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Revisiting Expectations for Students with Disabilities

With standards-based reforms and the emphasis on academic assessments and accountability, educators and policymakers recognized the importance of defining what students need to know and be able to do throughout their school years. It was from that work that we saw the evidence of low expectations for students with disabilities. The exclusion of students with disabilities from educational assessments in the early 1990s was one piece of evidence that many students with disabilities were not expected to learn the same knowledge and skills as their peers without disabilities.

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The purpose of this brief is to summarize some of the past exclusionary practices that resulted from low expectations for students with disabilities, and how those were addressed in policies related to standards-based reform. The brief is based on a comprehensive paper that takes a cross-disciplinary approach to examining expectations for students with disabilities (Quenemoen & Thurlow, 2019).

In this brief, we highlight answers to critical questions about expectations for students with disabilities, including those with the most significant cognitive disabilities, answers that have been developed over time based on lessons learned. Suggestions are provided for policymakers, states, and technical assistance (TA) providers on how to work with districts, schools, and educators to revisit expectations for students with disabilities.

History of Low Expectations

Most educators and policymakers are aware of the reasons for the inclusion of students with disabilities in state assessment systems and the related expectations for their improved achievement. They may be less aware of the historical forces that shape lower expectations for students with disabilities.

Often central to these low expectations is the belief that a student who has been identified as needing special education services by definition is not able to achieve to the same level as that student's peers. Educators and policymakers need to be aware of the effects of this widely held and erroneous belief. Disability does NOT mean inability.

Reframing the conversations of what is possible for students with disabilities is necessary if they are to benefit from standards-based reform. Then, we can create promising pathways to higher expectations and improved outcomes for all students with disabilities.

Before we can look to the future of higher expectations and improved outcomes, three topics need to be revisited. The following topics show how standards-based reform policies uncovered the effects of low expectations for students with disabilities (see Quenemoen & Thurlow, 2019):

- Exclusion from state and district-wide assessments
- Out-of-level testing proposals
- Alternate assessment development and fine tuning

Each of these topics has implications for the instruction of students with disabilities as well as for assessment.

Exclusion from state and district-wide assessments. Although the exclusion of students with disabilities was prevalent in the 1990s, it is still a topic that needs to be recognized and revisited. In the early 1990s, most states either included fewer than 10% of their students with disabilities, or simply did not know the extent to which students with disabilities participated in their state assessments.

Special educators revealed that sometimes they were told to take their students with disabilities on a field trip on the day of state testing. Classroom teachers noted that they were sometimes encouraged to suggest to parents that they keep their children with disabilities home during state testing because of what was perceived as the stress of testing for those students.

Considerable activity took place as states became aware of the exclusion of their students with disabilities from assessments and the implications of this exclusion for instruction (e.g., those excluded from assessment also had **not** been included in appropriately rigorous academic instruction). States began to develop guidelines for participation in state assessments.

In 1997, federal policy confirmed that states receiving IDEA Part B funding needed to include all students with disabilities in state assessments, provide accommodations as needed by individual students, and develop (by the year 2000) alternate assessments for those students unable to participate in the regular state assessment. With that policy initiative, all states developed participation guidelines, accommodations policies, and alternate assessments.

Out-of-level testing proposals. By 2000, even though states had developed participation guidelines, accommodations policies, and alternate assessments, administrators and educators (and state personnel) still struggled with how to fully include all students in assessments in a way that made sense, given the assumption of poor performance of their students with disabilities. Because many students with disabilities had not had access to academic standards-based instruction, that assumption appeared to be true. One approach proposed by numerous states, districts, and schools, was to systematically lower the standards for content and performance for students with disabilities in a way that would be the same as those for students in a lower grade level. Commonly referred to as *out-of-level testing*, this approach was based on numerous misconceptions.

The effects of out-of-level testing were studied as states and districts attempted to defend the use of these assessments for accountability purposes and instructional decisions. The research revealed that educators had many assumptions about what out-of-level testing would do. Among these assumptions was that students with disabilities could participate in a lower-grade test but still be counted as being proficient for accountability purposes. They also thought that students would not only perform better but would feel better about the testing experience because the items would be easier for them.

In contrast, studies demonstrated that the test scores of those students who participated in an out-of-level test were not included in the accountability system and were rarely reported to educators in a way that could be used to make instructional decisions. In addition, researchers found that taking an out-of-level test did not necessarily improve a student's performance given that the students actually were not being taught a lower standards-based grade-level curriculum; they were instead often offered an easier version of their enrolled grade curriculum. Further, students who took an out-of-level test often reported that they could tell it was different from what they were being taught. It also set them apart from the testing experiences of their grade-level peers. Thus, they did not take it seriously.

