

# EFFECTS ON NO CHILD LEFT BEHIND ACT OF SPECIAL EDUCATION REGARDING STANDARDIZED TESTING

**Rebecca Gensler**

ELEMENTARY GENERAL EDUCATION, SENIOR, INDIANA UNIVERSITY

## ABSTRACT

*The No Child Left Behind Act (NCLB) has been the cause of much controversy since its enactment by President Bush in 2001. NCLB requires schools to be held accountable for all their students to meet the state standards for their grade level. The controversy over NCLB lies in the fact that all students, regardless of their race, ethnicity, socio-economic background, native language, or disabilities are assessed on whether or not they have learned the state standards through one standardized test. In this article, the author will discuss how NCLB has affected special education positively by officially raising expectations for all students and negatively by providing little flexibility for alternate assessment, often resulting in inaccurate measures of special education students' progress. The author will then present a solution to the single-test strategy that would include providing alternate exams and alternate forms of assessment based on the individual student's needs as reported in the student's IEP.*

**T**he No Child Left Behind Act (NCLB) has been the cause of much controversy since its enactment by President Bush in 2001. The goal of NCLB is to ensure that every student in America receives an equal education, and that equally high expectations be held for every student. A goal of NCLB is to eliminate assumptions about which students can or cannot meet certain standards.

NCLB challenges teachers and students to increase their expectations for student learning, including the expectation for all students to meet the state standards at their grade level. The controversy over NCLB does not stem from its goals. The controversy over NCLB stems from the plan of how these ambitious goals will be met.

One of the major components of NCLB is accountability. With the enactment of

NCLB, schools are now held accountable for what their students learn, how they are improving student achievement, and how the public is informed of the results (U.S. Department of Education, 2004). Before NCLB, schools and teachers were not held accountable for reporting disaggregated data about test scores. Now schools must give annual standardized tests to all students in grades 3-8, testing the state standards in math and reading (U.S. Department of Education, 2004). The key phrase in the previous statement is "all students." All students regardless of their race, background, ethnicity, native language, socio-economic status or any disabilities they may have must take these high stakes tests and their results must be included in the schools' reports recording their students' Adequate Yearly Progress (AYP) (U.S. Department of Education, 2004).

The results from these tests must show that students are making steady progress in achieving the state's standards in reading and math. Test scores are broken down into groups: race, socio-economic background, ethnicity, English as a Second Language (ESL) learners, and disabilities. The results will be published so that teachers can identify their student's specific strengths and weaknesses, so that government funding can be used to improve these weaknesses, and so that parents are informed about the achievements of their student's schools. If one of the sub-groups fails to make their AYP goals or if any students fail to pass their standardized exams, then the entire school will be identified as needing improvement. The schools risk losing federal funding, and teachers risk losing their jobs (U.S. Department of Education, 2004). Students who do not meet the AYP goals will have the choice to transfer to another school (U.S. Department of Education). These objectives in NCLB are affecting all students and teachers, but this

article specifically explores NCLB's affect on special education.

Exceptional learners are now required by law to take the same standardized tests as their peers regardless of the fact that they have been identified as requiring special needs in instruction and assessment (Pascopella, 2003). This requirement has caused a stir of controversy. By requiring most exceptional learners (minus 3% of students with cognitive disabilities) to meet the same standards as peers at their grade level, NCLB has affected special education positively by officially raising the expectations for all students (U.S. Department of Education, 2004). However, the standardized exams that test how these expectations are met are not always accurate measures of exceptional learners' progress.

NCLB has not only raised standards for schools and teachers, but it has also raised expectations for all students. Before NCLB many students were automatically assigned lower standards and given lower achievement goals than others, especially exceptional learners. Through NCLB, exceptional learners are now pushed to achieve the same standards as their peers. NCLB does not allow anyone to tell these students that they cannot achieve the same goals as their peers or lower expectations of students because of their disabilities. NCLB has provided many new challenges and expectations for exceptional learners, their parents, and their teachers.

