ASSESSMENT
IN SPECIAL AND INCLUSIVE EDUCATION

SALVIA | YSSELDYKE | WITMER

THIRTEENTH EDITION

Assessment
in Special and Inclusive Education
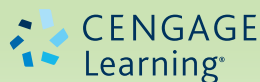
Thirteenth Edition

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PREFACE

As indicated by the title of the thirteenth edition, *Assessment in Special and Inclusive Education*, we continue to be concerned about assessing the performance and progress of students with disabilities, regardless of whether their education occurs in general or special education settings. We are also concerned with assessment that occurs in classrooms to identify and address the needs of students requiring additional academic and social–emotional support. Educational assessment has undergone substantial change since the first publication of *Assessment in Special and Inclusive Education* in 1978. Improvement and expansion in assessment tools and strategies are certainly evident. New models and technologies for assessment in school settings have emerged in an attempt to more efficiently address the increasingly diverse needs of students today. Federal laws and regulations related to school assessment practices have been revised in attempts to promote improvements in student outcomes, and they are in the midst of revision as we complete this most recent edition.

Throughout these changes, we have remained committed to assessment approaches that promote data-based decision making, and we believe many concepts and ideas that were presented in the original edition are still essential for our readers to understand and know how to apply. Philosophical differences continue to divide the assessment community. Disputes continue over the value of standardized and nonstandardized test administration, objective and subjective scoring, generalizable and nongeneralizable measurement, interpersonal and intrapersonal comparisons, and so forth. In the midst of these differences, we believe students and society are best served by the objective, reliable, and valid assessment of student abilities and skills and by meaningful links between assessment results and intervention.

Our position is based on several conclusions. First, the IDEA requires objective assessment, largely because it usually leads to better decision making. Second, we are encouraged by the substantial improvement in assessment devices and practices over the past 30-plus years. Third, although some alternatives are merely unproven, other innovative approaches to assessment—especially those that celebrate subjectivity—have severe shortcomings that have been understood since the early 1900s. Fortunately, much of the initial enthusiasm for those approaches has waned. Fourth, we believe it is unwise to abandon effective procedures without substantial evidence that the proposed alternatives really are better. Too often, we learned that an educational innovation was ineffective after it had already failed far too many students.

Our focus is on assessment that matters; assessment that will bring important changes that enhance the lives of the students served. By equipping our readers with knowledge and understanding of key assessment concepts and principles that can be readily applied in school settings, we believe they will be prepared to engage in work that will indeed improve the academic and social–emotional outcomes of the students they serve.

Audience for This Book

Assessment in Special and Inclusive Education, Thirteenth Edition, is intended for a first course in assessment taken by those whose careers require understanding and informed use of assessment data. The primary audience is made up of those who are or will be teachers in special education at the elementary or secondary level. The secondary audience is the large support system for special educators: school psychologists, child development specialists, counselors, educational administrators, nurses,

reading specialists, social workers, speech and language specialists, and specialists in therapeutic recreation. Additionally, in today's reform climate, many classroom teachers enroll in the assessment course as part of their own professional development. In writing for those who are taking their first course in assessment, we have assumed no prior knowledge of measurement and statistical concepts.

Purpose

Students with disabilities have the right to an appropriate evaluation and to an appropriate education in the least restrictive educational environment. Those who assess have a tremendous responsibility; assessment results are used to make decisions that directly and significantly affect students' lives. Those who assess are responsible for knowing the devices and procedures they use and for understanding the limitations of those devices and procedures. Decisions about a student's eligibility for special education and related services must be based on accurate and reliable information; decisions about how and where to educate students with disabilities must be based on accurate and reliable data. Best practices in assessment can help support the learning and development of not just those with disabilities, but all students needing a variety of different levels of support, and so we intend for many of the concepts presented to facilitate best practices for all students, and not just those with disabilities.

New to This Edition

The thirteenth edition continues to offer straightforward and clear coverage of basic assessment concepts, evenhanded evaluations of standardized tests in each domain, and illustrations of applications to the decision-making process. All chapters have been updated, several have been revised substantially, and a few have been eliminated to allow for a clear focus on assessment that matters for promoting academic and social–emotional outcomes.

OVERALL CHANGES

Throughout the revision process, our primary goal was to focus on essential assessment concepts, principles, and practices necessary for serving students in school settings. The development and availability of assessment tools, particularly for the purpose of systematic monitoring of student progress, have increased dramatically in recent years, and websites now provide information to facilitate our readers' own reviews of these tools. Therefore, instead of providing numerous detailed reviews of available instruments, we decided to focus our efforts on effectively communicating the key characteristics readers should look for when evaluating the multitude of options available. We have further focused this edition on basic information necessary for generalists (as opposed to specialists) who are seeking to use assessment to improve academic and social–emotional functioning of school-age students. As such, we have reduced coverage of topics that are not closely aligned with this purpose. In order to better facilitate our readers' ability to access the content offered, all available content is present directly in the book rather than in both the book and a separate website. Furthermore, instead of including a separate chapter on technology, we have incorporated discussion of new technologies within the chapters with which they most closely align. Finally, we know that many school systems are moving toward use of models involving a multi-tiered system of supports (MTSS), and we therefore considered it necessary to provide more background for readers on these models for assessment and intervention. In doing so, we revised the associated chapters to focus on basic assessment concepts and principles that are important to understand when applying these models, define important keywords that are increasingly being used in the application of these models, and provide examples of

how these models are applied in schools. Overall, our goal is to provide readers with a comprehensive textbook that provides easy access to the assessment concepts and ideas necessary to facilitate the academic and social–emotional competence of all students in schools today.

NEW FEATURES

In addition to important content revisions, we have incorporated several new pedagogical features across chapters.

- At the beginning of each chapter, we now display professional standards and specific learning objectives. Each learning objective is linked directly to a major chapter heading, and to associated comprehension questions at the end of the chapter.

- Keywords are bolded, with definitions included in the narrative.

- Each scenario is explicitly referenced to basic concepts and ideas presented in the chapter.

- Advanced content, previously located on the book's CourseMate website, which is for students in upper-level or graduate courses, is uniquely formatted to convey that it is advanced material.

MAJOR CHAPTER REVISIONS

Although all chapters that were maintained for the thirteenth edition have been updated, major updates were made in the following chapters:

- Chapter 1: Assessment in Social and Educational Contexts

  Revised to provide a brief introduction to basic assessment concepts and themes that are elaborated on in later chapters.

- Chapter 5: Technical Requirements

  Advanced content that was previously displayed only on the CourseMate website is now incorporated within this chapter, and it is formatted to indicate that it represents advanced information.

- Chapter 10: Monitoring Student Progress Toward Instructional Goals

  Instead of providing reviews of specific progress monitoring tools, we highlight key features that are important to look for when evaluating the associated tools.

- Chapter 12: Response to Intervention (RTI) and a Multi-Tiered System of Supports

  New keywords that correspond to the evolving application of these models in schools are defined, and an additional scenario is provided to describe how these models are applied within school settings.

- Chapter 19: Using Measures of Social and Emotional Behavior

  To ensure readers have information on assessing adaptive behavior, content on this topic has been incorporated into the chapter.

- Chapter 22: Making Decisions About Participation in Accountability Programs

  This chapter has been revised to focus on information essential for those making decisions about how individual students should participate in large-scale assessment used for accountability purposes, rather than focusing on information that is important primarily for policymaking at the state level.

- Technological advancements in assessment, previously located in one chapter (23), are now embedded within existing chapters with related content.

- In addition, we deleted chapters that were deemed either particularly specialized, focused on nonobjective assessment practices, or not well aligned with our focus on promoting academic and social–emotional outcomes. More specifically, we have deleted content on the assessment of sensory acuity and oral language (Chapters 14 and 20), portfolio assessment (Chapter 25), perceptual-motor assessment (Chapter 16), and assessment of infants, toddlers, and preschoolers (Chapter 19).

REVISED TESTS

Several tests that are very commonly used to assess students with disabilities have been released with new editions. Reviews of the following recently updated tests are included in corresponding chapters of the book:

- Woodcock–Johnson Tests of Achievement and Cognitive Abilities–Fourth Edition (WJ-COG-4; WJ-ACH-4)

- Wechsler Intelligence Scales for Children–Fifth Edition (WISC-V)

- Oral and Written Language Scales–Second Edition (OWLS-2)

- Behavior Assessment System for Children–Third Edition (BASC-3)

- Gray Oral Reading Test–Fifth Edition (GORT-5)

- Diagnostic Achievement Battery–Fourth Edition (DAB-4)

ORGANIZATION

Part 1, "Overview and Basic Considerations," places testing in the broader context of assessment.

- In Chapter 1, "Assessment in Social and Educational Contexts," we describe the challenge of addressing the needs of diverse students in schools today, and introduce basic concepts and principles that will be covered in greater depth later in the book.

- In Chapter 2, "Assessment and Decision Making in Schools," we describe the four main methods for collecting assessment information, and the main types of decisions made in school settings for which assessment is necessary.

- In Chapter 3, "Laws, Ethical Codes, and Professional Standards That Impact Assessment," we discuss the ways assessment practices are regulated and mandated by legislation and litigation, and various ethical principles that may be used to guide assessment practices.

- In Chapter 4, "What Test Scores Mean," we describe the commonly used ways to quantify test performance and provide interpretative data.

- In Chapter 5, "Technical Requirements," we explain the basic measurement concepts of reliability and validity, and incorporate advanced content related to these concepts for those who want to know more.

- In Chapter 6, "Cultural and Linguistic Considerations," we discuss various cultural and linguistic factors that need to be considered when collecting and interpreting assessment information, related legal requirements, and suggested guidelines for assessment practices.

- In Chapter 7, "Using Test Adaptations and Accommodations," we explain the need for some students to have changes made in how various tests are

administered, and provide associated guidance for making accommodation decisions during eligibility and accountability testing.

Part 2, "Assessment in Classrooms," provides readers with fundamental knowledge necessary to conduct assessments in the classroom, and information about new technologies that can facilitate efficient collection and summarization of data for use in making decisions in the classroom.

- Chapter 8, "Teacher-Made Tests of Achievement," provides a systematic overview of tests that teachers can create to measure students' learning and progress in the curriculum.

- Chapter 9, "Assessing Behavior Through Observation," explains the major concepts in conducting systematic observations of student behavior.

- Chapter 10, "Monitoring Student Progress Toward Instructional Goals," describes concepts, ideas, and strategies that can be used to measure student academic progress.

- Chapter 11, "Managing Classroom Assessment," is devoted to helping educators plan assessment programs that are efficient and effective in the use of both teacher and student time.

- Chapter 12, "Response to Intervention (RTI) and a Multi-Tiered System of Supports," provides information on how assessment information can inform decisions made within these innovative models, and guidance for ensuring that appropriate practices are put into place when applying these models,

In Part 3, "Assessment Using Formal Measures," we provide information about the abilities and skills most commonly tested in the schools.

- Part 3 begins with Chapter 13, "How to Evaluate a Test." This chapter is a primer on what to look for when considering the use of a commercially produced test.

- The next six chapters in Part 3 provide an overview of various domains that are assessed in schools using formal measures, and reviews of the most frequently used measures: Chapter 14, "Assessment of Academic Achievement with Multiple-Skill Devices"; Chapter 15, "Using Diagnostic Reading Measures"; Chapter 16, "Using Diagnostic Mathematics Measures"; Chapter 17, "Using Measures of Written Language"; Chapter 18, "Using Measures of Intelligence"; Chapter 19, "Using Measures of Social and Emotional Behavior."

In Part 4, "Using Assessment Results to Make Educational Decisions," we discuss the most important decisions educators make on behalf of students with disabilities.

- In Chapter 20, "Making Instructional Decisions," we discuss the decisions that are made prior to a student's referral for special education and those that are made in special education settings.

- In Chapter 21, "Making Special Education Eligibility Decisions," we discuss the role of multidisciplinary teams and the process for determining a student's eligibility for special education and related services. In a new section we describe approaches using information on a student's Response to Intervention in making eligibility decisions.

- In Chapter 22, "Making Decisions About Participation in Accountability Programs," we explain the legal requirements for states and districts to meet the standards of No Child Left Behind and IDEA, and important considerations in making decisions about how a student participates in the accountability program.

