

Report of the Governor's Blue Ribbon Task Force on Accommodations and Access for Students with Disabilities

Executive Summary

Pursuant to Executive Order 02-108 issued by Governor Jeb Bush on April 3, 2002, an 11-member Blue Ribbon Task Force on Accommodations and Access for Students with Disabilities held 16 days of discussions and deliberations about the complex issues within the Executive Order regarding expanded accommodations for FCAT test-takers, considering the specific requirements for students to obtain a standard diploma or its equivalent, or other types of certification or diplomas. The Blue Ribbon Task Force was also charged to consider ways to improve access for students with disabilities to postsecondary educational opportunities.

The Blue Ribbon Task Force urges the Florida Board of Education, Department of Education, Governor, and Legislature to review these recommendations and implement the needed changes. Changes will involve:

- ✓ Development of policy revisions.
- ✓ Funding and other support for the development and implementation of alternate assessment(s), for use by students with disabilities that leads to a standard diploma.
- ✓ Funding enhancements for research of new technologies and practices to improve assessment access including computer and web-based assessment, and for educational support such as training and technical assistance for educators, test administrators, administrators, and parents.
- ✓ Broad dissemination of documents and materials reflecting changes made with the overall goal of expanding access to the FCAT and other newly-developed components within the Florida Assessment Program.
- ✓ Expanded collaboration among high schools, colleges/universities, other post secondary programs, parents, and students to achieve expanded post secondary access.

The remainder of this Executive Summary provides a summary of the recommendations being submitted to the Florida Board of Education and the Governor. Recommendations are made within eight organizational issue areas:

- Administration and Ongoing Development/Refinement of the FCAT;
- Access and Accommodations
- Alternate Assessments
- Graduation Requirements/Diploma Options
- Exemptions and Appeals
- Reporting of FCAT Results and Accountability

- Access to Post Secondary Education
- Educational Support, Technology, and Research

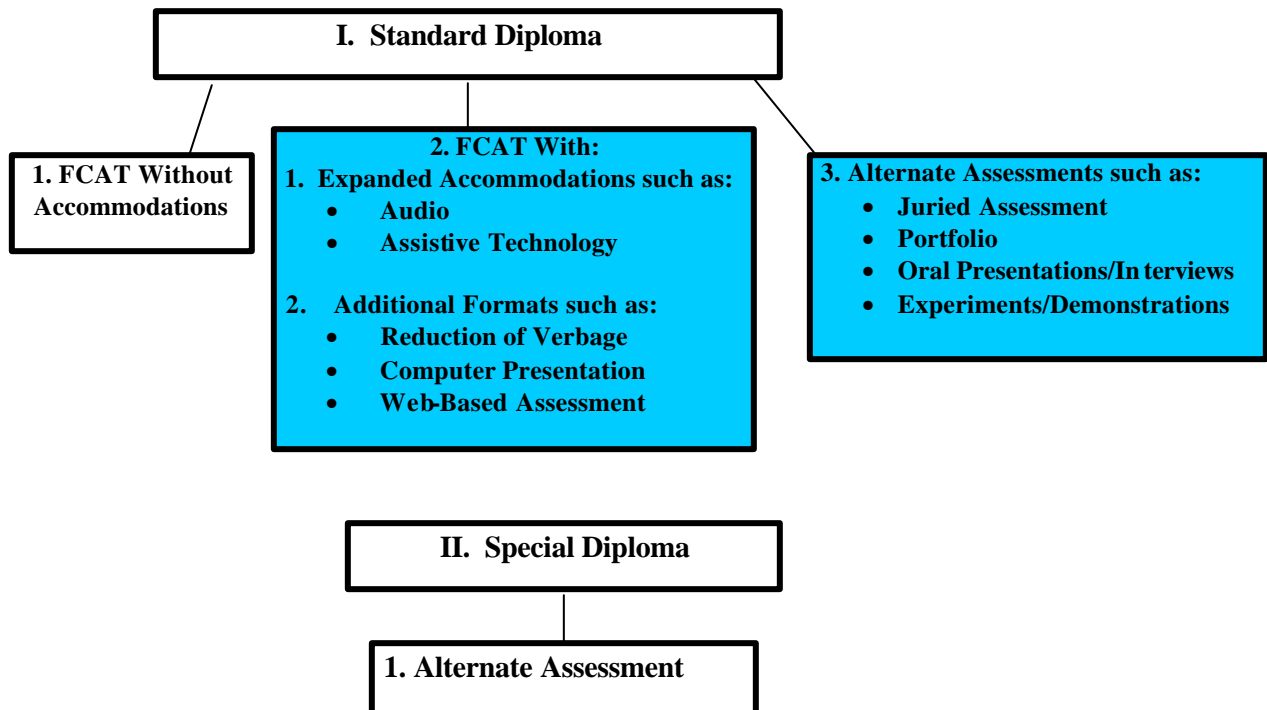
Recommendations in **bold** text were considered by the Blue Ribbon Task Force as needing immediate attention and implementation by the Spring 2003 administration of the FCAT. The Blue Ribbon Task Force views the timeline for the other recommendations as immediate, as well, but realize that changes will need to be phased in and time allowed for development, implementation, training, and impact evaluation.