Many would agree that the new challenges and expectations for exceptional learners have been a positive outcome of NCLB, but another question arises concerning the achievability of these expectations. Exceptional learners have been identified as such for a reason, so many are asking why now, through NCLB, they are expected to meet the same standards as their peers once a year in a standardized exam format, with which many are not familiar (Pascopella, 2004). Some

exceptional learners are going into these high stakes tests knowing that they are going to fail. The high expectations of these tests are proving to be the cause of much discouragement for exceptional learners and for their teachers who are held responsible for the students' scores.

Through NCLB, teachers are now being held accountable for their students learning. If 95% of each of the subgroups (ethnicity, race, native language, socio-economic status, and disability) do not pass their annual standardized tests, the schools will suffer great consequences that, in extreme cases, may end in the state take-over of a school (Olson & Robelen, 2004). If the students are not passing the exams, the teachers and their methods are blamed. Special educators now feel an intense amount of pressure for their students to perform at the level of their peers, even if their students' disabilities inhibit them from doing so. Students' expectations should be raised and met, but should be measured through the individual goals and means of assessment.

Through the Individuals with Disabilities Education Act (IDEA) of 1997 and 2004, exceptional learners are required to have a specific Individualized Education Plan (IEP) created by a team of professionals to be followed by their teachers. A student's IEP outlines their short-term and long-term goals and objectives, as well as their assessment procedures (Hallahan & Kauffman, 2003). Requiring that all students' in the same grade levels progress be measured by the same standardized test ignores all the work and consideration of IEPs (Pascopella, 2004). Although NCLB seems to conflict with IDEA regarding the IEP, their overall goals often overlap. Through IDEA, all students regardless of their disabilities are required to have equal opportunities in their education. The Americans with Disabilities Act (ADA) of 1990 policy states

that exceptional learners are required by law to be able to learn the general education curriculum and be assessed through state and district tests (Gaddy, McNulty, & Waters, 2002). No Child Left Behind now enforces this statement and provides intense consequences for schools whose students do not meet state standards.

No Child Left Behind reports which and how many students in each subgroup are meeting the state standards annually, so that yearly progress can be measured. A benefit of measuring students' progress is that teachers can identify students' strengths and weaknesses each year and build their curriculum from this information. This law pushes teachers to help all students meet the state standards. Another benefit of NCLB is that schools are now required to give parents reports of the results of their tests. Having all students take one standardized test is much easier to administer, the results are easier to publish, and it is cheaper than having many individualized tests for students with disabilities (Walker, 2000). It is also easier to put students and schools into only two categories, pass or fail. These methods may be easier and cheaper, but are they judging students fairly?

As stated previously, exceptional learners have been diagnosed as such for a reason. They require "special" education including alternate forms of assessment that are carefully planned in IEPs. Unfortunately, a major downfall in the effects of NCLB on special education is how the law forces schools to measure all students' progress through a standardized test. No Child Left Behind would benefit special educators, exceptional learners and their parents much more if this one standardized test (3% are exempt and have alternative assessment) did not set exceptional learners up for failure. If it properly measured a student's improvements and identified their strengths and weaknesses without simply labeling either pass or fail

because of one test, then this standardized test would be a much better measure of achievement and tool for teachers from which schools and teachers could learn.

In order for the goals of NCLB to benefit all students and teachers, the process of attaining these goals must be improved. Possible solutions for how to improve how NCLB affects special education would include creating reachable standards for special education students, creating an alternate assessment that can fairly measure their progress, and creating more ways to measure progress than just one standardized test (Pascopella, 2004). One of the goals of NCLB is to properly measure what students are learning. Many elements should be considered while measuring learning besides one standardized test, such as students' development of skills needed to transition to daily adult life, drop-out rates, and graduation rates (Gaddy, 2002). The overall goal of NCLB, which is to provide an equal quality education for all students, can better be achieved if the process for meeting this goal is modified.

