

MODIFIED ACADEMIC ACHIEVEMENT STANDARDS FOR AYP

By Sharon W. Montanye

The Federal government has published the final regulations under No Child Left Behind designed to provide additional flexibility in assessing disabled populations for purposes of determining adequate yearly progress (AYP). The flexibility comes in the form of Modified Academic Achievement Standards, which are standards to be developed by states to be aligned with grade-level content standards, but modified in such a manner that they reflect reduced breadth or depth of grade-level content. The intent is for the academic achievement standards to be modified, but not the content standards on which those modified standards are based. The Modified Assessments must be available to students in any disability category and cannot be limited to those students with the most severe cognitive disabilities. Unlike the Pennsylvania Alternative System of Assessment, which is based on different academic grade-level content standards, the Modified Academic Achievement Standards cannot rely on below-grade level instructional content.

The determination of who may be assessed using the Modified Academic Achievement Standards is an IEP team decision, but must be based on criteria established by the State. Although there is no cap on the number of students who may be tested using Modified Academic Achievement Standards, only 2% of those who score proficient or above may be counted for purposes of AYP. The scores of any students using the Modified Academic Achievement Standards in excess of the 2% cap are counted as not meeting proficiency. The Modified Academic Achievement Standards may be used in AYP calculations as soon as the 2007-2008 school year, so long as the State can demonstrate that they are expeditiously moving to meet the requirements in the regulations.

Unanswered questions arise regarding Pennsylvania's implementation of these new regulations. Should Pennsylvania use the existing PSSA test and merely score against alternate criteria? Using this approach, school district would preserve the opportunity to count students with disabilities who do meet proficiency using the regular standards when calculating AYP and also preserve the 2% of student scores who demonstrate that they would not score proficient without application of the Modified Academic Achievement Standard. Additionally, there is likely higher validity when disaggregating data for various statistical comparisons; comparisons would still be oranges to oranges as opposed to oranges to apples if the same testing tool were used. Alternatively, Pennsylvania could develop modified academic achievement standards in core academic subject areas, i.e. a modified rubric, and follow-through with a Modified Academic Achievement Standards Test for state-wide assessment purposes. Developing a modified curricula along with modified testing would seem to be consistent with the mandates and general philosophy of the IDEA to provide an education that is appropriate for the learning needs of the individual student.

For the immediate future, school districts must wait for the State to develop state-wide Modified Academic Achievement Standards and determine the criteria for eligibility that IEP teams must use to determine a student's eligibility to be assessed using the Modified Academic Achievement Standards.

Clients who have questions regarding issues discussed in this article, or any education law matter, should feel free to call us at 215-345-9111.