ACCOUNTABILITY

As Congress and the Obama Administration work to reauthorize the Elementary and Secondary Education Act (ESEA), initiatives proposed in Congress as well as waivers granted by the U.S. Department of Education, have significantly changed the landscape of accountability for the academic progress of students. Some of these proposals significantly weakens accountability for students with learning disabilities (LD). In some cases separate accountability measures or standards for these students that are not the same as other students have been established. Because high school graduation is the ultimate goal for all students with learning disabilities, ESEA provisions must support full inclusion of students with LD—no exceptions.

A major misperception persists—due to confusion about what a learning disability is and how it affects learning —that students with LD are not capable of working at grade level with their peers, taking the same tests as other students, or graduating with a regular diploma. These misguided ideas are influencing policies that put students with LD, who would otherwise have the opportunity to graduate successfully from high school, at a disadvantage. To ensure all students with LD graduate with a regular diploma, ESEA must include these students in all aspects of any system accountability framework. To accomplish this, we recommend the following:

1. **Performance Goals and Targets.** States should be required to set annual performance goals for academic achievement and targets for graduation rates to ensure that students with disabilities and other at-risk subgroups are on track to graduate college and career ready. Such performance goals and targets should be the same for all subgroups.

2. **Use Performance Goals and Targets to ensure supports and interventions are available to struggling students.** For subgroups of students not meeting performance goals and targets, schools should analyze and determine the reason for this lack of performance and implement supports and interventions to improve performance.

3. **Ensure access to general education curriculum and grade-level content.** Students with LD must be taught the core curriculum for their enrolled grade, aligned with the state's academic standards and measured by assessments in core subject areas. This access to the curriculum (not merely the classroom) is an essential component to ensuring students with LD stay on track to graduate with a regular diploma.

4. **Protect and strengthen provisions calling for the participation of all students in general assessments**. The current ESEA's adequate yearly progress requirement—that schools, districts, and states must test at least 95 percent of all students in the required grades [in reading and math] and at least 95 percent of each subgroup—has helped reinforce that students with disabilities are *general education students first* This requirement alone has helped well-intentioned schools and districts re-direct resources toward students who need more support, provide enhanced teacher training, and improve student academic outcomes. This requirement should be maintained as well as the current concept of consequences when this 95% threshold is not met.

5. **Maintain requirements to disaggregate and publicly report data at the subgroup level, including students with disabilities.** One of the most valuable aspects of the current ESEA is its requirement to separately report the academic performance of certain groups of students, including students with disabilities, in order to ensure that all students are both included in the testing and are achieving at the state-defined/expected level of proficiency. This requirement has provided greater transparency for parents and the community, exposing achievement gaps among student groups, particularly those that historically underperform.

6. **Require one consistent 'N size' across states to ensure full transparency and reporting on student subgroups.** Minimum subgroup size, frequently called "N-size," refers to the minimum number of students within each subgroup a school or district must contain across the grades for assessment reporting and accountability purposes. Subgroup sizes must be statistically reliable; however, artificially high subgroup sizes reduce transparency and mask the true outcomes for certain groups of students. In many states, school accountability for the performance of students with disabilities has been greatly compromised by the minimum subgroup size that excludes far too many schools from responsibility for the required subgroups. Currently, only 30% of Title I schools are held accountable at the subgroup level for students with disabilities.

7. **Include growth models that apply to and include *all* students in the same way.** Measures of student growth used as part of an accountability system must be based on the student's enrolled grade and include multiple measures of student performance and only count growth within a 3 year trajectory.

8. **Do not permit the use of Individualized Education Programs (IEPs) as an accountability tool.** Clarify that a student's IEP is not designed or used as a tool for holding schools accountable for ensuring that students with disabilities are taught to the academic content and achievement standards established by the state for all students. Underscore that it is important to aggregate performance data from the IEP goals to use as valid, reliable data in determining accountability at a school, district, or state level.

NCLD Resources:

Challenging Change: How Schools and Districts Are Improving the Performance of Students with Disabilities

Growth Models and Students with Disabilities

The Inclusion of Students with Disabilities in School Accountability Systems