



**NEBRASKA**  
*DEPARTMENT OF*  
**EDUCATION**

# **Analysis of Accommodations for Nebraska Students with Disabilities**

Prepared by Carla Osberg, Office of Special Education

September 2011

## Analysis of Accommodations for Nebraska Students with Disabilities

As required in the amended Quality Education Accountability Act, 79-760, the Nebraska Department of Education (NDE) has built Nebraska State Accountability assessments to measure reading achievement (NeSA-R) in grades 3,4,5,6,7,8, and 11 for the purpose of accountability (Update: Standards, assessment, and Accountability (SAA-6), Sep. 2010). With the help of their partners, Data Recognition Corporation (DRC) out of Maple Grove, Minnesota, and Computer Assisted Learning (CAL) from the University of Kansas in Lawrence, Kansas, NDE has involved Nebraska general and special education teachers in the design and development Nebraska State Accountability (NeSA) tests. In the spring of 2010, the state-wide reading test (NeSA-R) was administered in both online and paper/pencil modes to approximately 147,000 students, including students with disabilities. Many students with disabilities were provided appropriate accommodations while participating in the state assessments. NDE reported the results of the NeSA-R assessments to Nebraska educators and the public through the State of the Schools Report (SOSR) on the NDE website.

The Individuals with Disabilities Act (IDEA) and the Elementary and Secondary Education Act (ESEA) require the inclusion of students with disabilities in accountability assessments. Under Part B of IDEA, federal funds are provided to states meeting the following eligibility requirements:

**PARTICIPATION IN ASSESSMENTS. –(A) IN GENERAL. –** All children with disabilities are included in all general State and districtwide assessment programs, including assessments described under section 1111 of the Elementary and Secondary Education Act of 1965, with appropriate accommodations and alternate assessments where necessary and as indicated in their respective individualized education programs.

(B) ACCOMMODATION GUIDELINES. – The State (or, in the case of a districtwide assessment, the local educational agency) has developed guidelines for the provision of appropriate accommodations. [Sec. 612 (a) (16)].

The IDEA statute requires an “individualized education program” (IEP) that includes:

...a statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on State and districtwide assessments...

States are also required to monitor implementation of IDEA by local educational agencies. The focus with the focus on:

- (a) improving educational results and functional outcomes for all children with disabilities; and
- (b) ensuring that States meet the program requirements under this part (IDEA), and a particular emphasis on those requirements that are most closely related to improving educational results for children with disabilities. [Section 616 (a)]

Assessment accommodations are changes in testing materials or procedures that enable students to participate in assessments in a way that evaluates abilities rather than disabilities.

Without accommodations, the assessment may not accurately measure the student’s knowledge and skills (National Center on Educational Outcomes, University of Minnesota). Assessment accommodations are generally grouped into the following categories:

- Presentation (e.g., repeat directions, read aloud, large print, Braille, amplification equipment, etc.)
- Response (e.g., mark answers in book; scribe records response; point; use calculators, brailers, and manipulatives, etc.)
- Setting (e.g., study carrel, student's home, separate room, etc.)
- Timing/Scheduling (e.g., extended time, frequent breaks, etc.)

Dr. Stephen Sireci, University of Massachusetts, in his research paper “Validity Issues in Accommodating Reading Tests” examines the need for and purpose of test accommodations for students with disabilities. He states “... some students with disabilities (SWD) are either unable to take tests under standard testing conditions or are unable to perform at their best under standard testing conditions. In many testing situations, accommodations to standard testing conditions are given to SWD to improve measurement of their knowledge, skills and abilities.” Sireci believes the use of testing accommodations levels the playing fields for students with disabilities so that the format of the test or the test administration conditions do not unduly prevent these students from demonstrating their "true" knowledge, skills and abilities. If testing conditions prevent some students from demonstrating their knowledge and skills, those conditions may be considered barriers to valid assessment.

The Nebraska Department of Education considers the following as key priorities in providing accommodations during NeSA-R assessments:

1. The selection of appropriate accommodations;
2. The assurance of agreement between assessment and instructional accommodations;
3. The monitoring of the availability and use of accommodations; and
4. The use of accommodations provides valid inferences and meaningful scores regarding students' knowledge and skills.