- In Chapter 23, "Collaborative Team Decision Making," we provide an overview of communicating with school teams about assessment and decision making, and include information about the characteristics of effective school teams, strategies for effectively communicating assessment information to parents and students, and the rules concerning data collection and record keeping.

ONLINE RESOURCES FOR INSTRUCTORS

ONLINE INSTRUCTOR'S MANUAL WITH TEST BANK

An online instructor's manual accompanies this book. It contains information to assist the instructor in designing the course, including sample syllabi, discussion questions, teaching and learning activities, field experiences, learning objectives, and additional online resources. For assessment support, the updated test bank includes true–false, multiple-choice, matching, short-answer, and essay questions for each chapter.

POWERPOINT LECTURE SLIDES

These vibrant Microsoft PowerPoint lecture slides for each chapter assist you with your lecture by providing concept coverage using images, figures, and tables directly from the textbook.

COGNERO

Cengage Learning testing, powered by Cognero, is a flexible online system that allows you to author, edit, and manage test bank content from multiple Cengage Learning solutions; create multiple test versions in an instant; and deliver tests from your learning management system, your classroom, or wherever you want.

ACKNOWLEDGMENTS

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John Salvia • *Jim Ysseldyke* • *Sara Witmer*

CHAPTER

1

ASSESSMENT IN SOCIAL AND EDUCATIONAL CONTEXTS

LEARNING OBJECTIVES

1-1 Determine individual differences in skills, abilities, and behaviors and how these differences can require different levels of support to succeed in school.

1-2 Ascertain why assessment is important in school and society.

1-3 Explain why assessment is important in special and inclusive education.

1-4 Articulate key themes that are important to understand for engaging in best practices in assessment.

1-5 Discuss that significant improvements in assessment have happened and continue to happen.

STANDARDS ADDRESSED IN THIS CHAPTER

CEC **CEC Initial Preparation Standards**

Standard 1: Learner Development and Individual Learning Differences
  1.0 Beginning special education professionals understand how exceptionalities may interact with development and learning and use this knowledge to provide meaningful and challenging learning experiences for individuals with exceptionalities.

Standard 4: Assessment
  4.0 Beginning special education professionals use multiple methods of assessment and data-sources in making educational decisions.

CEC ADVANCED **CEC Advanced Preparation Standards**

Standard 1: Assessment
  1.0 Special education specialists use valid and reliable assessment practices to minimize bias.

Ψ **National Association of School Psychologists Domains**

  1 Data-Based Decision Making and Accountability
  8 Diversity in Development and Learning

Education is intended to provide *all* students with the skills and competencies they need to enhance their lives and the lives of their fellow citizens. School personnel are expected to provide all students with a predetermined set of competencies, usually those specified in national common core content standards or in specific state education standards. This function would be extremely difficult even if all students entered school with the same abilities and competencies and even if all students learned in the same way and at the same rate. However, they do not. For example, it is the first day of school at Stevenson Elementary, and several students show up for kindergarten:

- Kim is dropped off at the front door. He speaks no English and the school staff had no idea he was coming.
- Marshall comes knowing how to read, print, add, and subtract.
- Joyce is afraid to come to school and cries incessantly when her mother tries to leave.
- Kamryn and her mother arrive with a folder that includes all of her preschool records, her immunization and medical records, and reports from the two psychologists she has been seeing since age 2.
- Mike doesn't show up. The school has his name on a list, his completed registration records, and notes from a social worker indicating that he is eligible for free and reduced-price lunch.

Not only do students not begin school with the same skills and abilities, they make progress through the curriculum at different rates and have different instructional needs. For example, midway through the first grade, Sally has picked up all she has been taught with no additional help. She just "gets it." Bill needs instruction specifically targeted to help him overcome his deficiencies in letter–sound correspondence; he sees a tutor twice a week. Joe needs so much help that he receives intensive special education services.

Students attending schools today are a much more diverse group than in the past. Today's classrooms are multicultural and multilingual. Students demonstrate a significant range of academic skills; for example, in some large urban environments 75 percent of sixth graders are reading more than two years below grade level, and there is as much as a 10-year range in skill level in math in a sixth-grade classroom. More than 6.5 million children and youth with disabilities (approximately 13 percent of the school-age population) receive special education and related services. Most of these children and youth are attending schools in their own neighborhoods in classes with their peers—this was not always the case in the past—and fewer students with disabilities receive special education services in separate buildings or separate classes.

The focus of this book is on students in both special and inclusive education. **Special education** is a set of unique educational services and supports provided to students with disabilities who meet particular disability criteria; these may include services provided in separate settings or services provided in settings comprising both students with and without disabilities. **Inclusive education** refers to educational approaches that facilitate learning of all students, including those with and without disabilities, within the same environment.

1-1 Individual Students Need Different Levels of Support to Succeed

We as teachers and related services personnel are faced with providing education matched to the needs of students with few skills and those with highly developed skills in the same class. No matter what level of skills they bring with them and no matter how motivated students are to learn, it is our job to enhance their competence

and to build the capacity of schools together with families, community agencies, churches, and other factors that influence students' development to meet their needs. In a larger social context, the assessor or a case coordinator must take into account these multiple influences as he or she assesses students and develops supports to meet individual student needs. For example, the tutoring Rosa is receiving at the local Hispanic community center could actually be interfering rather than helping. Or we may find that a really effective way to help Mohammed is to work with the local Somali neighborhood organization that provides students with homework help. As citizens and members of a variety of communities, we are also interested in the capacity of systems to support students in these ways, and we can enhance our effectiveness by taking into account these multiple perspectives and systems. To discuss all these influences is beyond the scope of this text, yet we will be taking many such factors into consideration as we talk about appropriate assessment and decision making in school and community settings.

Schools must provide multiple levels of support to enable each student to be successful in attaining the common core standards as required by state and federal regulations. School personnel must decide who gets what kinds of support and the level of instructional intensity needed by a student, how instruction will be delivered, and the extent to which instruction is working. **Differentiated instruction** is a process that involves matching the content and instructional approach to individual students' learning needs in order to accelerate the learning of all students. Within one first-grade class, some students may not have mastered single-digit addition and subtraction, whereas other students may have mastered this skill and may be ready to learn the strategies of carrying and borrowing associated with double-digit addition and subtraction. Some students may need the teacher to provide 10 examples of carrying within a double-digit additional problem and other students may need just two examples. Only with appropriate and ongoing assessment can one ensure that the content and instructional approaches selected truly match students' needs, and that they are effective. **Assessment** is the process of collecting information (data) for the purpose of making decisions for or about individuals. Knowledge and application of best practices in assessment can help a teacher provide differentiated instruction that optimizes student learning. Read the chapter scenario and associated questions to think more carefully about how a teacher may need to use information to guide the instruction that she will provide to a variety of students in her classroom.

Differentiated instruction is something that all teachers, including both general and special education teachers, strive to incorporate for all of their students, regardless of whether or not the students have disabilities and require special education services. When teaching students who have disabilities that require special education services, general educators and special educators work together to determine how to best match academic instruction to any given student's needs. Students eligible for special education services may receive some or all of their instruction in a separate setting. However, regardless of where a student with a disability is taught, it is important for general and special education teachers to work together to develop, implement, monitor, and evaluate plans for differentiating instruction to ensure the student has adequate access to the general curriculum. General educators tend to be most familiar with the general curriculum, and therefore are able to articulate what the content of instruction should be. Special educators tend to be most familiar with the unique needs of students with disabilities, and can therefore help identify potential barriers to accessing the general curriculum and propose ways to reduce those barriers. Beyond the school setting, there are often additional sources of support, including community centers, faith-based organizations, and mental health providers that school teams may communicate with to help address the unique needs of students, both those with and without disabilities. The use of assessment tools and strategies can go a long way in helping teachers decide what supports are necessary.

Although differentiated instruction is often applied at the classroom level, there are often procedures used at the school level to facilitate differentiated instruction. In the past decade, many districts and schools have begun using Multi-Tiered System of

MRS. JOHNSON | Mrs. Johnson's fourth-grade class is a heterogeneous group, and includes the following: four students who are receiving enrichment for one hour per week, two students who receive speech therapy for 30 minutes twice a week, two students with learning disabilities who receive itinerant (special education) services daily, 12 students who are functioning at grade level in all academic areas, and six students who are functioning below average in one or more academic areas. She also has two students whose educational records have yet to arrive from out-of-state.

Mrs. Johnson intends to spend the first week of school in a review of academic content and assessment of each student's prior knowledge so that she can differentiate her instruction. She will meet with the following specialists who will be providing pull-out services to her students: the itinerant special education teacher,

to begin coordinating the instructional support that her two students with learning disabilities receive; the speech therapist, to schedule times when the two students needing therapy will be removed from her class; and the enrichment teacher, to schedule times when the four gifted students will be seen for enrichment activities that will also be part of her curriculum. It looks like another busy year in her fourth-grade class.

This scenario highlights the wide range of students that a teacher may have in class. These students are likely to have very different instructional needs. Additional information about these students' skills and prior learning experiences may help inform this teacher's instructional decision making so that student learning is optimized. What additional information do you think might be helpful to collect, in order to inform instructional decision making?

Supports (MTSS) models to more effectively match the content, method, and intensity of instruction to individual students' needs. Those students who are particularly low in certain skills and not progressing at an expected rate are identified for more intensive instruction and intervention. The goal of using these models is to ensure that resources are allocated in such a way that all students receive the support they need to be successful. Students' instructional needs are identified and their progress is monitored so that instruction can be adapted when necessary. As with differentiated instruction at the classroom level, assessment can play a very important role within MTSS models. MTSS and the role of assessment within MTSS models are further explained in Chapter 12.

1-2 The Importance of Assessment in Schools and Society

The end goal of assessment is improved educational outcomes for students. This is where teachers, school psychologists, speech and language pathologists, administrators, and other school personnel get their rewards: seeing students become more competent over time. School personnel tell us this is exciting work.

Assessment touches everyone's life. It especially affects the lives of people who work with children and youth, and who work in schools. Test scores, in particular, are now used to make a variety of important decisions. Here are just a few examples of the ways in which test scores affect people's lives:

- You learn that, as part of the state certification process, you must take tests that assess your knowledge of teaching practices, learning, and child development.

- Mr. and Mrs. Johnson receive a call from their daughter Morgan's third-grade teacher, who says he is concerned about her performance on a reading test. He would like to refer Morgan for further testing to determine whether she has a learning disability.

- Mr. and Mrs. Erffmeyer tell you that their son is not eligible for special education services because he scored "too high" on an intelligence test.

- In response to publication of test results showing that U.S. students rank low in comparison to students in other industrialized nations, the U.S. Secretary of Education issues a call for more rigorous educational standards for all students and for increased federal aid.

- The superintendent of schools in a large urban district learns that only 40 percent of the students in her school district passed the state graduation test.

- Your local school district asks for volunteers to serve on a task force to design a measure of technological literacy to use as a test with students.

In the United States, almost everyone goes to school. And it seems like everyone has an opinion about testing. **Testing** is administering a predetermined set of questions or tasks, for which predetermined types of behavioral responses are sought, to an individual or group of individuals in order to obtain a score. It is important to realize that there are many assessment methods apart from testing. Furthermore, best practices in assessment, as opposed to testing, involve more than just administration of a test to obtain a score. Considerations such as the types of decisions for which a particular test score is truly helpful, and the conditions under which the test score can be deemed valid must be taken into account when using tests. However, it remains the case that testing is often the "go to" method for making important decisions that affect people's lives.

The procedures for gathering data and conducting assessments are matters that are rightfully of great concern to the general public—both individuals who are directly affected by the assessments (such as parents, students, and classroom teachers) and individuals who are indirectly affected (for example, taxpayers and elected officials). These matters are also of great concern to individuals and agencies that license or certify assessors to work in the schools. Finally, these matters are of great concern to the assessment community. For convenience, the concerns of these groups are discussed separately; however, the reader should recognize that many of the concerns overlap and are not the exclusive domain of one group or another.

1-2a CONCERNS OF STUDENTS, THEIR FAMILIES, AND TEACHERS

People react strongly when test scores are used to make interpersonal comparisons in which they or those they love look inferior. We expect parents to react strongly when test scores are used to make decisions about their children's life opportunities—for example, whether their child could enter college, pass a class, be promoted to the next grade, receive special education, or be placed in a program for gifted and talented students. Parents never want to hear that their children are not succeeding or that their children's prospects for adult life are limited. Students do not want to hear that they are different or not doing as well as their peers; they certainly do not want to be called handicapped or disabled. Poor student performance also affects teachers. Some teachers deny that student achievement really is inadequate; they opine that tests measure trivial knowledge (not the important things they teach), decontextualize knowledge, make it fragmented and artificial, and so on. Other teachers accept their students' failures as a fact of life (these teachers burn out). The good teachers work harder (for example, by learning instructional techniques that actually work and individualize instruction).

