementary certified. I would argue that if you are elementary certified that

almost guarantees that the last math you took was in middle school. You probably took the low level high school math; maybe you want to go to college so you struggle through an algebra and geometry, but you didn't excel. Then you went to college and you got the same math repeated. Now you come here and I'm going to ask you to teach box and whisker plots.

We asked what strategies the states were using to improve professional development. Participants described a number of research-based initiatives for improving educator ability to teach mathematics and reading:

Programs are research based and needs driven for math teachers. Master trainers are provided to each of the 20 regions of state programs. For example: a 5 day, 40 hour training in Algebra I. New math courses include teaching teachers how to work with manipulatives and different learning styles.

Another participant from a different state commented, "We have what's called a reading and math initiative and we hired people to focus on staff development in reading and math. They are making sure that the stuff being used is soundly researched." Yet another informant from this state told us: "All of the professional development has to be focused around reading and improving our teachers' skills in that area." Finally, this participant from the same state described a reading initiative directed toward teachers in the early grades. The goal of the initiative was to reduce the number of students who entered special education in 3<sup>rd</sup> grade because they could not read, by giving teachers the skills to teach reading: "The reading initiative for K-3 is huge. We train every teacher in the state and we pay them a stipend to come to training. One hope is that the reading initiative will lower the number of children coming into special education at third grade because they don't know how to read."

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The issue of adequate resources to provide the professional development was discussed in several study states. One participant commented “I think we are struggling with how to apply this and with the resources that you have, how to make it work?” Another participant from the same state explained that:

Let me back up a minute, I have to tell you what our staff is. We have one math associate in our office. We used to have a bureau of math associates, 8-10, now there is one. So in our thinking this year of how we are going to leverage our resources and make sure that we can really have an impact, what can we do with one?

Participants from across all four study sites perceived the leadership skills of district and school administrators to be of crucial importance to the success of educational reform. One participant explained: “It’s amazing how much leadership makes a difference, it really is. And that’s why you can find these schools all over the state and all over the country that shouldn’t be doing very well, but are.”

Another participant commented:

My sense is that there are districts that haven’t gotten any better even with state monitoring because they lack leadership. What we are finding out in the state is that no matter what else you do, you need at least competent leadership, and if you don’t have that you are going to be struggling with those districts for a long time, because they can’t respond without it.

The same participant explained that if a key leader left, then the district can quickly have problems:

One of the things we have found is that you could have a district that is doing well and the director of special education and the superintendent leave, and the next year they start to have problems because

a new person comes in and doesn’t have the same level of leadership skills.

Of real concern to all participants was the shortage of school and district leaders. This participant pointed out that the demands placed on school leaders were increasing and to meet them school leaders needed to be of high caliber:

Who are the next generation of leaders because that is going to be a major problem? School and district leaders; and then they’re also going to have to be the brightest and the best because there is so much more expected of them. Which is one of the reasons why we think there will be a higher turnover of leadership soon, or is now, I guess, or hard time replacing them is another way of putting it. Because some of the people aren’t up to the task and the task is much more difficult than it ever was and you’ve got to be really good and thick-skinned to be an educational leader today.

Another participant explained that the ability of the school principal to be an instructional leader was crucial in education reform. According to this participant the school principal needs to be responsible for curriculum alignment with standards, hiring teachers based on the school needs, and leveraging the resources needed at the school level:

The principal is the instructional leader. So if the principal doesn’t know the kind of performance expected of his or her staff then it’s a giant gamble that the staff is going to know. If you’re in a middle school and you’ve got 20 math teachers and they are all teaching 20 different targets the school system may have a curriculum in place, but the implementation is really at the principal level, the school level. Now it has to be the principal identifying what a teacher can and cannot do, and the principal working with that teacher saying this is the training you need, and the principal working with human resources saying this is the kind of teacher I need coming into my school, and these are the resources I need to train that teacher, and this is how I am supporting the growth of that teacher. You need a



great principal who is the instructional leader, not the building manager.

A participant from a different state reiterated the seriousness of the leadership issue at the school campus level and provided a picture of the stresses that principals faced on a daily basis.

It is absolutely going to be as significant a problem long term because of the climate and it's not fun being a school principal. It's conflict with the boards of education, it's the remuneration level, it's the stress level, it's the leadership of the academic learning, student learning, it's all these different jobs, plus now we have the whole thing about you have to do disaster preparedness, sexual predators, all these different things that you have to be attentive to as a school leader. It's not like it used to be.

Another participant from the same state explained how principals reacted when she suggested that they talk with their faculty about the standards and the curriculum. She commented that they felt swamped by other issues:

But given all the pressure, look at our leaders, all of the pressure is on them right now. And I asked them why can't we have that conversation [on the alignment of curriculum and instruction] at faculty meetings? They said it's complicated, we have a million other things to worry about. I want to say wipe them off the table, here's where we are, this is what you need to focus on. As educators this is the curriculum, this is what parents want to know: What are you doing and what are you teaching? But I am not in their shoes and I believe there are so many other competing forces here that this is going to take time

## **Aligning Special Education Reform with General Education Reform**

State informants discussed two aspects of alignment of education reform. First, data revealed that state special education personnel were in the midst of changing their monitoring of special education because the U.S. Department of Education's Of-

fice of Special Education Programs (OSEP) had adopted a continuous improvement model for states and also because of changes in IDEA'97. Second, they were concerned with how reform in general education would align with more traditional special education practices.

