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*In Depth Policy Analysis*

The Alternate Assessment  
Based on Modified Achievement  
Standards:  
An Initial Review of State  
Implementation

by  
**Eileen Ahearn, Ph.D.**

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Project Forum  
National Association of State Directors of Special Education  
(NASDSE)  
1800 Diagonal Road - Suite 320  
Alexandria, VA 22314

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# The Alternate Assessment Based on Modified Achievement Standards: An Initial Review of State Implementation

## INTRODUCTION

The No Child Left Behind (NCLB) Act, passed in 2001, amended the Elementary and Secondary Education Act of 1965 and required states to adopt challenging academic content standards that specify what all students are expected to know and be able to do. The act also required states to assess all students annually in mathematics and reading/language arts in grades three through eight and one grade in high school. States were already required by the Individuals with Disabilities Education Act (IDEA) to include students with disabilities in all state and district assessments and to make available at least one alternate assessment to evaluate students who could not participate in the general education assessment even with accommodations. NCLB regulations were subsequently revised to allow the use of alternate assessments other than the general education test for assessing students with disabilities who met certain criteria. This report, completed as part of the cooperative agreement between Project Forum at the National Association of State Directors of Special Education (NASDSE) and the Office of Special Education Programs (OSEP), is a review of the implementation of the alternate assessment based on modified achievement standards (AA-MAS) by states that have chosen to make it a part of their assessment program.

## METHODOLOGY

This report on the development and implementation of the AA-MAS is based on extant data, including initial research reports produced by the National Center on Educational Outcomes (NCEO) and data on work being completed under the Enhanced Assessment Grants (EAG) and General Supervision Enhancement Grants (GSEG).<sup>1</sup> Additional information was gathered from discussions held at the meetings of a workgroup entitled Assessing Special Education Students (ASES) that is part of the State Collaborative on Assessment and Student Standards (SCASS) project managed by the Council of Chief State Schools Officers.

## BACKGROUND

### Alternate Assessments

In addition to academic content standards, NCLB required that each state develop academic achievement standards appropriate for the grade level tested. The achievement standards specify acceptable performance for at least three levels—basic, proficient and advanced—that must be used to describe adequate yearly progress (AYP). The state determines the competencies associated with each achievement level and the assessment scores (sometimes referred to as "cut scores") that differentiate among the achievement levels.

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<sup>1</sup> Project Forum is especially grateful to Susan Weigert of OSEP for her assistance on this task, especially in providing information related to the federal grants.

For certain students with disabilities, NCLB regulations now provide the option to develop alternate and modified academic achievement standards for students with disabilities who meet certain criteria.

#### AA-AAS

In December 2003, a regulation was adopted that allowed students who had the most significant cognitive disabilities to be assessed with an alternate assessment based on alternate academic achievement standards (AA-AAS).<sup>2</sup> The proficient and advanced scores of students who participate in the AA-AAS may be included in calculating a state's adequate yearly progress (AYP) as long as the number does not exceed 1% of all students in the grades tested at the state or district level. This provision has brought about reference to this as the "1% test."

#### AA-MAS

In 2005, the Department of Education (ED) announced that regulations would be proposed to allow states to develop modified academic achievement standards and assessments for "a small group of students with disabilities who are struggling to achieve grade-level proficiency on the general assessment based on grade-level achievement standards, but for whom an alternate assessment based on alternate standards would not be appropriate."<sup>3</sup> States were permitted to use three interim policy options. The first option was available only for schools and districts that did not make AYP solely based on the achievement of students with disabilities. Those states could calculate a "proxy" or approximate number to determine the percentage of students equal to 2% of all students assessed. The proxy could be added to the state's percentage of students with disabilities who were proficient. The second option was designed for states that had administered a statewide AA-MAS for two years or more before 2004-05 and met other related requirements. As a third option, ED agreed to consider other options developed by states. A total of 25 states used the proxy option in 2004-05 and that number decreased to 21 in 2005-06.

