Kearns Testimony – Committee on Education and Labor

US House of Representatives

March 18, 2010

Committee on Education and Labor

Sub-committee on Early Childhood Elementary and Secondary Education

Diverse Student Populations and the ESEA

March 18, 2010, 10:30 a.m., Room 2175 Rayburn House Office Building

Thank you Chairman Kildee, Ranking Member Castle and all the Members of the Subcommittee for inviting me to testify this morning

I am currently the Principal Investigator for the US Department of Education Office of Special Education Programs funded National Alternate Assessment Center (NAAC), a research center on alternate assessments, and a General Supervision Enhancement Grant assisting five states in developing validity evaluations for their alternate assessments on alternate achievement standards at the University of Kentucky. I have completed three other federal research initiatives about alternate assessment and universally designed, technology-based general assessments. In the early 1990's, I played a key role in the design and implementation of the first alternate assessment used in an accountability system during Kentucky's Education Reform Act (KERA). When the IDEA was reauthorized in 1997 and included the provision for alternate assessment, I assisted a number of states in the design, implementation, and evaluation of alternate assessments as Associate Director of a university-based assessment design group at the University of Kentucky. I have authored and co-authored research publications including the first text on alternate assessment and, more recently, a new text on alternate assessment and standards-based instruction. I have extensive experience in providing professional development support to teachers serving students with significant cognitive disabilities and to principals regarding the implementation of inclusive education and access to the general curriculum. I am a third generation educator, with 9 years of direct classroom experience teaching students with significant cognitive disabilities. Finally, I am the parent of a child recently diagnosed with Attention Deficit Hyperactivity Disorder, who received services through Response to Intervention (RTI) through his second grade year and has been referred for evaluation under the IDEA. However, in my testimony this morning, I am representing myself, and not the University of Kentucky or the multiple projects on which I work.

<u>Today's Focus</u>. I am here today to discuss the importance of including ALL students with disabilities fully and equitably in assessment and accountability systems. These systems must include challenging content standards, progress and proficiency measures, participation, and data reporting. To do otherwise, places the entire population at risk for a variety of serious consequences as they leave school unprepared for the educated world that waits them. I have

brought with me some students whose stories will help us understand the complexities of the issues that face us. I will describe the challenges and possible solutions for students with disabilities who are "persistently low performers" and lessons learned from schools who have successfully closed the achievement gap. Next, I will introduce Lizzie, a student with a learning disability. Lizzie teaches us the importance of designing solutions for assessments that accommodate the widest array of possible users, so students can show what they know and can do. Megan reminds us that high expectations can result in students who can and o exceed our expectations. Finally, Bruce a student in an alternate assessment teaches us that IEP teams can't do it by themselves. My area of expertise is alternate assessments and students like Bruce. I am fortunate to work in collaboration in collaboration with national special education, measurement, and curriculum experts.

How Do Students with Disabilities Participate in Accountability?

Currently, students with disabilities participate in the accountability system in one of four ways: 1) general assessments, 2) general assessments with accommodations, 3) alternate assessments on modified achievement standards, and 4) alternate assessments on alternate achievement standards. Eighty-five percent (85%) of students identified under the IDEA do not have intellectual disabilities that should prevent them from achieving at grade level. This includes students with learning disabilities, who comprise nearly half of the IDEA population, as well as students with physical disabilities, vision and hearing impairments, emotional and behavioral disabilities, and even some students with mild cognitive impairments.

Persistently Low Performing. A number of states considering the 2% flexibility have conducted an analysis of their general assessment data by identifying learners who are "persistently low performing"(Gong, Marion, & Simpson, 2006). Over and over again, states have been surprised to find that this group of persistently low performers includes BOTH students with and without disabilities. Furthermore, these students are disproportionately representative of males, minorities and disadvantaged as identified by Free and Reduced lunch, as well as students with disabilities (Lazarus, , Wu, C., Altman, , & Thurlow, 2010). Researchers from the National Center on Educational Outcomes presented the data from five states considering these students. The charts in Figure 1 illustrate these data.