Within the process of meeting the goals of NCLB there is much room for improvement especially in regards to exceptional learners. One of NCLB's main problems is that exceptional learners who have been identified as needing special instruction because they are not meeting the standards of their peers are forced to be held accountable to reaching those same standards through the standardized tests of NCLB. A possible modification would be to create more achievable standards for these students based on the goals in their IEP. Students and their teachers can be greatly discouraged from learning and from the entire education system if they constantly fail while trying to meet unattainable goals (Pascopella, 2004). Creating attainable, accurate, and appropriate standards for these students to work toward would improve student and teacher self-esteem and the measuring of schools'

overall progress. With this modification, NCLB would better be able to ensure the success of all students.

Another element of NCLB that goes against the idea to ensure the success of all students is its inability to address the issues of students with moderate disabilities. At the present time NCLB only acknowledges students with severe cognitive disabilities as needing alternate assessments. The legislation does not recognize the needs of students with moderate disabilities. These students are also recognized as needing special education because they are not meeting the same standards as their peers. This diagnosis should hold some value while they complete the standardized tests required by NCLB. To ensure the success and eliminate the discouragement of these students, student progress should be measured at the grade level and standards that are appropriate to their IEP goals (Pascopella, 2004).

Another possible modification would be to take a whole different approach in measuring a student's adequate yearly progress. Although the overall goals of NCLB and IDEA do overlap, they significantly conflict with each other regarding IEPs. An IEP is a carefully reviewed and designed individualized education plan for exceptional learners. An IEP includes precise short and long-term goals for students to reach and for teachers to be held accountable for students reaching (Hallahan & Kauffman, 2003). An adaptation to NCLB that would better align the law with IDEA would be to use IEP goals to measure students' adequate yearly progress (Nealis, 2003). In order for this adaptation to be successful, both NCLB and IDEA with regards to IEPs would need alterations. The goals for the IEPs would need to be written for dual purposes to serve as benchmarks for progress and to properly measure yearly progress (Nealis, 2003). This alteration would create more attainable goals and standards for students with exceptional needs.

Another solution to remedy the negative aspects of NCLB is to give schools, teachers, and students more credit for their accomplishments. Schools are considered “failing” if less than 95% of each of the subgroups (ethnicity, race, native language, socioeconomic status, and disability) do not pass their annual standardized tests. These schools are still considered “failing” even if their graduation rates have increased, drop-out rates have decreased, and if their subgroup scores have greatly increased as compared to previous years, though are still not passing (Gaddy et al., 2002). These schools need to be given credit for their improvements, and their improvements and progress should be measured from year to year (Nealis, 2003). Schools’ progress and learning could be measured through different forms of assessment rather than one standardized test.

The main concept in meeting special needs should be progress and learning. In order for NCLB to better benefit all students, the law must truly be directed toward the progress of student learning (Gaddy et al., 2002). One of the overall goals of NCLB is to provide a quality education for all students. To better measure whether this goal is being met among all students, especially those with exceptional needs, NCLB should put more focus on the long-term progress of student learning and their achievements in the U.S. educational system. To make the shift towards focusing on long-term goals, student progress could be measured at multiple points during the school year and throughout their educational experience. Regarding students with exceptional needs, it would be especially beneficial to measure their progress during the transition points in their education (Gaddy et al., 2002). In focusing on the continuing progress of student education, NCLB would better be able to measure the overall value of the U.S. education system for all students especially those with ex-

ceptional needs (Gaddy et al., 2002).

The overall goal of NCLB is to improve the education system of the United States by focusing on what and how students are learning, and it can prove to be beneficial for special education. The way in which this goal is attained, specifically through testing what students have learned solely through one standardized exam, has the potential to discourage teachers and their students who may be set up to fail exams in that particular format. Possible solutions to make the overall goals of NCLB positively affect special education would be to create more options in how to assess student progress and learning. Exceptional learners require alternate forms of assessment in order to accurately test their knowledge. Creating alternate assessments would require more effort, time, and expenses. In order to accurately and fairly assess exceptional learners, these difficulties must be addressed. In order for special education to truly benefit from the objectives of NCLB, changes must be made in the way that students are assessed.

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