Unwanted outcomes of assessment often lead to questions about the kinds of tests used, the skills or behaviors they measure, and their technical adequacy. Decisions about special and remedial education have consequences. Some consequences are desired, such as extra services for students who are entitled to special education. Other consequences are unwanted, such as denial of special education services or diminished self-esteem resulting from a disability label.

1-2b CONCERNS OF THE GENERAL PUBLIC

Entire communities are keenly interested when test scores from their schools are reported and compared with scores from schools in other communities. Districts with "good" test scores are desirable, and real estate prices reflect the fact that parents want to live in those districts. This is especially true for parents of students who have disabilities. Good special education programs are a magnet for many such parents. Read the upcoming Scenario in Assessment and associated questions to think about how school district test scores may influence communities.

Often, test results are used to make high-stakes decisions that may have a direct and significant effect on the continued funding or even closing of schools and school

systems, modifying state curricula, and salary negotiations. Finally, individuals who take tests outside of the schools are also affected. We take a test to earn the privilege of a driver's license. We usually have to take tests to gain admission to college. When test results restrict access to privileges, those denied access often view the tests as undemocratic, elitist, or simply unfair.

1-2c CONCERNS OF CERTIFICATION BOARDS

Certification and licensure boards establish standards to ensure that assessors are appropriately qualified to conduct assessments. Test administration, scoring, and interpretation require different degrees of training and expertise, depending on the kind of test being administered. All states certify teachers and psychologists who work in the schools; all states require formal training, and some require competency testing. Although most teachers can readily administer or learn to administer group intelligence and achievement tests as well as classroom assessments of achievement, a person must have considerable training to score and interpret most individual intelligence and personality tests. **Competency-based assessment** refers to assessment of very specific knowledge and skills using authentic or simulated situations in which the knowledge and skill can be demonstrated. This assessment approach is being used more frequently to ensure that those administering and using tests to make important decisions truly have the necessary testing skills and knowledge. When pupils are tested, we should be able to assume that the person doing the testing has adequate training to conduct the testing correctly (that is, establish rapport, administer the test correctly, score the test, and accurately interpret the test).

The joint committee of three professional associations that developed a set of standards for test construction and use has addressed the importance of testing:

> *Educational and psychological testing are among the most important contributions of cognitive and behavioral sciences to our society, providing fundamental and significant sources of information about individuals and groups. Not all tests are well developed, nor are all testing practices wise or beneficial, but there is extensive evidence documenting the usefulness of well-constructed, well-interpreted tests. Well-constructed tests that are valid for their intended purposes have the potential to provide substantial benefits for test takers and test users. Their proper use can result in better decisions about individuals and programs than would result without their use and can also provide a route to broader and more equitable access to education and employment.*

SCENARIO IN ASSESSMENT

MICHAEL | Businessman Sam has just been promoted and transferred to a different state. He and his wife, Virginia, and their three children are house hunting. Their son Michael is a student with autism; one of the family's primary considerations in selecting a new home is the school district's programs for students with autism.

The area where the family is moving is served by three school districts, one religious school, and one charter school. School district one has three students with autism (one who is about the same age as Michael), and those students are placed in classrooms for students with intellectual disabilities. School district two is more rural and buses all of its elementary students with autism to one classroom, where they are educated and included in activities with nondisabled peers. School district three is the largest and maintains classes for students with varying degrees of autism (i.e., both higher- and lower-functioning students) in several school buildings. The charter school has no students with disabilities. Students

with disabilities in the religious school are fully included and may receive speech, occupational, and physical therapies through school district three. Sam and Virginia contact the local autism support group to see if it has a recommendation about the school systems. The group strongly recommends school district three. Besides having an excellent special education program, it is known to provide strong education for students without disabilities. Annual state testing results show that most students in school district three, including many students with disabilities, meet grade-level expectations. Even though houses cost several thousand dollars more in school district three, Sam and Virginia purchase their new home there.

This scenario provides an example of how important test scores can be to decision making. In this case, school test scores influenced a family's decision about where to live. How have test scores been used to make important decisions that have affected your life?

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The improper use of tests, on the other hand, can cause considerable harm to test takers and other parties affected by test-based decisions.(American Educational Research Association, American Psychological Association, and National Council on Measurement in Education, 2014, p. 1).

1-3 Why Learn About Assessment in Special and Inclusive Education?

Educational professionals must assess and understand the results of assessments that they and others administer. Assessment is a critical practice that serves the purpose of matching instruction to the level of students' skills, monitoring student progress, modifying instruction, and working hard to enhance student competence. It is a critical component of teaching, and so it is necessary for teachers to have good skills in assessment and a good understanding of assessment information.

Although assessment can be a scary topic for practicing professionals as well as individuals training to become professionals, learning its different important facets helps people become less apprehensive. Educational assessments always have consequences that are important for students and their families. We can expect that good assessments lead to good decisions—decisions that facilitate a student's progress toward the desired goal (especially long term) of becoming a happy, well-adjusted, independent, productive member of society. Poor assessments can slow, stop, and sometimes reverse progress. The assessment process can also be intimidating because there is so much to know; a student of assessment can easily get lost in the details of measurement theory, legal requirements, teaching implications, and national politics.

Things were much simpler when the first edition of this book was published in 1978. The federal legislation and court cases that governed assessment were minimal. Some states had various legal protections for the assessment of students; others did not. There were fewer tests used with students in special education, and many of them were technically inadequate (that is, they lacked validity for various reasons). Psychologists decided if a student was entitled to special education, and students did not have individualized educational programs (IEPs). Back then, the major problems we addressed were how to choose a technically adequate test, how to use it appropriately, and how to interpret test scores correctly. Although the quality of published tests has increased dramatically throughout the years, there are still poor tests being used.

Things are more complex today. Federal law regulates the assessment of children for and in special education. Educators and psychologists have many more tools at their disposal—some excellent, some not so good. Educators and psychologists must make more difficult decisions than ever before. For example, the law recognizes a greater number of disabilities, and educators need to be able to distinguish important differences among them.

Measurement theory and scoring remain difficult but integral parts of assessment. Failure to understand the basic requirements for valid measurement or the precise meaning of test scores inescapably leads to faulty decision making. Through reading and contemplating the information presented in the chapters that follow, we believe you will gain valuable knowledge and skills for selecting and using assessment methods that can improve decision making in schools, particularly those that relate to meeting the needs of a diverse student population.

1-4 Important Assessment Concepts to Understand

Models, methods, and materials used for assessment are constantly evolving. In the past four decades that we have been writing and updating this book, we have seen schools engage in many different assessment practices, both good and bad. We highlight

here some foundational concepts that we believe are important to understand as you learn more about assessment, with additional information on the chapters in which these concepts are covered in greater depth. A comprehensive understanding of these concepts will help you as you seek to apply assessment knowledge in your school-based practices.

1-4a LEVEL VS. RATE OF PROGRESS

Instructional decision making can be best informed by knowing both (a) a student's *current level* of performance and (b) his or her *rate* of progress, and it is important to understand the difference between the two. Other words that are sometimes used to refer to the same concepts are status and rate of improvement. Suppose that at the end of a week of instruction, Cara correctly spelled 12 out of 20 targeted spelling words, and Callie correctly spelled 20 out of the same 20 targeted spelling words. Although Callie appears to have greater current skill in spelling the targeted set of words, the extent to which she benefited from the instruction that was provided remains unclear. Suppose that at the beginning of the week the teacher collected information to know that Cara spelled only one out of the 20 targeted words correctly and Callie spelled 18 out of the 20 targeted words correctly. Cara therefore learned how to spell at a rate of 11 words per week (i.e., 12 – 1); Callie learned how to spell at a rate of just two words per week (i.e., 20 – 18). Cara appears to have a much higher rate of progress, suggesting that the instruction was particularly effective for her; however, she has not yet mastered the set of words. Although Callie has mastered the targeted words, it is questionable whether the instruction was particularly effective for her—she might have learned more had she been given the opportunity. Determination of performance level can be important for making decisions about what to teach, as well as deciding whether a student has mastered a skill. But information on rate of progress is needed to know whether instruction is particularly effective. In this book, you will learn about different instruments and methods for measuring both level and rate of progress. Some tools are primarily developed and used for measuring level, others are developed to allow for measurement of both level and rate of progress. Chapters 8–11 provide more information on how performance level and rate of progress can be measured in classroom settings, and Chapter 12 explains how these are often used as a part of MTSS.

1-4b DIFFERENT DECISIONS OFTEN REQUIRE DIFFERENT DATA

Decisions made within school settings vary considerably in terms of the consequences or stakes attached. In some cases, decisions may have relatively minor implications for student learning. For instance, a high school teacher may want information to decide whether to focus more instructional time during a particular class period on the causes of the Civil War, or whether it would be better to move on to teaching about the various battles in the war. In this case, the teacher might quickly develop a very brief measure to find out whether the majority of the class knows several identified causes of the war. In other cases, a decision may have major implications for students. For example, determining whether a student has a disability and qualifies for special education services can have very important implications for the student's future. Such a decision should be informed by data that are collected carefully over time and that have strong evidence of reliability (i.e., they measure consistently) and validity (i.e., they measure what they propose to measure). Although data with strong technical characteristics (i.e., reliability and validity) are desirable, they are not always necessary. In some cases reliance on a high standard for reliability and validity may prolong decision making that needs to be made more quickly to be effective. It is therefore important to consider the stakes of the decision being made to know how technically adequate the assessment tools should be. Chapters 4, 5, and 13 provide information on technical characteristics that should be considered when deciding which assessment tools to use. The chapters within Part 2 of the book

(Chapters 8, 9, 10, 11, and 12) discuss assessment methods and tools that are typically used to make decisions about teaching and learning within the classroom for a variety of students. The chapters within Part 3 of the book (Chapters 14, 15, 16, 17, 18, and 19) describe assessment tools that are typically used in decision making for students who may ultimately need more substantial resources than what are available in many classrooms, including those students needing special education services. Chapters 20, 21, 22, and 23 describe assessment processes that are used when making different types of decisions.

1-4c DIFFERENT METHODS MAY BE NEEDED FOR DIFFERENT STUDENTS

Test developers typically try to make their tests accessible to a wide range of individuals. However, characteristics of how the test is administered, how those being tested are expected to provide their responses, and characteristics of the norm group to whom students are compared may influence the extent to which a given test is appropriate for a particular student. For example, some tests that are intended to measure math skills are written in a way that students ultimately need to have vision and competent reading skills to understand the test items. Such a test may not accurately measure the math skills of a student who is blind or has a reading disability. Students who do not have proficiency with the English language or who are from particularly unique cultures may not have the prerequisite language and cultural knowledge to demonstrate their cognitive abilities on tests that have been developed and normed in the mainstream culture. In such cases, one must be careful to either identify and use tests that are more appropriate for students with the given characteristics, consider accommodations that might be made to allow the test to be more appropriate for the given student, or use alternative methods of assessment. Chapters 6 and 7 discuss important considerations for the assessment of two unique groups of students: those who are English language learners and those who have disabilities. Chapter 22 highlights important considerations for effectively including student with disabilities in accountability assessment programs.

1-4d DIFFERENT SKILLS OFTEN REQUIRE DIFFERENT METHODS

In Chapter 2, you will learn about the four primary methods used for collecting data on students' academic and social emotional skills: record review, interview, observation, and testing. Because testing can be done in a particularly objective manner, it is often a preferred method for collecting data on students. However, some skills that we want to measure are highly context-dependent, meaning that students may only show them under particular conditions or in particular settings. Attempts to create "tests" for these skills may therefore be difficult, so it can be helpful to rely more heavily on interviews with individuals who observe the student's use of skills in different settings, as well as on observations conducted in different settings. For example, it would be hard to develop a test of anger management skills. Authentic opportunities to collect data on such skills happen in the moment; administering a predetermined set of tasks or questions at a particular time to find out about a student's anger management skills will not likely provide useful information. Instead, one might rely more heavily on a teacher's or parent's report of the student's skills in this area, which represents their use of the skills in authentic situations. Chapters 14–19 discuss various methods and measures that are used for specific academic and social–emotional skills.