Kearns Testimony – Committee on Education and Labor

US House of Representatives

March 18, 2010

Characteristics of Students who are "Persistently Low Performing"

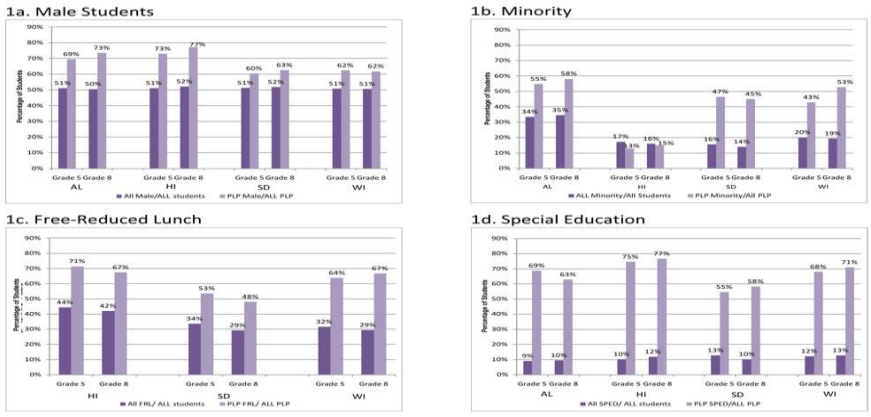


Figure 1. Percentage of Students with Selected Demographic Characteristics: All Students and Persistently Low Performing (PLP) Students, Reading, Grades 5 and 8 L

Lazarus, S., Wu, Y.-C., Altman, J., & Thurlow, M. (2010). *NCEO brief: The characteristics of low performing students on large-scale assessments.* Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes.

As the layers of the data unfold, researchers have discovered that many of these students have not had access to high quality curriculum or instruction. Meanwhile, schools across the nation ARE CLOSING THE ACHIEVEMENT GAP for historically low-performing students with and without disabilities – through leadership and hard work to improve their educational opportunities. From these data, and similar data from other investigations it is clear that providing accountability "relief" to schools for these students with disabilities while other schools can and do help these students achieve is unwarranted and counterproductive for inclusive accountability policy.

Studies of Low Performing Students. States have studied the extent which students with disabilities are low performing students, in an effort to design alternate assessments based upon modified achievement standards for the 2% flexibility that is currently allowed under the ESEA regulations (Fincher, 2007; HB Study Group from Colorado, 2005; Marion, Gong, & Simpson, 2006; New England Compact, 2007). Researchers at the National Center for the Improvement of Educational Assessment (NCIEA) conducted one the first of these investigations. These researchers found that the scores of students with disabilities were distributed all across the scaled scores, as are the students without disabilities. (Marion, Gong, & Simpson, 2006). This study foreshadowed results of studies in multiple states: the lowest performing students on state assessments under NCLB are not only, or even primarily, students with disabilities. Perie (2009) summarized data mining approaches in Georgia and South

Carolina. Georgia mined data from three years of the state test, identifying persistent low performers in grades 5 and 8 as students scoring in the lowest of three achievement levels. South Carolina looked at grades 4 and 7, identifying students with two years of data scoring in the lowest of four achievement levels. In both states, the percentage of students with disabilities represented 39% to 55% of all students in the lowest achievement levels, adjusting for variations in test cut scores.

Closing the Achievement Gap. Current accountability definitions require that schools ensure that students with disabilities achieve proficiency through access to the same challenging curriculum as their peers. Schools that are succeeding have recognized the importance of integrating the content standards into a challenging curriculum for all students, and providing access to students with disabilities through individualized and appropriate services, supports, and accommodations identified by the Individualized Education Program team so that each student can be successful.

Special education as typically practiced in this country has questionable effectiveness. Access to the general curriculum at grade level is an essential component of accountability that cannot be understated. A new study by Morgan, Frisco, Farkas, and Hibel (2010) found that students who were identified for special education services had significantly lower reading achievement after receiving those services from 2002-2004 than their peers with similar learning and demographic characteristics who did not receive special education services. The National Association of School Psychologists (2002) has found that labeling of students tends to result in lowered expectations, fewer typical peer relationships, and a lack of curriculum integrity.

