



REVIEW OF *ESEA REAUTHORIZATION*

Reviewed By

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Summary of Review

This report asserts that more stringent accountability measures for schools (*i.e.*, high academic standards for public school students) along with benchmarks for inclusion in state testing have improved the quality of education for students with disabilities. It compares 2000 to 2013 NAEP and NCES national-level data and finds increased test scores, decreased dropout rates, and increased graduation rates for students with disabilities, as well as improved outcomes for Black and Hispanic students with disabilities. While student outcomes have improved for students with disabilities, they cannot be causally connected with NCLB or NCLB-type reforms. This report is based on simple descriptive comparisons and assumes its interpretations and conclusions without any foundation. While an expansive research literature is available, none was used in this report. Further, aggregating data across the nation over 14 years obscures a multitude of possible other interpretations as well as hides regional, temporal, governmental and state variations. Consequently, the report does little to advance public policy for students with disabilities.

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REVIEW OF *ESEA REAUTHORIZATION: HOW WE CAN BUILD UPON NO CHILD LEFT BEHIND'S PROGRESS FOR STUDENTS WITH DISABILITIES IN A REAUTHORIZED ESEA*

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I. Introduction

The role of accountability (*i.e.*, high-stakes testing) for students with disabilities has been widely debated since the 1990 passage of the Individuals with Disabilities Education Improvement Act (IDEA). Those debates have continued with the 2001 reauthorization of the ESEA (aka No Child Left Behind); and with the reauthorization of IDEA (IDEA 2004). NCLB was based on setting high academic standards and measurable goals for public schools in order to improve individual outcomes in education, improve low-performing schools, and increase accountability in schools. IDEA 2004 aligned IDEA with NCLB, thus requiring academic achievement standards and standardized testing of students with disabilities.¹ Together, these laws require that public school students with disabilities participate in annual assessments in specific academic areas and grades, and that their scores must be disaggregated by gender and race, and publicly reported.

A report authored by Chelsea Straus and published by the Center for American Progress (CAP),² *ESEA Reauthorization: How We Can Build Upon No Child Left Behind's Progress for Students with Disabilities in a Reauthorized ESEA* makes strong claims that NCLB and IDEA 2004 have served as the impetus for the academic progress and improved outcomes of students with disabilities.

As Congress now considers the reauthorization of the ESEA, the report makes a plea to legislators that the reauthorized ESEA must continue to hold students with disabilities to high standards along with continued standardized assessments that are consistent with those of their non-disabled peers.

The report maintains that NCLB, coupled with the IDEA, “paved the way for a new era of increased transparency and accountability for students with disabilities” (p. 2).

The report examines students with disabilities' national fourth- and eighth-grade mathematics and reading scores on the National Assessment of Educational Progress (NAEP), dropout rates, and high school graduation rates before and after the reauthorization of NCLB. It concludes that students with disabilities have thrived

following the passage of NCLB and that the reauthorization of the ESEA presents an opportunity to continue the policies enacted under NCLB, including requiring nearly all students with disabilities to perform to the same standard as students without disabilities.

II. Findings and Conclusions of the Report

The report compares 2000 to 2013 national-level data from the National Center for Education Statistics (NCES) and from the NAEP. It finds increased test scores, decreased dropout rates, and increased graduation rates for students with disabilities, as well as improved outcomes for Black and Hispanic students with disabilities. The report revealed that fourth- and eighth-grade NAEP average mathematics and reading scores for students with disabilities were much higher in 2013 than 2000, ascribing the improvement to NCLB. The author asserts that the dropout rate for students with disabilities from 2001 to 2012 was cut in half, from 41% to 20.5%. The report also indicates a reduction in the dropout rate for students of color with disabilities, with an 18.5% drop for both African American and Hispanic students with disabilities. The report's high school graduation rate comparison found that the percentages of students with a standard diploma³ improved from 48% in 2001 to 64% in 2013. The author highlights higher percentages of students receiving diplomas among those with specific learning disabilities (69%), those with speech or language impairments (75%), and those with autism (65%). The report reveals that larger percentages of black (52%) and Hispanic (55%) students with disabilities are also graduating.

The report concludes that tougher accountability and higher expectations have produced better educational outcomes. The report maintains that the improving educational outcomes for students with special needs are the direct result of the "increased academic standards and expectations for this group" (p.1). The report makes the following policy recommendations for Congress to include in the reauthorized ESEA.

- Limit the use of alternate assessments to the 1 percent of students with the most significant cognitive disabilities.
- Require states to hold all students to high achievement standards.
- Provide the necessary instructional supports and services to students with disabilities (p. 5)

III. The Report's Rationale for Its Findings and Conclusions

The report determines that the positive educational outcomes for students with disabilities are evidence that the reauthorized ESEA should continue to require schools to "provide the necessary instructional supports and services to students with disabilities (p. 5)." The

report draws its conclusions from a simplistic comparison of descriptive educational outcomes from the U.S. Department of Education, NCES, and the Office of Special Education Programs (OSEP). It maintains that the passage of NCLB is related to improved outcomes for students with disabilities on metrics such as reading and mathematics achievement on NAEP, dropout rates, and graduation rates.