1-4e ONLY PRESENT BEHAVIOR IS OBSERVED

When students take tests we only observe what they do. We never observe what they can do. If a student spells half of the words correctly on a spelling test, we know that she spelled half of the words correctly. We do not know that she *can* only spell half of the words correctly or that she will do so in the future. Any statement about

future performance is an inference. Many factors determine a student's performance on a given day on a given test, and it is important to remember that we only observe what the student *does*, not what he or she *can do*.

1-4f HIGH- AND LOW-INFERENCE DECISION MAKING

In assessment we typically make inferences about a student's level and rate of progress using a sample of information. However, a high level of inference making can be problematic. Inference making is particularly evident and potentially problematic when (a) there are only a few items or tasks that sample a particular behavior or skill of interest, and (b) the skills needed to complete the items or tasks do not adequately reflect the skills targeted for measurement. For example, use of a brief, three-item multiple-choice test to measure a student's math problem-solving skills involves a high level of inference because (a) it includes just a few items and (b) the task ultimately requires mere selection from the listed responses for each item rather than actual completion of a math problem. A student could earn (merely by chance!) a high score on such a test and not ultimately have strong math problem-solving skills. In such a situation, the inference that the resulting test score offers an accurate indication of the student's math problem-solving skills would be incorrect. A test requiring less inference would be one that requires the student to actually solve the problem on his or her own, without providing a list of potentially correct responses.

Furthermore, some constructs currently being measured in school settings are only tangentially related to academic and social–emotional skills. When tests of these constructs are used, high-level inferences are needed to connect the information in a way that can meaningfully inform instruction. For example, although there is information to suggest that short-term memory (a construct commonly measured on tests of intelligence) is related to academic performance, knowing that a student performed low on a test of short-term memory does not provide targeted guidance on what or how to teach. Although it may suggest a student needs more repetitions to master a particular skill, one could arrive at that conclusion with greater confidence if tests more directly measured the number of repetitions the student required to learn something.

It is our belief that one should avoid use of assessment tools that require a high level of inference making. This is because results obtained through use of such tools may (a) misrepresent the students' actual skills, and (b) lead to conclusions that are not helpful for informing instruction. Instead, we prefer direct measurement of actual academic and behavioral skills that can be altered through instruction. Characteristics and examples of direct assessment are described in Chapter 10. Chapters 8–19 include information on assessment tools that vary considerably in the level of inference required for instructional decision making.

1-4g ACCURACY IN COLLECTING, SCORING, INTERPRETING, AND COMMUNICATING ASSESSMENT INFORMATION

Assessment tools often have very specific rules about how they are to be administered and scored. These rules are developed to ensure that the tool allows for accurate and meaningful measurement of the target skill. Deviation from these rules can result in scores that do not accurately reflect a student's level of competence in the targeted area, and ultimately can lead to poor decision making. Therefore, great care must be taken to ensure that the data are collected carefully and with due attention to any administration and scoring rules.

However, merely attending to accuracy in the collection of data is not enough. The data are only helpful if they are used in an appropriate manner for decision making. All too often we hear of situations in which schools have collected a large amount of data, but the data never go on to facilitate improvements in instruction because no one either has or takes the time to use them, or they use them in ways that they were not intended to be used. Even before data are collected, it is important

to clarify how they will be used and ensure that the use of the given data for the given purpose is justified. In many cases, data are used to inform the decision making of teams of individuals. In these cases, it is important to ensure that the assessment information is communicated well to all team members. Chapter 3 discusses rules and ethics surrounding the collection and use of data in school settings, and Chapter 23 offers ideas for ensuring that data are communicated well to team members.

1-4h FAIRNESS IS PARAMOUNT

Fairness is a guiding principle in assessment and throughout this textbook. School personnel should always work to maximize fairness in assessment. This means choosing tests that are technically adequate and that are relevant to improved instructional outcomes, always taking into account the nature of students' social and cultural backgrounds, learning histories, and opportunities to learn, and always being sensitive to individual differences and disabilities. Fairness and absence of bias are guiding principles as we discuss basic concepts of assessment and technical adequacy in Part 1, classroom assessment practices in Part 2, evaluate formal assessments in Part 3, and apply assessment to decision making in Part 4.

1-4i ASSESSMENT THAT MATTERS

There are four kinds of assessment practices that take place in today's schools: assessment that matters but is technically inadequate, assessment that is technically adequate but does not matter, assessment that is neither technically adequate nor matters, and assessment that is both technically adequate and matters. The fundamental purpose of assessment is gathering information that leads to improvement in students' competencies in relevant domains of behavior and achievement. If assessment practices do not do so, they do not matter. Assessment that is related to and supports the development of effective interventions is worthwhile and clearly in the best interests of individuals, families, schools, communities, and society.

1-4j ASSESSMENT PRACTICES ARE DYNAMIC

Educational personnel regularly change their assessment practices. New federal or state laws, regulations, or guidelines specify—and, in some cases, mandate—new assessment practices. New tests become available, and old ones go away. States change their special education eligibility criteria, and technological advances enable us to gather data in new and more efficient ways. The population of students attending schools also changes, bringing new challenges to the educational personnel who are working to enhance the academic and behavioral competence of all students. Therefore, although this section of the chapter is focused on highlighting key concepts that are universal, it is important to note that one of those concepts is that assessment practices change. By becoming familiar with the fundamental concepts presented here and throughout this book, we anticipate that you will have some beginning skills to evaluate future assessment practices and adopt those practices that not only meet legal and ethical guidelines but also help to promote student learning.

1-5 Good News: Significant Improvements in Assessment Have Happened and Continue to Happen

The good news is that there have been significant improvements in assessment since the first edition of *Assessment* in 1978. Assessment is evolving in a number of important ways.

- Methods of test construction have changed.
- Better statistical analyses have enabled test authors to do a better job of building their assessments.

- Skills and abilities that we assess have changed as theory and knowledge have evolved. We recognize attention deficit hyperactivity disorder and autism as separate disabilities; intelligence tests reflect theories of intelligence; measures of achievement are more closely aligned with the way in which students learn.

- Each state once had separate standards, which resulted in confusing comparisons among states. In the past few years, a large number of states have worked together to create a common core set of standards in reading and math that are considered important for all students to achieve.

- Better assessment methods have worked their way into practice, including systematic observation, functional assessment, curriculum-based measurement, curriculum-based assessment, and technology-enhanced assessment and instructional management.

- The adoption by states and school districts of the concept of multi-tiered system of support (MTSS) has led to assessment practices that are focused on instruction and instructional interventions designed to enhance student competence and build the capacity of systems to meet students' needs.

- Advancements in technology are making the collection, storage, and analysis of assessment data much more manageable and user-friendly.

- Federal laws prescribe the procedures that schools must follow in conducting assessments and hold schools more accountable for the assessments they conduct.

We have every reason to expect that assessment practices will continue to change for the better.

Chapter Comprehension Questions

Write your answers to each of the following questions and then compare your responses to the text.

1. What is meant by "individual differences"? Give two examples and indicate why it is important to take individual differences into account as we endeavor to help students succeed in school.

2. State reasons why assessment is important in school and society.

3. How do educational personnel decide what supports students need to succeed in school?

4. Describe at least five key concepts that are important to understand that will be the focus of later chapters in this book.

5. Provide two examples of how assessment practices have improved in recent years.

CHAPTER

2

Assessment and Decision Making in Schools

LEARNING OBJECTIVES

2-1 Describe four ways in which assessment information is collected.

2-2 Explain seven kinds of educational decisions made using assessment information.

2-3 Discuss the sequence of activities and decisions that are made at each tier (universal, targeted, intensive) in the assessment process.

STANDARDS ADDRESSED IN THIS CHAPTER

CEC **CEC Initial Preparation Standards**

Standard 4: Assessment
4.0 Beginning special education professionals use multiple methods of assessment and data-sources in making educational decisions.

Standard 5: Instructional Planning Strategies
5.0 Beginning special education professionals select, adapt, and use a repertoire of evidence-based instructional strategies to advance learning of individuals with exceptionalities.

CEC **CEC Advanced Preparation Standards**
ADVANCED

Standard 1: Assessment
1.0 Special education specialists use valid and reliable assessment practices to minimize bias.

Ψ **National Association of School Psychologists Domains**

1 Data-Based Decision Making and Accountability

5 School-Wide Practices to Promote Learning

Assessment is a process of collecting information for the purpose of making decisions for or about students. In this chapter we describe four major ways in which assessment information is collected, and we describe seven major kinds of decisions made using assessment information. We conclude the chapter by describing the assessment process in schools.

2-1 How Are Assessment Data Collected?

When most people hear the term "assessment," they think of testing. Assessment is broader than testing. **Testing** consists of administering a particular set of questions to an individual or group of individuals to obtain a score. That score is the end product of testing. A test is only one of several assessment techniques or procedures for gathering information. During the process of assessment, data from record reviews, interviews, observations, and tests all come into play. To be most efficient, it can be helpful to first seek relevant information through a review of records, followed by interviews with those with special expertise and those who know the individuals(s) well, and then through observations. The use of testing can be reserved for the collection of more targeted information that can inform instructional changes, and for those decisions that require the use of very current and highly precise information about student skills and behavior. You may find it helpful to think of the mnemonic R.I.O.T. first used by Kenneth Howell (Hosp, Hosp, Howell & Allison, 2014; Howell & Morehead, 1987) as a handy way to remember the four ways of collecting assessment information.

2-1a RECORD REVIEW

Record review is an assessment method involving review of student cumulative records or medical records. In student records, school personnel retain demographic information, previous test scores, attendance data, and teacher-verified comments about student behavior and performance. Assessors nearly always examine the prior records of the individual students with whom they work. Record reviews are useful in documenting when problems first appeared, their severity, and the interventions attempted. Similarly, record reviews are helpful when a student has not previously demonstrated difficulties. Assessors may also review the nature of instructional demands in classrooms and compare these to products of individual students' work, in order to get at any discrepancies between the skills students have and the nature of the tasks they are being asked to complete.

2-1b INTERVIEWS

Recollections, or recalled observations and interpretations of behavior and events, are frequently used as an additional source of information. People who are familiar with the student can be very useful in providing information through interviews and rating scales. An **interview** is an assessment method involving a conversation between two or more people where questions are asked by the interviewer to elicit facts or statements from the interviewee. Interviews can range in structure from casual conversations to highly structured processes in which the interviewer has a predetermined set of questions that are asked in a specified sequence. Unstructured interviews are discussions with loosely defined questions and open-ended responses. Semi-structured interviews include a standardized set of questions and open-ended responses. Structured interviews standardize both the questions and possible responses. Examples of structured interviews are the Behavioral Assessment Scale for Children-3 (Reynolds and Kamphaus, 2015) and the Gilliam Autism Rating Scale 3 (2014). Generally, the more structured the interview, the more accurate are the comparisons of the results of several different interviews. Rating scales can be considered the most formal type of interview. Rating scales allow questions to be asked in a standardized way and to be

accompanied by the same stimulus materials, and they provide a standardized and limited set of response options.

2-1c OBSERVATIONS

Observations can provide highly accurate, detailed, and verifiable information not only about the person being assessed but also about the surrounding contexts. Observations can be categorized as either nonsystematic or systematic. In **nonsystematic**, or **informal**, **observation**, the observer simply watches an individual in his or her environment and notes the behaviors, characteristics, and personal interactions that seem significant. In **systematic observation**, the observer sets out to observe one or more precisely defined behaviors. The observer specifies observable events that define the behavior and then counts the frequency or measures the frequency, duration, amplitude, or latency of the behaviors.

2-1d TESTS

A **test** is a predetermined set of questions or tasks for which predetermined types of behavioral responses are sought. Tests are particularly useful because they permit tasks and questions to be presented in exactly the same way to each person tested. Because a tester elicits and scores behavior in a predetermined and consistent manner, the performances of several different test takers can be compared, no matter who does the testing. Hence, tests tend to make many contextual factors in assessment consistent for all those tested. The price of this consistency is that the predetermined questions, tasks, and responses may not be equally relevant to all students. Tests yield two types of information—quantitative and qualitative. **Quantitative data** are observations that have been tabulated or otherwise given numerical values. They are the actual scores achieved on the test. An example of quantitative data is Lee's score of 80 on her math test. **Qualitative data** are pieces of information collected based on nonsystematic and unquantified observations. These may consist of other observations made while a student is tested; they tell us how Lee achieved her score. For example, Lee may have solved all of the addition and subtraction problems with the exception of those that required regrouping. When tests are used, we usually want to know both the scores and how the student earned those scores.