We have examples of how system accountability the past decade has resulted in significant reductions of the achievement gap between students with and without disabilities in schools where special education practice has changed. An Association of Curriculum Development Association (ASCD) longitudinal study of schools in Rhode Island found that 100 of the 320 schools had show a dramatic closing of the achievement gap by students with disabilities (Hawkins, 2007). The 2004 Donahue Institute study and the 2009 Ohio *Follow up Study on Students with Disabilities* had similar findings. Indeed, closing the achievement gap between children with and without disabilities is an articulated goal in schools across the country, although some school leaders continue to resist taking responsibility for these students. Features of these schools that have successfully closed the achievement gap include the following: 1) alignment of curricula with the state standards, 2) inclusion of students with disabilities in general education classes with appropriate supports, 3) use of student

assessment data to inform decision-making, 4) disciplined social environment, and 5) strong leadership teams (Hawkins, 2007; Pritchard Committee, 2005).

It is important to note that schools that have achieved the goal of closing the achievement gap for their sub-groups including those with disabilities have done so in part by changing the way they think about the children who challenge our educational system. They did not seek "relief" from accountability or lower their expectations for student achievement.

Students Who are Challenging to Assess. Some students with disabilities who are among the students who can attain the grade-level achievement are challenging to assess. This group includes children with hearing and vision disabilities, but also some students with learning disabilities.

> **Consider Lizzie**. Lizzie is a middle school student who has a severe learning disability that affects her ability to read. Despite intensive efforts to improve her reading, her conventional reading skills are still well below grade-level achievement. However, her comprehension of oral text is well within grade-level achievement and will be a strength on which she builds toward college and career readiness for a lifetime. Accommodations for reading are not allowed for the test in her state. Test day is extremely frustrating for Lizzie and her teachers. Providing an out-of-level grade assessment which measures conventional reading but does not measure comprehension commensurate with her grade will NOT provide an accurate assessment of her performance. The resulting data will not encourage her teachers to build the skills she needs for her future.

Assessment Options. As the description of Lizzie illustrates, none of the current state assessment options would have produced a valid set of results to accurately represent her achievement level. The State has not provided adequate accommodations policy to meet her needs. An out of level assessment, or even a self-leveling assessment, would not appropriately demonstrate her performance.

For a variety of reasons, a one-size-fits-all approach will likely never have the precision to assess the widest array of possible students. For the purposes of SYSTEM accountability we absolutely need to know where students are in relation to the standards at their enrolled grade on a summative assessment. For OTHER purposes, including diagnostic and instructional planning on an interim, benchmark or formative basis, we may find other tests helpful, but care has to be taken to avoid lowering expectations and academic targets.

Use of Accommodations. The research on the use of accommodations during assessment is increasingly more sophisticated and refined (Thompson, Morse, Sharp, & Hall, 2005). The use of

accommodations during assessments should be built on the foundational assumption that students with disabilities must be expected to demonstrate achievement in the same content as other students and thus the content targets should not be changed by the accommodations, accommodations used in assessment should also be used during instructional assessment as a matter of practice, and that accommodations decisions are specific to individual students. Accommodations should be used consistently and the use of them and the need for them evaluated regularly. Ultimately, the use of an accommodation should not prevent the student from mastering the content or limit the student's pathway to learning future content (Thompson, Morse, Sharp, & Hall, 2005). Finally, deep understanding of the content is essential for making appropriate accommodations decisions.

Growth Model Designs. We often hear teachers comment "he has grown so much over the year" and the assumption is to measure that growth for these populations. No doubt the teacher's observations are reliable, but the assumptions about using a "growth model" design to measure this must consider the variety of pathway that defines progress across the widest array of student users. Growth model designs are based on the theoretical assumptions of norm referenced assessments. Most students with disabilities were not included in normative samples (Hill, Gong, Marion, DePasquale, Dunn, & Simpson, 2005). An accurate description of the pathway to academic competence is an essential component of "growth model" assessment designs (Betebenner, 2005; Hill, Gong, Marion, DePasquale, Dunn & Simpson 2005). This is because for most students with disabilities like those described today, something is missing from the pathway that we need to understand in order to build a fully valid growth model assessment. In many states, research suggests that this missing piece is effective instruction and access to the curriculum. Still, we know that we do NOT know all we should about how to ensure students like Lizzie can first learn and then show what they have learned on state tests. This is also true for students with significant cognitive disabilities in AA-AAS who take alternate assessments on alternate achievement standards where less evidence to support the curricular pathway exists.

