



No Child Left Behind: Understanding Assessment Options for IDEA-eligible Students



The Elementary and Secondary Education Act (ESEA) is the nation's major federal law related to education in grades pre-kindergarten through high school. In its most recent Congressional reauthorization, ESEA became known as the **No Child Left Behind Act (NCLB) of 2001**.

Under NCLB public school students throughout the country must participate in annual testing in specific academic areas and grades outlined in the law. This requirement includes students who require special education services under the Individuals with Disabilities Education Act (IDEA).

These assessment requirements were put into place as a way to determine if the school is adequately educating every student in critical core academic areas. The results of these assessments, along with other indicators, are used to determine if schools are providing substantial and continuous improvement in the academic achievement of all students and to determine if schools are achieving "adequate yearly progress" (AYP) based on the state's target for student proficiency.

Parents of IDEA-eligible students need to understand the assessment requirements of NCLB and the important decisions they will need to make as part of their child's educational program. The selection of the most appropriate assessment option is the focus of this parent advocacy brief.

IDEA-eligible students are students who have been found eligible to receive special education and related services under the Individuals with Disabilities Education Act (IDEA). In order to receive such services, students must have an Individualized Education Program (IEP) in effect.



State Requirements and NCLB

Even before the enactment of NCLB, many states had started testing students at many grades and in many academic areas as part of their statewide education reform activities. Consequently, students may also be expected to participate in assessments in other subject areas, such as history, geography, and writing skills, if and when the state requires it. However, NCLB requires assessments only in the areas of reading/language arts, math, and science at certain grades (see sidebar).

Additionally, some states have chosen to add “stakes” for students to their standards and assessment systems. In some states, students are required to pass one or more high school assessments as a condition of receiving a diploma. Some states require students to achieve at certain levels on tests to be promoted to subsequent grades. However, student “stakes” are not a requirement of NCLB.

In order to make informed decisions about a child’s participation in statewide testing, parents should familiarize themselves with their state’s assessment policies and understand which assessment requirements are associated with NCLB.

Information about each state’s NCLB accountability plan* is available on the state’s department of education Web site.

To locate state information, visit http://wdcrobcolp01.ed.gov/Programs/EROD/org_list.cfm?category_ID=SEA and click on the state. The same Web site includes information about accommodations available to IDEA-eligible students when taking state mandated tests. Be sure to obtain a copy of all accommodation information and policies for the state.

***Note:** States can and do request changes to their NCLB accountability plans, so be sure to obtain information on the latest plan, which may not be available on the Web site, but can be obtained via a request to the state department of education.

No Child Left Behind Annual Assessment Requirements

By the 2005-2006 school year:

Subject area:
Reading/Language Arts & Math

Grades tested:
Each year, grades 3 through 8
Once during grades 10-12

By the 2007-2008 school year:

Subject area:
Science*

Grades tested:
Once during grades 3-5
Once during grades 6-9
Once during grades 10-12

**While all schools are required to administer Science assessments, schools are not held accountable for student performance on these assessments.*



Understanding Assessment Options

The annual assessments, or tests, required by NCLB are based on each state's *academic content standards* and *academic achievement standards* in reading/language arts, mathematics and science. NCLB requires that each state have "challenging" *academic content standards* and the same expectations for all children. States' *academic achievement standards* must be aligned with the content standards and have at least three achievement levels, two levels of high proficiency (proficient and advanced) and a third level of achievement (basic) to describe progress of lower-achieving children. Academic content and achievement standards can and do vary from state to state.

Students who receive services under the Individuals with Disabilities Education Act (IDEA), generally referred to as "special education" services, can be assessed via one of five possible options. All options may not exist in every state.

Who Decides: Determining how an IDEA-eligible student will participate in the statewide assessment system is the responsibility of the Individualized Education Program (IEP) Team, which includes the student's parent. The IEP team may **not** exempt a student from participating in the assessments required by NCLB. In fact, schools must ensure that all students enrolled in the school are participating in the assessments required by NCLB.

The options for the participation of IDEA-eligible students in statewide testing required by NCLB can include:

OPTION 1: Regular assessment based on the state's academic content standards scored against the state's grade-level academic achievement standards: This is the same assessment taken by students without disabilities. Many IDEA-eligible students will be able to participate in statewide testing in this manner.

