

Alternate Assessment — The 1% Rule

Since the 2001 reauthorization of the Elementary and Secondary Education Act of 1965, commonly known as No Child Left Behind (NCLB), states must include all students in public school in the statewide accountability system, and are accountable for the achievement of all students. This includes students with disabilities. The assessment of students with disabilities is known as Alternate Assessment.

Alternate Assessments are appropriate for the most significantly cognitively disabled (MSCD) students as identified by existing IDEA (Individuals with Disabilities Act) categories that prevent a student from attaining grade-level achievement standards, even with the very best instruction. States are also permitted to adopt alternative identification models, including Response-to-Intervention (RTI) used to identify learning disabled students.

NCLB put parameters around the definition and on the numbers of MSCD students who can be counted as proficient in a state's adequate yearly progress (AYP) calculations.

Approximately nine percent of students with disabilities are in the MSCD category. Students counted as proficient against alternate achievement standards cannot exceed one percent of the total population of students tested in the state, by grade and subject.

These students are often referred to as the "1% population" and the assessments as the "1% tests."

Alternate Assessments must be challenging for MSCD students and may contain a narrower range of content and simpler questions. As with the grade-level assessments, separate results are required for reading/language arts, math, and science, and the assessments must meet the requirements for technical adequacy.

States may create more than one alternate assessment and may define multiple alternate achievement standards using commonly accepted professional practices. However, if multiple standards are defined, the relationships between them must be clearly articulated.

Modified Assessment — The 2% Rule

States are also allowed to develop modified academic achievement standards for a subpopulation of students with disabilities and to adopt and administer assessments based on those standards. Modified standards are intended to increase the states' flexibility in measuring the achievement of students with disabilities beyond that offered by alternate achievement standards. However, students considered proficient or advanced against modified achievement standards can not exceed two percent of the total number of students assessed—known as the "2% Rule."

The modified standards are meant to apply to students for whom the alternate achievement standards are too easy, yet the general standards are too hard. Ultimately, states are responsible for developing guidelines for determining 2% eligibility.

Modified achievement standards must be aligned with grade-level content standards and the modified assessment must cover the same grade-level content as the general assessment. Proficiency based on modified achievement standards "is expected to represent understanding of grade-level content based on a less rigorous assessment¹," (USED, 2007, p.21).

Both the 1% and 2% assessments must meet the requirements for technical quality under Title I (validity, reliability, accessibility, objectivity, and consistency with nationally recognized professional and technical quality), and must use a validated standards setting process that includes broad stakeholder input, including content experts and special educators.

For more information on the development of Alternate and Modified Assessments, visit <http://www.pearsonedmeasurement.com/news/whitepapers.htm>.

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¹ Modified Achievement Standards, Non-regulatory Guidance, Draft, April 2007, U.S. Education Department

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