Career and College Ready. According to the National Transition Technical Assistance Center data, the predictors of post secondary education for students with disabilities depends to a large extent on the following factors: 1) participation in the academic curriculum, 2) performance in reading, writing, and math, 3) placement in general education 4) high school diploma (Baer, 2002; Raybren, 2005). As would be expected, similar factors are predictors of post school employment.

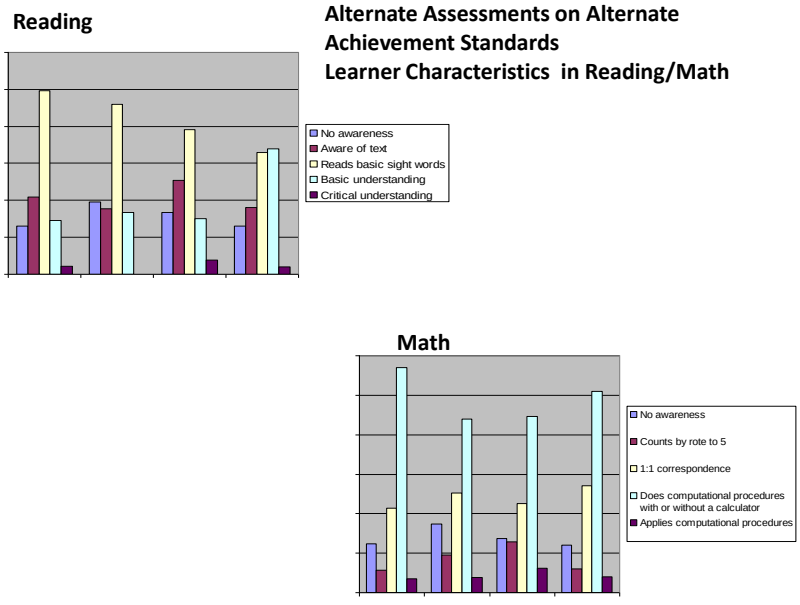
Intellectual Disabilities. Of the students with disabilities who DO have intellectual disabilities, some CAN achieve grade-level proficiency when given high quality instruction, individualized supports and services, and the opportunity to learn.

- **Consider Megan.** Megan graduated from high school with a standard diploma and is attending college. She has a disability commonly known as Down syndrome which is a chromosomal condition that typically but not always results in an intellectual disability.

If you are tempted to suggest that the standards for attaining a high school diploma must be low in her state, I assure you that the current graduation and drop-out rates in her state do not support that claim. The purpose of this example, is to challenge our understanding and beliefs about what students with intellectual disabilities given the right supports and expectations for achievement

Students with the Most Significant Cognitive Disabilities. The students with intellectual disabilities, who participate in alternate assessments on alternate achievement standards, represent at least two distinct groups of learners. We know that 70% of students participating in alternate assessments on alternate achievement standards can communicate, read basic sight words, and solve math problems with a calculator (Towles-Reeves, Kleinert, Kleinert, Thomas, in press) often beginning in elementary school.

Figure 2: Reading and Math Characteristics of Students in AA-AAS



Towles-Reeves, Kearns, Kleinert, Kleinert (2007).

The remaining 30% of this 1% of students in the AA-AAS do not use oral speech to communicate or in some rare cases respond inconsistently. Furthermore, more than half do not have augmentative communication systems. Of all the groups, we agree that this group is the most challenging to assess. However, vigilance is warranted because many students in this group have not received the services they need to communicate. This misidentification and failure of service is tragic but sadly not uncommon.