We asked state informants what their experiences were with OSEP's new monitoring approach. One participant argued that OSEP should take a more problem solving approach and not an identification approach:

I went to OSEP and I said this is crazy, this whole system is nuts. You come in every 3 or 4 years and you tell us what we have already told you and then you write a report as if it's all new. You fund all this research, all this technical systems and support research efforts all across the country. Yet you don't ever make an effort to come here where we are open to assistance and try to put your resources to bear on problems that we already have. So they agreed. We've identified problems, we've verified the problems and now they're going to help us. There is just no way that they can know our problems like we do. But there are ways that they could help us that we don't know of.

In general participants were very positive about the new federal approach to monitoring. One participant said:

One of the things I really like about it is, not only having all the stakeholders involved gives a different perspective on how people are seeing things, but because it is data driven, it has really given us an eye-opening experience in looking at areas we really need to work on. We have a lot of data, we collect a lot of data, but what do we actually do with it? It's been a big issue, so now this gives us an opportunity to take the data and focus it and use it to make better decisions on what we do for kids as a whole. So I really like it.

Another participant from the same state added that everyone hoped that at OSEP's next visit they

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would recognize the continuous progress that the state had made on indicators. This participant thought that people may become frustrated if the progress was not recognized:

I think everybody from the agency involved is pretty positive, but is concerned that if OSEP comes in April/May, visits seven districts, interviews 12 people and then issues findings that the state is deficient in LRE etc. If OSEP doesn't honor the work we've done then people will feel very frustrated. If they say "you are making progress on this, we're satisfied that you are aware of your own problems". If they work with us like that I think it would be very positive.

Likewise another participant from a different state commented:

That's the struggle with OSEP. I'm hoping they are talking about focused monitoring like they mean it because I would like to be able to parallel that in a certain way. But it's yes and no. I mean they look at eligibility documents, they look at what you are doing, if you are missing two lines out a sentence it still can be a problem and I just think we don't have enough time to concentrate on that. We have to look at what's important and deal with that.

Another participant described how the new CIMP monitoring approach occurred in practice:

We got a huge constituency started with 70 some people, we have 2 meetings a year of our KPI stakeholder group, we're coming up to that in January. They represent general ed, special ed, all the special interest groups, universities, school boards, everything. And we developed goals, performance goals and indicators, we developed and prioritized the kinds of data elements that we collect now and developed a system of monitoring and outcome oriented activities for kids with disabilities so that we're looking at improving outcomes rather than just compliance.

State informants were very much in agreement that the traditional approach to accountability in special education of holding states and districts

accountable for compliance with process had not resulted in improved outcomes for students. One informant had worked for a school district before moving to the state office of education and described a "gotcha" situation during which the state office personnel reviewed educational records and found instances of non-compliance:

Basically, I can tell you from my district experience. What happened was you got a report back from the state because there is only a record review so that was it. They would say out of this many records, these number were out of compliance. And I'd be screaming and yelling, "well tell me which schools" and they'd say "No, here's your data." And finally I did get it by school and I could see it was one school that screwed up and they misinterpreted X or Y or Z and I could go in there and fix that. It was largely done by memo. The director of special education would say, "Ok gang. As a district we screwed up on—so make sure your notices are out within ten days." I mean that was basically the route it took. There was no other accountability.

A participant from another state explained the situation in similar terms, as one in which process was the dominant theme of special education monitoring for accountability purposes:

Somebody was talking about do we really have accountability. Well we do, it's just not what we want. We probably have real high accountability for dotting "i's" and crossing "t's." and process. We probably don't have the kind of accountability we want as it relates to student results. That change is going to be tough because a lot of people have defined themselves by the process. They become the rule, the form, or the transition person. Well should you really be the transition person or should you be the "I'm increasing graduation rates person."

We asked participants what impact process oriented accountability had on student outcomes for students with disabilities and if school practices improved as a result. Participants' responses were very similar on this topic. For example, one partici-

pant explained how the process oriented approach took time and resources away from improving outcomes for students with disabilities: “In some cases it led to worse outcomes because that’s what you are going to spend your time and focus on. And it’s not real.”

Another participant from a different state expressed similar concerns and reflected upon the fact that the goal of teaching and learning can become lost in efforts to fulfill procedural requirements.

I’ve been very frustrated over the last few years with the clutter. I understand one person’s clutter is another person’s right, but somewhere along the line, the process- and the goal- of teaching and learning gets lost in making sure your “i’s” are dotted and your “t’s” are crossed. Somewhere along the line the teacher and the skill sets the teacher has get neglected because you’re so worried about whether they’re filling out the forms. Look at the amount of time they are spending doing things that may not have anything to do with whether or not they’ve taught a kid. We have staff to go out and monitor and report compliance data. Now what did we do with it? We sent a paper saying swear to god never to do it again, then they would send a paper back saying we swear to god we’ll never do it again. Now what did we learn from that?