### **THE SELECTION OF APPROPRIATE ACCOMMODATIONS**

Selection of accommodations refers to the decision-making process used by IEP teams (including students when appropriate) to determine appropriate instructional accommodations and which of those accommodations should be provided during NeSA-R administration. These decisions are to be made on a student-by-student basis and evaluated frequently.

NDE has adapted the Council of Chief State School Officers' (CCSSO) Accommodations Manual (2005) as part of the state's accommodation selection guidelines. The Nebraska "Accommodations Guidelines- How to Select, Administer, and Evaluate Accommodations for Instruction of Students with Disabilities of Students with Disabilities" was first published in 2006 and was updated in 2009. This document addresses 1) equitable access to grade-level academic standards, 2) three accommodation categories (Presentation, Response, and Setting/Timing//Scheduling) with examples of each, 3) guides for determining and evaluating effective accommodations, and 4) information on the appropriate use of accommodations during instruction and assessment. An additional section, "Tools for the IEP Team," includes a:

- "Determining Appropriate Accommodations" checklist,
- "Student Accommodations Log" with directions,
- "Do's and Don'ts In Selecting Accommodations" information,
- "Differentiate Instructional Strategies" with multiple examples, and
- Nebraska State Accountability (NeSA) Approved Accommodations references.

Workshops on accommodations are conducted across the state each year at area Educational Service Units, Special Education Regional Workshops, and individual school district staff-development days.

### **THE ASSURANCE OF AGREEMENT BETWEEN ASSESSMENT ACCOMMODATIONS AND INSTRUCTIONAL ACCOMMODATIONS**

There are many references to the strong link between instruction and assessment accommodations in the NDE "Accommodations Guidelines" document described in the previous paragraphs. Section Four, "Use of Accommodations During Instruction and Assessment," emphasizes the need to use assessment accommodations throughout the instructional process.

In addition to Section Four, the following statements are included in the “Guidelines”:

“ Both the No Child Left Behind 2001 (NCLB) and the Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004) require the participation of students with disabilities in grade-level, standards-based instruction, and state and district wide assessments.” (pg. 2)

“Accommodations are practices and procedures in the areas of 1) presentation, 2) response, and 3) setting/timing/scheduling which provide equitable access during instruction and assessments for students with disabilities.” (pg. 5)

“Participation in Assessments (Rule 51 007.07A7, 007.07A7a, 007.07A7b) The IEP team considers the student’s participation in the Nebraska State Accountability (NeSA) test and the accommodations used during the testing process. Generally, the accommodations used during instruction and written into the student’s IPE are allowable for state-wide testing. However this is not always the case. The IEP team should refer to the “NeSA Approved Accommodations” document (pg. 29) for details and the process for addition additional accommodations to the approved list.” (pg. 7)

The “NeSA Approved Accommodations” document also stresses the link between accommodations for instruction and assessment. “The purpose of this document is to provide a quick reference for school districts about the following: ...2) *Test Accommodations - For students with IEPs or 504 plans*: Adjustments or adaptations in the test or the testing process that do not change the test expectation, the grade level, or the construct or content being measured. Accommodations should only be used if appropriate for the student and used during instruction throughout the year.” (pg. 2)

## **THE MONITORING OF THE AVAILABILITY AND USE OF ACCOMMODATIONS**

Monitoring refers to tracking the use of accommodations and checking for the consistency with which they are available to students during instruction and assessment. The purpose of monitoring is to ensure that the decisions made for individual students are carried out. The Nebraska Special Education and Assessment Offices use several monitoring systems to ensure the appropriate selection and use of accommodations during instruction and assessment.

One means of monitoring is the on-site Special Education file reviews of school districts once every five years. Approximately 50 districts are monitored each year to ensure student accommodations for both instruction and assessment are documented in the IEP. NDE Special Education Office representatives use these on-site visits to make sure:

- 1) instructional accommodations are included in the section “A statement of the special education and related services and supplementary aids and services based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child...to be involved in and make progress in the general education curriculum and to participate in extracurricular and nonacademic activities”,
- 2) assessment accommodations are documented under “A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state and district-wide assessments...,” and that
- 3) accommodations are aligned from one section of the IEP to the other.