A. FCAT Administration, Test Development, and Other Assessment Options

The Florida Legislature, Florida Board of Education, and Florida Department of Education shall ensure that the following are implemented:

1. **The Statewide Assessment Program must be expanded to have multiple assessment options leading to a standard high school diploma, including the current version of the FCAT with the broadest possible array of reasonable accommodations, and Alternate Assessment options for students with disabilities to demonstrate their knowledge and/or performance related to the Sunshine State Standards. The proposed expanded model for the Statewide Assessment Program is shown in Figure 1 below. The shaded boxes represent the expanded options in the program.**

Figure 1.0. Expanded Options in the Statewide Assessment Program



As shown in Figure 1, the Statewide Assessment Program for students with disabilities in grades 3 – 10 shall be expanded to include three assessment options leading to the standard high school diploma, as follows:

Option 1: The current paper and pencil version of the FCAT, without accommodations. This option is currently available and remains appropriate for those students with disabilities who can meaningfully take the FCAT without the need for any testing accommodations.

Option 2: The FCAT with additional formats and broader testing accommodations. The creation of additional formats of the tests such as a computer version, and the availability of a wider array of permissible accommodations, such as the use of assistive technology, will meet the needs of many more students with disabilities. Appendix D provides examples of proposed additional formats and accommodations.

Option 3: A new Alternate Assessment. A new Alternate Assessment leading to a standard high school diploma must be made available to eligible students with disabilities for whom the FCAT, even with accommodations, is not appropriate. Within this component, Alternate Assessment options, such as a portfolio assessment, juried assessment, oral or capability focused presentations/demonstrations, etc., will be developed and implemented by the Department of Education to measure the same Sunshine State Standard benchmarks measured by the FCAT. A more detailed description of this component is provided in Section C, entitled *Alternate Assessment Options*.

2. A State Accommodations Panel shall be created to deal with issues related to assessment accommodations (see Section B, Recommendations #1)
3. The current FCAT paper and pencil version shall be modified by appropriate FCAT committees to delete items with formats that cause the disabilities, rather than the abilities, of students to be measured. For example, the use of maps or graphs for visually impaired students may not be appropriate. In addition, the current version of the FCAT requires students to be able to hold a pencil, turn pages of the test booklet, and mark on the answer sheet. These skills may be difficult if not impossible for some students with physical disabilities.
4. Only options and formats within the Statewide Assessment Program that are developed to be valid for measuring assessment progress toward the benchmarks of the Sunshine State Standards and that reliably measure of student(s) with disabilities' performance shall be administered to students with disabilities.
5. IEP or 504 Team decisions regarding a student's participation in the current pencil and paper version of FCAT, use of reasonable accommodations, and/or any

newly-developed alternate assessment option(s) shall involve discussions at least annually or at the IEP or 504 team meetings with the student and the student's parents or guardians. These discussions should also include implications and consequences of any decisions that lead to non-standard diploma options. Early tracking of students toward a non-standard diploma option is not appropriate.