Another participant from a different state described how he/she had stopped worrying as much about time lines although they were still a large part of his/her work. Instead this participant had started thinking more about indicators that led to student success:

It really does come down to what indicators are most closely correlated with success and so what indicators do you focus on and why are they correlated. I’m not worried about the 32 days even though right now I’m spending time counting the 32 days. I think we can make a strong case for really thinking differently about this because to me the purpose of quality assurance is to improve programs.

Comments from some states reveal they had made changes monitoring activities in the districts. In particular, the focus on outcomes and results in IDEA 97 removed some of the “clutter” associated with special education accountability and allowed state personnel to help districts solve problems and not just identify the same problems repeatedly. One participant explained that as the department became more confident in quality of the data it could move toward solving the systemic problems and working with districts:

We are examining even the verification review, and this is just, this isn’t even official it’s just a discussion we’re having internally saying at this point after 5 or 6 years of data collection we have a lot more confidence in the accuracy of the data. We shouldn’t be spending all of our time verifying the data. If these are the issues that are coming up in 60% of districts that we visit then we can be pretty sure that they are real. Do we have to keep identifying them, or can we start addressing them? We’re moving more toward collaborative reviews as being kind of the focus in really the poorer performing districts where we spend a lot more time.

Another participant from a different state explained how reform in special education had nudged special education and regular education closer together and each was beginning to look at the same data at the same time:

I think the monitoring really is going to start driving more how the state does its business, at least the division of special education. First of all the new monitoring system in OSEP is data driven, but we’re moving toward a much more non-cyclical model, meaning what we’re looking to do is integrate it into routines. Special education has always been one step behind, or at least not in sync with the school system. When the school system looks at their exit data, looks at their graduation rate, does diploma versus certificate, that’s when special education should be looking at their data.

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We asked the state-level participants whether there was resistance to outcomes based accountability reform in special education. Several participants explained that the change from process to results was hard for some districts, schools and teachers because it required a paradigm shift. For example, one participant explained:

Do we measure effort which is easy or do you measure effect which is the hardest thing to measure. But it's the most important thing to measure. Counting kids that are served, that's easy. Counting results for those kids is hard. But that's what you really want, so we're moving folks in that direction. I tell them that they must balance this thing, if you focus on teaching and learning, everything else will take care of itself. That's a hard concept because when it's all said and done, the process is actually the easiest thing to do. The hard part is teaching the kids reading, teaching the kids math, and getting along with the parents. That's the hard stuff. The easy stuff really is doing the paperwork, even though everybody hates it, it's easier than being responsible for learning. That's what makes a tough sell. Even though that's what everybody wants, when push comes to shove, it's more difficult.

A participant from a different state commented that some district special education directors do not know how the outcome data to make decisions:

There are some special ed. directors who are very proactive, they are taking their data, breaking it down on the campus, publishing it district wide so every campus knows what every other campus is doing. Those are situations we are seeing a lot. But we still have some that aren't.

Another participant from a different state commented that although in the future the districts would be able to use the information and, based on that, change course, the new special education accountability system was so new that the districts did not fully understand it:

The good thing for the districts is that it's a very progressive model and they can know as they're getting worse and worse and hopefully they'll take action to do otherwise. I think our challenge right now is getting them to understand the system, how this is working, and what does it mean to them?

Participants from several different states perceived that districts were suspicious of the changes in the monitoring system at first, and that the role of the state was to ease anxieties and create an atmosphere more conducive to dialogue. For example, one participant commented:

I think when we first started the districts were very defensive and I think that as our philosophy has changed that they realize that we're all in this together. We'll come out to your district, do a free evaluation and if we can see some areas that you can't see we'll make some recommendations that will improve your program.

Another participant from a different reiterated the above comments:

Any time we institute something new there's a lot of anxiety and a lot of questions regarding it and so we really try to put the districts at ease. Let them know that we're not perfect, sometimes we make errors, we work on fixing them or revising them based on feedback.

We asked participants to tell us what aspects of accountability reform in general education they thought were positive for students with disabilities. Most participants approved of the emphasis on outcomes for all students and the belief that inclusion in accountability systems was an incentive for improvement. For example, this participant explained that including students with disabilities in accountability reform not only focused them on results, but narrowed in on key results that enabled the state office of education to apply pressure consistently on school districts. Interestingly, this participant

points out that because the state makes the results on state assessments and other indicators publicly available, school districts cannot argue that improving the performance of students with disabilities is an impossible task anymore:

We are really focused on results, and on certain results. And because we are coming at the districts from every angle we have, always on the same thing. That to me is what has really begun to make a difference. People know things they didn't know before. And the commissioner [for education] before he had really published this information incessantly, and at first it got everybody very angry, and then it kind of wore everybody down, and now what people are doing instead is responding. What we have done is try very hard to publicize what and who's been effective. Because the more we do that, the less willing are people to stand up and say this isn't fair and we can't do this.

Another participant from a different state shared the same view: "Until the last two years I don't think that districts were really beginning to look at how students with disabilities are doing on state assessments and looking at data analysis. I think that has made a big difference.