Each year districts must submit to NDE Office of Special Education a “Statement of Assurances” document. This document, signed by the authorized school district official, certifies and assures that the district will ensure participation of students with disabilities in the appropriate statewide tests, using the Nebraska “IEP Decision Making Guidelines for NeSA Assessments.” The provision of accommodations as indicated on the student’s IEP must also be assured.

The administration of NeSA tests is monitored each year by trained NDE personnel. In 2010, testing was observed in 64 districts by over 36 NDE staff members. Observations were

conducted in multiple classrooms and at a variety of grade levels. One point observed and recorded was the use of accommodations by students participating in the NeSA tests.

Districts must submit information to NDE regarding individual student accommodations used during NeSA testing. Accommodations are reported in the same categories found in the Nebraska "Accommodations Guidelines."

## **THE USE OF ACCOMMODATIONS PROVIDES VALID INFERENCES AND MEANINGFUL SCORES REGARDING STUDENTS' KNOWLEDGE AND SKILLS**

In 2010-2011, the Nebraska Department of Education conducted a non-experimental study to investigate the effect of accommodation on the overall reading achievement of students with disabilities as measured by the state reading assessment. This project was designed to answer the following questions:

- Do instructional accommodations recorded in student IEPs align with the accommodations used during NeSA reading assessments?
- Do the use of accommodations improve NeSA reading results for students with disabilities who are one deviation from a Proficient rating?

## **THE STUDY**

### **Participants**

The Office of Special Education, in collaboration with the Assessment Office, randomly selected 100 Nebraska students with disabilities from urban and rural schools across the state. The selection pool included students in grades 3,4,5,6, and 7 who were within one deviation of a "Meeting the Standards" rating (as determined by AYP standards) on the 2010 NeSA reading assessment. The number of student participants was reduced to 76 because between 2010 and 2011, some students moved to other districts and others were no longer qualified for special education services.

## Procedures

### **IEP Review**

School districts were contacted and copies of IEPs for the 76 selected students were requested. These IEPs were individually reviewed for the following information:

- 1) time spent with peers and receiving special education services,
- 2) time spent without and receiving special education services,
- 3) time spent in regular education without special education services,
- 4) presentation accommodations included in the IEP,
- 5) response accommodations included in the IEP, and
- 6) setting/time accommodations.

### **Survey of Teachers**

Surveys were sent to special education and language arts/reading teachers who worked with the selected students. Of the 50 teachers contacted, 42 responded to the survey questions. Questions dealt with the use of accommodations and the student's opportunity to learn grade-level materials with their peers. Responses to the survey questions regarding accommodations revealed that:

- 100% of the responding teachers agreed that “both general education and special education teachers (in their building) are aware of and understand the accommodations required by students with disabilities.”
- 95% of the responding teachers agreed “that teachers (in their building) understand the impact disabilities have on student achievement and use a variety of materials and teaching strategies to improve the learning of all students, including those with disabilities.
- 96% of the responding teachers agreed that “teachers (in their building) consistently provide accommodations and/or modifications include in students' Individualized Education Programs (IEPs).”

## Student Interviews

In March, 2011, student interviews were conducted with members of the Nebraska Youth Leadership Council (NYLC). The purpose of this group of high school and college leaders with disabilities from across Nebraska is to make a difference in the lives of other student with disabilities. The organization believes that young people should have a voice in the things that affect them and hope to better the existing services provided to young people through their outreach efforts. NYLC began as a single statewide youth council, for students 14 -21, but has expanded to include regional councils too. There are councils in east, central, and northeast Nebraska with plans of a council in western Nebraska. The group is cosponsored by the Nebraska Department of Education Vocational Rehabilitation and Special Education Offices. The students interviewed were from the East and Northeast Youth Leadership Councils. The following questions were discussed by the students:

- 1) What does the term accommodation mean to you?
- 2) On a personal level what experience have you had with accommodations either in your present setting or in a previous one?
- 3) Did you take the NeSA? (With paper or pencil or online?)
- 4) How did you feel you performed on the test?
- 5) What could have been done to make you more successful than you already were?
- 6) Did you participate in your IEP meeting?
- 7) Were you allowed to help select the accommodations that would help you be more successful in the classroom or in extra-curricular activities?
- 8) What did your teachers do during classes to help you be successful?
- 9) What was the most difficult class and the easiest, and why?
- 10) Overall, what could your teachers and school do that would help you be the most successful student you can be and what role do you think the Youth Leadership Council could do to help others in the area of accommodations?