In April 2007, a final rule was adopted to permit states to implement an alternate assessment based on modified academic achievement standards (AA-MAS) for students with disabilities who are working on grade-level content, but who are not likely to achieve proficiency within the school year covered by their Individualized Education Program (IEP).<sup>4</sup> This rule allows 2% of students tested each year with an AA-MAS who score proficient or advanced to be included as proficient for purposes of AYP calculations. This test is commonly referred to as the "2% test."

Both types of alternate assessments must meet the same rigorous requirements for test development as the state's general assessments and they must also be aligned with the state grade-level content standards. As required for all other aspects of a state's assessment system, the alternate assessments must be approved under the peer review process conducted by ED.<sup>5</sup> In addition, a student's participation in either alternate

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<sup>2</sup> Federal Register dated December 9, 2003, pages 68698-69708.

<sup>3</sup> For further discussion of the process involved in the development process for this regulation, see *State and Local Implementation of the No Child Left Behind Act, Volume V—Implementation of the 1 Percent Rule and the 2 Percent Interim Policy Options* at <http://www.ed.gov/rschstat/eval/disadv/nclb-disab/nclb-disab.pdf>.

<sup>4</sup> Federal Register dated April 9, 2007, pages 17747-17781.

<sup>5</sup> For a description of this process, see *Standards and Assessments Peer Review Guidance* revised January 12, 2009 to include modified academic achievement standards at <http://www.ed.gov/policy/elsec/guid/saaprguidance.pdf>.

assessment must be decided by the IEP team and described in the IEP adopted for that student.

### The AA-MAS Regulation

The summary in the final regulation that governs the use of an AA-MAS begins with a statement emphasizing the requirement concerning academic content standards as follows: "Section 200.1(a)(1) and (a)(2) have been revised to clarify that the same academic content standards apply to all public schools and all public school students and that the authority to develop alternate and modified academic achievement standards for eligible students with disabilities does not apply to academic content standards."

Details on the specifications for modified academic achievement standards are contained in §200.1(e)(1)(i-iv) of the regulations. They must be:

- aligned with the state's academic content standards for the grade in which the student is enrolled;
- challenging, but may be less difficult than the standards for the general education assessment;
- include at least three performance levels; and
- developed through a documented and validated standards-setting process.

States must prescribe criteria for IEP teams to use in determining which students with disabilities are eligible to be assessed based on modified academic achievement standards. Those criteria [§200.1(e)(2)(i-iv)] must include, but are not limited to, each of the following:

- The student's disability has precluded the student from achieving grade-level proficiency, as demonstrated by objective evidence such as state assessments or other assessments.
- The IEP team is reasonably certain that the student will not achieve grade-level proficiency within the year covered by the student's IEP.
- The determination of the student's progress must be based on multiple measurements, over a period of time, that are valid for the content areas being assessed.
- The student's IEP must include goals based on the academic content standards for the grade in which the student is enrolled.

The regulations also require that states establish and monitor implementation of clear and appropriate guidelines for IEP teams for any type of alternate assessment they use and inform IEP teams that students in an alternate assessment may be from any of the disability categories listed in the IDEA. States must also ensure that parents are appropriately informed if their child is assessed on alternate or modified achievement standards.

## STATES' DEVELOPMENT OF THE AA-MAS

### Early State Efforts

NCEO documented the status of development of an AA-MAS at the time of the adoption of the final regulation that formalized the requirements for the AA-MAS.<sup>6</sup> As of July 2007, five

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<sup>6</sup> Resources on the AA-MAS available from NCEO are listed on their website at <http://cehd.umn.edu/NCEO/AAMAS/default.html>.

states were already using what they considered to be an AA-MAS. The states and the type of assessment items they were using were as follows:

- Kansas - multiple choice
- Louisiana – multiple choice, constructed response and a writing prompt
- North Carolina – multiple choice
- North Dakota - portfolio
- Oklahoma - multiple choice and a writing prompt.

