



National Association of State Directors of Special Education, Inc.

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THE NATIONAL ASSOCIATION OF STATE DIRECTORS OF SPECIAL EDUCATION (NASDSE)

TESTIMONY ON RACE TO THE TOP ASSESSMENT PROGRAM

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ATLANTA, GEORGIA

I am Marcia Harding, President of the National Association of State Directors of Special Education (NASDSE), the national association that represents the state directors of special education in the states, the federal territories, the Bureau of Indian Education, the Department of Defense Education Agency and the Freely Associated States. I am also the Director of Special Education for the Arkansas Department of Education. Thank you for this opportunity to speak to you today about assessing students with disabilities.

Assessment of Students with Disabilities

As an organization, NASDSE called for the inclusion of students with disabilities in an inclusive accountability system as far back as the mid-1990's – long before it was fashionable or popular to do so. Our members have continued to support the inclusion of students with disabilities in the general education curriculum, recognizing that students with disabilities are general education students FIRST. We believe that all students, including students with disabilities should be held to high standards and that most students with disabilities can take and should be able to pass the regular assessments that are now required by the No Child Left Behind Act (NCLB).

However, we also recognize that for some students with disabilities, the regular assessment may be a mountain that is simply too high for them – even with all of the supports that a school can provide. For some of these students – those now referred to as the most significantly cognitively impaired – they will need to be assessed on an alternate assessment that is based on alternate achievement standards. That system was put into place by regulations after passage of the NCLB and appears to be well understood. Most states and school districts appear comfortable with the 1% limitation on those students who can be counted as proficient on this type of assessment recognizing that some flexibility may be appropriate in some school districts if they can demonstrate a high percentage of these students.

There is considerably more controversy over other students with disabilities. Some feel that all remaining students with disabilities should be able to take the regular assessment based on regular achievement standards – with or without accommodations. Students (and their parents) have expressed frustration that their particular accommodation has not been permitted for the NCLB assessment however, lending an additional concern to the assessment process. And others – including NASDSE – believe that some students with disabilities – even with all of the best instructional supports and services that we can offer – cannot be successful on the regular assessment based on regular achievement standards. NASDSE believes that these students need an alternate assessment based on modified achievement standards in order to demonstrate their capabilities.

It is equally important that assessments for students with disabilities be able to reflect their educational gains and growth. Because not all students with disabilities will be able to make – and demonstrate – a year's worth of progress on a regular assessment, it is critically important that assessments be accessible so that the student can be recognized for whatever growth s/he has made.

We know that we have the technology available that can provide students with access to both curriculum content and the most appropriate assessment. We can accomplish this through the use of materials and assessments that are developed using the constructs of Universal Design for Learning or UDL. I'll talk a little more about this later in my remarks. Technology advances are helping teachers implement the formative assessments needed to implement Response to Intervention in schools as well as summative assessments. We need to take advantage of the tools that are available. NASDSE urges you to consider proposals that take advantage of technology to provide access to both of these types of assessments that will ensure that students with disabilities will be able to demonstrate their knowledge and skills.

Given this brief overview, I would like to make the following points:

1. Special education – including disability advocates AND local educators – must be at the table when critical policy decisions are being made at the federal level regarding assessments.
2. It is important to remember that students with disabilities span a broad range of disabilities, even within a specific category of disability. For example, within the category of specific learning disability, the disability may range from mild to severe. Assumptions about the severity of a student's disability or what kind of assessment or accommodation a student needs cannot be made based on the 'category' of the disability.
3. When designing assessments, the federal government can use its bully pulpit and funding to encourage and support strategies that incorporate the concepts of universal design for learning so that all students can access the assessments. In giving out Race to the Top grants, we encourage you to consider UDL as one of the factors that you look for in considering grant applications.
4. We are concerned that if the Department intends to tie these assessment grants to the common core initiative currently underway that this initiative has, to date, made no accommodation for students with students. NASDSE believes that the common core initiative must accommodate extended standards for students who need them. Likewise, any assessments that are tied to the standards must reflect this need as well.
5. Finally, we note that some states have been working diligently to develop alternate assessments based on modified achievement standards based on the No Child Left Behind Act, yet the Department has found fault with virtually all of them and yet offered little or no guidance as to how to fix them. If the Department intends to continue this Peer Review construct in the reauthorization of the Elementary and Secondary Education Act, then we urge you to provide better guidance to states on what you are looking for in modified assessments, as well as technical assistance and competitive grants that would speed up the process for development of these assessments.

Again, I thank you for the opportunity to speak before you today and I'm happy to answer any questions that you might have.