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**An Analysis of State
Approaches to Including
Students with Disabilities in
Assessments Implemented
During Educational Reform**



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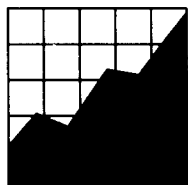
National Association of State Directors of Special Education (NASDSE)

**An Analysis of State Approaches to
Including Students with Disabilities in
Assessments Implemented During
Educational Reform**

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Executive Summary

States' written guidelines on the participation of students with disabilities in statewide assessments and the accommodations that they may use during those assessments are extremely variable. Using an input and consensus process, the National Center on Educational Outcomes (NCEO) reached agreement on elements of written guidelines that would maximize the participation of students with disabilities in statewide assessments. These elements were then used by NCEO staff to analyze the "inclusiveness" of states' written guidelines on participation, accommodations, and reporting.

Analyses revealed that while there are some common elements of inclusive policies that states are incorporating in their written guidelines, there are many important elements of inclusive policies that are not represented in states' written policies. Among the least frequently included characteristics were ones involving the use of a form to aid the decision-making process and providing information to parents about the implications of decisions. Overall, only about one fourth of states show at least 50% of the desired participation characteristics, and none show at least 50% of the desired reporting characteristics.

The findings of this analysis suggest a number of implementation and training issues. IEP teams, in particular, will need considerable attention if decision making is to be appropriate. The need for research and better understanding of reporting also are evident in the analysis findings.

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Characteristics of "Inclusive" Assessment Guidelines

It is now quite well documented that students with disabilities have been excluded to an unreasonable extent from both national and state assessments (Ingels & Quinn, 1996; McGrew, Thurlow, Shriner, & Spiegel, 1992; McGrew, Thurlow, & Spiegel, 1993; National Academy of Education, 1992; Shriner, Spande, & Thurlow, 1994; Shriner & Thurlow, 1992, 1993; U.S. Department of Education, 1995; Ysseldyke & Thurlow, 1994). Among the many reasons that exclusion rates are high is that the guidelines for making decisions about participation are vague (Ysseldyke, Thurlow, McGrew, & Shriner, 1994; Ysseldyke, Thurlow, McGrew, & Vanderwood, 1994). When guidelines are vague, they are interpreted and implemented differently from one place to another.

In analyses of state guidelines on participation in assessments (Thurlow, Scott, & Ysseldyke, 1995b) and on assessment accommodations (Thurlow, Scott, & Ysseldyke, 1995a), guidelines were found to be quite divergent in their characteristics. In fact, among the most prominent findings of the analyses were that:

- The number of states with written guidelines had increased steadily in the three-year time period during which the guidelines had been collected by the National Center on Educational Outcomes (NCEO).
- The physical characteristics of the guidelines varied. For example, length varied from one to 60+ pages. Location of the guidelines varied from being only within state statutes to being formally designed and disseminated publications.
- What one state recommended in its policies, another state might prohibit.
- Most participation and accommodations policies were based on opinions about what is best, with little evidence of research to back up these opinions.
- Those states that delineated policies on reporting in their guidelines generally indicated that students with disabilities were excluded from score aggregations even though they had taken the test.

For the most part, the initial analyses of Thurlow et al. (1995a, 1995b) suggested that while state guidelines do vary, most were not just vague. They were, in fact, quite exclusionary in their approach to students with disabilities. State and district level policymakers considering these findings then ask about what the characteristics are of guidelines that maximize the participation of students with disabilities—what is best practice?

Brainstorming and group consensus techniques were used to identify those characteristics (“markers”) of state and district written guidelines that would “maximize” the participation of

students with disabilities in assessments. Following this, NCEO used the markers to analyze states' written policies. This analysis provides an approach for looking at change over time in the extent to which states' guidelines maximize the participation of students with disabilities in their assessments and their accountability systems.

Method

Two steps were involved in the work presented here. First, elements of written policy were identified as facilitators or barriers to increased participation of students with disabilities in assessments. This was accomplished through a process of NCEO staff identifying facilitators and barriers, sharing them with various stakeholder groups (e.g., state directors of assessment, state assessment directors, administrators, teachers, and parents) and having those groups give additional input on the markers. During this process, agreement was reached on the need to organize the facilitators and barriers into three groups—those related to participation, those related to accommodations, and those related to reporting. The facilitators and barriers later were refined by NCEO personnel into a list of markers that could be rated as present or absent in written documents.