Several key points regarding accommodation were brought to light through these interviews. Students understand the meaning and usefulness of accommodations in their academic and daily lives. They are aware of the accommodations that work best for them as individuals and are frustrated at the lack of creativity used by IEP teams when determining

accommodations for students. The majority of the students took the NeSA reading test via paper and pencil. And although the NeSA tests are not timed, this method allowed students flexibility in scheduling extra time if needed. One concern expressed several times by students was that the IEP team often did not think “outside the box.” This group had many logical and creative ideas to help them achieve grade level content standards.

NDE’s review of the 76 IEPs in this project supported the student’s comments regarding IEP accommodations for instruction and assessment. At least 30% of the IEPs contained an accommodations check list with no individual accommodations marked. Additional IEP generated accommodations were not present. While clearly stated on page 24 of the NDE “Accommodations Guidelines:” “Don’t check every accommodation possible on a checklist simply to be ‘safe,’ it is clear that additional training on the determination, evaluation, and use of accommodations is needed for both instruction and assessment.

## **Summary**

The 2010 and 2011 scaled scores for the NeSA reading assessment for each individual student were compared to determine AYP proficiency rate improvements. Out of the 76 students in the study, 41% increased their NeSA reading proficiency rates from “Below the Standards” in 2010 to “Meets or Exceeds the Standards” in 2011. Of that number, 29% used accommodations during the testing process. Presentation accommodations (29%) were the most frequently used. Fifty-five percent of the students (45) remained below the “Meets the Standards” rating. Of that number, only 38% used accommodations during testing. Of the 45 students not achieving proficiency, it was noted that almost 50% had no accommodations indicated on their IEPs nor did they use accommodations during testing.

**Study Participant's  
2011 Proficiency Rates**

	# of Students	%	Used Accommodations	Did not use Accommodations
Below Standards	45	59.2%	37.7%	62.2%
Meets/Exceeds Standards	31	40.7%	29%	70.9%

**Study Participant's  
Accommodation Preferences**

	# of Students	Presentation	Response	Setting/Timing
Below Standards	45	28.8%	11.1%	37.7%
Meets/Exceeds Standards	31	29%	3.2%	19.3%

**NeSA Accommodations Study Results, 2010-2011**

Student	Grade	Scale Score		Accommodations					
				Presentation		Response		Setting/Timing	
				2010	2011	IEP	Test	IEP	Test
1	05	076	065	no	no	no	no	no	yes
2	06	076	126	no	no	no	no	no	no
3	04	076	108	no	no	no	no	no	no
4	05	076	160	no	no	no	no	no	no
5	05	080	076	no	no	no	no	no	no
6	04	075	094	no	no	no	no	no	no
7	05	073	076	yes	yes	no	no	yes	yes
8	05	080	107	no	no	no	no	no	no
9	06	073	082	no	no	no	no	no	no
10	04	076	096	yes	yes	no	no	yes	yes
11	04	081	072	no	no	no	no	no	no
12	06	080	093	no	no	no	no	no	no
13	06	080	094	no	no	no	no	no	no
14	05	080	090	yes	yes	no	no	no	no
15	05	076	144	no	yes	no	no	no	no
16	07	073	134	yes	yes	no	no	no	no
17	06	073	057	no	yes	no	no	yes	yes
18	04	073	041	yes	yes	no	no	no	yes
19	05	080	086	yes	yes	no	no	yes	yes
20	03	081	136	no	no	no	no	no	no