6. Future FCAT development and refinement shall include universal design principles that will prevent any unintended obstacles that can invalidate test scores of students with disabilities. The field-testing process and psychometric analyses for any of the FCAT or other Statewide Assessment Program formats must include students with disabilities and an evaluation or determination of the impact of test items on such students.
7. Statewide Assessment Program committees responsible for ongoing FCAT development and selection of test items shall include persons with disabilities and experts knowledgeable about testing students in the various disabilities, as defined in IDEA and Section 504, as well as those knowledgeable about assistive technology for students with disabilities.

B. Access and Accommodations

The Florida Legislature, Florida Board of Education, and/or Florida Department of Education shall ensure that the following are implemented:

- 1) **A State Accommodations Panel shall be established to review, consider, approve, or disapprove new testing accommodations requested by the IEP or 504 teams through the school districts. The State Accommodations Panel shall include a parent, state testing expert, state Exceptional Student Education (ESE) representative, researcher, teacher, assistive technology expert, and other area or content specialist(s) depending on the type of accommodation(s) being considered by the Panel. Responsibilities of the State Accommodations Panel shall include, but not be limited to, the following:**
 - a) **Establish a timely process for decision-making including documentation for requesting and receiving approval/nonapproval of requested accommodation(s).**
 - b) **Approve reasonable accommodations that are part of the student's IEP or 504 plan unless research-based evidence demonstrates that the accommodation invalidates the score interpretation. In the absence of or conflicting research regarding the impact of any requested accommodations, the decision of the Panel shall favor expanded participation of the student with a disability for whom the accommodations is requested.**

- c) **Widely disseminate an annual update of approved and disapproved testing accommodations to parents and local school systems using a variety of dissemination mechanisms, including the Department of Education website.**
 - d) **Review annual reports required by the Department of Education from school districts about reasonable accommodations utilized for students with disabilities within local school systems during any Statewide Assessment Program component administration.**
 - e) **Eliminate the discrepancy between the reasonable accommodations available to students in post-secondary education that are not presently available during FCAT administration (See Section H, Recommendation #5 —and Section 1007.264, F.S.**
- 2) **School districts shall provide students with disabilities any reasonable accommodation, when taking the FCAT or any alternate assessments within the Statewide Assessment Program, that have been included as part of their IEP or Section 504 plan that cannot be demonstrated by the State Accommodations Panel to jeopardize the reliability, validity, or security of the FCAT and that are routinely used in the classroom (e.g., used for at least 3 months unless the student has moved into the school district less than 3 months ago, or there is another unusual circumstance).**
 - 3) **Sufficient information and training shall be provided for parents, teachers, other IEP and 504 team members, and assessment personnel regarding the selection of reasonable assessment accommodations and the State Accommodations Panel process of approving additional accommodations.**
 - 4) **School districts shall be monitored to assure that they offer and implement reasonable testing accommodations that are included within student IEPs and 504 plans.**
 - 5) **Rule 6A-1.0943 (1)(a), F.A.C., shall be modified to clarify that all students, including those with disabilities, must participate in the Statewide Assessment Program.**
 - 6) **School districts shall monitor rates of students with and without disabilities taking the FCAT. To the extent that there are significant discrepancies, school districts should implement strategies to encourage increased participation rates for students with disabilities.**

C. Alternate Assessment Options

The Florida Legislature, Florida Board of Education, and/or Florida Department of Education shall ensure that the following are implemented:

