

California Department of Education, Special Education Division appreciates this opportunity to submit written comments to the National Assessment Governing Board (NAGB) on the proposed rules put forth by its Technical Advisory Panel on Uniform National Rules for NAEP Testing of Students with Disabilities for the participation of students with disabilities in the Assessment of Educational Progress (NAEP) program (Advisory Panel).

Recommendations of the Advisory Panel

Recommendation 1: Encourage as many students as possible to participate in NAEP and provide for the use of allowable accommodations that are necessary to enable students with disabilities to participate.

- It is helpful that the Advisory Panel has attempted to clarify the differences between an accommodation and a modification. This is often confused by the field. California has a table of approved accommodations and modifications called the Matrix of Test Variations for each of the statewide assessments offered in California. It would be important that teachers know what accommodations will be used on the NAEP before the test administration so the student is prepared to use the accommodations during the test. This allows for maximum effectiveness of the accommodation. Parents, test administrators and student will need to be informed if accommodations that student regularly use are not allowed on the NAEP. A review of allowable accommodations in other states could provide better matches for the NAEP and the practices of the states.

Recommendation 2: Clarify and expand NAEP's guidance to schools, encouraging maximum participation of students with disabilities.

- Students with disabilities should participate in assessments the same as their same aged peers and not be excluded because of special circumstances and participation percentages.

Recommendation 3: Report separately on NAEP results for IEP and 504 students.

- California agrees with reporting NAEP results for IEP and 504 students separately. Having separated data on students with IEP is helpful for California and is in keeping with reporting for ESEA and SPP/APR reporting to OSEP.

Recommendation 4: Provide incentives for schools to include students with disabilities.

- We feel that it is not appropriate to provide incentives for schools for participating in this assessment.

Recommendation 5: Support research efforts to develop targeted testing for all students at both the top and bottom levels of achievement, with sound procedures to identify students to receive targeted test booklets on the basis of their performance on some standard indicator of achievement.

- We do not support this recommendation. This would preclude some students from participation in the NAEP assessment. It does not seem like a feasible recommendation and is counter to encouraging participation by students with disabilities.

Recommendation 6: Encourage and review research on the identification and progress of students who have a significant cognitive disability but in the short term do not test this 1% of students on NAEP.

- We support this recommendation. In California students with the most significant cognitive disabilities take an alternate assessment. NAEP may want to identify this population of students as not participating in the NAEP assessment as there is no alternate assessment. Students in this group should be referred to in a consistent way as recommended by NASDSE.

Recommendation 7: Assess the English language proficiency of students with disabilities drawn for the NAEP sample and provide NAEP-approved, linguistically appropriate accommodations for them before determining whether additional accommodations may be needed to address any disabilities these students may have.

- California agrees that the NAEP should identify English language proficiency of students taking the NAEP and identify approved accommodations for those students that are linguistically appropriate and research-based.

Thank you for inviting California Department of Education, Special Education Department to comment on these recommendations for the participation of students with disabilities in the NAEP assessment.

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