OPTION 2: Regular assessment based on the state's academic content standards, with appropriate accommodations as defined by the state, scored against the state's grade-level academic achievement standards: This is the same assessment taken by students without disabilities. IDEA-eligible students must be provided with the appropriate accommodations necessary to measure their academic achievement. The majority of IDEA-eligible students will be able to participate in statewide testing in this manner.

IMPORTANT TERMS TO KNOW

Academic Content Standards specify what children are expected to know and be able to do, contain coherent and rigorous content and encourage the teaching of advanced skills. Each state determines its academic content standards. All students should have access to and be assessed on their enrolled-grade-level content.

Academic Achievement Standards are aligned with the academic content standards; describe at least 3 levels of achievement (advanced, proficient and basic) that determine how well children are mastering the material in the academic content standards. Each state determines its academic achievement standards. *Alternate academic achievement standards* typically reflect reduced depth, breadth or complexity of learning or expectation while maintaining alignment to the grade level academic content standards.

Accommodations are changes in testing materials or procedures that ensure that a test measures the student's knowledge and skills rather than the student's disabilities. Accommodations are generally grouped into the following categories:

- presentation (e.g., repeat directions, read aloud, use of larger bubbles);
- response (e.g., mark answers in book, use reference aids, point, computer);
- setting (e.g., study carrel, special lighting, separate room) and
- timing/scheduling (e.g., extended time, frequent breaks).

Adequate Yearly Progress (AYP) is a goal for annual improvement that states, school districts, and schools must make each year in order to reach NCLB's requirement to have every student proficient in reading and math by the year 2014.



OPTION 3: Alternate assessment based on grade-level academic content standards scored against the state's grade-level academic achievement standards (*with or without appropriate accommodations as defined by the state*):

This assessment measures the same academic content and achievement expectation as Option 1 using a different approach other than the traditional pencil and paper test. Examples of alternate assessments include teacher observations; samples of student work that demonstrate mastery of the content standards tested by the statewide assessment, and standardized performance tasks. Not all states offer this option. If it's available, many IDEA-eligible students will be able to participate in statewide assessments in this manner, which is more favorable than Option 4 or 5.

OPTION 4: Alternate assessment based on grade-level academic content standards scored against *modified* academic achievement standards (with or without appropriate accommodations as defined by the state):

This assessment measures achievement on grade-level academic content using a different or modified expectation of performance. NCLB sets limitations on the number of assessment scores for IDEA-eligible students that can be used to determine a school's and district's status regarding the attainment of adequate yearly progress (see chart on pages 6 and 7).

Note: This assessment option is not the same as "out-of-level" or "instructional level" assessments. Such assessments are not based on the student's assigned grade-level academic content standards (see endnote on page 8).

OPTION 5: Alternate assessment aligned with grade-level academic content standards scored against *alternate* academic achievement standards:

This assessment measures achievement on grade-level academic content standards at a reduced depth, breadth and complexity and uses an achievement standard that differs in complexity from a grade-level achievement standard. This assessment option is intended for students whose cognitive impairments may prevent them from attaining grade-level achievement standards, even with the very best instruction. "Out-of-level" or "instructional level" assessments are included in this option; however, any such assessments must be aligned with the grade-level academic content standards of the state. Although there is no limit on how many IDEA-eligible students can participate in alternate assessments, NCLB sets a limit on the number of proficient *assessment scores* for IDEA-eligible students that can be used to determine school and district status regarding the attainment of adequate yearly progress (see chart on pages 6 and 7).





How To Make an Informed Decision for Your Child

These options should be viewed on a continuum. Option 1 is the most desirable way for an IDEA-eligible student to participate in statewide assessments. Most IDEA-eligible students should be expected to participate in statewide testing via Option 1 or 2 (including most students with learning disabilities). In making the assessment participation decision, the IEP Team should move along the list of options, making sure to base its decision on the individual student and the highest expectations for that student.

Decisions regarding the assessment option should be tailored to each individual student and should not be made based on the disability category of the student, i.e., all students with the same disability should not participate in the same testing option.