2-2 Types of Assessment Decisions Made by Educators

When you work in schools you will gather and use assessment information to make decisions for or about students. Educational assessment decisions address problems. Some of these assessment decisions involve problem identification (deciding whether there is a problem), whereas others address problem analysis and problem solving. Most educational problems begin as discrepancies between our expectations for students and their actual performance. Students may be discrepant academically (they are not learning as fast as they are expected), behaviorally (they are not acting as they are expected), or physically (they are not able to sense or respond as expected). At some point, a discrepancy is sufficiently large that it is seen as a problem rather than as a benign human variation. The crossover point between a discrepancy and a problem is a function of many factors: the importance of the discrepancy (for example, the inability to print a letter versus forgetting to dot the "i"), the intensiveness of the discrepancy (for example, a throat-clearing tic versus shouting obscenities in class), and so forth. Other assessment decisions address problem solving (how to solve problems and thereby improve students' education). Table 2.1 lists the kinds of decisions school personnel make using assessment information. Read the upcoming Scenario in Assessment and associated question for an example of a situation in which a team will need to use assessment data to inform decisions about a student with a disability.

TABLE 2.1	Decisions Made Using Assessment Information
Screening	Are there unrecognized problems?

Progress monitoring	Is the student making adequate progress?
	    Toward individual goals
	    Toward state or common core standards

Instructional planning and modification	What can we do to enhance competence and build capacity, and how can we do it?
Resource allocation	Are additional resources needed?
Eligibility for special education services	Is the student eligible for special education and related services?
Program evaluation	Are the instructional programs that are being used effective?
Accountability	Are we achieving desired outcomes?

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2-2a SCREENING DECISIONS: ARE THERE UNRECOGNIZED PROBLEMS?

Screening decisions involve the collection of assessment information for the purpose of deciding whether students have unrecognized problems. Educators now know that it is very important to identify physical, academic, and behavior problems early in students' school careers. Early identification enables us to develop treatments or interventions that may alleviate or eliminate difficulties. Educators also understand that it is important to screen for specific conditions, such as visual difficulties, because prescription of corrective lenses enables students to be more successful in school. School personnel engage in universal screening (they test everyone) for some kinds of potential problems. All young children are screened for vision or hearing problems with the understanding that identification of sensory problems allows us to prescribe corrective measures (glasses, contacts, hearing aids, or amplification equipment) that will alleviate the problems. All students are required to have a physical examination, and most students are assessed for "school readiness" prior to entrance into school. Screening tests typically are given to all students in regular classes to identify students who are discrepant from an expected level of performance. Such screening is called universal screening.

2-2b PROGRESS MONITORING DECISIONS: IS THE STUDENT MAKING ADEQUATE PROGRESS?

School personnel assess students for the purpose of making two kinds of **progress monitoring decisions:** (1) Is the student making adequate progress toward individual goals? and (2) Is the student making adequate progress toward common core standards or specified state standards?

Monitoring Progress Toward Individual Goals

School personnel regularly assess the specific skills that students do or do not have in specific academic content areas such as decoding words, comprehending what they read, performing math calculations, solving math problems, and writing. We want to know whether the student's rate of acquisition will allow the completion of all instructional goals within the time allotted (for example, by the end of the school year or by the completion of secondary education). The data are collected for the purpose of making decisions about what to teach and the level at which to teach. For example, students who have mastered single-digit addition need no further

instruction (although they may still need practice) in single-digit addition. Students who do not demonstrate those skills need further instruction. The specific goals and objectives for students who receive special education services are listed in their individualized educational programs (IEPs).

We monitor progress toward the competencies we want individuals to attain so that we can modify instruction or interventions that are not having desired outcomes. Progress may be monitored continuously or periodically to ensure students have acquired the information and skills being taught, can maintain the newly acquired skills and information over time, and can appropriately generalize the newly acquired skills and information. The IEPs of students who receive special education services must contain statements about the methods that will be used to assess their progress toward attaining individualized goals. In any case, the information is used to make decisions about whether the instruction or intervention is working and whether there is a need to alter instruction.

Monitoring Progress toward Common Core State Standards or Specific State Standards

School personnel set goals/standards/expectations for performance of schools, classes, and individual students. The U.S. Department of Education has developed a list of what are called Common Core State Standards, which all students are expected to meet. Some states use these standards as the basis for their state assessment and accountability systems. A website devoted entirely to the Common Core State Standards Initiative contains the latest information on that federal effort. All states have identified academic content and performance standards that specify what students are expected to learn in reading, mathematics, social studies, science, and so forth. Students with significant disabilities may be required to work toward a set of alternative achievement standards (this is discussed in detail in Chapter 22). Moreover, states are required by law to have in place a system of assessments aligned with their goals/standards/expectations. The assessments that are used to identify the standing of groups are also used to ascertain if individuals have met or exceeded state standards/goals. The Common Core State Standards Initiative likely will change significantly over time. Be sure to search the Internet for "Common Core State Standards changes" and "NCLB changes" for the most recent information.

2-2c INSTRUCTIONAL PLANNING AND MODIFICATION DECISIONS: WHAT CAN WE DO TO ENHANCE COMPETENCE AND BUILD CAPACITY, AND HOW CAN WE DO IT?

Instructional planning and modification decisions involve the collection of assessment information for the purpose of planning individualized instruction or making changes in the instruction students are receiving. Inclusive education teachers are able to take a standard curriculum and plan instruction based on it. Although curricula vary from district to district—largely as a function of the values of the community and school—they are appropriate for most students at a given age or grade level. However, what should teachers do for those students who differ significantly from their peers or from district standards in their academic and behavioral competencies? These students need special help to benefit from the classroom curriculum and instruction, and school personnel must gather data to plan special programs for these students.

Three kinds of decisions are made in instructional planning: (1) what to teach, (2) how to teach it, and (3) what expectations are realistic. Deciding what to teach is a content decision usually made on the basis of a systematic analysis of the skills that students do and do not have. Scores on tests and other information help teachers decide whether students have specific competencies. Test information may be used to determine placement in reading groups or assignment to specific compensatory or

remedial programs. Teachers also use information gathered from observations and interviews in deciding what to teach. They obtain information about how to teach by trying different methods of teaching and monitoring students' progress toward instructional goals. Finally, decisions about realistic expectations are always inferences, based largely on observations of performance in school settings and performance on tests.

One of the provisions of the No Child Left Behind Act, the major federal law governing delivery of elementary and secondary education, states that schools are to use "evidence-based" instructional practices. There are a number of interventions with empirical evidence to support their use with students with special needs. A number of websites are devoted to evidence-based teaching, including the National Center on Intensive Intervention, the National Center on Response to Intervention, Intervention Central, and the What Works Clearinghouse from the U.S. Department of Education.

2-2d RESOURCE ALLOCATION DECISIONS: ARE ADDITIONAL RESOURCES NECESSARY?

Resource allocation decisions involve the collection and use of assessment information for the purpose of deciding what kinds of resources and supports individual students need in order to be successful in school. Assessment results may indicate that individual students need special help or enrichment. These students may be referred to a teacher assistance team,[1] or they may be referred for evaluation to a multidisciplinary team that will decide whether these students are entitled to special education services.[2] School personnel gather data on student social-emotional difficulties or on academic skills for the purpose of deciding whether additional resources are necessary. They also use assessment information to make decisions about how to enlist parents, schools, teachers, and community agencies in enhancing student competence.

When it is clear that many or all students require additional programs or support, system change and increased capacity may be indicated. Clear examples of building the capacity of schools to meet student needs include preschool education for all, federal funding to increase student competence in math and science, implementation of positive behavior support programs, and federal requirements for school personnel to develop individualized plans to guide the transition from high school to post-school employment.

2-2e ELIGIBILITY FOR SPECIAL EDUCATION SERVICES DECISIONS: IS THE STUDENT ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES?

Eligibility decisions involve the collection and use of assessment information to decide whether a student meets the state criteria for a disability condition and needs special education services to be successful in school. Before a student may be declared eligible for special education services, he or she must be shown to be exceptional (have a disability) *and* to have special learning needs. This is an important point

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[1] Two kinds of teams typically operate in schools. The first, usually composed of teachers only, is designed as a first line of assistance to help classroom teachers solve problems with individual students in their class. These teams, often called teacher assistance teams, mainstream assistance teams, or schoolwide assistance teams, meet regularly to brainstorm possible solutions to problems that teachers confront. The second kind of team is the multidisciplinary team that is required by law for purposes of making special education eligibility decisions. These teams are usually made up of a principal; regular and special education teachers; and related services personnel, such as school psychologists, speech and language pathologists, occupational therapists, and nurses. These teams have different names in different places. Most often they are called child study teams, but in Minneapolis, for example, they are called special education referral committees or IEP teams.

[2] Students who are gifted and talented are considered exceptional. Yet, they are not entitled to special education services under IDEA. Some states have special provisions that entitle gifted and talented students to receive special services. Be sure to check your state department of education website to see whether and how gifted and talented students are entitled to special services.

especially relevant to assessment in schools. It is not enough to be disabled *or* to have special learning needs. Students can be disabled and not require special education services. For example, they can be blind, and the blindness may not be interfering with their academic performance. Similarly, students can have special learning needs but not meet the state criteria for being declared disabled. For example, there is no federal mandate for provision of special education services to students with behavior disorders, and in many states students with behavior disorders are not eligible for special education services (students need to be identified as emotionally disturbed to receive special education services). Students who receive special education (1) have diagnosed disabilities and (2) need special education services to achieve educational outcomes.

In addition to the classification system employed by the federal government, every state has an education code that specifies the kinds of students who are considered disabled. States may have different names for the same disability. For example, in California, some students are called "deaf" or "hard of hearing"; in other states, such as Colorado, the same kinds of students are called "hearing impaired." States may expand special education services to provide for students with disabilities that are not listed in the Individuals with Disabilities Education Improvement Act (IDEA), but states may not exclude from services the disabilities listed in the IDEA. Finally, while a state may provide gifted students with special programs and protections, gifted students are not included in the IDEA and are not entitled to federal funding for special education. We expand on these concepts in the chapter on Making Eligibility Decisions.

2-2f PROGRAM EVALUATION: ARE INSTRUCTIONAL PROGRAMS EFFECTIVE?

Assessment data are collected to evaluate specific programs. **Program evaluation decisions** are those in which the emphasis is on gauging the effectiveness of the curriculum in meeting the goals and objectives of the school. School personnel typically use this information for schoolwide curriculum planning. For example, schools can compare two approaches to teaching in a content area by (1) giving tests at the beginning of the year, (2) teaching comparable groups two different ways, and (3) giving tests at the end of the year. By comparing students' performances before and after, the schools are able to evaluate the effectiveness of the two competing approaches.

The process of assessing educational programs can be complex if numerous students are involved and if the criteria for making decisions are written in statistical terms. For example, an evaluation of two instructional programs might involve gathering data from hundreds of students and comparing their performances and applying many statistical tests. Program costs, teacher and student opinions, and the nature of each program's goals and objectives might be compared to determine which program is more effective. This kind of large-scale evaluation probably would be undertaken by a group of administrators working for a school district. Of course, program evaluations can be much less formal. For example, Mackenzie is a third-grade teacher. When Mackenzie wants to know the effectiveness of an instructional method she is using, she does her own evaluation. Recently, she wanted to know whether phonics instruction in reading is better than using flashcards to teach word recognition. She used both approaches for three weeks and found that students learned to recognize words much more rapidly when she used a phonics approach.

2-2g ACCOUNTABILITY DECISIONS: DOES WHAT WE DO LEAD TO DESIRED OUTCOMES?

Accountability decisions are those in which assessment information is used to decide the extent to which school districts, schools, and individual teachers are making adequate progress with the students they teach. Under the provisions of the No Child Left Behind Act, schools, school districts, and state education agencies are now held

JOAN | Joan is an eighth-grader who was retained in first grade and identified as a student with a learning disability at the end of the third grade. She has progressed from grade to grade and remained in special education since that time. Currently, Joan receives resource services and in-class support for English, mathematics, science, and social studies taken in the general education classroom. In her resource room she receives instruction in writing (especially spelling) and in reading, where her lack of fluency hampers her comprehension.