The second step was an analysis of the written guidelines of states using the markers that had been identified. This was done by four NCEO staff members. The 43 states for which written guidelines were available were divided randomly among the staff members. Because of the nature of state guidelines (i.e., they might address participation, but not reporting, etc.), the guidelines actually rated in the three areas were 43 for participation, 39 for accommodations, and 23 for reporting. Interscorer agreement checks among the four staff members were conducted for 12 states. Mean agreement across the 12 checks was 89.0%, with a range from 74.2% to 100.0%.

Results

Results are presented here for the two steps involved in analyzing states' written guidelines. First, the markers that were developed are delineated. Second, the results of the analysis of the states' guidelines against the markers are presented.

Markers of Guidelines that Maximize Participation

Markers were identified in the areas of participation, accommodations, and reporting. There were many parallel characteristics in the three areas.

Participation Guidelines Markers. Eleven characteristics were identified as important markers of participation guidelines that maximize the inclusion of students with disabilities in assessment and accountability systems. These are listed and examples provided in Table 1.

Table 1. Identified Markers of Written Participation Guidelines*	
Marker	Examples
1. Indicates desire to include as many students with disabilities as possible, without qualifications	<p>“A disability, by virtue of its presence and effect upon a student, does not preclude the possibility that a student can achieve the competencies . . . To exclude students with disabilities . . . would discriminate against those. . .”</p> <p>“There are three options for inclusion . . .”</p> <p>Contrast to:</p> <p>“Students identified as having a handicapping condition may be exempted from taking the tests.”</p>
2. Participation decision is to be made by person or group of people who knows the student (including the IEP team)	<p>“It is the role of the [IEP team] to determine if an exemption from the general proficiency testing is warranted . . .”</p> <p>Contrast to:</p> <p>“The principal shall carry out the statewide testing program as prescribed and scheduled, exempting only those who fall into one or more of three categories. . .”</p>
3. Mentions student’s level of functioning or learning characteristics as variable to consider	<p>“Documented in writing in the student’s record the basis for its decision, using current and longitudinal data (such as performance data across multiple settings in the areas of academics, communication, cognition, social competence, recreation/leisure, domestic community living and vocational skills; behavior observations in multiple settings; adaptive behavior; and continuous assessment of progress on IEP goals and objectives).”</p>
4. Requires use of a form to document variables considered	[No examples found]
5. Requires that reason for exclusion be documented	<p>“The local school will be required to identify each student excluded and the reason for the exclusion on a case-by-case basis on the front page of the student’s answer booklet in the section identifying total exclusions.”</p>
6. Mentions content of instruction as a variable to consider	<p>“The most important criterion is the match between the student’s instructional program and the content of the test. The more similar the programs, the more important it is to include the child in testing and the more difficult it is to justify exclusion.”</p>
7. (a) Mentions placement/program setting as a variable to consider	<p>“The only students with disabilities who are exempt . . . are those whose Individualized Education Program (IEP) indicate Full-time Self-contained (FSC) or Integrated Self-Contained (ISC) educational arrangements.”</p>
7. (b) Mentions amount/percent time mainstreamed as a variable to consider	<p>“Only students in special education service for at least 50 percent of the school day have been given a blanket exemption from testing (although optional testing is allowed).”</p>
7. (c) Mentions category of disability as a variable to consider	<p>“Students classified in certain exceptional categories who have active IEPs are exempt from testing.”</p>
8. Provides for alternate or partial assessment for some students	<p>“If the [IEP team] exempts a student receiving special education or related services from all or part of general proficiency testing, the [team] must: (1) recommend alternative assessment procedures to certify the student’s proficiency; (2) determine assessment criteria for that student to receive a state endorsed diploma; and (3) assure that these criteria are consistent with local district graduation requirements.”</p> <p>Contrast to:</p> <p>“If any or all of the [tests] are not appropriate, there are no alternative assessments”</p>