Additionally, the IEP Team should make assessment participation decisions *each year* and for *each assessment*. For example, a student may need one of the alternate assessment options in Reading/Language Arts in Grade 4, but be able to participate using the regular grade-level assessment with appropriate accommodations in Math in Grade 4. The same student may be able to participate in the regular grade-level assessments in both Reading/Language Arts and Math in Grade 5.*

***Note:** Ideally, all of these options should be available to the student; however, not all states currently permit decisions to be made separately for each content area assessment.

Every IDEA-eligible student's IEP must contain a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on state- and district-wide tests, including assessments required by NCLB, and whether the student will participate in the regular assessment or an alternate assessment.

Parents need to fully understand the implications of participation in the various testing options and should be informed of the potential consequences, if any, for their child. For example, a parent should be advised if a state will not allow a student to graduate with a regular diploma if he or she takes an alternate assessment based on modified or alternate standards (Options 4 and 5), including "out-of-level" assessments.





Making Assessment Decisions for IDEA Eligible Students

WHAT	WHO	HOW
OPTION 1		
Regular assessment based on the state's academic content standards scored against the state's grade-level academic achievement standards.	<ul style="list-style-type: none"> ▶ All students, including IDEA-eligible students. 	<ul style="list-style-type: none"> ▶ IEP Team decision.
OPTION 2		
Regular assessment based on the state's academic content standards, with appropriate accommodations as defined by the state, scored against the state's grade-level academic achievement standards. <i>(All states are required to offer appropriate accommodations and develop accommodation guidelines)</i>	<ul style="list-style-type: none"> ▶ Any IDEA-eligible student (or student on a Section 504 Plan). 	<ul style="list-style-type: none"> ▶ IEP Team decision. ▶ IEP Team determines the appropriate accommodations needed by the student based on guidance from the state. Assessment accommodations may differ from instructional accommodations. ▶ Accommodations must conform to state guidelines for appropriate accommodations that do not invalidate test scores.
OPTION 3		
Alternate assessment based on grade-level academic content standards scored against the state's grade-level academic achievement standards <i>(with or without appropriate accommodations as defined by the state)</i> . <i>(States have the option of offering this assessment)</i>	<ul style="list-style-type: none"> ▶ Any IDEA eligible student (served by any of the disability categories of IDEA). ▶ There is no limitation on the number of IDEA eligible students who can be assessed using this option. 	<ul style="list-style-type: none"> ▶ IEP Team decision. ▶ IEP Team determines the appropriate accommodations; assessment accommodations may differ from instructional accommodations. ▶ Accommodations must conform to state guidelines for appropriate accommodations that do not invalidate test scores. ▶ Student's scores are treated the same as those of regular assessments for school/district AYP determinations.



Making Assessment Decisions for IDEA Eligible Students

WHAT	WHO	HOW
OPTION 4		
<p>Alternate assessment based on grade-level academic content standards scored against <i>modified</i> academic achievement standards (with or without appropriate accommodations as defined by the state).</p> <p><i>(States have the option of offering this assessment and must provide certain assurances to the U.S. Department of Education in order to do so)</i></p>	<ul style="list-style-type: none"> ▶ Any IDEA eligible student (served by any of the disability categories of IDEA). ▶ There is no limit the number of students with disabilities who can take this type of assessment, however, States may include proficient scores from this assessment in making AYP determinations only up to 2 percent of the total tested population (roughly 18 percent of IDEA-eligible students nationally). This limitation applies at the school district (LEA) and State level—not at the school level. Scores of students that exceed the limit must be counted as non-proficient. 	<ul style="list-style-type: none"> ▶ IEP Team decision. ▶ Parents must be informed that achievement is based on modified achievement standards. ▶ Modified achievement standards must be aligned with the state academic grade-level content standards. ▶ IEP Team determines the appropriate accommodations; assessment accommodations may differ from instructional accommodations.
OPTION 5		
<p>Alternate assessment aligned with grade-level academic content standards scored against <i>alternate</i> academic achievement standards.</p> <p><i>(States must make an alternate assessment available)</i></p>	<ul style="list-style-type: none"> ▶ Any IDEA eligible student (served by any of the disability categories of IDEA). ▶ Reserved for students with the most significant cognitive disabilities. ▶ There is no limitation on the number of IDEA eligible students who can be assessed using this option, however, States may include proficient scores from this assessment in making AYP determinations only up to 1 percent of the total tested population (roughly 9 percent of IDEA-eligible students nationally). This limitation applies at the school district and State level—not at the school level. Scores of students that exceed the limitation must be counted as non-proficient. 	<ul style="list-style-type: none"> ▶ IEP Team decision. ▶ Parents must be informed that achievement is based on alternate academic achievement standards. ▶ Alternate academic achievement standards must be aligned with the state academic grade-level content standards. ▶ IEP Team determines the appropriate accommodations; assessment accommodations may differ from instructional accommodations. (Since these alternate assessments have been specifically developed for students with the most significant cognitive disabilities, accommodations are not usually a concern.) ▶ Must not result in placements or assignments to a curriculum that does not include academic content.