- **Consider Bruce**. Bruce a high school student who has cerebral palsy who does not use oral speech. His IEP team determined that he had an intellectual disability. He was dropped from speech/language therapy as a related service due to "failure to make progress in using oral speech". He received educational services in a segregated class for students with significant intellectual disabilities with limited to no access to the general curriculum. A new teacher recognized that Bruce had not been appropriately identified or served, and requested the assistance of speech/language *external to the school and district*. As a result, Bruce received a touch screen computer with voice output communication device. In the video clip, you will see that Bruce is answering questions about predicted and actual temperature within days of receiving his device.

From his performance, it is clear that a series of unfortunate errors and low expectations from the IEP team across a number of years has reduced his ability to communicate, and thus has denied him access to the general curriculum. Sadly, Bruce will exit school this year without a high school diploma which will gravely limit the opportunities available to him after high school. Bruce's story illustrates a classic example of the failure of the IEP team. IEP teams are limited by the knowledge they have available to them and the extent to which they access to high quality professional development and technical assistance. In most cases, neither professional development or technical assistance is available. Further, shift in system accountability to the IEP team would seriously threaten productive home/school partnerships and increase the probability of due process procedures, attorney involvement, and litigation. If the only place to ensure the system is accountable for a child is through the IEP team process, then all parents will bear a terrible burden to ensure THEIR child benefits from a free appropriate education under IDEA. The research on the quality of the IEP team processes and outcomes suggests that, instead, parents will have to accept what schools choose to offer, regardless of what their child needs to be successful (Hunt & Goetz, 1989; Turner, Baldwin, Kleinert, & Kearns; 1997). Bruce's story illustrates this problem. For these reasons, we believe that the IEP is not a viable option as an accountability tool.

Kearns Testimony – Committee on Education and Labor

US House of Representatives

March 18, 2010

Alternate Achievement Standards. Students in alternate assessments on alternate achievement standards are among the most diverse of the assessed populations and the least is known about how they achieve competence in academic domains and the curricular pathways to academic competence. As described previously, the students who are emerging in their language development may require a different set of achievement expectations until consistent responding and engagement can be established. More than one alternate achievement standard is currently allowed under the 1% regulation, and that option should be continued to meet the needs of these students-. While we continue to build the knowledge base around these instruments, maintaining the flexibility for setting multiple achievement standards for these assessments is warranted., Students with the most significant cognitive disabilities should continue to be engaged in reading, math, and science activities based on content standards that that are chronologically age appropriate, linked to grade-level content, and consistent with what peers without disabilities are learning. This least dangerous assumption (Donnellan, 1984; Jorgensen, 2005) will safeguard their learning opportunities until more data are available.

Academic Content Standards Linkage. Earlier in this testimony, I reported data indicating that the majority of students (70%) in alternate assessments read sight words and solve math problems with a calculator (Kearns et. al. in press). Our data also suggest that the percentages of students performing these skills across the grade bands from elementary to high school do not appear to change much. While these data are not longitudinal, we would expect increased percentages of more difficult skills as students advance through the grades and decreased percentages of easier skills as students advance through the grades. These data suggest that performance may be essentially static, meaning that limited progress is made beyond elementary school (Kearns et. al). Despite the growing number of studies pointing to the effectiveness teaching students in this population academic content reading, math, and science (Browder,Wakeman, Y.Spooner, , Ahlgrim-Delzell, & Algozzine, (2006); Browder, Spooner, Ahlgirm-Delzell, Wakeman, & Harris, (2008); Courtade, , Spooner, & Browder, (2007); many continue to argue for functional skills. To counter that argument, Kleinert, Collins, Wickham, Riggs, & Hagar (in press) suggest that these skills are best embedded into naturally occurring routines across the student's day alongside academic instruction.

We recommend vigilance in maintaining a close linkage to grade-level academic content standards and consideration of achievement standards that mirror the highest achievement standard possible for this group of students.

Career & College Ready. As yet, limited data are available on extent to which students who participate in alternate assessments are prepared to transition from school to adult life.