Table 1, cont.	
Marker	Examples/Clarification
9. Indicates that only small % of students with disabilities should be in alternative/ partial assessment	“These students are generally those who have moderate to severe cognitive disabilities and represent 1-2 percent of the total student population.”
10. Requires that parents be informed about options and implications of exclusion	“If the committee members believe that the student should not take a particular test, the parent(s)/guardian(s) and student should be told in writing that it is the right of the student to take the test, but it may be more appropriate for the student not to participate in the testing program at that time. It is extremely important that the parent(s)/guardian(s) and student understand that in the case of the [graduation exam] such an exclusion would make the student ineligible for a regular diploma.
11. Requires that decision about participation be documented on the IEP	“When the decision for or against participation is made, the IEP Committee must complete the form . . . found in Appendix A. Once the form is completed, it becomes a part of the student’s IEP and should be attached to the IEP.”

* **NOTE:** All markers except marker #7 are considered to be inclusive. Markers 7a-7c are considered exclusionary in nature.

Of the 11 markers, one (#7) deals with a set of variables that are viewed as exclusionary when they are considered in making participation decisions. Each of the variables in marker 7 reflects a decision based on something external to the student, such as where the student receives instruction or the category of the student’s disability, and thus considered to be something that should not be present in considerations when the goal is to maximize the participation of students with disabilities.

Accommodations Guidelines Markers. Seven characteristics were identified as important markers of accommodations guidelines that maximize the inclusion of students with disabilities in assessment and accountability systems. These are listed and examples provided in Table 2.

Of the seven markers, one (#5) deals with a set of variables that are viewed as exclusionary when they are considered in making accommodations decisions. As for participation, these markers reflect the decision being based on something external to the student, and not especially relevant to whether accommodations are appropriate or what types of accommodations might be needed by the student. The most controversial of these was the category-based decision (#5c). It was decided that this variable, along with 5a and 5b, should not be present in considerations about the use of accommodations. In fact, their presence was considered to detract from accommodation policies that were viewed as inclusive.

Table 2. Identified Markers of Written Accommodation Guidelines*

Marker	Examples
1. Accommodation decision is to be made by person or group of people who knows the student (including the IEP team)	<p>“The [IEP team] should make or review accommodation decisions as part of the development or annual review of the IEP for students with disabilities: document the decisions; and include the accommodations in or with the IEP.”</p> <p>Contrast to:</p> <p>“The preceding modifications are authorized, when determined appropriate by the school district superintendent or designee, for any student who has been determined to be an eligible exceptional student. . . and has a current individual educational plan, or who has been determined to be a handicapped person”</p>
2. Mentions student’s current level of functioning and learning characteristics as variables to consider.	<p>“The appropriate accommodations for any given student will be specific to that child’s needs addressed within the IEP. . . . With the accommodations the test should be a reflection of the student’s strengths and weaknesses in the area tested (e.g., mathematics), <u>not</u> a reflection of the disability addressed in the IEP.”</p>
3. Requires use of a form that lists variables to consider in accommodations decisions, and that documents the decision and reasons for it.	<p>[No examples found]</p>
4. Mentions alignment with instructional accommodations as a variable to consider.	<p>“Testing modifications should not be different from or in addition to the modifications provided in the regular classroom as indicated on the student’s IEP.”</p>
5. (a) Mentions placement/ program setting as a variable to consider.	<p>[No examples found]</p>
5. (b) Mentions amount/percent time mainstreamed as a variable to consider.	<p>[No examples found]</p>
5. (c) Mentions category of disability as a variable to consider.	<p>“Video-Cassette: This modification is only available for hearing impaired students Testing in a Separate Room: This modification is available for students classified as behaviorally-emotionally handicapped, educable mentally handicapped, hearing impaired, orthopedically impaired, specific learning disabled, traumatic brain injured, or visually impaired. . . .”</p>
6. Requires that decision about accommodations be documented on the IEP.	<p>“All testing decisions and/or modifications must be addressed in the pupil’s IEP.”</p>
7. Requires that parents be informed about options and implications of accommodations.	<p>[No examples found]</p>

* NOTE: All markers except marker #5 are considered to be inclusive. Markers 5a-5c are considered exclusionary in nature.

Reporting Guidelines Markers. Seven characteristics were identified as important markers of reporting guidelines that maximize the inclusion of students with disabilities in assessment and accountability systems. These are listed and examples provided in Table 3.

