

2% Regulation Technical Assistance Teleconference

Today's Topic: Identifying the 2% Students

August 16, 2007, 1:00 Eastern Daylight Time

Opening and introductions

Martha Snyder, Senior Policy Advisor to OESE Assistant Secretary

Several documents were available at the July conference, and they are posted on the NCEO Web site. Today we will provide steps to go through to identify students – it will be the first of calls on this topic, using data you have to identify who these students are. In the next call, scheduled for September 20, 2007, we will focus on how IEP teams can identify the students to be assessed.

The department's regulations say little about how to identify students, and that was intended to provide flexibility for states. We have some criteria for states to look at, but we expect some variation across states. The regulations speak to a small group of students who, even with appropriate instruction, cannot reach the grade level achievement standards in the same time frame as typical students. Students may be from any disability category in IDEA, and may reflect a wide spectrum of ability.

There are three criteria that states must include, as taken from the regulatory language: Those criteria must include, but are not limited to, each of the following:

- (i) The student's disability has precluded the student from achieving grade-level proficiency, as demonstrated by such objective evidence as the student's performance on—
 - (A) The State's assessments described in § 200.2; or
 - (B) Other assessments that can validly document academic achievement.
- (ii)(A) The student's progress to date in response to appropriate instruction, including special education and related services designed to address the student's individual needs, is such that, even if significant growth occurs, the IEP team is reasonably certain that the student will not achieve grade-level proficiency within the year covered by the student's IEP.
 - (B) The determination of the student's progress must be based on multiple measurements, over a period of time, that are valid for the subjects being assessed.
- (iii) If the student's IEP includes goals for a subject assessed under § 200.2, those goals must be based on the academic content standards for the grade in which the student is enrolled, consistent with paragraph (f)(2) of this section.

Sharon Hall, Education Program Specialist, OESE

MISSING GAP – PHONE CONNECTION WAS INTERRUPTED FOR A FEW MINUTES

There are four key questions a state should address as they plan. These are not requirements, but options for consideration as a state begins a planning process

1. Are there in fact students with disabilities for whom the current assessment does not provide good information about their achievement in reading and math?

Data from current assessments can be used to determine this. A state can look at students who are performing below proficiency – far or close – and in what content areas. They

can look to see whether there are specific grade levels that stand out for reading or math, and take a closer look at the reasons for that. The state can identify additional data sources.

2. If the state finds there are students for whom the current assessments are not appropriate, then they need to ask “What are the characteristics of these students?”

Data to be used to study the characteristics include multiple data sources, such as state assessment data, stakeholder insights, and IEPs of students who are under consideration. If a state uses assessment data of lowest student performance, look at patterns of responses, types of disabilities represented, types of accommodations received, and whether this low performance is consistent across administrations.

A second data source may be general education and special education teachers, related school personnel, parents, and school psychologists. Stakeholders could be convened to discuss the profile of this group of students, reflecting on classroom assessment, district and local assessments, and data from the IEP. Additionally, stakeholders can identify practices in instruction that will provide insight into construction of the assessment. Stakeholders would come with information from IEPs, and their wealth of knowledge that provide insight into the characteristics. Various components of IEPs that should yield important information include results from individually administered assessments for eligibility, the present level of academic achievement, how the disability affects the students' involvement in general education curriculum, IEP goals, supplemental services, program modifications, accommodations, and assistive technology. The goal is not to develop an exact description of students but a general profile of this group.

3. The next question a state would ask based on these findings is “What eligibility criteria need to be established to identify just these students?”

The understanding of the students' characteristics can be used to craft eligibility criteria – there are three required in the regulations (cited above): objective evidence may come from state or local assessments or IEP information; student's progress to date in response to appropriate instruction with multiple and valid measures may include data from progress monitoring, IEP quarterly report data, other assessments that could substantiate data; and since student's IEP must include goals based on grade-level content, there must be a way to verify that such goals are, in fact, in place.

4. Finally, the state can use these findings to ask “How will the characteristics of this group of students be applied when constructing an assessment?”

If the data analyzed on student characteristics suggest that the group has trouble processing complex information, then the state could design an assessment with shorter passages, place information closer to the text, or otherwise adjust format to overcome this barrier. If the findings indicate that fine motor skills get in the way of working on constructed responses, the state could allow scribes or word processors. If the findings indicate that students have trouble remembering number facts, the state could allow the use of manipulatives. The data on student characteristics is essential to ensure that a state develops assessments that truly allow the students to show what they know and can do, while protecting the integrity of the construct being assessed.

Assessment, curriculum, and special education collaboration is key to successful identification of the students, and the development of the assessment. By simplifying or modifying, the structure of the assessment should in no way limit access to and participation in the grade-level curriculum. The target continues to be achievement at grade level in reading and mathematics.

Melissa Fincher, Director of Assessment Research and Development, Georgia Department of Education

Our work is part of an Enhanced Assessment Grant (EAG), in partnership with Hawaii and Kentucky, with each state looking at a slightly different approach to students who are difficult to assess well. In Georgia we are looking at better understanding persistently low performing students, specifically working to understand who they are, to understand their achievement in reading and mathematics, to investigate the assessment based on what we learn about their achievement, and to modify the assessment to better meet their needs.