Several participants adopted a long-term view of the impact of accountability on students with disabilities. In their view the purpose of accountability reform was to improve the results and outcomes of education for all students, including those with disabilities. For example, one participant commented that the inclusion of students with disabilities in accountability reform had the potential to transform their whole educational experience by providing benchmarks as to the effectiveness of the system and defining the points where interventions would have the most impact:

We want benchmarks of some kind to know that we are on the right track. But ultimately it is a matter of starting at the end and working backwards. What

are the results that we want for kids; if it's college, if it's competitive employment with good pay and benefits and opportunities for advancement, really meaningful work, whether its considered full participation, or partial participation the point is if that's our goal we've got to work backwards and then everything that we do falls into line. I want to know how well our kids are doing in the recognized diploma, the recommended diploma, and the distinguished diploma. One of the benchmarks to know if a kid's on track for a recognized or distinguished diploma is whether or not they are taking algebra in 8<sup>th</sup> grade. The implications are what do you have to do before the kid gets to eighth grade to make sure that they will be in algebra.

Likewise, another participant from a different state pointed out the necessity of using the information gained from accountability measures to achieve meaningful educational outcomes for students with disabilities. For this participant standards-based accountability reform meant increasing post school outcomes for students by improving graduation rates, rather than improving graduation rates as an end in itself:

It has to be integrated in everything that we do, because whether we are talking about standards or raising expectations, in our minds what we are saying to school folks is yes diploma is important, yes learning is important, but what is the outcome you are looking for in the whole process. Yes, you think it ends in diploma, but you have to be thinking post school. That's what we are pushing now, that standards is a way to get the outcomes and we get better kids who are better prepared with an IEP diploma, better workers, better college kids with more opportunities.

One participant explained that she felt special education was now talking the same language as regular education and that this was very positive:

I'm very optimistic about what's going on. And the other thing that's changed is that we got away from the procedural compliance to looking at improving outcomes. And so people were beginning to hear

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that special education was talking the same language as the rest of them. Our new benchmarks and triggers have to do with performance, percent of kids who take the assessments, kids who graduate, drop-out rates, all that kind of thing. As a professional in special education if you look at the results that we've had for our children as adults it's abysmal. So who cares if we did their IEP on time?

We also asked state informants to discuss any concerns that they had regarding the inclusion of students with disabilities in accountability reform. Some participants expressed concern at the impact of state-level general education reforms that were targeted at the individual student level, specifically grade retention and high school graduation. They pointed out that in the past, students with disabilities may have been excused from the implications of such policies due to IEP team decisions, waivers, differentiated or local diploma options, and IEP team exemption options. The potential loss of these protections when coupled with more rigorous exams caused concern for some participants.

Only one of EPRRI's participating states had adopted a policy of retention, which was being phased in over several years. Participants from this state expressed concern that the state's promotion and retention policy could lead to an increase in the number of students referred to special education. One participant explained that although the state had implemented policies to support students at risk of failing and had established professional development initiatives in the lower grades, there was a risk that more students would be referred to special education. This participant perceived students from minority backgrounds to be at greater risk because they were viewed to be the ones who most likely would be failing due to a lack of instruction, rather than because they had a disability.

The thing that got the most publicity is the social promotion piece: now if you don't pass a test at a certain age you don't get promoted to the next grade. There are a ton of safety nets built into it: A screening instrument, we are going to retool teachers, and provide accelerated reading instruction. I do worry. If you can visualize a snake and when snake eats a rat, and it travels down the body, right now the rat is somewhere between 4<sup>th</sup> and 5<sup>th</sup> grade as to when we get our referrals to special education. I don't want that rate moving into second grade because they're afraid of the test and they can exempt them to the alternate and they'll set a low performance standard, they'll pass and then our numbers jump back up. I'm hoping we can prevent a run on special education due to the social promotion piece. Here's the one group of kids I don't want more of. I don't want more kids that didn't receive good instruction and I don't want more minorities simply because they didn't receive that instruction.

Participants in three out of four states voiced particular concern for those students in special education who fall into the "gray area." In the words of one participant: "People talk about kids in the gray area, between the two tests." These students were described as being too high functioning for the state's alternate assessment, but not high functioning enough for the state assessment. A participant from the same state explained :

There's these kids and you don't know how many there are that people anticipate are going to be scoring very, very badly, but yet they shouldn't take the alternate assessment, and the question will be, down the road, what do we want to do? I don't see any of those kids moving into the alternate we have, the only ones we move in are the ones that should have been there in the first place. It's not as a result of doing poorly on something else that you are going to slide into that. They're very, very, very different assessment processes.

A participant from another state expressed the firm belief that the number of "gray area" students would decrease as all students were provided with the opportunity to learn the curriculum. However,

as this participant pointed out there would still be a group of students with disabilities that would not do well: “Allowing children to have opportunities they haven’t had before, I think that will narrow the gray group down. I do believe that there will be kids who still will never make it through any level except maybe the lowest.”