Alternate assessment development and fine tuning. Although alternate assessments first were required by federal law to be developed by the year 2000, there was considerable confusion in practice about who this assessment was for and what it was to measure. With time and the development of federal regulations, it became clear that alternate assessments could be based on alternate achievement standards,

essentially holding some students (up to 1% of the total student population) to the same content standards as their peers, but with different expectations for achievement. The participation policies and procedures for identifying these students and the alternate assessments used to measure their achievement have been improved over time, and remain in place today.

Nevertheless, attempts emerged to hold students **other** than those in the alternate assessment based on alternate achievement standards to different standards of performance. The development of a regulation to support alternate assessments based on modified achievement standards emerged in the mid 2000s (sometimes called the 2% rule), and as with out-of-level testing, states and researchers began to study their use, finding that most of the students identified for this test had not received adequate instruction. Further, the "2% assessments" that were developed by some states did not result in significantly more students proficient (due to instruction issues). Based on this research, the 2% regulation was rescinded in 2015.

The development of alternate assessments based on modified achievement standards confirmed the continued tendency to expect less of students with disabilities. Its rescission further supported the need to fight this tendency for lower expectations for students with disabilities.

Answers to Critical Questions

Three questions are central to any discussion of expectations held for students with disabilities. The questions can be examined from the perspective of educational best practices and professional judgment, although legal requirements are sometimes part of the discussions. There are two Supreme Court decisions that are related to the substantive question of what to expect for students with disabilities. The two cases are *Board of Education of Hendrick Hudson Central School District v. Rowley* (1982) and *Endrew F. v. Douglas County School District RE-1* (2017).

Although the terminology of the court cases varies from that of the educational perspective, there is a general similarity of Amy Rowley to most students with disabilities (i.e., those without significant cognitive disabilities) and Endrew F. to students with significant cognitive disabilities for whom the alternate assessment based on alternate achievement standards is appropriate. In both cases, the courts emphasized the need to rely on the educator's professional judgment to make decisions for individual students. The three critical questions that follow summarize what we know now that can inform professional judgment of what to expect from students with disabilities:

1. What evidence exists that there are students with disabilities who cannot achieve to the same level expected for other students, even after receiving evidence-based instruction in the general education curriculum based on state standards?
A cap on participation in the alternate assessment based on alternate achievement standards enacted in 2015 (ESSA, 2015; Thurlow & Lazarus, 2017) indicated that about 1.0% of the total population of tested students (or about 10% of students with disabilities) could benefit from an alternate achievement standard. The 2% assessment experiment suggested that until we ensure that all students are taught what is expected at grade level, with specialized instruction and supports as needed, we cannot make assumptions about what they can learn.

Not all students with disabilities will succeed, but

to assume they will likely fail means that they will fail. A state-defined and articulated expectation of what students **should** be expected to learn protects students from harm.

2. Can educators agree on and reliably determine which students with disabilities who have received evidence-based instruction in the general education curriculum based on standards, cannot be expected to learn to the same level expected for other students?

All states now have alternate assessment participation guidelines with virtually identical criteria, based on individual student characteristics (Thurlow, Lazarus, Larson, Albus, Liu, & Kwong, 2017). These are guidelines that recognize the complex characteristics of students similar to Endrew F. The 1.0% participation cap at the state level, rather than the district level, provides ample room for variation across local education agencies. Although it took many years to get to this point, there is general consensus on how to identify the small group of students who can benefit from an alternate achievement standard.

On the other hand, there was never consensus on which students could appropriately be held to modified achievement standards (the 2% assessment). Considerable research on this assessment indicated that (a) educator perceptions of who the students were varied widely; (b) most of the students identified for the assessment had not received adequate instruction; and (c) the 2% assessments that were developed by states did not result in significantly more students proficient due to instruction issues (Thurlow, Lazarus, & Bechard, 2013).

3. Can an appropriately ambitious but different standard of expectation be defined for those students who cannot be expected to learn to the same level, one that ensures that these students are not excluded from the benefits of school accountability?

Setting alternate achievement standards should be to benefit students, not harm them. A state-defined and articulated expectation of what students SHOULD be expected to learn protects students from harm—the Amy Rowleys and lower performing (e.g., 2%) students held to *general achievement standards* (i.e., the majority of students with disabilities, about 90%), and the Endrew F.s held to *alternate achievement standards* (i.e., a small percentage of students with disabilities, about 10%).