IV. The Report's Use of Research Literature

While the report offers a positive picture of the improving condition of students with disabilities in US schools, it concedes that the gains made by students from before NCLB to the present cannot be causally tied to the Act's increased accountability.

The report relies almost exclusively on descriptive data drawn from the U.S. DOE, the NCES, and the OSEP's Annual Reports to Congress on the Implementation of the IDEA.⁴ Despite a plethora of relevant research, there is not a single reference to a peer-reviewed or generally accepted research report.

The report failed to include any relevant research studies that would have provided a more complete picture of the performance of students with disabilities. For example, it could have examined the considerable variation in educational outcomes by state, locale, or disability type.⁵ For example, educational outcomes for students with specific learning disabilities, speech and language impairment, and those with autism—are higher than students with other disabilities (e.g., emotional disability).⁶ Students with disabilities do not pass high-stakes exit exams at anywhere near the same rate as their peers without disabilities.⁷ In Washington state, “the initial passing rates for all students in mathematics and English language arts, respectively, was 39% and 60%, compared to only 4% and 12% for students with disabilities, and 24% and 43% for low-income students”.⁸ Similarly, a state-level examination of 2011-2012 graduation rates for students with disabilities ranged from 88.3% in Minnesota to 32.9% in Louisiana.⁹ Clearly these few examples demonstrate a contradictory picture of the educational outcomes for students with disabilities instead of the rosy picture the report provides.

V. Review of the Report's Methods

The report focuses its comparative analysis on students with disabilities' NAEP reading and mathematics performance outcomes, dropout rates, and graduation rates. However, the report simply compared reported 2000 and 2013 NAEP performance outcomes (average NAEP scale scores), graduation rates, and dropout rates for students with disabilities even though more sophisticated analytic methods exist.¹⁰ Basically, the report provided bar charts, compared percentages and maintained that these differences were due to NCLB reforms. While it correctly says, “We cannot demonstrate causality” (p.2), it

then proceeds to claim causality (*i.e.*, NCLB caused increases in educational outcomes for students with disabilities). With the vast changes in society, education and special education between 2000 and 2013, inferential claims of this sort defy believability.

Among the more fine-grained problems, the unit of analysis, students with disabilities, was presented as one uniform group. While this is consistent with the U.S. DOE requirements for reporting the students with disabilities subgroup, the author could have easily provided more information on the number of different categories listed within the students with disabilities' subgroup. For example, while 80% of students enrolled in special education fall into four categories—specific learning disability, emotional disturbance, speech or language impairments, and other health impairments (which include Attention Deficit Disorder)—the remaining 20% of students are recorded in nine other categories.¹¹ Changes in definitions or interpretations of categories across this period are not addressed. It would have been a more complete report had the author uncovered the educational outcomes in all subgroup categories by comparing pre- and post-test results for low incidence and high incidence disability categories.

Though many U.S. DOE reports include national educational outcome comparisons, the report neglected to include state outcomes or provide data for examining results at the local level and by subgroups of students with differing disabilities. The report selected to focus only on national results and thus presented results that masked important state and local level differences. The results are even more variable if you consider a school's locale or school-level reported outcomes. Additionally, this report selected only two time points (2000 and 2013) to represent the pre- and post-NCLB outcomes. Given the NCES's rich data set availability for multiple years, states, and locales, the report could have provided a more detailed set of educational outcome comparisons.

Claiming that improved educational outcomes are a direct result of NCLB policies is simply not justified

VI. Review of the Validity of the Findings and Conclusions

The results were reported in the narrative of the report and included a graphic that showed pre- and post-NCLB NAEP performance of students with disabilities. The author did not seek to determine causality, control for important intervening variables or analyze significant differences in the reported simplistic results. The report does not examine whether improvements for students with disabilities are universal in nature (*i.e.*, across state, locale, disability type). When the data are disaggregated, it becomes clear that, while the national trend for data is positive, the state-level trend is variable—many states experienced negative or relatively neutral outcomes. For example, the variability in graduation rates for students with disabilities found that the graduation rates for 15 states is zero or lower than two years before.¹² This variability is greater still when students with

disability by category type (e.g., students with specific learning disabilities, student with emotional disturbance, etc.) are included in the analysis.

VII. Usefulness of the Report for Guidance of Policy and Practice

A rigorous analysis of educational results can only happen when policymakers carefully utilize all available data, consider intervening variables, and consider multiple types of educational outcomes—a research approach that this report did not follow. Claiming that improved educational outcomes are a direct result of NCLB policies is simply not justified.

The report failed to conduct a more-focused state- and local-level outcomes analysis that would have helped reveal what the national average scores can hide. Such an analysis could have provided better insight of the difference in educational outcomes between 2000 and 2013. But, what these numerical comparisons cannot tell us is that the implementation of NCLB is what leads to positive educational outcomes for students with disabilities.

The author failed to consider how NCLB reforms for students with disabilities run counter to the foundational concepts behind the IDEA. Most significantly, assuming that nearly all children with disabilities should perform at the same performance standard as their nondisabled peers denies the mandate of a carefully crafted, Individualized Educational Plan (IEP) for each student required under IDEA.

In sum, the simplistic presentation of aggregate descriptive data does not provide compelling or useful data for policy purposes.

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