The issue was a particular concern at the high school exit level where performance on the state high school assessment was or would be a prerequisite for a high school diploma. Policymakers were concerned that students with disabilities would not be able to graduate with regular diplomas. Three of EPRRI’s study states were considering some form of student level accountability at the high school exit level. The fourth already had a student level high stakes assessment at the exit level, but had temporarily made provision for students with disabilities. This “safety net” allowed students with disabilities to pass the high stakes examinations with a lower score than students without disabilities and graduate with a local diploma. A participant from this state commented:

The question then is a policy question. Do we want every kid to have a way to get a local diploma, and therefore in effect to go back to layering if you will of expectations and state standards. That will be a very big issue. This begs the whole question about down the road, and this I think is still down the road question for us because we still have our safety net in place.

In another state all students graduating in the 2006 school year and thereafter would be required to take and pass the state high school exit examination. One participant explained that students with disabilities who previously would have graduated with a high school diploma would not do so in the future:

The biggest issue, in my opinion, is for that student that you’re talking because in past times that student would have normally matriculated through school, would have had a differential standard and would have received a high school diploma just like all the other students. Now we now have another group of students that potentially will not be eligible to receive a high school diploma that have received them in the past.

Comments from another participant in the same state revealed concerns about how standards-based reform in his/her state would work in practice. This state informant posed the question of what would happen if large numbers of students fail to reach the required level of performance:

We could discover that it’s very difficult to teach all children up to these standards and it would create an interesting situation. The intended consequence is that wonderful programs will be offered to all students and they’ll reach the bar. What if the wonderful program is offered to them and they don’t reach the bar? That’s an unintended consequence; there’s not supposed to a large number of students there.

On the same issue a different participant from the same state pointed out that potentially high failure rate at the exit level is not a special education issue: “If you have seen our statistics on the passing rate at the high school exit—we are facing a lot of pressure. I think it’s not going to be just special ed. that’s saying-gosh you are going to deny a lot of our kids a diploma.

### **Meeting the Technical Challenges of Including Students with Disabilities in General Education Reform**

While states are testing more students with disabilities and offering a range of test accommodations and modifications, they face the issue of how to ensure that these assessments generate valid data. Issues of test validity and construct-relevance

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underlie the decisions that states have made about who gets tested on what and how, whose test scores are reported and how, and whose scores are included in accountability measures. Participants identified several problems arising from attempts to include students with disabilities in general accountability systems.

One participant described the contradictory nature of his state's accountability system as a "one size fits all" that, once in place, had to be revised when it became apparent to a variety of stakeholders that this concept was incorrect. This participant explained that because children are complex individuals the only way to assess their progress meaningfully is to have a flexible system that makes provision for all learners. However, this flexibility becomes problematic in the sphere of accountability because the system needs uniform data and variables that measure the same construct over time:

I think, there's a goal implicit in all of the concerns – special education students, Title I students. There's been an implicit there and there's been an attempt to implement a system where one size fits all. And what the voices inside the department, and also the parents and people in the field who represent Title I students or special education students or English Language Learners just to name three of them – have all pointed out the inflexibility of the initial notion, the naiveté of the initial plan for a standards-based system, and therefore, the need for accommodations in the system to serve the complexity of what children are actually like. So flexibility is the issue, which – if this is going to improve outcomes effectively, that flexibility will become more and more built into it. For accountability purposes and your discussion here, the problem is that it's much easier to use accountability numbers or data if one number always means the same thing. Flexibility works against accountability. You can put that in stone and the more ways in which your data is complex, the less you have control of the variables of education. So the accountability sys-

tem really wants uniform data, but children are not uniform in their educational attainment.

An area that was causing problems for several states was how to include the scores from the alternate assessment in the state's accountability system, as required by NCLBA. To comply with IDEA 97 three of EPRRI's four core study states had alternate assessments in place by the 2001-2002 school year and had begun to publicly report performance; while the fourth planned to have its alternate assessment in place by 2002-2003 school year. However, the technical challenge of whether to fold these data into the accountability systems and how to do this had yet to be solved.

In one state, which we visited before NCLBA, several participants commented that the alternate assessment and the general assessment in their state were measuring very different skills and that more research was needed before any decision was made:

The alternate assessment won't show up in the state assessments, they will be a separate assessment report. As far as how they hold up in terms of the different accountability things that we have, I think that's to be decided yet because we really want a couple of years to understand this thing. To be frank with you I think it's probably true everywhere else, our level of understanding of this is not very high. I think what we are trying to do is to take a long-term view. We are trying to construct an intelligent response to it that will put us in a position to have good information before we make a final decision. I think that puts us in a good spot because a lot of people aren't doing that.

On the other hand, participants from states that had tied their alternate assessment to the overall state academic content standards commented that the alternate assessment would be merged into the



accountability system. However, they were less certain as to what this would look like in practice:

The whole No Child Left Behind thing, all means all, and we are going to find a way to include special education children in the accountability system, even the severe and profound. There are the kids that just don't take any test at all because at least in terms of the state assessment system, the alternative assessment is not ready yet. Eventually that will be folded in and reported. But we are just not there yet and I'm not sure what it is going to look like.

