

**TESTIMONY SUBMITTED TO
NATIONAL ASSESSMENT GOVERNING BOARD**

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Thank you for this opportunity to address the proposed rules regarding the participation of students with disabilities in the National Assessment of Educational Progress (NAEP) issued by the Technical Advisory Panel on Uniform National Rules of NAEP Testing of Students with Disabilities.

I am here today representing the National Education Association (NEA), the nation's largest professional employee organization. Our 3.2 million members work at every level of education—from pre-school to K-12 public schools to university graduate programs. Our membership includes general and special education teachers, administrators, college educators, specialized instructional personnel and education support professionals in every state and in more than 14,000 communities across the United States.

As we stated in testimony before the National Assessment Governing Board in February 2009, NEA fully supports the inclusion and participation of students with disabilities in large-scale assessment and accountability systems. We are particularly pleased that the recent Technical Advisory Panel proposals reflect many of the suggestions that NEA offered in February and we welcome the opportunity to provide additional comments on the recommendations.

Overall, the Panel's recommendations set positive expectations that are inclusive in nature rather than focusing on various methods for excluding students from NAEP participation. You'll remember that we suggested that you be inclusive in your thinking in our February testimony. Thank you for making this change in your approach.

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.

First, we support setting a participation standard of at least 95%. This expectation aligns with the accountability expectations of the Elementary and Secondary Education Act (ESEA/NCLB), will be understood by states and school jurisdictions, and is reasonable to achieve. Thank you for dropping the notion of sampling students by their disability categories.

We commend you for clearly defining accommodations and modifications. Your work will impact assessment development and will provide a national model for states to emulate. Thank you also for clarifying the reasoning behind excluding calculators for the mathematics assessment and the read aloud accommodation for the reading assessment. Since these particular accommodations are commonly included on Individualized Education Programs (IEPs), it's important to recognize that prohibiting their use will lead to frustration when students with IEPs cannot use them during NAEP testing. To lower student frustration, we encourage you to

continue to look for ways to construct assessment items so that these accommodations may be permitted for at least a portion of the test.

We encourage you to further expand the types of allowable accommodations. Research on testing accommodations and the construct validity of assessments continue to enhance our understanding of the effect of various supports. We suggest that a panel of experts and stakeholders tasked with reviewing how NAEP identifies, measures, and reports the progress of students with disabilities, continue to review and expand, as appropriate, the types of allowable accommodations. This group should include general and special education classroom teachers, state assessment policymakers, assessment experts who are knowledgeable about accommodations for students with disabilities, and representatives of disability advocacy organizations.

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

We support the revised participation decision tree for students with disabilities. However, the statement advising school districts that the “target percentage of students appropriately to be excluded from participating in NAEP would be 1% of the sample” appears to contradict the 95% participation expectation. Which is it? Maybe you might mean that only 1% of the subset of students with disabilities should be excluded? The way it is currently stated is quite confusing.

We understand your rationale for excluding students who are assessed under ESEA/NCLB with alternate assessments based on alternate standards until a version of NAEP is available for this population.

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

We support the recommendation to report NAEP data sets for students with IEPs and those with 504 plans separately and in a combined format.

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

We believe that your plan to report the overall participation rate and the participation rate for students with disabilities is an appropriate way to heighten public awareness, provide for comparability across states, and offer incentives to school districts to include as many students with disabilities as possible.

We do not support the alternative suggestion that calls for adopting “uniform” participation rates for students with disabilities. Communities and states are different. A cookie-cutter approach that assumes how many students exist with certain disabilities or locales based on incidence studies is complicated and potentially punitive in its approach. We need to remember that students’ disabilities are defined by individual IEP teams and that each community and state has its own culture and demographics. Overly prescriptive formula derived from statistical models may be accurate in abstract form but they can be also be stereotypic and wrong when applied to real people from real communities. We urge you not to take this approach.

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 support your research efforts to create versions for both the highest and lowest performing groups. Using this approach will provide a better picture of our students' capabilities and may increase participation rates.

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 want all students to participate but we understand that students with significant cognitive disabilities may be excluded from NAEP for the time being while an appropriate assessment for that population is developed. We urge you to learn from the experiences of states that have implemented complex, time-intensive portfolio assessments as you explore research and strategies for creating an assessment for students with significant cognitive disabilities.

We caution you to not assume that students with significant cognitive disabilities equates to 1% of the population. This designation is used in ESEA/NCLB for accountability purposes but it is at best an approximate value. It is more appropriate to refer to this population as students who have significant cognitive disabilities or students who take alternate assessments based on alternate achievement standards.

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.

We support this recommendation. It makes sense to provide for language needs first for Students who are English language learners and then add accommodations that may be required to address disabilities.

An additional recommendation #1: Use principles of universal design to develop future modifications to NAEP.

Universal design for learning (UDL) is a framework for making standards, curriculum, instruction, teaching materials, and assessments accessible to all learners, including students with disabilities and English language learners. According to ESEA/NCLB regulations, universally designed assessments should "be designed to be valid and accessible with respect to the widest

possible range of students, including students with disabilities and students with limited English proficiency" (NCLB Regulation (July 5, 2002), Section 200.2(b)(2)).

We recommend that you consider using the principles of universal design for future versions of NAEP. Universal design principles call on test designers to develop test items that minimize the effects of extraneous factors (e.g., avoid unnecessary use of graphics that cannot be presented in Braille, use font size and white space appropriate for clarity and focus, avoid unnecessary linguistic complexity when it is not being assessed) that can interfere in the ability of the student to comprehend the question or respond with a correct answer. The Center for Applied Special Technology (CAST) (www.cast.org) and National Center on UDL (www.udlcenter.org) are excellent resources on this topic.

Additional recommendation #2: Continue to explore developing a computer-adaptive format

We believe that research should be conducted on how best to create a computer-adaptive format for NAEP. This format would be accessible to the widest group of children. Computer-based testing allows accommodations to be standardized and built into the administration protocol for the assessment. For instance, computer-based testing permits choice of presentation mode, such as using larger print size or language translation options. And, it eliminates the possibility of human fatigue or human error which can occur when directions or test sections are read aloud by on site test examiners. NAEP could set the standard for assessment accessibility using an adaptive computerized format. Understandably, this is a huge endeavor and will take time but we hope that you will continue to pursue this option.

Thank you again for the opportunity to discuss this important work today. We appreciate your efforts to design NAEP in a way that will allow ALL students the opportunity to participate and be successful.

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