

Accountability and Educational Progress: Including Students with Disabilities and/or Culturally and Linguistically Diverse Students

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Overview

Just as the People’s Republic of China has its nine-year Compulsory Education Law of 1985, the United States has a pre-eminent law as well. The U.S. law is known as the *No Child Left Behind Act* of 2001 (*NCLB*).

NCLB has significantly impacted state educational systems and local school districts. The law’s requirement for standards, assessments, corrective actions, public report cards and adequate yearly progress has altered many state testing programs.

History of *NCLB*

First authorized in 1965, the Act was part of the “Great Society” social programs—the federal government’s response to K–12 education needs and issues. The law focused on school-wide improvement. Thirty-seven years later, *NCLB* has changed the focus from *school-wide improvement* to *progress of individual students*. In other words, leave no child behind. This includes students with disabilities and students with limited English proficiency.

Seven Accountability Provisions

NCLB has seven accountability provisions as described by the U.S. Department of Education (2003) in its non-regulatory guidance.

1. There is an emphasis on adequate individual student progress. All students must be assessed so that their progress can be measured against state standards.
2. Districts must show empirical evidence of adequate yearly progress for all students.
3. States have to measure individual progress in math and reading for grades 3 through 8, and for one grade in high school.

4. States are allowed to choose or develop their own assessments for grades 3 through 8.
5. States and districts report aggregated and disaggregated data in annual public report cards.
6. States have until 2014 to help all their students reach proficiency in reading and math.
7. School districts have to take concrete steps to assist schools not making adequate yearly progress. These steps include public school choice, supplemental services such as tutoring and possible reconstitution.

The law also adds science assessment beginning in 2005-6. The majority of the law's accountability provisions are found in Title I of *NCLB*.

Underlying Assumptions and Implications

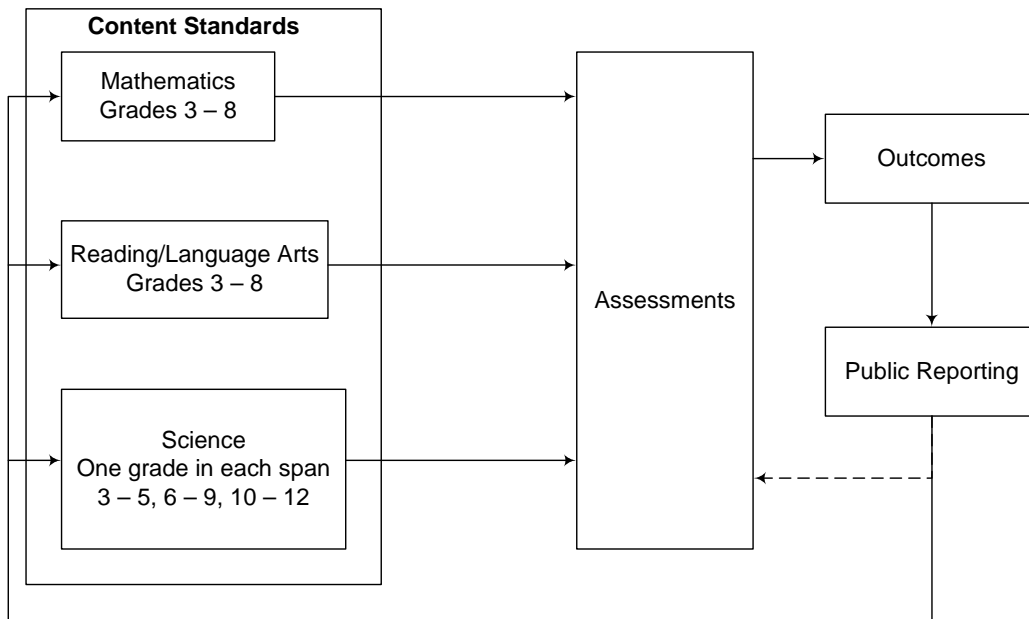
Some assumptions and implications in the implementation of this law are:

- Competencies of teachers
 - Must know subject matter
 - Must know how children learn
 - Must know intervention techniques
 - Must know assessment literacy
- Implications for children with special needs
 - Must have access to curriculum, instructions and materials
 - Interventions must be tailored to their specific needs
 - Must have access to assessment instruments with and without
 - Accommodations
 - Special versions of the instrument
- Accountability
 - Is for all students
 - All students must take assessments
 - Schools and districts are accountable for student growth

Operationalizing the Law

Each state must set academic content and student achievement standards to generate data to make accountability determinations as shown in Table 1. The critical information that feeds into the state accountability system comes from the assessments, which must be based on the content standards. The standards are set for grades 3 through 8, and for science.