Some state informants discussed the impact of assessment accommodations and the validity of student scores. For example, at the time of our interviews one state used a norm referenced standardized assessment, but was in the process of phasing it out. One participant explained that the scores of students who took the assessment with a non standard accommodation were not included in the accountability index:

Special education kids are expected to take it and most do. The question is whether you take it as a "standard administration," that is within all the rules that are laid out by to define what a valid administration is. It is fairly restrictive; a reader, or calculator are non standard and if they are in a non-standard administration they are not part of the accountability system.

Another participant explained further confirmed this: "If a student is tested with extra time or they have the test questions read to them or whatever, you really can't compare their performance to that of the students in the norm group. So they're not rolled into school summary data." This informant then added: "I think they [the testing companies] just haven't done the research, because you are talking about a very small numbers of kids and for them it just wasn't worth doing."

The data also revealed concerns that the use of accommodations could conceal the true level of the students and could, for example, mask the fact that the student had not had the opportunity to learn basic skills. One participant explained that for assessments that did not have high stakes for students, it was important to look at where the student was compared to the state standards. According to this participant, who was discussing the English Language Arts accommodation policy, there were three complementary reasons for this policy: First, if districts know in advance that all scores will count in their rating, then they will intervene early in the child's education. Second, the score gives more accurate information about the range of the students' ability in reading and third it opens the door to academic intervention services:

The 4<sup>th</sup> and 8<sup>th</sup> grade tests are not high stakes, they are for determining where kids in a given school are compared to standards. So if this kid can't read certain sections that will show up as him not being able to read certain sections and that will be part of the score. And believe me, we had long discussions about this, but in the end, people felt, especially at 4<sup>th</sup> grade that if you allow districts to mask, if you will the kids actual functioning then two things can happen. One is that you'll not know something because you just won't know what it would have been otherwise. Hopefully that takes away the incentive to get to that stage as you know those scores are going to count. Second that score opens up the gate to academic intervention services because it gives more accurate information about where the kid really is to instructional staff and to the school.

Participants from another state explained that they had students with disabilities who took an out of level assessment, but that the state did not know how to include out of level assessments in the accountability index. One participant described the then current discussions about out of level testing

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and what the impact of these tests would have on the school's accountability rating:

Now, our special education youngsters may be tested out of level, so that being the case, the student would get whatever performance standard his/her score fell into. You may have a fifth grader taking a second grade test, and their performance was advanced. A piece that's yet to be resolved in school accountability - how is that student's score rolled in? It came up this morning and it has to do with special education students that are testing out of level and can we say that if you're testing out of level, you automatically get a below basic or far below basic performance level?

Other participants from the state pointed out, that districts faced a dilemma whatever policy was adopted. If schools knew that an out of level test automatically meant a below basic, they might instead administer a grade level test on the off chance that the student would score higher than a below basic.

Well, if you think about it – if, in fact there was a rule that you take an out of level test you automatically receive a below basic score, then the district would say, “Why would I want to do that?” “I would rather have them take the in level because there may be a chance that they get a score that would enhance my opportunity to improve my API.

Another participant suggested that if the policy adopted allowed out of level scores to count, then schools may be tempted to give out of level tests to students who did not need them as a way to improve their scores:

I think the dilemma that we're all in right now is the student who legitimately needs an out of level test to determine what he or she can do and what the next steps are. And then there are those students, they don't need an out-of-level test to access the test. They're capable of showing us what they know on a grade-level test and the perception in schools is – if I test them out of level, they'll get a higher score and it's going to help my school. That's the

piece that we're kind of caught – How do we fix that?

Another participant from this state revealed that no final decision had been made and that the state was exploring alternative ways to make sure that schools were neither penalized nor tempted by out of level tests:

I work with the Counsel for Chief State School Officer Special Education Group, and one of the discussions we've had there is that the student would get his or her full complement of scores so the parent would know where the child was performing at their instructional level; but that the school would receive perhaps a maximum amount – a maximum level they could receive for students who tested out of level. And, I don't know. There are states that calibrate their alternates so that the kids get the same amount of credit as if they were taking a regular test. There are a lot of questions.



These qualitative analyses provide insight into how over 35 state informants from 4 diverse states perceive the impact of accountability reforms on students with disabilities and the programs and systems that serve them. The results from interviews and document analyses conducted in this study highlight the complexities involved in understanding this issue. Examining the impact of these reforms requires not only exploring the multiple issues related to educational accountability and students with disabilities, but also requires an understanding of the unique contexts internal to each state that influence individual perspectives.

Although we conducted a small number of these interviews before the implementation of NCLBA, all participants were cognizant of its broad policy direction. Given the fact that NCLBA has radically altered the educational landscape, the following discussion of the dominant themes emerging from the data is framed with reference to its major provisions and alignment with IDEA 97. Data from state informants indicates that they were balancing reform initiatives from three different directions: 1) Federal special education accountability reform; 2) state general education accountability reform; and 3) federal general education accountability reform.