Our stakeholders have been central to our work. We also look at the New England Compact EAG work, looking at two groups of students, those close to proficiency and those far. A meaningful finding of the NEC was that many of these students did not have access to instruction at grade level, and we have considered that finding central to our work.

We worked with the National Center for the Improvement of Educational Assessment (NCIEA) to mine our existing data to identify who the students were and what they could do and what they struggled with. We believe we need to build on their strengths, and to do that, we have to answer the questions of “who” and “what.”

We decided to focus on persistently low performing students. A persistently low performing student is operationalized as a student who has not achieved proficiency in three years running, from 2006 and back 2 years, beginning in grades 5 and 8. Our match rate was 80%, but we wanted to be sure we weren't losing students through inability to match, so we also looked at a group of students who are potentially low performing, those for whom we have 1-2 years of data.

We looked at demographic characteristics, attendance patterns and identified approximately 3% in grade 5 reading up to 9% in grade 8 in math. Middle school math in our state is difficult. We compared persistently and potentially low performing groups to the baseline population in 2006 – looking for proportionate differences. In the persistently low performing group, we found proportionately higher males, African-American students, free-and-reduced-lunch eligible students, and students with disabilities – compared to the general population. About 15% receives special education services overall, but within the persistently low performing group, there were 40-45%. That finding also shows that half of these low performers are regular education students.

All of the different exceptionalities were represented in the persistently low performing group, but with a higher proportion with mild intellectual disabilities than were found in

the general population, but not a higher proportion of students with learning disabilities. There was a slightly higher proportion of students with emotional/behavioral disabilities in grade 8. The persistently low group contained a higher proportion of ESL students in reading but not in math. There were no differences in days present and absent between any group, which was a bit surprising.

When we looked at the potentially low performing group, we found a higher proportion of students with learning disabilities – apparently the pool that we lose in the match process includes proportionately more students with learning disabilities. We need to find out why they are being lost in the match process.

The use of accommodations was higher in these persistent and potentially low performing groups than general population who also are eligible for accommodations.

Our 2nd phase is to look at items – we do have items that do function well for the target group of students. But when we try to classify by content or skills, we can't find consistency – not one area, but scattered across. We will conduct some differential item functioning studies for the potentially vs. persistently low performing students.

Our analysis of the test items leads us into thinking about instructional opportunity, since performance problems are not specific to one area of content or one type of item. So our next steps involve taking information to a group of educators, special education and general educators, and talking about what we found. It will be interesting to find out whether we're talking about the same group. Are they the students that teachers call about every year? We will also talk about the nature of the items, learning how to make the test more accessible.

We will look at opportunity to learn for these students, look at the degree to which they are provided access to instruction in the grade-level content areas and the depth to which they are provided this access. Our data suggest that low test performance is not just a testing issue. It probably will be found to reflect a need for better access to appropriate instruction and a more accessible test.

We have a strong connection among assessment, curriculum, and special education within our department of education, and all three of us have been at the table. It will be even more important now that such dialogue continues. We need to understand the disabilities and how they affect how the students learn. It is critical we maintain fidelity of instruction to the content standards and hold high expectations. That is a fear – I want to guard against a differentiated expectation at grade level – that people will be content without all children eventually reaching the same grade level achievement standards. We must maintain the path to the grade level achievement standards. We are considering linking our modified achievement standards to the grade-level achievement standards so that we can push best practices to ensure all kids attain grade level achievement.

QUESTIONS AND ANSWERS:

Q: In the disaggregation of data by disability, could you also disaggregate by placement (regular classroom, special classroom)?

A: Melissa Fincher - We have thought about it, haven't done it yet. That will be important information.

Q: Our state does not collect information about the specific disability the student has – any ideas of how to get that?

A: Melissa Fincher - We collect it in a couple of places – the answer document and the state database on primary classification.

Sharon Hall - Look at your other data bases, see if they can be linked.

Q: Are you intending to offer the modified assessment to non special education students who were in the persistently low group as well?

A: Melissa Fincher - No, the regulations prohibit it. We are partnering with curriculum on training to shift instruction for that group of students.

Q: You will be doing a survey of curriculum access – can you describe that more?

A: Melissa Fincher - We will use the Survey of Enacted Curriculum (SEC) but it does get at specific knowledge and skills in the standards, and the frequency and depth to which the students are exposed. You're getting at a three dimensional look at what is going on in terms of opportunity to learn.

Sue Rigney - SEC is developed by Andy Porter, and is being adapted for looking at students with disabilities. CCSSO's Web site has a lot of information. www.ccsso.org

Q: What subjects are going to be covered, aren't we supposed to include science as well?

A: Sharon Hall and Martha Snyder - This is an optional assessment, a state can develop it in any subject and any grade. It is not required. All students would participate in one of the assessment options, but you wouldn't have to have a modified assessment.

Q: Do you identify students who are served under 504? Were they looked at in the study?

A: Melissa Fincher - 504 students were part of regular education students – we should take a look at that.

Q: Science has to be assessed, and we will probably have to have a modified assessment. Is there anything to preclude modified assessment results in accountability?

A: Sharon Hall and Martha Snyder - Science is not included in the AYP calculations.

Closing: Martha Snyder - Next conference call is September 20, 2007, and will focus again on identifying students. Thanks again to Melissa Fincher from Georgia for sharing insights on their research.