Marker	Examples
1. Provides definition of how exclusion/participation rates are calculated	"Scores for all students who participate in the . . . will be aggregated into school and district reports. In these reports, the percentage of students at each proficiency level will be based on the number of students enrolled in the grade being assessed, rather than the number of students participating in the assessment. The number and percentage of students excluded from the assessment will also be reported."
2. Indicates that exclusion rate will be reported along with results of assessment	"Exemptions granted in any area must be documented at the school level. All students in each school must be accounted for regardless of any special circumstances. Exempted students are reported . . ."
3. Indicates that reasons for exclusion will be reported along with results	[No examples found]
4. Indicates that data reports will include information from all test takers	"Is there any way to exclude Special Education students from the [test] summaries? No. The [test] summary information includes every student tested." Contrast to: "Scores of all students who are administered the [test] will be aggregated into the school report with the following exceptions: . . . A student enrolled in a Composite or Self-Contained Special Education Program..."
5. Records are kept so that data from special education students could be reported separately, overall or by other breakdowns.	"Scores for exceptional students are excluded from school and district totals. However, scores are reported to parents and at class, school, and district levels. Scores for exceptional categories are summarized by the Department."
6. Records are kept on the use of accommodations, by type, so that information could be reported by individual student or accommodation type.	"Any student that takes and passes any part of an approved modified version of the . . . must have that action so noted on his/her official transcript. . ."
7. Requires that parents be informed about reporting policy for their students' data	[No examples found]

None of the reporting markers created much controversy during the identification process. The most controversial issue was whether data on students with disabilities should be disaggregated.

Analysis of States' Guidelines

The most recent version of each state's written guidelines on participation, accommodations, and reporting (in early 1996) was rated as either showing or not showing each of the identified markers. The data are summarized here in terms of: (1) percentage of states with each marker

in each category, and (2) status of states' written guidelines overall in terms of judged "inclusiveness."

Participation Guidelines Markers. Analyses were conducted on the guidelines of 43 states that had written guidelines addressing participation. The results of these analyses are presented in Table 4. As is evident in this table, nearly 60% of the states required that the decision about a student's participation be made by a person or group of people (usually the IEP team) who knows the student.

All other markers were evident in less than half of the states' guidelines. None of the states required the use of a form to document the variables considered in making a participation decision. For those markers thought to reflect exclusionary approaches (7a–7c), the most frequently included was placement/program setting as a variable in the decision (nearly 40%).

Marker	# States	Percent
1. Indicates desire to include as many students with disabilities as possible, without qualifications	11	25.6%
2. Participation decision is to be made by person or group of people who knows the student (including the IEP team)	25	58.1%
3. Mentions student's level of functioning or learning characteristics as variable to consider	11	25.6%
4. Requires use of a form to document variables considered	0	0.0%
5. Requires that reason for exclusion be documented	12	27.9%
6. Mentions content of instruction as a variable to consider	5	11.6%
7. (a) Mentions placement/program setting as a variable to consider	14	32.6%
7. (b) Mentions amount/percent time mainstreamed as a variable to consider	8	18.6%
7. (c) Mentions category of disability as a variable to consider	7	16.3%
8. Provides for alternate or partial assessment for some students	19	44.2%
9. Indicates that only small percentage of students with disabilities should be in alternative/partial assessment	4	21.0% ^a
10. Requires that parents be informed about options and implications of exclusion	5	11.6%
11. Requires that decision about participation be documented on the IEP	20	46.5%

Note: Of the seven states without written guidelines on participation, four were states that did not have a statewide assessment and three were states that were in the process of revising their guidelines.

^a This percentage is based just on those states that provided for an alternate or partial assessment (see #8, 19 states).

Accommodations Guidelines Markers. Analyses were conducted on the guidelines of 39 states that had written guidelines addressing accommodations. The results of these analyses are presented in Table 5. As shown in this table, more than 50% of the states required that the decision about accommodations a student will use be made by a person or group of people (usually the IEP team) who knows the student.