### **Federal Special Education Reform**

Special education personnel were implementing the new outcomes based accountability requirements of IDEA 97, which required them to collect and report data relating to performance and outcomes in addition to compliance data. Participants concerned with special education policy pointed out that IDEA 97's new performance requirements and changes in federal monitoring of the implementation of IDEA had fundamentally altered account-

ability in special education. Participants agreed that the emphasis of accountability reforms on outcomes and data-driven accountability is a positive alternative to the traditional process compliance system utilized in special education. Participants believed that the inclusion of students with disabilities in accountability reforms places the focus of special education effectiveness on educational outcomes and results and enables the state office of education to apply pressure consistently on school districts to ensure that students with disabilities are achieving state standards.

State-level participants were very positive about the federal level shift away from process compliance monitoring to a new model that was results orientated and aligned with general education reform initiatives. However, the change from a process based to a results-based accountability system that encompasses participation and performance on state assessments has been a difficult process in some study states because it requires a paradigm shift. As a result, participants have found that some district and school level personnel have not included all students with disabilities in state assessment systems as required by IDEA 97. State-level participants listed 3 specific indicators related to IDEA participation requirements that they were monitoring closely – exemptions from state assessments, overrepresentation in alternate assessments, and rate of absences on testing days.

Special education personnel were also getting used to the CIMP monitoring process from OSEP. The states that had already experienced the new approach were very positive about it. Those that had not were hopeful that the new approach would be an improvement on the old one.

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## **State General Educational Accountability Reform**

The states included in this study already had a history of state mandated education reform in general education, but special education remained on the periphery of this. Special education personnel commented that in the past their department was not involved much in the planning and implementation of policy initiatives in general education. Many participants said that this situation had improved somewhat, but remained dependent on personal relationships within the state offices of education. Some state informants commented that special education personnel did not know how to analyze assessment data and make programmatic changes, while others were unsure of which students were included in the data.

The debate on whether students with disabilities should be included in accountability systems in the same way as other student groups remains ongoing, but a key finding of this study was that most state informants wholeheartedly supported this policy direction. In one state data were already disaggregated by special education and regular education students and informants commented that this information provided evidence from state assessments that challenged the assumptions that students with disabilities would perform badly on state assessments and be unable to reach the standards required. When students with disabilities had the opportunity to participate participants reported that many educators expressed surprise at the knowledge and skills demonstrated.

However, in states with high stakes accountability at the individual student level, special education personnel and others were concerned that students

with disabilities would suffer the consequences. Retention policies and graduation policies were specifically mentioned as causes for concern.

## **Federal General Accountability Reform**

NCLBA has been called the most sweeping piece of federal education legislation in a generation and the results of this study support this opinion. In some ways, NCLBA provided the impetus to include students with disabilities that was lacking in state policy reforms, by requiring their participation. The chief premise behind NCLBA is that every child can learn and that all children can achieve to high standards, regardless of race, socioeconomic status, or disability. By including students with disabilities as a target group, NCLBA challenges long held assumptions of the abilities of students with disabilities. Participants generally agreed that making students with disabilities count in accountability systems was the only way to ensure that school systems pay attention to them and respond rapidly to their learning needs. However, all state informants pointed out that schools and school systems could not continue business as usual in regard to the education of students with disabilities.

A key finding across all states was the recognition that special education and general education personnel at all levels of the system had increased their collaboration efforts and were working together on an on-going basis to ensure that students with disabilities are integrated into all reform efforts. State-level personnel from all core study states stressed the importance of general education and special education working together and the necessity of involving special education personnel in general education accountability reforms to integrate students with disabilities into the reform efforts.

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Making sure that students with disabilities have the opportunity to learn the content standards from highly qualified teachers able to teach students with diverse needs was also identified as a key requirement. Participants believed that the curriculum, state standards, and state assessments needed to be better aligned throughout the education system. Although the extent to which the state directed or approved the curriculum and instructional materials used by local school districts varied, participants voiced three common concerns regarding alignment.

First, some participants perceived that teachers remained unsure of how to use the state academic content standards to teach the required content in their classrooms and needed more guidance to recognize student competencies associated with each level of achievement. Second, participants pointed out that it was essential to ensure that “backmapping” of academic content standards from grade to grade be carried out diligently because student knowledge was built up from year to year. Third, participants attributed concerns over the alignment of instruction in the classrooms to the issue of educators and leadership capacity at the school and district level.

Participants emphasized the importance of developing teacher and administrator capacity to effectively implement curricula at the school level, make use of the data collected, and realize the full potential of the accountability reforms. Participants were concerned that without appropriate professional development for teachers and administrators at the school level, curriculum and instructional materials aligned across grades and designed to meet the unique needs of diverse learners in the classroom would not be effectively implemented.

The role of the principal as instructional leader of the school emerged as a crucial element to the success of accountability reform. Participants firmly believed that good instructional leadership at the building level was essential to effectively deliver a standards-based curriculum as the principal had the responsibility to ensure that the state curriculum or state learning standards were taught effectively at each grade-level. Participants expressed concern about the shortage of school- and district-level administrative leaders. Informants commented that many principals did not have the time to talk to teachers about standards and curriculum changes and that this was detrimental to the success of the accountability reforms.