In addition, one other state—Maryland—had announced that it was in the process of developing such an assessment.

Most of these states had developed the AA-MAS by making changes to their general education assessment. The types of changes they made included one or more of the following strategies:

- removing one distractor from multiple choice item responses;
- reducing the number of items on the test;
- simplifying language;
- using shorter reading passages or segmenting them;
- putting fewer items on a page;
- using larger font size; and
- underlining or bolding key text.

The five states that implemented an early AA-MAS set two or more of the following participation guidelines for their IEP teams:

- The student has an IEP;
- The student is performing below grade level expectations;
- Participation is *not* based on categorical labels;
- The student does *not* have significant cognitive disabilities;
- The student's performance is *not due to* excessive absences or to social, cultural, environmental or economic factors;
- The student is learning grade-level content; and
- Participation decision is *not* based on the student's placement setting.

Accommodations were allowed to be used and some states also incorporated strategies that had been considered to be accommodations, such as unlimited time, into the design of their AA-MAS.

### **Federal Grant Support for AA-MAS Development**

There are two types of federal discretionary grants managed by two different federal programs that have provided significant funding to support state efforts to develop alternate assessments. They are:

- Enhanced Assessment Grants (EAGs)<sup>7</sup> – managed by the Office of Elementary and Secondary Education (OESE), EAGs are designed to support state activities to improve the quality, validity and reliability of state academic assessments beyond the requirements for such assessments required by NCLB; and
- General Supervision Enhancement Grants (GSEGs)<sup>8</sup> – managed by OSEP, are designed as a more general grant program to provide technical assistance for

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<sup>7</sup> For a detailed description of EAGs, see the Frequently Asked Questions document at <http://www.ed.gov/programs/eag/faq.html>.

<sup>8</sup> See <http://www.ed.gov/programs/osepidea/index.html> for a description of GSEGs.



applicable state data collection activities that may also include assessment development activities.

*Enhanced Assessment Grants (EAGs)*

Starting in 2002 and each year thereafter (except 2004), OESE conducted a grant competition and awarded funds to consortia of states for assessment activities. (See Appendix A for a list of these 18-month grants awarded for years 2002 through 2007 and the lead state for each award.) The work to be done under each grant differed and included such activities as test development, evaluation of test accommodations, alternate assessment, validation activities and various research topics. Some EAG grants covered specific target populations such as English language learners or students with disabilities. Table 1 summarizes the EAGs that have focused on the AA-MAS.

**Table 1: EAG Grants Supporting the AA-MAS**

<b>Title of Project</b>	<b>Year of Award</b>	<b>Lead State</b>	<b>Others in Consortium</b>	<b>Focus Areas</b>
Modifications for a Better Assessment of What Students with Disabilities Know and Can Do	2007	Minnesota	Ohio Oregon American Institutes for Research (AIR)	Field test of an AA-MAS (builds on work of a GSEG)
Adapting Reading Test Items to Increase Validity of Alternate Assessments Based on Modified Academic Achievement Standards (ARTIIV)	2006	Montana	Maine New Hampshire Rhode Island Vermont	Adapting assessments in secondary reading comprehension and creating AA-MAS level descriptors
Operationalizing Alternate Assessment for Science Inquiry Skills (OAASIS)	2006	South Carolina	South Dakota Wyoming Vanderbilt University University of South Carolina	Defining the population and setting standards for an AA-MAS

*General Supervision Enhancement Grants (GSEGs)*

The GSEG program, managed by OSEP, is designed to promote academic achievement and improve results for children with disabilities by supporting technical assistance, model demonstration projects, dissemination of useful information and implementation activities that are supported by scientifically-based research. Of the 23 three-year awards under the GSEG Program for 2007-2010, 16 were focused on the AA-MAS. See Table 2 for a summary of these projects.

