



AMERICAN  
PSYCHOLOGICAL  
ASSOCIATION

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Cornelia S. Orr  
Executive Director  
U.S. Department of Education  
National Assessment Governing Board  
Suite #825  
800 North Capitol Street, NW  
Washington, DC 20002

Dear Dr. Orr:

On behalf of the 150,000 members and affiliates of the American Psychological Association (APA), I appreciate the opportunity to offer comments on the *Reports to the National Assessment Governing Board (NAGB) from The Technical Advisory Panel on Uniform National Rules for National Assessment of Educational Progress (NAEP) Testing of Students with Disabilities and The Technical Advisory Panel on Uniform National Rules for NAEP Testing of English Language Learners (The Reports)*. APA is grateful for NAGB's recognition of these important issues and subsequent assembly of advisory panels.

APA is the largest scientific and professional organization representing psychology in the United States and is the world's largest association of psychologists. Comprising researchers, educators, clinicians, consultants, and students, APA works to advance psychology as a science, a profession, and a means of promoting health, education, and human welfare.

Issues impacting student testing and assessment are of great importance to our association. This is reflected in part by the activities of the Board of Scientific Affairs' Committee on Psychological Tests and Assessment (CPTA), which addresses all aspects of psychological testing and assessment across a variety of contexts, including delineating the qualifications necessary for appropriate uses of tests for persons with disabilities, as well as for minority populations.

We appreciate NAGB's commitment to enhancing the accurate educational evaluation of students with disabilities and students who are English language learners (ELL). In addition, APA is pleased that the Technical Advisory Panels conducted such a detailed examination of these issues. We hope that the comments below will be helpful to NAGB as it works to address testing and assessment for both of these student populations.

## **Report on Uniform National Rules for NAEP Testing of Students with Disabilities**

Enhancing the participation of students with disabilities in the NAEP is essential to ensuring an accurate account of the current status of American education. Such accuracy is urgently needed for evaluating the progress of the nation's six million students that currently receive special education services.

Compared with their peers in general education, students in special education experience disproportionately higher rates of school drop out and lower rates of graduation. In addition, only about half of special education students that receive a diploma have achieved to the level necessary for success in post-graduate employment or further education. If the ultimate goal is to assess and optimize the educational resources available to special education students, then our current knowledge of the academic achievement of students with disabilities is insufficient. States and districts vary widely in their exclusion rates, with some urban school districts running as high as 83 percent.

The exclusion rate for children with disabilities severely limits validity of NAEP results, and vast discrepancies of inclusion between districts and states obstruct any valid comparisons. APA applauds the efforts of the panel for their excellent report and identification of measures that can be taken to address this crucial issue. The recommendations put forth were highly constructive, and their implementation will surely yield valuable results.

In particular, the panel's recommendation to conduct targeted testing for low and high ability levels would provide much richer data by ensuring that a broader range of performance is captured, thus allowing for more finely tuned measurement of progress. We encourage the use of measurements for this purpose (i.e., that are used to categorize students), which would capture students' academic progress in any subsequent assessments and newly classify them accordingly.

We are also pleased about the panel's recommendation to provide specific and detailed instructions to decision-makers regarding disabilities. First, providing school decision-makers with the purpose and value of the NAEP is a great step towards illuminating the important role of NAEP in education. Delineating in such a background section why collecting scores from a representative sample is critically important would inform decision-makers who may otherwise be unaware of how necessary including students with disabilities is to this process. As an additional incentive, publicizing the inclusion rates of schools with more or less than the 95 percent inclusion rate, as recommended by the panel, will likely result in improved rates of participation.

We would like to note that the terms "modification" and "accommodation" are widely-used in school systems and the distinction between these classifications can be ambiguous in real-world application. When outlining allowable actions to be taken for students with disabilities, the panel does provide a definition of the distinction within the report. Empirical research may be needed, however, to further clarify what specifically

might maintain and what specifically might alter the academic ability that is being measured.