Every state has developed policy definitions of what students should know and be able to do as part of their state and federally required accountability systems for both general and alternate expectations. They are called performance level descriptors. These were developed through lengthy, stakeholder-involved processes designed to protect all students with disabilities, especially students with significant cognitive disabilities, from the harm that comes from expecting nothing, which prior to the introduction of alternate achievement standards was often the case.

These state policy statements are publicly available, either online or by request. An educator, parent, community member, advocate, or legal scholar can use the state performance level descriptors, for either general or alternate achievement standards, to determine whether a student has been provided access to the general curriculum defined by the standards for the state in which the student is educated.

Suggestions for Policymakers, States, and TA Providers

Research has confirmed that what a student can be expected to achieve should not be based on the student's disability label or characteristics, and that what teachers expect influences student achievement. A continuing pattern of low expectations among policymakers and educational professionals needs to be addressed directly because those expectations are reflected in proposed policies, Individualized Education Program (IEP) planning, classroom instruction, and access to the general curriculum. Ultimately, student achievement is affected by continuing false assumptions about what students with disabilities can know and do. State policymakers, departments of education, and TA providers can counteract low expectations by considering the following suggestions:

Discuss the history of low expectations. It is important to remember the past in order not to relive it. This means that those who are making decisions need to be aware of the past history of low expectations for students with disabilities and how that history has brought the field of education to where it is today. This discussion might involve reviewing both policy initiatives and the experiences of students and parents who were subjected to low expectations as well as the experiences of students and parents where expectations were high.

Encourage educators at all levels to assess their own expectations for students with disabilities. Self-reflections can aid decision makers and teachers in recognizing any low expectations that they hold for students with disabilities. This could be done individually, or as a group of educators. If all administrators, teachers, and related service providers do not understand the power of expectations on what each student will learn, and their responsibility to keep those expectations high, then all of the work to increase expectations for students with disabilities is futile. Having IEP teams participate in this kind of self-reflection might also be valuable.

Review decision making for assessment participation and percentages of students who participate in alternate assessments based on alternate achievement standards. If percentages are higher than expected, follow up to determine whether expectations are appropriate. Participation in alternate assessments based on alternate achievement standards for the very small group of students who are appropriately assigned to them can benefit those students, but can harm those beyond that small group by reinforcing artificially low expectations.

Identify persistently low-performing students, both with and without disabilities, to intervene on their instruction. The avenues to increasing expectations, and ultimately achievement, will require systematic commitment to reducing the percentages of persistently low-performing students with and without disabilities, improving access to the challenging grade-level curriculum, and high quality instruction, with a combination of acceleration and remediation for students far behind. These and other best practice and evidence-based strategies are not implemented well or fully in most schools.

Make performance level descriptors easily available and provide training on how to use them. All stakeholders should learn to make use of the state's performance level descriptors of what grade-to-grade progress entails for students like Amy Rowley, and a rigorous but alternate

achievement standard for students like Endrew F. By putting these policy definitions of expected performance into practice, we can eventually assist policymakers and courts as they rely on professional judgment about what appropriately ambitious expectations are for each individual student.

Provide support to parents and advocates to assist in their understanding of what the state has determined all students need to be successful. Parents and advocates need support to understand and make use of what the state has determined all students need to be successful, so that they can leverage that work for individual students. Helping parents understand what their child needs for future success can lead to parent and student understanding that students with disabilities will need to work harder than other students to overcome the effects of their disabilities.

Ensuring that state policy goals are translated into local implementation requires strong and consistent messages that all students should have access to the general curriculum at their enrolled grade level. Some students may not achieve to expected levels even with the opportunity to learn, but research on out-of-level testing and the 2% assessment indicated that we have not developed the ability—nor sufficient data to defend decisions—to determine which students should be held to different achievement standards prior to teaching them all. The least dangerous assumption (Donnellan, 1984) is to refocus on improving opportunity to learn for persistently low-performing students, both those with and without disabilities.

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Contributors to the writing of this Brief were Martha L. Thurlow and Rachel F. Quenemoen

NCEO Director, Martha Thurlow; NCEO Associate Director, Sheryl Lazarus; NCEO Assistant Director, Kristin Liu.

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Project Officer: David Egnor

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National Center on Educational Outcomes
University of Minnesota • 207 Pattee Hall
150 Pillsbury Dr. SE • Minneapolis, MN 55455

Phone **612/626-1530** • Fax **612/624-0879**

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