Less than half of the states had each of the other markers in their written accommodations guidelines. None of the states recommended that decisions about appropriate accommodations be tied to the student’s placement or program setting, nor did any recommend that they be tied to the amount or percent of time the student was mainstreamed. These are two of the markers that reflect exclusionary approaches. The third exclusionary marker, basing accommodations on the student’s disability category (#4c), was included in the written guidelines of nearly 50% of the states. None of the states required that parents be informed about the options and implications of the use of accommodations by their youngster.

Marker	# States	Percent
1. Accommodation decision is to be made by person or group of people who knows the student (including the IEP team).	20	51.3%
2. Mentions student’s current level of functioning and learning characteristics as variables to consider	7	17.9%
3. Requires use of a form that lists variables to consider in accommodations decisions, and that documents the decision and reasons for it	0	0.0%
4. Mentions alignment with instructional accommodations as a variable to consider	15	38.5%
5. (a) Mentions placement/program setting as a variable to consider	0	0.0%
5. (b) Mentions amount/percent time mainstreamed as a variable to consider	0	0.0%
5. (c) Mentions category of disability as a variable to consider	19	48.7%
6. Requires that decision about accommodations be documented on the IEP	19	48.7%
7. Requires that parents be informed about options and implications of accommodations	0	0.0%

Note: Of the 11 states without written guidelines on accommodations, four were states that did not have a statewide assessments and three were states that were in the process of revising their guidelines.

Reporting Guidelines Markers. Analyses were conducted on the guidelines of 23 states that had written guidelines addressing reporting. The results of these analyses are presented in Table 6. As indicated in this table, nearly 65% of the states with guidelines required that records be kept so that special education students could be reported separately, overall, or by other breakdowns.

Most of the other markers were included in only a few of the states' written guidelines. None of the states required that the reasons for exclusion of students from assessments be reported along with the assessment results. And, few of the states even required that the exclusion rates be reported with results. None of the states required that parents be informed about the state's reporting policy for their youngster's data.

Marker	# States	Percent
1. Provides definition of how exclusion/participation rates are calculated.	1	4.5%
2. Indicates that exclusion rate will be reported along with results of assessment.	3	13.6%
3. Indicates that reasons for exclusion will be reported along with results.	0	0.0%
4. Indicates that data reports will include information from all test takers.	5	22.7%
5. Records kept so that data from special education students could be reported separately, overall or by other breakdowns.	14	63.6%
6. Records are kept on the use of accommodations, by type, so that information could be reported by individual student or accommodation type.	2	9.1%
7. Requires that parents be informed about reporting policy for their students' data.	0	0.0%

Note: Of the 27 states without written guidelines on reporting that accompanied their guidelines on participation and/or accommodations, four were states that did not have a statewide assessments and three were states that were in the process of revising their guidelines.

Overall Inclusiveness of Guidelines. Another way to look at the data on states' written guidelines is to analyze the extent to which they are inclusive overall by counting the number of "inclusive" markers in their written guidelines. This was done by counting up the number of markers the state had in its guidelines. Negative markers had to not be present in order for those markers to count in this analysis. For example, for marker #7 in participation to be counted, the state would have to have none of those variables in its guidelines. The results of this analysis are shown in Table 7, organized according to how many states fit within each quartile of possible total scores. Thus, the total score of 11 for participation is divided into

those states with fewer than 25% of the markers present (one or two markers), states with 25-49% of the markers (three to five markers), states with 50-74% of the markers (six to eight markers), and states with more than 75% of the markers (nine to 11 markers). This was done in a similar way for accommodations and reporting .

As is evident in Table 7, states are somewhat spread for both participation and accommodations, but not for reporting. Only 30% of states' participation guidelines had at least half of the identified markers. Approximately 40% had at least half of the accommodations markers. None of the states had at least half of the reporting markers.

Table 7. States Status Overall Using Markers of Guidelines that Maximize Participation of Students with Disabilities in Assessment and Accountability Systems				
Type of Guidelines	<u>Percent of Desired Characteristics</u>			
	<25%	25-49%	50-74%	≥ 75%
Participation 11 desired characteristics possible	13 (30.2%)	17 (39.5%)	10 (23.2%)	3 (7.0%)
Accommodations 6 desired characteristics possible	14 (35.9%)	8 (20.5%)	10 (25.6%)	7 (17.9%)
Reporting 7 desired characteristics possible	18 (78.3%)	5 (21.7%)	0	0

Note: Entries are number (and percentage) of states with varying percents of desired characteristics (ones that promote participation) in their guidelines.