Joan does have a number of strengths. She attends school regularly and, until recently, enthusiastically. She demonstrates excellent auditory comprehension and her attention to task is above average. She actively participates in class activities and discussions. She has good ideas and communicates them well orally. She asks for and accepts help from her teachers and is well accepted by her peers.

Recently, however, she has begun to exhibit signs of low self-esteem. Joan's parents are becoming concerned. Because Joan will be entering high school next year, her parents are concerned that time is running out and that Joan really needs to feel better about herself and how far she has come. So her parents ask for an IEP team meeting to address their concerns about Joan's reading, writing, and self-esteem. They wonder if Joan needs a more intensive special education program.

This scenario highlights a situation in which information is needed to inform decision-making about a student receiving special education services. Using Table 2.1 and the associated descriptions of decision types, how would you categorize the specific decisions for which information is needed to address the concerns noted by Joan's parents?

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accountable for individual student performance and progress.[3] School districts must report annually, to their state's department of education, the performance of all students, including students with disabilities, on tests the state requires students to take. By law, states, districts, and individual schools must demonstrate that the students they teach are making adequate yearly progress (AYP). When it is judged by the state that a school is not making AYP, or when specified subgroups of students (disadvantaged students, students with disabilities, or specific racial/ethnic groups) are not making AYP, sanctions are applied. The school is said to be a school in need of improvement. When schools fail to make AYP for two years, parents of the children who attend those schools are permitted to transfer their children to other schools that are not considered in need of improvement. When the school fails to make AYP for three years, students are entitled to supplemental educational services (usually after-school tutoring). Failure to make AYP for longer periods of time results in increasing sanctions until finally the state can take over the school or district and reconstitute it.

2-3 The Assessment Process

The assessment and decision-making process differs for individual students, but there are commonalities in the sequence of activities that take place. Figure 2.1 shows the flow of activities from initial concern by a classroom teacher to the implementation of prereferral interventions in the general education classroom. Student progress is monitored and, depending on how students perform, they receive either more or less intensive services. Also illustrated is the fact that assessment information is collected for the purpose of deciding whether students are eligible for special education services and for the purpose of making accountability decisions. This simple chart is intended to illustrate the process in general. Recognize that for individual students, the process may include some extra steps, and that certainly it takes varying amounts of time for different individuals to proceed through the steps. Recognize also that many students with disabilities receive special education services before they enter school. This is especially true for students who are blind, deaf, have medical conditions that interfere with learning, or have multiple disabilities.

Let's walk through the steps in the assessment and decision-making process. A student, let's call her Sara, is enrolled in the general education classroom. Universal screening (screening tests given to all students in her grade) reveal a difference between her reading level (the observed level on the screening test) and the level of

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[3] It is important to note that many states have applied for and received waivers of these requirements. What is mentioned is what is the case based on the No Child Left Behind Act of 2001.

FIGURE 2.1
The Assessment Process

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┌─────────────────────────────────────────────────────────┐
│     Student enrolled in Tier I (Universal screening)      │
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FOCUS: Referral decision and pre-referral instructional decisions

Identification of concern/problem through referral or screening:
Difference between what is desired and what is observed

Move to Tier II stage of pre-referral

Problem Verification → Generate Alternative Hypothesis → Intervene and Collect Data

Progress Monitor: Intervention effective? — **Yes** → Continue to support the student and monitor progress

No

Have sufficient attempts at alternatives within Tier II been made? — **No**

Yes: Move to Tier III

Have sufficient attempts at alternatives within Tier III been made? — **No**

FOCUS: Entitlement decision and instructional decisions

Yes

Multidisciplinary Team: What is the problem and are additional data needed? Are additional interventions needed?

No

Does the student meet specific requirements for a disability? — **No** → Discontinue evaluation and decide whether to continue use of Tier II or Tier III interventions

Yes

Does the student need specially designed instruction? — **No** → Student may qualify for services under Section 504

Yes → Implement and work collaboratively with others to provide individually designed instruction

Move to

FOCUS: Continued entitlement decision and instructional decisions

Reevaluation: Review and revise IEP. Determine service and LRE. Must occur every three years but not more than once a year unless school and parents agree otherwise

Additional data needed

Notice and parental consent

Collect additional data

Re-evaluation report

No additional data needed

Notify parents of right to request additional data. Document agreement and determine eligibility given current data

Move to decision

Is the continuation of special education necessary? — **No** → Dismissal of special education enrollment

Yes → Provision of services and supports and implementation of reviewed and revised IEP

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the materials in which she is placed. A decision is made to move to targeted interventions (tier 2) in an effort to attempt to overcome Sara's deficit in reading skills. The problem is verified, alternative hypotheses are generated about how best to address the problem, interventions are tried, and assessment data are collected. If sufficient progress is not evidenced after application of multiple interventions, a decision is made to move to more intensive (tier 3) interventions. Once sufficient attempts at intervening in a variety of ways are made, and if Sara fails to make sufficient progress, she may be referred for further assessment to determine her eligibility for special education services. Decisions about eligibility must be made by a multidisciplinary team of professionals that includes general and special educators, administrators, school psychologists, and others, depending on the nature of the case. The multidisiciplinary team develops an individualized educational plan, specifying short- and long-term objectives for Sara and the specific instructional approaches that will be used to achieve those objectives. It is expected that the long-term goals will be based on the state education standards. The goals are thus often called standards-based goals.

When students receive special education services, teachers are expected to monitor progress toward IEP goals. School personnel are also required to review periodically the extent to which the student continues to be eligible for special education services, and if not, they must discontinue such services. Screening, instructional planning, eligibility, and progress evaluation decisions are made for individual students. Resource allocation decisions are system decisions that apply to individual students. Program evaluation and accountability decisions typically are made for groups rather than individuals.

Chapter Comprehension Questions

Write your answers to each of the following questions and then compare your responses to the text.

1. List and briefly describe the four major ways in which assessment information is collected.

2. List and describe the seven kinds of decisions made using assessment information.

3. Describe the sequence of activities that take place at the prereferral, eligibility, and reevaluation stages of the assessment process.

Bill Aron/PhotoEdit

CHAPTER

3

Laws, Ethical Codes, and Professional Standards that Impact Assessment

LEARNING OBJECTIVES

3-1 Articulate the major laws that affect assessment, and the specific provisions (for example, individualized education program, least restrictive environment, and due process) of the laws.

3-2 Describe broad ethical principles and standards for assessment that have been developed by professional associations, and a process for addressing situations in which the most ethical approach is ambiguous.

3-3 Explain how test standards promote the development of tests with greater technical adequacy.

STANDARDS ADDRESSED IN THIS CHAPTER

CEC **CEC Initial Preparation Standards**

Standard 4: Assessment
4.0 Beginning special education professionals use multiple methods of assessment and data-sources in making educational decisions.

Standard 6: Professional Learning and Ethical Practice
6.0 Beginning special education professionals use foundational knowledge of the field and their professional Ethical Principles and Practice Standards to inform special education practice, to engage in lifelong learning, and to advance the profession.

CEC **CEC Advanced Preparation Standards**
ADVANCED

Standard 1: Assessment
1.0 Special education specialists use valid and reliable assessment practices to minimize bias.

Standard 6: Professional and Ethical Practice
6.0 Special education specialists use foundational knowledge of the field and professional Ethical Principles and Practice Standards to inform special education practice, engage in lifelong learning, advance the profession, and perform leadership responsibilities to promote the success of professional colleagues and individuals with exceptionalities.

Ψ **National Association of School Psychologists Domains**
1   Data-Based Decision Making and Accountability
10 Legal, Ethical, and Professional Practice

Much of the practice of assessing students is the direct result of federal laws, court rulings, and professional standards and ethics. Federal laws mandate that students be assessed before they are entitled to special education services. Federal laws also mandate that there be an individualized education program for every student with a disability; that instructional objectives for each of these students be derived from a comprehensive individualized assessment; and that states provide an annual report to the U.S. Department of Education on the academic performance of all students, including students with disabilities. Professional associations (for example, the Council for Exceptional Children, the National Association of School Psychologists, and the American Psychological Association) specify standards for good professional practice and ethical principles to guide the behavior of those who assess students.

3-1 Laws

Laws, rules, and regulations change frequently. They are fueled by information provided to policymakers, which convinces them that the respective changes will be helpful. Changes often come about when there is a lack of clarity in the associated laws, rules, and regulations, as evidenced by court cases that are needed to clarify how the law should be interpreted in various ambiguous situations. As you read this chapter, we suggest that you enter "IDEA changes," "ESEA changes," or "NCLB changes" into a search engine and read the latest changes to the law.

It is very important that you understand the history of federal legislation on the education and assessment of individuals with disabilities. Prior to 1975, there was no federal requirement that students with disabilities attend school, or that schools should make an effort to teach students with disabilities. Requirements were on a state-by-state basis, and they differed and were applied differently in the states. Since the mid-1970s, the delivery of services to students in special and inclusive education has been governed by federal laws. An important federal law, called **Section 504 of the Rehabilitation Act of 1973**, gave individuals with disabilities equal access to programs and services funded by federal monies. In 1975, Congress passed the **Education for All Handicapped Children Act (Public Law 94-142)**, which was a law that included many instructional and assessment requirements for serving and identifying students with disabilities in need of specially designed instruction. The law was reauthorized, amended, and updated in 1986, 1990, 1997, and 2004. In 1990, the law was given a new name: the **Individuals with Disabilities Education Act (IDEA)**, and as with other reauthorizations, it included updated provisions for identifying and serving students with disabilities. To reflect contemporary practices, Congress replaced references to "handicapped children" with "children with disabilities." In the 2004 reauthorization, the law was again retitled, as the Individuals with Disabilities Education Improvement Act, to highlight the fact that the major intent of the law is to improve educational services for students with disabilities.

The 2001 Elementary and Secondary Education Act (commonly referred to as the No Child Left Behind Act (NCLB)), is another federal law that is especially important to contemporary assessment practices, because it requires that states report to the U.S. Department of Education every year data on the performance and progress of all students. States get the information from districts, so this law requires that school districts report to state departments of education on the performance and progress of all students, including students with disabilities and English learners. Table 3.1 lists the federal laws that are especially important to assessment practices, and the major new provisions of each of the laws are highlighted.

3-1a SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 of the Rehabilitation Act of 1973 is civil rights legislation that prohibits discrimination against persons with disabilities. The act states:

> *No otherwise qualified handicapped individual shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in any program or activity receiving federal financial assistance.*

Section 504 (1) prohibits schools from excluding students with disabilities from any activities solely because of their disability, (2) requires schools to take reasonable steps to prevent harassment based on disability, and (3) requires schools to make those accommodations necessary to enable students with disabilities to participate in all its activities and services (Jacob, Decker, & Hartshorne, 2011). If the Office of Civil Rights (OCR) of the U.S. Department of Education finds that a state education agency (SEA) or local education agency (LEA) is not in compliance with Section 504, and that a state or district chooses not to act to correct the noncompliance, the OCR may withhold federal funds from that SEA or LEA.

Most of the provisions of Section 504 were incorporated into and expanded in the Education for All Handicapped Children Act of 1975 (Public Law 94-142) and are a part of the Individuals with Disabilities Education Improvement Act of 2004. Section 504 is broader than those other acts because its provisions are not restricted to a specific age group or to education.

Section 504 has been used to secure services for students with conditions not formally listed in the disabilities education legislation. The most frequent of these conditions is attention deficit hyperactivity disorder (ADHD). Unlike IDEA, Section 504 does not provide any funds to schools. Yet, any school that receives federal funds for any purpose at all must comply with the provisions of Section 504 or they lose their funds. And, to make matters more complex, Section 504 and the Americans with Disabilities Act Amendments of 2008 require that schools must provide students with the necessary accommodations to participate in individual and standards-based assessments. It is illegal to refuse to let students use accommodations (like extra time, testing sessions broken into short intervals, or sign language) necessary to be successful in school and/or to participate in individual or standards-based assessment. Those who assess students are required to evaluate the extent to which they are eligible for accommodations in classrooms and/or those necessary to take tests. The accommodations must always be determined by a group of people (usually the child study or IEP team) and they must be based on individual student need rather than on disability type or category.

