

IMPROVING OUTCOMES FOR STUDENTS WITH DISABILITIES

Considerations for State Accountability Systems

Over 6 million students with disabilities are educated in our nation's public schools, the majority of whom — 60 percent — spend most of their school day in the general education classroom, learning alongside their peers without disabilities.

Historically, children with disabilities were thought to be unable to learn. However, research, best practice, and public policy advances have dispelled this myth. Students with disabilities — when given services and supports — can and do thrive in school and in life.

A critical policy shift occurred due to the passage of the No Child Left Behind Act (2002). For the first time, the public was able to see how students with disabilities were achieving as compared to their peers, and schools and states were held responsible for improving their outcomes. This first-ever transparency and new accountability for student achievement made sure that the outcomes of students with disabilities mattered as much as those for any other group in the school.

Now, the Every Student Succeeds Act (ESSA, 2015) provides states new opportunities to better understand the achievement of students with disabilities, while still maintaining requirements that the achievement of all students, including students with disabilities, is included in state accountability systems. Additionally, ESSA requires that states provide two assessment options for students with disabilities: 1) the general assessment (with accommodations as necessary); and 2) the alternate assessment on alternate academic achievement standards (for only 1 percent of all students in the state with the most significant cognitive disabilities). ESSA prohibits states and districts from developing any other alternate assessment.

Getting Started: New Accountability Systems and Students With Disabilities

As states develop new accountability systems under ESSA, they are first charged with determining how to measure school performance. In doing so, it's important to consider factors both applicable and unique to students with disabilities when selecting the additional indicator(s) of school quality or student success that ESSA requires. To make sure that students with disabilities are fully considered, what should you ask?

1. Can data collected by this indicator be disaggregated to see how all students with disabilities are faring?
2. If the state selects indicators that have not traditionally adequately included students with disabilities (i.e., participation/success in advanced coursework), what will the state do to ensure this indicator is meaningful, comparable, and ambitious for students with disabilities?
3. How has the state consulted with the special education community — including parents, educators, and researchers — to ensure that unique needs and the potential for unintended consequences are considered?
4. How will the state support improving outcomes for students with disabilities based on the data collected by these indicators?

Accountability Indicators and Unique Considerations for Students With Disabilities

This document builds upon the information provided in each of the indicator-specific fact sheets and adds additional considerations regarding the impact on students with disabilities. Therefore, this document should be read alongside each of those fact sheets to get a full picture of the benefits and considerations/warnings in each of these areas.

School Discipline — Suspension, Expulsion, Seclusion, and Restraint

- **Benefits for Students With Disabilities**
 - Including disciplinary measures in school ratings could help draw attention to the high rates of disciplinary actions and the exclusionary disciplinary practices students with disabilities are subjected to.¹

¹ Students with disabilities in K-12 public schools are more than *twice as likely to receive one or more out of school suspensions (11%) as students without disabilities (5%)*. Boys of color with disabilities (American Indian, Native Alaskan/Hawaiian, black and multi-racial) *are at least twice as likely as white boys with disabilities to be suspended*. Of the more than 100,000 students placed in seclusion or involuntary confinement or physically restrained at school, *more than 67,000 were students with disabilities*. See: Civil Rights Data Collection 2013-2014, retrieved at: <http://www2.ed.gov/about/offices/list/ocr/docs/2013-14-first-look.pdf>

- Highlighting discipline, including seclusion and restraint, in a state accountability system — and drawing attention to the impact on students with disabilities — exposes an actionable problem: It can prompt better training for educators to understand requirements under federal and state law when a student’s actions are a result of their disability, and how to provide preventative and appropriate interventions.
- **Considerations/Warnings for Students With Disabilities**
 - Taking action based on discipline data alone, without taking required steps to determine whether a student’s behavior is a manifestation of their disability, may lead to unlawful actions or inappropriate interventions for students with disabilities.
 - When calculating discipline rates, it’s important to include instances of seclusion and restraint. Failure to include these actions could give schools an incentive to use them.
 - Using discipline measures in a state accountability system should not lead to decreased transparency in school, district, and state reporting to the public with regard to interventions. States must have procedures in place to verify accurate reporting of all disciplinary actions.

Chronic Absenteeism

- **Benefits for Students With Disabilities**
 - Because students with disabilities often have higher chronic absenteeism rates than many other student populations, including it in an accountability system can allow schools to determine why this happens and how to remedy this issue.
- **Considerations/Warnings for Students With Disabilities**
 - The measure may not be able to adequately account for a small percentage of students with disabilities who may have chronic medical conditions that prohibit regular school attendance. States must ensure that there are appropriate exemptions in place for such situations.

Assessment-Based Measures of College Readiness

- **Benefits for Students With Disabilities**
 - Including assessment-based measures of college readiness may result in more students with disabilities preparing for and gaining access to higher education.
 - Including assessment-based measures of college readiness may result in expanding access to accommodations for students with disabilities on the SAT and ACT, which has historically been a problem for many students with disabilities.
- **Considerations/Warnings for Students With Disabilities**
 - Where students with disabilities are not provided adequate accommodations on the SAT and ACT, it will not be possible to accurately demonstrate what they know, which can result in a skewed measure of performance.
 - Statewide high school assessments must offer a wide range of accommodations for students with disabilities, and these accommodations may go beyond what are offered by the SAT and ACT tests. If the SAT and ACT are used as the statewide high school assessment, it may mean that students with disabilities will be required to take the SAT and ACT twice: once with a broader range of accommodations available for the purposes of meeting a state’s accountability system; and then a second time with a more restricted set of accommodations to be used by the SAT and ACT for college enrollment purposes. The inherent inequality and requirement to be tested more than once creates anxiety and stress for the student, is burdensome to their parents and the school system, and adds to the number of tests that students with disabilities have to take in high school.

College and Career Readiness — Course Sequences

- **Benefits for Students With Disabilities**
 - Analyzing the data to determine if students with disabilities have been offered college- and career-readiness course sequencing could increase their participation in coursework that leads to postsecondary opportunities.

- **Considerations/Warnings for Students With Disabilities**

- Students with disabilities may be informally excluded from accessing course sequence measures due to existing stigma and continuing misunderstanding of their capabilities. Therefore, it is especially important that states include measures of both participation in and successful completion of college-prep course sequences if they choose to include this indicator in school ratings. Moreover, all students — including all students with disabilities — must be included in the participation rate calculation so as to incentivize schools to give more students access to the college-prep course sequence.

College and Career Readiness — Advanced Coursework

- **Benefits for Students With Disabilities**

- Including measures of participation and success in advanced coursework may incentivize schools to increase offering such courses to students who have traditionally been underrepresented, such as students with disabilities.
- Access to advanced coursework could result in students with disabilities thriving, thereby increasing their future career and educational opportunities.

- **Considerations/Warnings for Students With Disabilities**

- Existing barriers to accessing advanced coursework may limit opportunities for students with disabilities to enroll in such courses. For example, students with disabilities may have had limited access to prerequisite classes and be barred from enrolling in advanced courses.
- Although students with disabilities are entitled to accommodations, their access to these accommodations may be limited in advanced courses due to continued misconceptions of disabilities and access to accommodations.
- The barriers to access in advanced coursework make it especially important to ensure that if states choose to include this indicator in school ratings, they include measures of both participation and success in advanced courses. Moreover, all students — including all students with disabilities — must be included in the participation rate calculation so as to give schools a strong incentive to increase access to these classes.