### **Report on Uniform National Rules for NAEP Testing of English Language Learners**

With regard to *The Reports'* discussion of the testing of ELL students, some of the same issues observed in the current inclusion of students with disabilities are relevant. As highlighted in the report, participation rates in NAEP vary greatly between States and districts. Such non-uniformity skews the accuracy of NAEP results and does not provide a clear description of how the approximately 5.1 million ELL students are progressing in the educational system.

On the whole, academic achievement among ELL students is not equivalent to non-ELL students and the age at which high-risk students receive compensatory educational services has a significant impact on their academic success. Thus, it is critical to understand what programs are succeeding in educating these students across academic areas and what programs require further attention and assistance.

Several appropriate recommendations were proposed by the panel in outlining how ELL students should be tested. First, ensuring that directions, prompts, and test items are written in "plain language" is a necessary measure, and the panel's thorough description about how "plain language" will be constructed is a valuable proposal. In general, it would likely benefit all student test takers to have the test items written in "plain language."

As recommended by the Panel on Uniform National Rules for NAEP Testing of Students with Disabilities, including items that specifically target high and low ends of difficulty creates vastly more information about students' performance. The degree to which educational efforts can be assessed will become more nuanced and discrete. This will provide more in-depth information about students' progress in educational programs as well as information about weaknesses in certain systems. Mirroring our concerns about this process for students with disabilities, we would urge the use of measurements that can measure student's progress at any subsequent assessments and that would classify students at the time of each assessment.

The panel accurately recognizes the difference between academic performance and English language proficiency. Distinguishing the proficiency of included students and aggregating the results of the testing accordingly provides much more precise reporting of students' progress. Uniformly assessing proficiency among students ensures that students' proficiency levels are consistently determined based on equal criteria.

It is important to emphasize that some students will fall into both categories of students with a disability and ELL, and we appreciate both panels' explicit mention of these important group/populations of students. The specific direction outlined by the Technical Advisory Panel on Uniform National Rules for NAEP Testing of Students with

Disabilities (e.g., that their English proficiency first be assessed) provides sound guidance for addressing the inclusion of such students.

Both panels outline several important incentives to improve rates of inclusion for these populations of students, specifically the reporting of State and district inclusion rates. However, reporting inclusion rates of both those who fall above and below the 95<sup>th</sup> percentile not only for students with disabilities, as recommended in *The Reports*, but also for ELL students may make such an incentive more powerful and offer consistency in NAEP regulations.

Finally, there is an overarching issue that we kindly request that NAGB's board consider, as it implements changes recommended by the Technical Advisory Panels – that of validity of the test. Samuel O. Ortiz, Ph.D., a member of APA's CPTA with expertise in the area of English language acquisition and learning, stated in comments to *the Technical Advisory Panel on Uniform Rules for NAEP testing of English Language Learners* that “validity is at the heart of science and statistical analysis, for without it, no meaning can be ascribed to the numbers generated, no matter how reliable or extensive the data may be.” APA urges NAGB to place a premium on the issue of validity, as it implements changes to the NAEP.

We also kindly request that you consider the effects for test validity of variations in testing format, administration, and conditions. Our co-authored publication, the *Standards for Educational and Psychological Testing* (AERA, APA, NCME, 1999) may be instructive and serve as an important resource to NAGB, as it implements the Panels' recommendations.

In closing, APA would like to thank you once again for the opportunity to comment on *The Reports* to NAGB on the critical issues of testing students with disabilities and ELL students. We appreciate NAGB's commitment to ensuring accurate representation of educational progress for all students. Please consider the association as a resource to you, if we can provide any further information with regard to the comments from APA and Dr. Ortiz and members of CPTA. If you have any questions, please contact Jennifer Smulson in APA's Education Government Relations Office at 202 336-5945 or [JSmulson@apa.org](mailto:JSmulson@apa.org).

Sincerely,

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Deputy Chief Executive Officer