3-1b MAJOR ASSESSMENT PROVISIONS OF THE INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT

When Congress passed the Education for All Handicapped Children Act in 1975, it included four major requirements relative to assessment: (1) an individualized education program (IEP) for each student with a disability, (2) protection in evaluation

TABLE 3.1	Major Federal Laws and Their Key Provisions Relevant to Assessment

Act	Provisions
Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112)	It is illegal to deny participation in activities or benefits of programs, or to in any way discriminate against a person with a disability solely because of the disability. Individuals with disabilities must have equal access to programs and services. Auxiliary aids must be provided to individuals with impaired speaking, manual, or sensory skills.
Family Educational Rights and Privacy Act (Public Law 93-380)	Educational agencies that accept federal funding must grant parents the opportunity to inspect and challenge student records, as well as require parent consent for release of identifiable data. Once the child turns 18, these rights are transferred to the child.
Education for All Handicapped Children Act of 1975 (Public Law 94-142)	Students with disabilities have the right to a free, appropriate public education. Schools must have on file an individualized education program for each student determined to be eligible for services under the act. Parents have the right to inspect school records on their children. When changes are made in a student's educational placement or program, parents must be informed. Parents have the right to challenge what is in records or to challenge changes in placement. Students with disabilities have the right to be educated in the least restrictive educational environment. Students with disabilities must be assessed in ways that are considered fair and nondiscriminatory. They have specific protections.
1986 Amendments to the Education for All Handicapped Children Act (Public Law 99-457)	All rights of the Education for All Handicapped Children Act are extended to preschoolers with disabilities. Each school district must conduct a multidisciplinary assessment and develop an individualized family service plan for each preschool child with a disability.
Individuals with Disabilities Education Act of 1990 (Public Law 101-476)	This act reauthorizes the Education for All Handicapped Children Act. Two new disability categories (traumatic brain injury and autism) are added to the definition of students with disabilities. A comprehensive definition of transition services is added.
1990 Americans with Disabilities Act	Guarantees equal opportunity to individuals with disabilities in employment, public services, transportation, state and local government services, and telecommunications.
1997 Amendments to the Individuals with Disabilities Education Act (IDEA; Public Law 105-17)	These amendments add a number of significant provisions to IDEA and restructure the law. A number of changes in the individualized education program and participation of students with disabilities in state and district assessments are mandated. Significant provisions on mediation of disputes and discipline of students with disabilities are added.
2001 Elementary and Secondary Education Act (No Child Left Behind Act; Public Law 107-110)	Targeted resources are provided to help ensure that disadvantaged students have access to a quality public education (Title I funds). The act aims to maximize student learning, provide for teacher development, and enhance school system capacity. The act requires states and districts to report on annual yearly progress for all students, including students with disabilities. The act provides increased flexibility to districts in exchange for increased accountability. The act gives parents whose children attend schools on state "failing schools list" for two years the right to transfer their children to another school. Students in "failing schools" for three years are eligible for supplemental education services.
2004 Reauthorization of IDEA	New approaches are introduced to prevent overidentification by race or ethnicity. States must have measurable annual objectives for students with disabilities. Districts are not required to use severe discrepancy between ability and achievement in identifying students with learning disabilities.
2008 Americans with Disabilities Act Amendments	This act further defines and clarifies criteria necessary for determining whether a student has a disability under ADA and Section 504.

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procedures, (3) education in the least restrictive appropriate environment (LRE), and (4) due process rights. The provisions of federal law continued with the 2004 reauthorized Individuals with Disabilities Education Improvement Act.

The Individualized Education Program (IEP) Provisions

Public Law 94-142 (the Education for All Handicapped Children Act of 1975) specified that all students with disabilities have the right to a free, appropriate public education and that schools must have an IEP for each student with a disability who is determined to need specially designed instruction. An **Individualized Education Program (IEP)** is a legal document that describes the services that are to be provided to a student with a disability who qualifies for special education services. In the IEP, school personnel must specify the long- and short-term goals of the instructional program. IEPs must be based on a comprehensive assessment by a multidisciplinary team. We stress that assessment data are collected for the purpose of helping team members specify the components of the IEP. The team must specify not only goals and objectives but also plans for implementing the instructional program. They must specify how and when progress toward accomplishment of objectives will be evaluated. Note that specific assessment activities that form the basis of the program are listed, as are specific instructional goals or objectives. IEPs are to be formulated by a multidisciplinary child study team that meets with the parents. Parents have the right to agree or disagree with the contents of the program. Read the upcoming Scenario in Assessment and associated question to consider how legal requirements surrounding IEPs influence the experiences of students with disabilities.

In the 1997 amendments, Congress mandated a number of changes to the IEP. The core IEP team was expanded to include both a special education teacher and a general education teacher. The 1997 law also specified that students with disabilities are to be included in state- and districtwide assessments and that states must report annually on the performance and progress of all students, including students with disabilities. The IEP team must decide whether the student will take the assessments with or without accommodations or take an alternate assessment.

Protection in Evaluation Procedures Provisions

Congress included a number of specific requirements in Public Law 94-142. These requirements were designed to protect students and help ensure that assessment procedures and activities would be fair, equitable, and nondiscriminatory. Specifically, Congress mandated eight provisions:

1. Tests are to be selected and administered so as to be racially and culturally nondiscriminatory.

2. To the extent feasible, students are to be assessed in their native language or primary mode of communication (such as American Sign Language or communication board).

3. Tests must have been validated for the specific purpose for which they are used.

4. Tests must be administered by trained personnel in conformance with the instructions provided by the test producer.

5. Tests used with students must include those designed to provide information about specific educational needs, not just a general intelligence quotient.

6. Decisions about students are to be based on more than their performance on a single test.

7. Evaluations are to be made by a multidisciplinary team that includes at least one teacher or other specialist with knowledge in the area of suspected disability.

8. Children must be assessed in all areas related to a specific disability, including—where appropriate—health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative skills, and motor skills.

SCENARIO IN ASSESSMENT

LEE | Lee is a young man with a moderate intellectual disability. He was diagnosed at birth with a genetic syndrome that is closely associated with intellectual disability. Consequently, Lee's parents were concerned with his development and monitored it closely. Unfortunately, it soon became clear that he was lagging in passing developmental milestones such as recognizing faces, sitting up, making prespeech sounds, and so forth. At age 2, he was identified as eligible for early intervention services because of his delayed development. An Individual Family Service Plan (see Part C of IDEA) was developed. Not only did Lee receive special services, but also his family received various support services. Lee and his family continued to receive special education services when he enrolled in his neighborhood school, where he received a free, appropriate public education as described in an individualized educational plan (IEP) that his parents helped develop. In the primary grades, Lee also received speech therapy for articulation problems and occupational therapy for pencil and scissor use. Lee's parents received parent counseling to learn how to manage bedtime and toileting behavior. Lee made good progress throughout his elementary school program. He mastered self-help skills, some sight vocabulary, coin recognition, etc. In short, he met the annual goals in his IEP, seemed to enjoy school, and made friends, mostly in his special education classroom.

The year Lee entered high school he turned 14, and his education emphasized preparing Lee for postsecondary training, employment, and community living. It stressed helping Lee become more independent in life after high school. Therefore, his progress was measured in the areas of employment options and preferences, recreation and leisure activities, personal management (e.g., using public transportation, doing laundry, money management, etc.), family and social relationships, and advocacy. Lee participated in a work-study program and had a job coach for his job at a local supermarket. Lee continued his public education until the year he turned 21.

Today, Lee lives in a subsidized apartment, works full-time at the same supermarket, and has several friends. He plans on marrying his long-time girlfriend in the near future. He has an advocate who advises him on a number of topics.

Fifty years ago—before PL 94-142, IDEA, and PL 99-457, and before states and the federal government began guaranteeing educational rights for students with moderate or severe disabilities—Lee would have faced a much different life. There would not have been an early education or a public education. Lee would not have been prepared to live so independently—to work, to have his own home, etc.

This scenario highlights how federal law guarantees students with disabilities a free and appropriate public education. IEPs are developed to address individual student needs, and involve monitoring of progress in areas targeted for measurement for the individual student. How might have Lee's education looked different if there were not rules requiring that an IEP be developed and informed by an assessment process?

In passing the 1997 amendments and the 2004 amendments, Congress reauthorized these provisions.

Least Restrictive Environment Provisions

In writing the 1975 Education for All Handicapped Children Act, Congress wanted to ensure that, to the greatest extent appropriate, students with disabilities would be placed in settings that would maximize their opportunities to interact with students without disabilities. **Least Restrictive Environment (LRE)** is now defined in Section 612(a)(5) (A) of IDEA 2004, which states:

To the maximum extent appropriate, children with disabilities . . . are educated with children who are not disabled, and special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of a child is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

The LRE provisions arose out of court cases in which state and federal courts had ruled that when two equally appropriate placements were available for a student with a disability, the most normal (that is, least restrictive) placement was preferred. The LRE provisions were reauthorized in all revisions of the law.

Due Process Provisions

In Public Law 94-142, Congress specified the procedures that schools and school personnel would have to follow to ensure due process in decision making, which is commonly referred to as "**due process**." Specifically, when a decision affecting identification, evaluation, or placement of a student with disabilities is to be made, the student's parents or guardians must be given both the opportunity to be heard and the right to have an impartial due process hearing to resolve conflicting opinions.

Schools must provide opportunities for parents to inspect the records that are kept on their children and to challenge material that they believe should not be included in those records. Parents have the right to have their child evaluated by an independent party and to have the results of that evaluation considered when psychoeducational decisions are made. In addition, parents must receive written notification before any education agency can begin an evaluation that might result in changes in the placement of a student.

In the 1997 amendments to IDEA, Congress specified that states must offer mediation as a voluntary option to parents and educators as an initial part of dispute resolution. If mediation is not successful, either party may request a due process hearing. The due process provisions were reauthorized in the 2004 IDEA.

3-1c THE NO CHILD LEFT BEHIND ACT OF 2001

The **No Child Left Behind Act of 2001** is the reform of the federal Elementary and Secondary Education Act, which was signed into law on January 8, 2002, and has several major provisions that affect assessment and instruction of students with disabilities and disadvantaged students. The law requires stronger accountability for results by specifying that states must have challenging state educational standards, test children in grades 3–8 every year, and specify statewide progress objectives that ensure proficiency of every child by grade 12. The law also provides increased flexibility and local control, specifying that states can decide their standards and procedures but at the same time must be held accountable for results. Parents are given expanded educational options under this law, and students who are attending schools judged to be "failing schools" have the right to enroll in other public schools, including public charter schools. A major provision of this law is called "putting reading first," a set of provisions ensuring an all-out effort to have every child reading by the end of third grade. These provisions provide funding to schools for intensive reading interventions for children in grades K–3. Finally, the law specifies that all students have the right to be taught using "**evidence-based instructional methods**"—that is, teaching methods proven to work. The provisions of this law require that states include all students, among them students with disabilities and English-language learners, in their statewide accountability systems.

The Elementary and Special Education Act (i.e., No Child Left Behind Act of 2001) was due for reauthorization in 2007; however, as of the writing of this text, Congress had not yet taken the associated actions. In response to the lack of reauthorization, President Obama offered flexibility to states with regard to the specific requirements of the law if they submitted accountability plans demonstrating a strong commitment to improving the outcomes of all students. In addition, **Race to the Top** was initiated, which is a federal program that has granted funds to two consortia of states for the development of common assessments that measure student achievement against standards that represent what is needed to be successful in the workplace and college. At the same time, **Common Core State Standards** have been developed by state leaders to allow for greater consistency in what is taught and measured across states. More information about these developments is available in Chapter 22. Although not federally mandated, many states have decided to participate in these initiatives and thereby receive the associated funding.

3-1d 2004 REAUTHORIZATION OF IDEA

The Individuals with Disabilities Education Act was reauthorized in 2004. Several of the new requirements of the law have special implications for assessment of students with disabilities.[1] After much debate, Congress removed the requirement

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[1] The law was retitled the Individuals with Disabilities Education Improvement Act, but the acronym IDEA is still used to refer to the new law.

that students must have a severe discrepancy between ability and achievement in order to be considered as having a learning disability. It replaced this provision with permission to states and districts to use data on student responsiveness to intervention in making service eligibility decisions. We provide an extensive discussion of assessing response to intervention in Chapter 12. Congress also specified that states must have measurable goals, standards, or objectives for all students with disabilities.