**Table 2: GSEG Grants Supporting the AA-MAS (2007-10)**

<b>Title of Project</b>	<b>Participant(s)</b>	<b>Focus Areas</b>
The Validity of Assessments Based on Modified Academic Achievement Standards:	Kansas Louisiana WestEd	A study to create a validity framework and effective practices for AA-MAS

Title of Project	Participant(s)	Focus Areas
MI Access - Modified Full Independence (MFL) Assessment	Michigan Department of Education	Development of AA-MAS and creation of an online training system
Targeting Research to Investigate Alternate Assessment Development (TRIAAD)	South Carolina Department of Education	Standards and performance descriptors for AA-MAS and participation guidelines with training for IEP teams
The Georgia Alternate Instrument Modified for Student Success (AIMSS)	Georgia Department of Education	Develop AA-MAS and participation guidelines with training for IEP teams
The Ohio Multi-State Consortium to Develop Assessments of Modified Academic Achievement Standards	Ohio Minnesota Oregon AIR	Develop AA-MAS for the three states, define student population and participation guidelines with training for IEP teams
Nebraska's Modified Standards and Assessment General Supervision Enhancement Grant (MSA-GSEG)	Nebraska Department of Education	Develop AA-MAS, participation guidelines with training for IEP teams and a standards-based IEP training document
Technical Assistance for Improving the Oklahoma Modified Alternate Assessment Program (OMAAP)	Oklahoma SRI International	Strengthen the AA-MAS, and participation guidelines with training for IEP teams
Identifying Students in Need of Modified Achievement Standards and Developing Valid Assessments	Montana Office of Public Instruction	Develop AA-MAS standards and assessments and participation guidelines with training for IEP teams
West Virginia Technical Assistance for IEP Teams on Alternate Assessment: Modified Academic Achievement Standards	West Virginia Department of Education	Develop AA-MAS and participation guidelines with training for IEP teams
The SAAFE-Learning Project: Standards and Assessment Alignment for Equal Learning (Phase 2)	Iowa Department of Education	Develop AA-MAS, criteria for participation and participation guidelines with training for IEP teams
Development of Maryland's Alternate Assessments Based on Modified Academic Achievement Standards for High School	Maryland State Department of Education	AA-MAS standards, a high school AA-MAS and participation guidelines with training for IEP teams
Multi-State General Supervision Enhancement Grant (GSEG) Consortium	NCEO Hawaii South Dakota Tennessee Wisconsin	AA-MAS using universal design principles and participation guidelines with training for IEP teams
Alabama General Supervision Enhancement Grant	Alabama State Department of Education	Assessment modifications and participation guidelines with training for IEP teams

Title of Project	Participant(s)	Focus Areas
Virginia Modified Achievement Standards Test (VMAST) Project	Virginia Department of Education	AA-MAS standards and assessments and participation guidelines
Consortium of Modified Alternate Assessment Development and Implementation (CMAADI)	Vanderbilt University Arizona Indiana	Develop, field test and implement AA-MAS
PA-MAAS: Pennsylvania's Modified Academic Achievement Standards	Lancaster Lebanon IU 13 PaTTAN	AA-MAS standards and assessments and participation guidelines

### AA-MAS ISSUES

As the comments issued with the April 7, 2009 regulations clarified, “Modified academic achievement standards under § 200.1(e) and alternate academic achievement standards under § 200.1(d) are optional. However, having an alternate assessment is not optional if there are children with disabilities who cannot be appropriately assessed with the regular Assessment” [Federal Register, April 9, 2007, p. 17772]. Approximately half of the states have or are in the process of developing an AA-MAS. The remaining states are either in the process of making a decision about participation or have decided not to proceed at this point. This section briefly reviews the main requirements of this assessment and the challenges they pose.