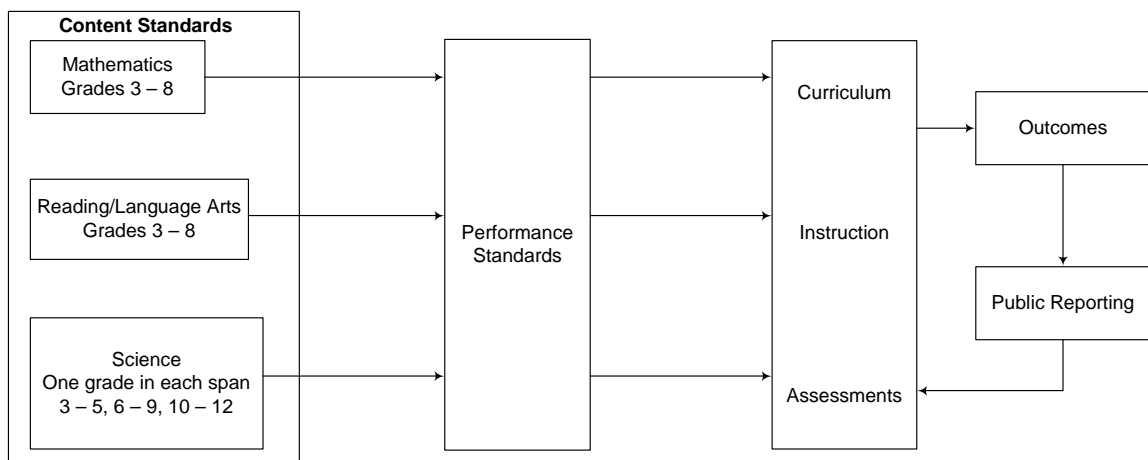
Table 1. State Content and Performance Standards



Note: Adapted from Lashley, 2003

The foundation for the success of this model is the alignment of the curriculum, instruction and assessments with the state content and performance standards (see Table 2).

Table 2. Alignment of Components with Standards



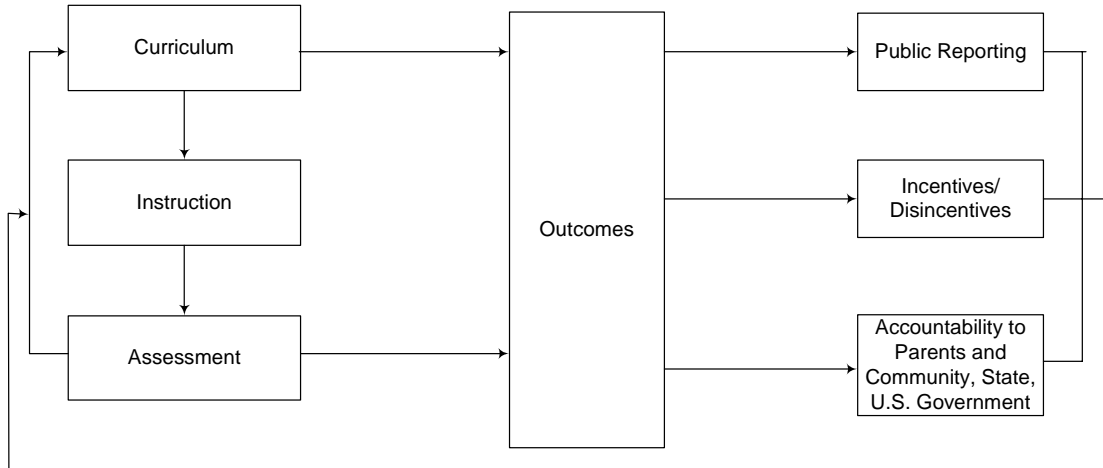
Note: Adapted from Lashley, 2003

Another key element is Outcomes and Public Reporting. This is the “accountability” requirement. Outcomes are reported in terms of the state standards. Public reporting keeps parents, states and the U.S. government informed of progress or lack of progress.

Accountability and Educational Progress

Schools and districts are accountable to parents, community, state and the U.S. government. Incentives or sanctions are decided based on the outcomes.