3-1e AMERICANS WITH DISABILITIES ACT OF 1990 (ADA)

The Americans with Disabilities Act (ADA) is the law that requires agencies receiving federal funding to provide appropriate access to their activities for individuals with disabilities. It is the most often cited law in court cases involving either employment of people with disabilities or appropriate education in colleges and universities for students with disabilities. Simply put, any agency or organization that receives federal funds must provide access (like building ramps), transportation (like special buses or wheelchair lifts), or accommodations (like sign language interpreters at plays and musical events) necessary to enable students with disabilities to participate in its services and events.

3-1f AMERICANS WITH DISABILITIES ACT AMENDMENTS OF 2008 (ADAA)

In 2008, Congress reauthorized and revised the Americans with Disabilities Act. The **Americans with Disabilities Act Amendments of 2008 (ADAA)** is the name of the new law, and includes changes primarily for the purpose of clarifying the criteria for making decisions about eligibility for entitlements like special education services. The term "504/ADAA impairment" is used to refer to those students who qualify as having a disability under Section 504/ADAA, but who are not eligible for special education and related services under IDEA. As long as they also meet the "need" criterion, they are entitled to special education services as a protection under Section 504/ADAA.

3-1g FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (FERPA)

Through this act, educational agencies that receive federal funds must allow all parents access to, and the ability to amend, their child's educational records until the child turns 18, at which time the associated rights are conferred to the student. In order to share identifiable information outside of the school setting, consent from the respective individuals is needed. The associated rules are further explained in Chapter 23 on Collaborative Team Decision Making, and they are also incorporated within IDEA.

3-2 Ethical Considerations

Professionals who assess students have the responsibility to engage in ethical behavior. Most professional associations have put together sets of standards to guide the ethical practice of their members; many of these standards relate directly to assessment practices. Those most relevant to the concerns of education professionals are the ethical principles of the Council for Exceptional Children, National Education Association, American Federation of Teachers, National Association of School Psychologists, and American Psychological Association. (All of these can be found on the respective organization's website.) In our work with teachers and related services personnel, we consistently have found that the most helpful set of

ethical principles and guidelines are those of the National Association of School Psychologists (these are based heavily on the ethical principles of the Canadian Psychological Association).

In publishing ethical and professional standards, the associations express serious commitment to promoting high technical standards for assessment instruments and high ethical standards for the behavior of individuals who work with assessments. Here, we cite a number of important ethical considerations, borrowing heavily from the **National Association of School Psychologists' (2010)** *Principles for Professional Ethics*, the **American Psychological Association's (2010)** *Ethical Principles of Psychologists and Code of Conduct for Psychologists*, and the **National Education Association's** *Code of Ethics of the Education Profession*, which each represent the ethical codes for the respective professional organizations. We have not cited the standards explicitly, but we have distilled from them a number of broad ethical principles that guide assessment practice and behavior.

The term *ethics* generally refers to a system of principles of conduct that guide the behavior of an individual. Codes of ethics serve to protect the public. However, ethical conduct is not synonymous with simple conformity to a set of rules outlined as principles and professional standards. Instead, it often requires careful thought and use of a decision-making process. Given that every situation is different, it is impossible to provide an ethical approach for each situation one might encounter. A professional must have good knowledge of the given situation to know how best to apply the relevant principles and standards in a given context. NASP's Code of Ethics of 2010 is organized around four broad ethical themes: Respecting the Dignity and Rights of All Persons; Professional Competence and Responsibility; Honesty and Integrity in Professional Relationships; and Responsibility to Schools, Families, Communities, the Profession, and Society" (Jacob, Decker, & Hartshorne, 2011, p. 9). We briefly describe these four broad ethical themes in the sections that follow, and describe a process to guide ethical decision making for situations where you are uncertain how to proceed.

3-2a FOUR BROAD ETHICAL PRINCIPLES

Respect for the Dignity of Persons

School personnel are committed to "promoting improvement in the quality of life for all students, their families and school communities" (Jacob et al., 2011). (For a fuller discussion of these principles see Jacob et al., 2011). The discussion applies equally to all school personnel. In brief, this broad principle means that we always recognize that students and their families have the right to participate in decisions that affect student welfare, and that students have the right to decide for themselves whether they want to share their thoughts, feelings, and behaviors.

Those who assess students regularly obtain a considerable amount of very personal information about those students. Such information must be held in strict confidence. A general ethical principle held by most professional organizations is that confidentiality may be broken only when there is clear and imminent danger to an individual or to society. Results of pupil performance on tests must not be discussed informally with school staff members. Formal reports of pupil performance on tests must be released only with the permission of the persons tested or their parents or guardians.

Those who assess students are to make provisions for maintaining confidentiality in the storage and disposal of records. When working with minors or other persons who are unable to give voluntary informed consent, assessors are to take special care to protect these persons' best interests. Those who assess students are expected to maintain test security. It is expected that assessors will not reveal to others the content of specific tests or test items. At the same time, assessors must be willing and able to back up with test data decisions that may adversely affect individuals.

Professional Competence and Responsibility (Responsible Caring and Beneficence)

The ethical codes of all helping professions share a common theme referred to generally as the *beneficence* principle. **Beneficence**, or responsible caring, means educational professionals do things that are likely to maximize benefits to students, or at least do no harm. This means that educational professionals always act in the best interests of the students they serve. The assessment of students is a social act that has specific social and educational consequences. Those who assess students use assessment data to make decisions about the students, and these decisions can significantly affect an individual's life opportunities. Those who assess students must accept responsibility for the consequences of their work, and they must make every effort to be certain that their services are used appropriately. In short, they are committed to the application of professional expertise to promote improvement in the quality of life available to the student, family, school, and community. For the individual who assesses students, this ethical standard may mean refusing to engage in assessment activities that are desired by a school system but that are clearly inappropriate.

Honesty and Integrity in Professional Relationships

We must all recognize the boundaries of our professional competence. Those who are entrusted with the responsibility for assessing and making decisions about students have differing degrees of competence. Not only must professionals regularly engage in self-assessment to be aware of their own limitations, but also they should recognize the limitations of the techniques they use. For individuals, this sometimes means refusing to engage in activities in areas in which they lack competence. It also means using techniques that meet recognized standards and engaging in the continuing education necessary to maintain high standards of competence. As a professional who will assess students, it is imperative that you accept responsibility for the consequences of your work and that you endeavor to offset any negative consequences of your work.

As schools become increasingly diverse, professionals must demonstrate sensitivity in working with people from different cultural and linguistic backgrounds and with children who have different types of disabling conditions. Assessors should have experience working with students of diverse backgrounds and should demonstrate competence in doing so, or they should refrain from assessing and making decisions about such students.

Responsibility to Schools, Families, Communities, One's Profession, and Society

Those who are entrusted to educate students have responsibilities to the societies and communities in which they work. This means behaving professionally and not doing things that reflect badly on one's employer or profession. As professionals, we are responsible for promoting healthy school, family, and community environments, respecting and obeying laws, contributing to our profession by supervising, mentoring, and educating professional colleagues, and ensuring that *all* students can attend school, learn, and develop their personal identities in environments free from discrimination, harassment, violence, and abuse (Jacob et al., 2011). Often the students with whom we work (especially students with disabilities) are among the most vulnerable members of society. We have a responsibility to protect their rights.

Those who assess students are responsible for selecting and administering tests in a fair and nonbiased manner. Assessment approaches must be selected that are valid, provide an accurate representation of students' skills and abilities, and also avoid being influenced by their disabilities. Tests are to be selected and administered so as to be racially and culturally nondiscriminatory, and students should be assessed in their native language or primary mode of communication (for example, Braille or communication boards).

HOW DO YOU RESOLVE AN ETHICAL DILEMMA?

How do you decide what kinds of actions are ethical?

Jacob et al. (2011) provide an eight-step problem-solving model that walks us through the following steps:

1. Describe the parameters of the situation.
2. Define the potential ethical–legal issues involved.
3. Consult ethical and legal guidelines and district policies that might apply to resolution of each issue.
4. Evaluate the rights, responsibilities, and welfare of all affected persons (students, peers, teachers, other school staff, parents, siblings).
5. Generate a list of alternative things you could do in response to the situation.
6. List the consequences of taking each action.
7. Consider any evidence that the various consequences or benefits resulting from each decision will actually happen (conduct a risk–benefit analysis).
8. Make the decision.

If you encounter another professional who you believe is behaving unethically, the following steps are to be used:

1. Speak personally about what you have observed with the person who has committed the behavior. Let him or her know that the behavior might be considered illegal or unethical. Often, people do not know or recognize that what they are doing is illegal, wrong, or harmful. (Of course, they often do).
2. If the behavior persists (e.g., repeated use of technically inadequate tests), take another professional with you and talk to the person about what the two of you have observed.
3. If the behavior persists, report the behavior to the person's supervisor and ask the supervisor to take action. If your school district has an attorney, include the attorney in this discussion.
4. If the behavior persists, either report the behavior to the relevant ethics board or committee or let the school attorney take action deemed necessary.

Adapted from Jacob, S., Decker, D., and Hartshorne, T. *Ethics and Law for School Psychologists*, 6th ed.

3-3 Test Standards

Those who assess students adhere to professional standards on assessment.

The **Standards for Educational and Psychological Testing** were developed by a joint committee of the American Educational Research Association, the American Psychological Association, and the National Council on Measurement in Education (2014), and they specify a set of requirements for test development and use. It is imperative that those who develop tests behave in accordance with the standards, and that those who assess students use instruments and techniques that meet the standards.

In Part 3 of this text, we review commonly used tests and discuss the extent to which those tests meet the standards specified in *Standards for Educational and Psychological Testing*. We provide information to help test users make informed judgments about the technical adequacy of specific tests. There is no federal or state agency that acts to limit the publication or use of technically inadequate tests. Only by refusing to use technically inadequate tests will users force developers to improve them. After all, if you were a test developer, would you continue to publish a test that few people purchased and used? Would you invest your company's resources to make changes in a technically inadequate test that yielded a large annual profit to your firm if people continued to buy and use it the way it was without any changes?

Chapter Comprehension Questions

Write your answers to each of the following questions and then compare your responses to the text.

1. What are three major laws that affect assessment practices?
2. How do the major components of IDEA (individualized educational plan, least restrictive environment, protection in evaluation procedures, and due process) affect assessment practices?

3. Special education is a field of acronyms. SWD are entitled to services under IDEA; others, who are labeled ADHD, are not eligible for services under IDEA but once received services under ADA and are now eligible under ADAA/504. Because of NCLB, Title I students are eligible for services. Students with disabilities are put on an IEP, but school personnel do not have to write one for SW/OD. Students with disabilities are entitled to a FAPE, PEP, and education in the LRE. Translate these sentences in a way that your mother or grandmother could understand.

4. Identify the ethical principles that you believe should guide the behavior of individuals in two of the following professions: plumber, stockbroker, grocery store manager, used car salesman, physician, bartender, and professor. Then write a brief paragraph on why you selected the principles and how they differ for different professions. Are there commonalities?

5. How do the broad ethical principles of beneficence, competence boundaries, respect for the dignity of persons, confidentiality, and fairness affect assessment practices?

6. What are two practices in which you can engage to support the development of technically adequate tests?

CHAPTER

4

WHAT TEST SCORES MEAN

LEARNING OBJECTIVES

4-1 Describe the basic quantitative concepts that deal with scales of measurement, characteristics of distributions, average scores, measures of dispersion, and correlation.

4-2 Explain how test performances are made meaningful through criterion-referenced, achievement standards-referenced, and norm-referenced interpretations.

4-3 Describe how norms are constructed to be proportionally representative of the population in terms of important personal characteristics (for example, gender and age), must contain a large number of people, must be representative of today's population, and must be relevant for the purposes of assessment.

STANDARDS ADDRESSED IN THIS CHAPTER

CEC **CEC Initial Preparation Standards**
Standard 4: Assessment
4.0 Beginning special education professionals use multiple methods of assessment and data-sources in making educational decisions.

CEC **CEC Advanced Preparation Standards**
ADVANCED Standard 1: Assessment
1.0 Special education specialists use valid and reliable assessment practices to minimize bias.

Ψ **National Association of School Psychologists Domains**
1 Data-Based Decision Making and Accountability
9 Research and Program Evaluation