#### Student Eligibility

The identification of students for whom the AA-MAS is appropriate is up to the state within the parameters of NCLB regulations. The introduction to the regulations on the AA-MAS describes these students as “students with disabilities whose progress is such that, even after receiving appropriate instruction, including special education and related services designed to address the students’ individual needs, the students’ IEP teams are reasonably certain that the students will not achieve grade-level proficiency within the year covered by the students’ IEPs” [Federal Register, April 9, 2007, p. 17748]. States must be able to document how the determination of a student’s progress is made based on multiple measurements over a period of time.

Eligible students may be in any of the disability categories. The state must develop guidelines for IEP teams to use, and each student’s IEP team must decide what assessment that student will take. Most of the AA-MAS grant projects are working on issues related to student identification and the development of participation criteria.

The IEP team must also review the student’s progress and annually review the assessment decision for the student for each subject area.

For a more detailed review of this issue, see Lazarus, Thurlow, Christensen and Cormier (2007) and National Center on Educational Outcomes (2007). An updated analysis of the participation guidelines for all nine states that have implemented an AA-MAS by June 2008 is available in the NCEO document issued December 2008 (Lazarus, Rogers, Cormier & Thurlow, 2008).

## Standards-Based Goals

Students who take an AA-MAS must have an IEP that includes goals that are “based on the academic content standards for the grade in which that student is enrolled” [200.1(f)(2)(ii)(A)]. As defined in the non-regulatory guidance document, “IEP goals based on grade-level academic content standards are goals that address the knowledge and skills specified in the content standards for the grade in which a student is enrolled” (U.S. Department of Education, 2007). The development of IEP goals based on state standards is a relatively new concept in special education, although some states now require their use for all IEPs (Ahearn, 2006). States need to develop guidance for IEP teams regarding development of IEP goals that are based on content standards. In addition, the state must monitor the implementation of the guidelines to ensure that each student who takes the AA-MAS has an IEP that includes goals based on the state’s grade-level content standards.

## Assessment and Instruction

The requirement that a student assessed with an AA-MAS may not be precluded from attempting to complete the requirements, as defined by the state, for a regular high school diploma has been widely misunderstood. This is not a guarantee of a diploma, only an opportunity for the student to attempt to meet diploma requirements. Training for IEP teams would need to include areas such as identifying access skills that a student may need to acquire in order to work toward achievement of grade-level standards. Teachers also need professional development to ensure that they can provide appropriate instruction and accurate information about student progress to the IEP team for decision making.

## Test Design

An AA-MAS test should be developed using the same process as that used for the general education assessment. States must have a coherent assessment system and be able to articulate the relationship between the general assessment, the AA-MAS and the AA-AAS as well as the state policies for any consequences that may result from student participation in these assessments.<sup>9</sup> Valid and appropriate accommodations must also be available based on the student’s need.

## Peer Review

Achieving peer review approval for an AA-MAS is a demanding process requiring complex documentation. As of the writing of this report, none of the states that submitted their AA-MAS had yet met all the requirements.<sup>10</sup> A report on the initial review states that “The States shared a need for a greater depth of understanding in two major areas. The first was related to the additional State responsibilities associated with implementation of AA-MAS which include the development and monitoring of the implementation of two sets of guidelines: state-defined guidelines for eligibility to ensure that the appropriate students are identified, as well as guidelines for development of standards-based IEPs. The second area was focused on test design issues, particularly the manner in which the AA-MAS test design must address the grade-level content standards and the importance of performance level descriptors” (Filbin, 2008).

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<sup>9</sup> See Appendix D in Filbin (2008).

<sup>10</sup> For a copy of letters to states from the Department of Education, see <http://www.ed.gov/admins/lead/account/letters/index.html>.

## CONCLUSIONS

The AA-MAS is a new form of alternate assessment for a specified population and, as this brief analysis of its current status suggests, there are many unanswered questions about its development and implementation. Identifying the characteristics of the students with disabilities who are eligible for this assessment is a major issue that needs to be addressed. The grant projects currently under way that are focused on the AA-MAS include research activities related to this assessment. The results of those efforts, especially those studying student eligibility and test construction, will be invaluable in developing guidance for states. Future policy decisions will depend on the results of those research activities and funding for further research as experience proceeds in the use of the AA-MAS.