Kearns Testimony – Committee on Education and Labor

US House of Representatives

March 18, 2010

Current post school outcome data define a positive outcome as fully time enrollment in post secondary education or full-time employment. Few students in the 1% population achieve full-time employment or post secondary education (Newman, Wagner, Cameto, & Knokey, 2009; Wagner, Newman, Cameto, Levine, & Gazar, 2006). As a result, little is known about their post school outcomes. However, a Kentucky study in progress will consider the student interview data among students who participate in an alternate assessment for the ACT to describe current outcomes. The Kentucky Transition Attainment Record (TAR) includes transition student and IEP team interviews. Kearns, LoBianco, & Harrison (in preparation) found that the majority of these students plan to receive special education services through age 21. Roughly, two thirds of these students plan to have full or part time jobs and have identified supported employment as an important transition support. This figure compares to the majority of students in this population who read sight words and solve math problems with a calculator. An additional one third of students checked "stay at home", which also compares to the percentage of students who are pre and emerging symbolic language users.

The majority of these students selected job interests related to working with children, animals, or food service. When asked what they would like to learn more about in school, the most selected responses were 1) computers, 2) work experience, and 3) music and arts. These responses were followed by academic goals of reading, math and science. While these data are very preliminary, the Kentucky Department of Education has authorized a study to merge these data with other student assessment and transition data sources to provide a more complete picture of the transition outcomes for these students.

We want to build a vision that post secondary education is an option for all students including those with intellectual disabilities. Programs like Think College at Boston College or the Transition Program at Asbury College in Kentucky are making post secondary educational opportunities available to these students. Increasing post secondary opportunities for this population underscores the importance of academic instruction and vigilance in maintaining close alignment with content standards.

Alternate Assessments. Unlike students in the general assessment who respond independently to what are described largely as multiple choice or open response items, students in this population must rely on a direct observation by the teacher of the student engaging in the behavior or the teacher's recall of a student's previous performance. At this time, nearly all alternate achievement standards assessments are individually administered generally by building personnel and in most cases the student's teacher (Quenemoen, Kearns, Quenemoen, Flowers, & Kleinert, 2010). The level of teacher involvement in an accountability environment

represents an inherent validity problem which must be accounted for in the assessment design (Gong, & Marion). However, given that the majority of this population (70% read sight words and solve math problems with a calculator) (Kearns et al. in press), it may well be possible for these students to respond independently using touch-screen, screen readers, and other use of technology. While the feasibility of this approach is unknown, given the rate of technology development, it is certainly worth consideration.

It is important to note that the name of an alternate assessment is also not necessarily an indicator of the quality of the assessment. All the nominal categories used to describe assessments for this population (portfolio, performance task, rating scale, multiple choice with picture choices), have relative strengths and weaknesses from a technical quality point of view (Gong & Marion, 2006). Technically sound assessments account for the weaknesses they present and clearly explicate the interpretations or inferences that can and cannot be made from the assessment results (AERA, APA, NCME Standards for Assessments, 1999). As a result many hybrid AA-AAS are beginning to emerge which may include features from multiple formats. While technical quality in AA-AAS continues to improve, poorly designed AA-AAS are simply poor assessments regardless of the name given to the assessment format. To that end, assessment format is less important than consistent use, achieving the intended purpose and consequences while minimizing negative consequences. Ultimately, the technical properties of an alternate achievement standards assessment format will be revealed in carefully planned and documented validity studies.

WHO IS RESPONSIBLE FOR THESE STUDENTS' SUCCESS

Research suggests that home/school partnerships are essential to promote achievement (Heward, 2009)). Our son John has a diagnosis of Attention Deficit Hyperactivity Disorder and is reading behind his peers. Through response to intervention, he has received intensive reading instruction by a reading specialist in addition to the supports he needs to access the general curriculum. The partnership that we have with his teacher and his reading specialist has resulted in steady progress. Should he qualify for services under the IDEA, we want to build partnerships with his teachers. Furthermore, we want his teachers to have high expectations for his performance, we want an accountability system that recognizes his participation, challenging academic standards, and well-designed progress and proficiency measures. We want to know where the achievement standard is, how close or far away his performance is from the achievement standard, and more importantly what we need to do to in partnership with his teachers to support his achievement. His future depends on it.