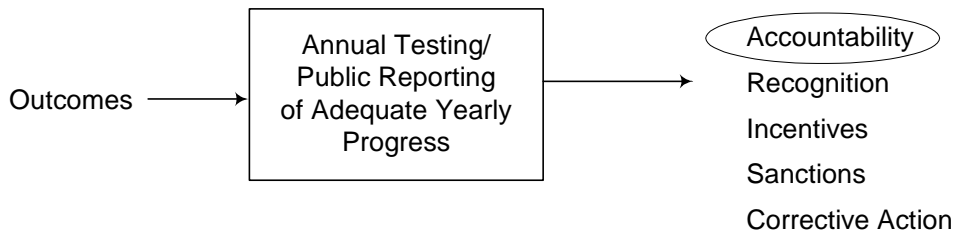
Table 3. Outcomes and Public Reporting



Note: Adapted from Lashley, 2003

The law requires empirical evidence that all students are making academic progress as measured by adequate yearly progress. This concept is central to the new law. It functions as the bridge linking annual testing and corrective actions and sanctions (see Table 4). The public reporting of adequate yearly progress results in accountability, recognition in the form of rewards and incentives, and sanctions or corrective action if they fail.

Table 4. Public Reporting of Adequate Yearly Progress



It is the expectation of the lawmakers that all students will make academic progress. This requires the measurement of the progress that students are making in reaching state-defined proficiency in reading and mathematics. The levels of academic achievement required in the law are:

1. Advanced
2. Proficient
3. Basic

To properly report adequate yearly progress, 95% of all students must be tested. Students with significant disabilities are allowed to use a separate curriculum and alternate assessment. Only 1% of students with disabilities or learners of English can take alternate tests based on the curriculum.

Table 5. Measurement of Adequate Yearly Progress

Student Groups	Reading		Mathematics	
	Proficiency	95% Take Rate	Proficiency	95% Take Rate
All students	1**	10	19	28
Economically disadvantaged	2	11	20	29
White	3	12	21	30
African-American	4	13	22	31
Asian	5	14	23	32
Hispanic	6	15	24	33
American Indian	7	16	25	34
Students with disabilities	8	17	26	35
English language learners	9	18	27	36
Graduation rate for high school or other academic indicator for elementary or middle school				37

**Numbers indicate cell number only, not data.

Let's walk through the data in Table 5. The first column shows the student groups. The first entry is all students or all aggregated data for reading and mathematics. It summarizes the number of students (and percent) proficient or better in reading and mathematics. The next eight student groups must also have the scores analyzed and reported. The last entry in the table indicates that the school must also report the graduation rate for high school and another indicator (for example, attendance rate) for elementary or middle school. All 37 cells must be reported each year for each grade unless the numbers will identify a child, as may be the case in small schools.

The state's definition of adequate yearly progress must apply to all students, including disadvantaged students and students with disabilities. As shown in Table 5, all groups must be reported by grade each year. Each cell in the matrix must reflect progress at least once every three years.

Consequences

Perhaps the most significant part of *NCLB* is that schools must help each group and the aggregate make progress or face the consequences. Schools not making adequate yearly progress have to take corrective steps ranging from offering parents public school choice to restructuring schools. If schools are able to intervene and achieve adequate yearly progress for two consecutive years, they can have the sanctions removed.

The consequences for not meeting adequate yearly progress for two consecutive years are that schools must go through the following steps of corrective action for school improvement:

Public school choice

If a school does not make adequate yearly progress for two consecutive years, parents can choose to have their child attend a different school.

Supplemental services

If a school does not make adequate yearly progress for three consecutive years, the district must provide public school choice and provide supplemental services (e.g., tutoring) to low-achieving students, disadvantaged students, students with disabilities and English language learners.

Corrective action

If a school fails to make adequate yearly progress for four consecutive years, the district must implement certain actions such as changing the curriculum, getting a new principal or replacing staff.

Restructuring

If a school fails to make adequate yearly progress for five consecutive years, it must restructure the school (e.g., state takeover, hire a private company).

Once a school makes adequate yearly progress for two consecutive years, it is considered improved.

Conclusion

Accountability and educational progress are important for all schools and students in the United States. A critical aspect of how successful schools is the way they deal with special populations such as students with disabilities and students with limited English proficiency. Many schools have begun to offer supplemental services to special populations to ensure that they make adequate yearly progress.

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