**NeSA Accommodations Study Results, 2010-2011 cont.**

Student	Grade	Scale Score		Accommodations					
				Presentation		Response		Setting/Timing	
		2010	2011	IEP	Test	IEP	Test	IEP	Test
21	07	075	075	no	no	no	no	no	no
22	08	071	063	no	no	no	no	no	no
23	03	075	079	no	no	no	no	no	no
24	05	073	072	no	no	no	no	no	no
25	04	073	075	no	no	no	no	no	no
26	05	076	072	no	no	no	no	no	no
27	06	080	152	no	no	no	no	no	no
28	04	075	064	no	no	no	no	no	no
29	04	073	061	no	no	no	no	no	no
30	04	070	086	no	no	no	no	no	no
31	03	075	090	no	no	no	no	no	no
32	06	080	083	no	no	no	no	no	no
33	04	073	068	yes	yes	no	no	yes	yes
34	03	075	072	yes	yes	yes	no	yes	yes
35	08	071	066	yes	yes	no	no	yes	yes
36	04	076	053	yes	yes	yes	no	yes	no
37	08	083	042	yes	yes	no	yes	yes	yes
38	05	076	061	no	yes	no	no	no	yes
39	06	080	102	no	yes	no	yes	no	yes
40	05	073	076	no	yes	no	yes	no	yes
41	08	075	076	yes	yes	no	yes	yes	yes
42	07	077	049	no	yes	no	yes	no	yes
43	05	080	100	yes	no	no	no	no	no
44	07	075	079	no	no	no	no	no	yes
45	08	079	076	no	no	no	no	no	no
46	08	071	076	no	no	no	no	no	no
47	08	083	111	no	no	no	no	no	no
48	06	077	068	yes	yes	no	no	yes	yes
49	07	080	053	no	no	no	no	no	no
50	07	079	070	no	no	no	no	no	no
51	05	072	064	no	no	no	no	no	no
52	06	080	072	no	no	no	no	no	no
53	05	080	041	no	no	no	no	no	no
54	04	080	083	no	no	no	no	no	no
55	06	072	025	no	no	no	no	no	yes
56	08	083	083	no	no	no	no	no	no

**NeSA Accommodations Study Results, 2010-2011 cont.**

Student	Grade	Scale Score		Accommodations					
				Presentation		Response		Setting/Timing	
		2010	2011	IEP	Test	IEP	Test	IEP	Test
57	06	080	101	no	no	no	no	no	no
58	08	079	111	no	no	no	no	no	no
59	08	071	063	Yes	yes	no	no	Yes	yes
60	07	077	082	Yes	yes	no	no	yes	yes
61	07	077	101	yes	yes	no	no	yes	yes
62	07	077	089	Yes	yes	no	no	Yes	yes
63	07	083	066	no	no	no	no	no	no
64	07	079	096	no	no	no	no	no	no
65	07?	083	060	no	no	no	no	no	no
66	08	079	060	no	no	no	no	no	no
67	07	075	096	no	no	no	no	no	no
68	07?	075	086	no	no	no	no	no	no
69	08	079	083	no	no	no	no	no	no
70	07	080	105	no	no	no	no	no	no
71	07	080	160	no	no	no	no	no	no
72	07	072	107	no	no	no	no	no	no
73	04	070	072	no	no	no	no	no	no
74	04	070	057	no	no	no	no	no	no
75	05	076	100	no	no	no	no	no	no
76	04	080	097	no	no	no	no	no	no

The Nebraska Department of Education has created “Guidelines” to lead and support teachers in the selection, use, and evaluation of appropriate instructional accommodations for students with disabilities in our state. The “NeSA Approved Accommodations” document, aligned with the “Accommodations Guidelines,” provides clear direction in the use of accommodations in Nebraska’s state-wide assessment process. Training has been provided across the state to support sound accommodation decisions by IEP teams.

Through regular NDE Special Education file reviews and NDE Assessment Office test observations, Nebraska routinely monitors the extent to which test accommodations are consistent with those provided during instruction. This monitoring ensures that test results with accommodations can be meaningfully combined with scores based on standard administrations.

Finally, the state has conducted a study to analyze the use of accommodations for students scoring just below the “Meets the Standards” rating for AYP purposes. The data from this study will help determine the focus for training and technical assistance in the coming year.

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