- 1) As described in recommendation #1 of Section A, the Statewide Assessment Program shall be expanded to include Alternate Assessment options for students with disabilities to demonstrate the knowledge and skills of the Sunshine State Standards for a standard high school diploma. The new state Alternate Assessment leading to a standard diploma will have the following features:**
 - **The Alternate Assessment will be a state uniform system of assessing the achievement and progress of students with disabilities in grades 3-10 for whom the FCAT, even with expanded accommodations and formats, is not appropriate.**
 - **The Alternate Assessment leading to a standard diploma will measure the same areas in reading and math in grade 10 as the FCAT.**
 - **Because having only one alternate assessment option will not likely be adequate given the broad range of disabilities, ages, and information that need to be addressed, the Alternate Assessments shall include various options, such as the following:**
 - a. Portfolio or juried assessment that contain a collection of the student's work;**
 - b. Interviews and/or presentations that allow a student to verbalize or demonstrate capability to express their knowledge;**
 - c. Projects that include demonstration of skills and knowledge;**
 - d. Experiments that test how well a student understands scientific concepts; and/or**
 - e. Constructed responses that require a student to produce his or her own answer rather than select from an array of answers.**
 - **Alternate Assessments will be developed, field tested, validated, and implemented by the Department of Education, using established guidelines and standards for sound test development and administration.**
 - **Each Alternate Assessment option will have specific criteria for what is addressed, how it is measured, observed and documented, and how it is scored. The Department of Education will develop the scoring process and scoring rubrics appropriate to each type of assessment, grade level, and content area (reading, mathematics, writing, and science). The Department of Education will be responsible for scoring to ensure consistency across all schools and districts.**

- **Students who are eligible to participate in the Alternate Assessments will have to demonstrate the same high levels of performance expected of other students for pupil progression and to meet the requirements for graduation. Therefore, scores on the Alternate Assessments that are comparable to specific FCAT Achievement Levels for pupil progression in grades 3-10, and for graduation, will have to be established by the Department of Education.**
 - **Because it is important that students with disabilities not be penalized or stigmatized for participating in the Alternate Assessment option leading to a standard diploma, this option must be evaluated by a method that is equal to and indistinguishable from the system used for the FCAT.**
 - **Students who participate in the Alternate Assessment option leading to a standard diploma within the Statewide Assessment Program must be eligible for all of the programs, services, and activities as students who participate in the FCAT.**
 - **Student’s IEP or 504 team will determine if it is appropriate for the student to participate in the Alternate Assessment, and which mode or option (e.g., portfolio or juried assessment) should be used.**
- 2) Sufficient information and training shall be provided for parents, teachers, and other IEP and 504 team members and assessment personnel regarding newly-developed Alternate Assessments leading to a standard high school diploma.
 - 3) School districts shall inform IEP and 504 team members, including parents, regarding the alternate assessment options within the Statewide Assessment Program and the related implications.

D. Graduation Requirements and Diploma Options

The Florida Legislature, Florida Board of Education, and/or Florida Department of Education shall ensure that the following are implemented:

- 1) **Rule 6A-1.09431, F.A.C., shall be amended to allow students with cognitive or other learning deficits to be eligible for consideration of the special exemption from the graduation test for a standard diploma to demonstrate their knowledge and skills of the grade level benchmarks of the Sunshine State Standards—See Section E, Recommendation #1.**
- 2) **Until Rule 6A-1.09431, F.A.C., has been modified, the Department of Education shall broadly interpret learning disabilities to be a type of physical**

disability and, therefore, eligible for the current special exemption for the class of 2003 (See Section E, Recommendation #2).

- 3) Multiple formats and options, including alternate assessments that lead to a standard diploma as well as a special diploma, shall be provided within the Statewide Assessment Program. (See Section A, Recommendation #1).**
- 4) Opportunities for remediation shall be provided by school districts for students with disabilities so that they have opportunities to obtain the knowledge and skills necessary to pass the high school assessment graduation requirement regardless if the FCAT or an Alternate Assessment is used to demonstrate skills and competencies related to the Sunshine State Standards.**
- 5) The current state exemption Rule, 6A-1.09431, F.A.C. permitting exemptions shall be expanded to allow students with disabilities, who have moved to Florida during their senior year and have not had sufficient time to develop effective FCAT taking strategies, to be exempted from taking the FCAT as a graduation requirement and to demonstrate high level reading and math standard through an alternate assessment.
- 6) Greater explanations regarding the array of graduation options, their requirements, and advantages/disadvantages shall be widely disseminated to parents and school personnel.