The importance of improving teacher quality was perceived as essential to the success of accountability reform. Participants commented that all regular educators and special educators must have both content knowledge and the pedagogical skills to ensure that all students are able to access the curriculum and achieve the state standards. Because students with disabilities are included in the accountability reforms, there is an increasing need for all teachers to be able to work with diverse learners and expand their knowledge of instructional strategies.

In general, participants believed that both pre-service teacher training programs and professional development programs need to be redesigned to reflect the change in knowledge requirements resulting from accountability reform. Participants pointed out that beginning special educators now need specific content knowledge to support students with disabilities to ensure that they had the opportunity to learn the general education curriculum regardless of placement or disability. In particular,

participants emphasized the importance of increasing beginning special educator knowledge and skills in mathematics and in reading. Participants also emphasized that beginning regular and special education teachers needed an array of pedagogical skills and instructional strategies for children with a range of abilities to ensure that students had access to the general curriculum.

To address the need to increase teacher content and pedagogical knowledge, states included in this study have begun to redesign their pre-service teacher preparation programs and are implementing state-level initiatives to improve the quality of teachers by establishing more rigorous teacher standards for preparation and longer field experiences for pre-service programs. Under new federal higher education legislation, states are now able to influence the content and design of teacher preparation programs and as a result, states are beginning to implement programs to increase the quality of the teacher education faculty and the programs offered to pre-service teachers.

Additionally, as a means to increase teacher quality, many participants described initiatives designed to increase the state requirements for teacher licensure. State standards for teacher credentials for special and general education teachers are increasing and states are working to increase the rigor of teacher certification. However, there is a conflict between the need to increase teacher quality and the shortage of teachers. Thus, some states are working to implement innovative initiatives to try to attract new teachers and retain newly qualified teachers by recruiting at college and high school level. States are also attempting to recruit teachers

from other states and working to develop partnerships between the district level and universities to increase teacher capacity

Participants pointed out that improving the knowledge and skills of practicing teachers was an equally serious issue. Some participants described how state-level professional development activities for in-service teachers were changing as a direct result of accountability reform. For example, one state now instructs districts on how to spend their state professional development funds and the number of hours of professional development required for every number of years taught is often now state determined. State personnel had experienced some resistance from districts to providing the necessary release time for teachers to attend training courses at the educational service centers and participants felt there was a negative attitude of school boards of education toward professional development.

A number of participants discussed state-developed alternate certification programs that are shorter than traditional pre-service programs and provide an additional route for training of teachers. Participants who worked in states with alternate certification programs stressed the importance of involving the higher education institutions in these alternative programs so that stakeholders view the alternate program as comparable to a traditional program. Some of the participants in the study did express concerns regarding the development and implementation of alternate certification programs and cautioned that these programs should not be viewed as a panacea for the teacher shortage.

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Participants in each of the states raised a number of technical concerns relating to the development and administration of state assessments and the state's capacity to track and report student enrollments and performance data. The effects of non-standard accommodations on the validity of the score for accountability purposes were problematic for many participants. At the time of these interviews the scores of students who took the state assessment with a non standard accommodation could be excluded from the accountability system or counted as below basic. Several participants pointed out that the situation could be resolved in part through the creation of assessments that have been normed on students with disabilities and through careful development of state policies on the use of certain accommodations. Participant comments revealed that there were several arguments against the use of some accommodations on state assessments. They were concerned that the use of an accommodation during an assessment could conceal the "true" level of the students and mask the fact that the student performed badly not because they had a disability, but because he or she had not had the opportunity to learn basic skills.

Participants also expressed concern about the validity, reliability, and construct-relevance of the alternate assessment compared to the general state assessment. Several participants did express concern about the tension relating to including students with disabilities in the assessments at the school level and the controversy regarding the validity of the score of an alternate assessment and how the score will be included in the accountability system.

Three out of four of the EPRRI core study states had alternate assessments in place by 2001-2002. A variety of views were shared by participants with some arguing that the alternate and standard test are measuring very different skills and that more research is needed before a decision about including the scores could be made. Other participants commented that their state's alternate assessments were tied to the overall state academic content standards and therefore, should be merged into the accountability system.





These analyses contribute to the current knowledge base on the impact of concurrent accountability reforms that emanate from both the state and federal level. Clearly, however, NCLBA is now the dominant force in educational policy for all students. While participants believed in the overall purpose of including students with disabilities in the accountability reforms, numerous questions arose throughout the interviews regarding how the educational systems in individual states will be able to overlay NCLBA accountability policy and fulfill the new requirements of this reform within an already established state system. Issues ranged from educator and administrator capacity to testing development and accommodations. Solutions for many of these issues are currently being explored and state participants shared many new alternate program ideas created to address the unique issues relating to accountability reforms. Tension clearly exists between NCLBA requirements, state requirements, and current IDEA 97 requirements. Issues such as the extent to which the IEP team is in control of the educational decision-making process of students with disabilities, the requirement for highly qualified teachers and how it relates to special educators, and the impact of accommodations on the validity of scores on state assessments remain to be solved in both policy and practice.



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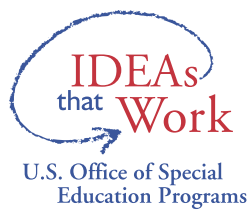
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