Questions Parents Should Ask About Assessment Participation Options

1. Is this assessment one of those required by the No Child Left Behind Act (NCLB)?

Many states administer far more statewide assessments than those required by NCLB, so it is important to understand which tests are state mandated and which are required by NCLB. In some cases, states are using the state mandated tests to also satisfy NCLB requirements.

2. What topics does the test cover?

NCLB requires schools to measure students' progress in reading/language arts, math and science. In order for test results to be meaningful, the student must have the opportunity to learn the material on which the test is based. This does not mean, however, that schools must abandon the focus on providing for other individual needs, such as behavioral and functional needs, as stated in the student's IEP.

3. Can I preview the assessment?

Not all states will allow parents to examine the actual assessment, but samples should be available for parents to view. Previewing the test allows parents to examine the content, which should ideally align with what the teacher is presenting in the classroom.

4. What accommodations are available?

NCLB requires all states to make available the appropriate accommodations needed by students with disabilities. States should have guidelines on the accommodations available on statewide assessments which do not invalidate the test score. School districts are responsible for providing training to IEP Team members, including parents, on how to make sound decisions regarding accommodations.

5. What is the effect of my student doing well or poorly on the test?

NCLB requires that school districts receiving Title I funds (about 90 percent of school districts) use a student's testing results to identify learning problems and improve instruction. If your child does poorly, ask what support and remediation will be provided as a result. Ask how your child's classroom instruction can be adjusted as a result of the testing performance.

Some states have policies that attach high stakes, such as grade retention or awarding of high school diplomas, to test performance. Such "stakes" are *not* a requirement of NCLB. Be sure to ask for and understand the implications of statewide assessment performance as well as the implications for participation in the assessment options offered by your state.

6. Who has access to my child's test scores?

The 1974 Family Education Rights and Privacy Act (FERPA) gives parents the right to inspect and review their child's educational records and mandates that access to their child's records be limited to certain school officials. While NCLB requires schools, school districts and states to publicly report assessment scores, such information is reported by student groups and subgroups and must protect individual student confidentiality.

Endnote: Information is based on the best available information as of July 2005. Final regulations regarding Alternate Assessments scored against modified academic achievement standards were not available at the time of writing.





National Center *for* Learning Disabilities

The power to hope, to learn, and to succeed.

The National Center for Learning Disabilities, Inc., is a nonprofit organization dedicated to ensuring that the nation's 15 million children and adults with learning disabilities have every opportunity to succeed in school, work, and life. NCLD provides essential information to parents, professionals, and individuals with learning disabilities, promotes research and programs to foster effective learning, and advocates for policies to protect and strengthen educational rights and opportunities. For more information, please visit us on the Web at www.LD.org, and www.getreadytoread.org.



Schwab Learning

Schwab Learning is a nonprofit program of the Charles and Helen Schwab Foundation dedicated to helping kids with learning and attention problems be successful in school and life. Schwab Learning develops and delivers resources that provide parents of kids with learning difficulties, and kids themselves, with practical information, empathic support, and trustworthy guidance. Schwab Learning services are delivered through two websites, one designed specifically for parents at SchwabLearning.org and another created expressly for kids ages 8-12 at SparkTop.orgTM, as well as through outreach and community services.

About the Author

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Visit www.LD.org/NCLB for these companion publications:

- Making the 'No Child Left Behind Act' Work for Children Who Struggle to Learn: A Parent's Guide
- Making the Most of Options for IDEA-eligible Students
- Determining Appropriate Assessment Accommodations for Students with Disabilities