Kearns Testimony – Committee on Education and Labor

US House of Representatives

March 18, 2010

I want to acknowledge that the ESEA has a long history of supporting students with disabilities through the birth of the IDEA in the late 1970's through the current authorizations of both the IDEA and ESEA. Never in our history have children with disabilities been considered more a part of the essential elements of what we know as school Curriculum, Instruction, and Assessment. Indeed accountability has been largely responsible for giving students with disabilities access to challenging content, improved instruction, and highly qualified teachers. I see this discussion today as important in the continued progress toward achieving the goal of equal educational opportunities for all children.

Kearns Testimony – Committee on Education and Labor

US House of Representatives

March 18, 2010

References

AERA, APA, NCME (1999). *Standards for educational and psychological testing*. Washington, DC: American Educational Research Association.

Betebenner (2005) *Norm and Criterion Referenced Student Growth.* http://www.nciea.org/publications/normative_criterion_growth_DB08.pdf

Browder, D. M., Wakeman, S. Y., Spooner, F., Ahlgrim-Delzell, L., & Algozzine, B. (2006). Research on reading instruction for individuals with significant cognitive disabilities. *Exceptional Children, 72*,392-408.

Browder, D. M., Spooner, F., Ahlgirm-Delzell, L., Wakeman, S.Y. & Harris, a. (2008). A meta-analysis on teaching mathematics to students with significant cognitive disabilities. *Exceptional Children, 74*, 407-432.

Courtade, G. R., Spooner, F. & Browder, D. M. (2007). A review of students with students with significant cognitive disabilities that link to science standards. *Research and Practice in Severe Disabilities, 32*, 43-49.

Donahue Institute. (2004, Oct). *A study of MCAS achievement and promising practices in urban special education: Report of field research findings (Case studies and cross-case analysis of promising practices in selected urban public school districts in Massachusetts).* Hadley, MA: University of Massachusetts, Donahue Institute, Research and Evaluation Group. Available at: http://www.donahue.umassp.edu/docs/?item_id=12699

Donnellan, A. (1984). The criterion of the least dangerous assumption. *Behavioral Disorders, 9*, 141-150.

Fincher, M. (2007). "Investigating the academic achievement of persistently low performing students" in the session on *Assessing (and Teaching) Students at Risk for Failure: A Partnership for Success* at the Council of Chief State School Officers Large Scale Assessment Conference, Nashville TN, June 17-20, 2007. Retrieved August, 2007, from http://www.ccsso.org/content/PDFs/12%2DMelissa%20Fincher%20Paul%20Ban%20Pam%20Rogers%20Rachel%20Quenemoen.pdf.

Gong, B., & Marion, S. (2006). *Dealing with flexibility in assessments for students with significant cognitive disabilities.* Dover, NH: National Center for the Improvement of Educational Assessment. (PDF : 202 Kb)

Hawkins, V. J. (2007). Narrowing gaps for special-needs students. *Educational Leadership, 64* (5), 61-63.

Heward, W.L. (2009). Collaborating with parents and families in a culturally and linguistically diverse society. In W.L. Heward, *Exceptional children: An introduction to special education* (pp. 88-126). Upper Saddle River, NJ: Pearson Education.

Hill, Gong, Marion, DePasquale, Dunn & Simpson (2005) Using Value Tables to Explicitly Value Student Growth. http://www.nciea.org/publications/MARCES_RH07.pdf retrieved 03/09

HB 05-1246 Study Committee (2005, December 31). *Assessing "students in the gap" in Colorado*. Retrieved May, 2006, from http://education.umn.edu/nceo/Teleconferences/tele11/ColoradoStudy.pdf

Jorgensen, C. (2005). The least dangerous assumption: A challenge to create a new paradigm. *Disability Solutions, (6)* 3.

Kearns, J., LoBianco, T. & Harrison, B. (in preparation). An analysis of transition outcomes for students with significant cognitive disabilities in Kentucky. Lexington: University of Kentucky.

Kearns, J., Towles-Reeves, E., Kleinert, H., Kleinert, J., & Thomas, M. (in press). Characteristics of and implications for students participating in alternate assessments based on alternate achievement standards. *The Journal of Special Education*.