In addition to research, the knowledge developed from implementation should be documented to provide clarification of the issues discussed in this document. Dissemination of such experiential learning will also be a critical resource for states in their efforts to improve their assessment systems.

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**APPENDIX A:  
Enhanced Assessment Grant Awards 2002-2007**

**2007**

View the abstracts for FY2007 Enhanced Assessment Grants Awards  [MS Word](#) (47K)

Lead State	Award Amount
<a href="#">District of Columbia Office of the State Superintendent of Education</a>	\$1,220,427
<a href="#">Minnesota Department of Education</a>	\$1,523,907
<a href="#">Nevada State Department of Education</a>	\$1,683,765
<a href="#">New Hampshire Department of Education</a>	\$1,765,196
<a href="#">Utah State Office of Education</a>	\$1,357,223

**2006**

View the abstracts for FY2006 Enhanced Assessment Grants Awards  [MS Word](#) (47K)

Lead State	Award Amount
<a href="#">Connecticut Department of Education</a>	\$758,052
<a href="#">Illinois Department of Education</a>	\$1,890,401
<a href="#">Iowa Department of Education</a>	\$1,238,760
<a href="#">Montana Department of Education</a>	\$1,765,196
<a href="#">Pennsylvania Department of Public Instruction</a>	\$708,537
<a href="#">South Carolina Department of Education</a>	\$1,119,620

**2005**

View the abstracts for FY2005 Enhanced Assessment Grants Awards  [MS Word](#) (82K)

Lead State	Award Amount
<a href="#">Delaware Department of Education</a>	\$1,263,909
<a href="#">Georgia Department of Education</a>	\$1,153,899
<a href="#">Hawaii Department of Education</a>	\$1,500,866
<a href="#">Idaho Department of Education</a>	\$1,535,349
<a href="#">North Carolina Department of Public Instruction</a>	\$1,671,666
<a href="#">Oregon Department of Education</a>	\$1,061,204
<a href="#">Rhode Island Department of Education</a>	\$2,117,809
<a href="#">South Carolina Department of Education</a>	\$1,325,076

**2004**

No appropriation in fiscal year 2004

**2003**

View the abstracts for FY2003 Enhanced Assessment Grants Awards  [MS Word](#) (42K)

<b>Lead State</b>	<b>Award Amount</b>
<a href="#">New Hampshire Department of Education</a>	\$1,058,243
<a href="#">Oklahoma Department of Education</a>	\$835,887
<a href="#">Rhode Island Department of Education</a>	\$723,009
<a href="#">South Carolina Department of Education</a>	\$1,016,376
<a href="#">West Virginia Department of Education</a>	\$818,985

**2002**

View the abstracts for FY2002 Enhanced Assessment Grants Awards  [MS Word](#) (65K)

Enhanced Assessment Grant 2002 Chart

<b>Lead State</b>	<b>Award Amount</b>
<a href="#">Colorado Department of Education</a>	\$1,746,023
<a href="#">Minnesota Department of Education</a>	\$2,013,503
<a href="#">Nevada Department of Education</a>	\$2,266,506
<a href="#">Oklahoma Department of Education</a>	\$1,442,453
<a href="#">Pennsylvania Department of Education</a>	\$1,810,567
<a href="#">Rhode Island Department of Education</a>	\$1,788,356
<a href="#">South Carolina Department of Education</a>	\$1,719,821
<a href="#">Utah Department of Education</a>	\$1,842,893
<a href="#">Wisconsin Department of Education</a>	\$2,338,169

The [Press Release](#) announcing FY 2002 Grant Awards includes a description of each project, collaborating states and groups, and grant amounts (February 12, 2003).