Summary of Desired Characteristics:

Participation: 1, 2, 3, 4, 5, 6, 8, 9, 10, 11 (not 7).

Accommodations: 1, 2, 3, 5, 6 (not 4).

Reporting: 1, 2, 3, 4, 5, 6, 7.

Discussion

There is no question that assessment and educational accountability systems are a key part of today's educational reforms. It was the assumption of this study that state approaches to including students with disabilities in assessments implemented during educational reform is reflected in their written guidelines, and that markers of guidelines that maximize the participation of students with disabilities can be identified. This paper serves as initial verification of these assumptions and provides an approach for states to use to analyze their own policies and policy changes, and for outsiders to evaluate change over time in the extent to

which states' guidelines maximize the participation of students with disabilities in their assessments and accountability systems.

First, it should be noted that while the markers identified in this study were reviewed by numerous groups, and agreement obtained on their appropriateness, it probably is worthwhile to undertake a more formal approach for reaching consensus on the markers. This could be done using a variety of consensus building procedures (e.g., Vanderwood, Ysseldyke, & Thurlow, 1993). In addition, clarification of some of the indicators probably is needed. For example, participation marker 8 refers to both alternate assessments and partial assessments as options available to students with disabilities. We now know that alternate assessments can cover a range of approaches, only some of which are appropriate for maximizing the participation of students with disabilities in accountability systems (Thurlow, Olson, Elliott, Ysseldyke, Erickson, & Ahearn, 1996).

Overall, the results portray the tremendous variability in states' written guidelines on participation, accommodations, and reporting. They also reflect a number of implementation and training issues. For both participation and accommodations, in particular, the reliance on the IEP team for decision-making suggests a need for training on how to make appropriate decisions. It has been indicated elsewhere (Elliott, Thurlow, & Ysseldyke, 1996) that IEP teams sometimes simply exclude all students with IEPs, or do not realize the importance of participation in accountability systems, and/or do not understand what constructs are being assessed by the assessment. As a result, the teams may not make thoughtful decisions. Thus, it appears that a massive training effort will be required for the IEP team marker to be a truly "inclusive" marker that results in maximized participation.

The results also demonstrate a need for research. The high reliance on disability category as a basis for making decisions about accommodations, and the controversy that surrounded the category marker for making accommodations decisions, both suggest the need for research. Decisions about accommodations would be easier if they could be made on a categorical basis. But the data on the difficulty of making categorical distinctions among students with mild disabilities (Ysseldyke, 1988) coupled with admonitions that decisions must be made on the basis of individual student needs (Thurlow, Elliott, & Ysseldyke, 1997) suggest that this is an area requiring further study.

Finally, it is quite obvious from this analysis that reporting is an area that needs much greater attention, both in terms of identifying characteristics that maximize the participation of students with disabilities, and in terms of what states should do. Some of the characteristics that are considered to maximize participation (such as being able to disaggregate data of students with disabilities so that results could be reported), in many states appear to be used to the opposite

end. In other words, many of those states that have the capability of disaggregating data for students with disabilities have that capability because they have identified the students with disabilities in their data bases. However, what they have done with the identification is used it to determine which students will not be included when data are aggregated for reports. Thurlow et al. (1995b) reported that almost 60% of states actually exclude from their reports all or some of those students for whom they have the capability of disaggregating results. It is also obvious from the analysis of states' written guidelines that current accountability reports neglect to report basic information needed to interpret the reports, such as the number of students excluded from the assessment, and the reasons for their exclusion

Clearly, there are a number of issues that need to be addressed for guidelines on participation, accommodations, and reporting to become more inclusive. Among them are:

- Disseminating information on the importance of inclusive accountability systems.
- Realizing that assessment is one piece of an accountability system.
- Considering the constructs being assessed as decisions are made.
- Crafting comprehensive assessment guidelines that consider all students, including students with disabilities.
- Identifying the consequences of exclusion of students from assessments, at both the state and local levels.
- Reinforcing the importance of including all test takers in using and reporting data.

As these issues are addressed, states can move forward in their efforts to develop policies that encourage the participation of students with disabilities in assessments.

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