Kleinert, H. Collins, B. Wickham, D. Riggs, L. & Hagar, K. (in press). Embedding life skills, self-determination, and enhancing social relationships and other evidence-based practices. In H. Kleinert & J. Kearns, (in press). *Meaningful outcomes for students with significant cognitive disabilities: Alternate assessment on alternate achievement standards*. Baltimore: Paul Brookes.

Lazarus, S., Wu, Y.-C., Altman, J., & Thurlow, M. (2010).*NCEO brief: The characteristics of low performingstudents on large-scale assessments*. Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes.

Marion, S., Gong, B., & Simpson, M. A. (2006, Feb. 6). Mining achievement data to guide policies and practices on assessment options. *Teleconference on Making Good Decisions on NCLB Flexibility Options*. Minneapolis: National Center on Educational Outcomes. Retrieved April, 2009, fromhttp://education.umn.edu/nceo/Teleconferences/tele11/default.html

Kearns Testimony – Committee on Education and Labor

US House of Representatives

March 18, 2010

Megan's Story: A Study in Postsecondary Education for Persons with Intellectual Disabilities. University of Kentucky : Interdisciplinary Human Development Institute. Retrieved from http://www.hdi.uky.edu/Media/MegansStory.wmv

Morgan, Frisco, Farkas, & Hibel (2010). A propensity scoter matching analysis of the effects of special education. *Journal of Special Education 43* (4), pp. 236-254.

National Association of School Psychologists (NASP). (2002). *Position statement: Rights without labels*. Original statement adopted by NASP Delegate Assembly in 1986. Revision adopted by NASP Delegate Assembly, July 14, 2002. Retrieved March 10, 2009, from http://www.nasponline.org/about_nasp/pospaper_rwl.aspx

New England Compact. (2007). *Reaching students in the gaps: A study of assessment gaps, students, and alternatives*. (Grant CFDA #84.368 of the U.S. Department of Education, Office of Elementary and Secondary Education, awarded to the Rhode Island Department of Education). Newton, MA: education Development Center, Inc.

Newman, L. Wagner, M. Cameto, R. & Knokey, A. (2009). The post high school outcomes of youth with disabilities up to 4 years after high school. A report of findings from the national longitudinal transition study-2. Retrieved from www.nlts2.org/reports/2009_04ntls2_report_2009_04_complete.pdf.

2009 Ohio *Followup Study on Students with Disabilities*

Perie, M. (2009). *Understanding the AA-MAS: How does it fit into a state assessment and accountability system?* Presentation to CCSSO SCASS meeting, February 4, 2009.

Perie, M. Marion, S. & Gong,B. (2007). A framework for considering interim and benchmark assessments. The National Center for the Improvement of Educational Assessment. http://www.nciea.org/publications/ConsideringInterimAssess_MAP07.pdf

Quenemoen, R. (2010). Who are the students taking modified achievement standard assessments.

Thompson, S.J., Morse, A.B., Sharpe, M., & Hall, S. (2005). *Accommodations manual: How to select, administer, and evaluate use of accommodations for instruction and assessment of students with disabilities.* Washington, DC: Council of Chief State School Officers, ASES SCASS. Also available from OSEP toolkit at – http://www.osepideasthatwork.org/toolkit/accommodations_manual.asp.

Thompson, S.J., Johnstone, C.J., Anderson, M. E., & Miller, N. A. (2005). *Considerations for the development and review of universally designed assessments* (Technical Report 42).

Minneapolis, MN: University of Minnesota, National Center on Educational Outcomes. Retrieved [03/13/2010], from the World Wide Web: http://education.umn.edu/NCEO/OnlinePubs/Technical42.htm

Thurlow, M. L., Moen, R. E. Liu, K. K., Scullin, S., Hausmann, K. E., & Shyyan, V. (2009). *Disabilities and reading: Understanding the effects of disabilities and their relationship to reading instruction and assessment.* University of Minnesota: Partnership for Accessible Reading Assessment.

Wagner, M. Newman, L. Cameto, R. Levine, P. & Gazar, N. (2006). *An overview of the findings from wave 2 of the national longitudinal transition study-2 (NTLS-2*). Retrieved from the www.nlts2.org/reports/2006_08nlts2_report_2006_08_complete.pdf