E. Exemptions from Graduation Test Requirements and Other Appeals Processes

The Florida Legislature, Florida Board of Education, and/or Florida Department of Education shall ensure that the following are implemented:

- 1) The current rule regarding exemptions from the graduation test requirement contained in Rule 6A-1.09431, F.A.C., shall be amended to allow students with learning process deficits and cognitive deficits to request an exemption to the graduation assessment requirements. This rule should be amended in a timely manner so that there is no harm to students with disabilities graduating in 2003. While the rule is being amended, the Department should broadly interpret the current exemption rule to consider students with learning disabilities as having a physical disability and, therefore, eligible for an exemption.**
- 2) A well-defined, more formalized, and well-communicated appeals process shall be developed and implemented in a fair and timely manner so that students with disabilities may appeal certain issues and decisions. Examples of issues and decisions that may be appealed include, but are not limited to, to the following:**

- a. Denial of eligibility for an alternate assessment leading to a standard or special diploma;
- b. Type of alternate assessment to be used;
- c. Scoring process;
- d. Disapproval of a testing accommodation(s);
- e. Failure to implement an approved accommodation; and/or
- f. Use of FCAT score for promotion.

F. Reporting of FCAT Results and Accountability

The Florida Legislature, Florida Board of Education, and/or Florida Department of Education shall ensure that the following are implemented:

- 1) **School districts shall be held accountable for the academic progress of all students and for any needed remediation for students who do not meet grade level benchmarks relative to the Sunshine State Standards. Therefore, consistent with *No Child Left Behind*, assessment scores for all students with disabilities shall be included in the Statewide Assessment Program in Florida's reporting procedures as well as accountability system. To that end, Rule 6A-1.09982, F.A.C shall be amended.**
- 2) **Until broader assessment accommodations have been provided and additional Alternate Assessment options leading to a standard high school diploma have been developed and implemented within the Statewide Assessment Program, public schools should not be penalized within the accountability system, based on the scores of students with disabilities.**
- 3) A methodology shall be developed for reporting student scores in a manner that ensures score comparability across assessment options and formats within the Statewide Assessment Program.
- 4) A more comprehensive and diagnostic reporting system of FCAT scores is needed to include statistical data such as item analysis so that instructional targets for remediation can be easily identified.
- 5) Technical support and guidelines for test score interpretation and use shall be developed for parents, teachers, and educators in order to facilitate and promote the proper use of test data to identify students' strengths and weaknesses and target instruction.
- 6) General and special education teachers must work closer together within school districts in utilizing the reports/results of the FCAT and alternate assessment results to develop and implement needed remediation for students with disabilities.

- 7) The assessment scores of students with disabilities shall not be singled out or flagged in the Statewide Assessment Program regardless of the assessment format used (i.e., FCAT or an alternate assessment leading to a standard high school diploma).
- 8) The consequences, including unintended outcomes of including and reporting on all students within a single accountability system, shall be monitored within the school districts, including but not limited to the levels of ESE identification, changes in placement toward more segregated options, and increased dropout rates.
- 9) Web-based assessment shall be explored in order to improve the efficiency and timeliness for reporting FCAT and other State Assessment Program reports to local school districts, as well as to support early identification, planning, and provision of remediation services.

G. Post Secondary Opportunities

The Florida Legislature, Florida Board of Education, and/or Florida Department of Education shall ensure that the following are implemented:

- 1. Adequate funding shall be provided to participating agencies to support effective transition processes such as attending IEP meetings, adult evaluations, counseling, supported employment, and transfer of assistive technology.**
- 2. Consistent with the requirements of IDEA, the process of accessing VR supports and services must begin early enough to ensure that application, eligibility determination, and IPE development occur prior to students with disabilities exiting high school.**
- 3. Transition IEPs must contain a statement regarding how any participating agency will meet financial responsibilities in the provision of transition services.**
- 4. Information regarding IDEA requirements that allow students with disabilities to remain in school until their 22nd birthday shall be widely disseminated to parents, school personnel, and stakeholders. This additional time in school can allow students to pass the FCAT or an Alternate Assessment leading to a standard high school diploma and further help the student prepare for post-secondary options and receive needed transition support.**
- 5. In order to provide a smooth transition of accommodations (i.e., a seamless system) for students with disabilities), accommodations for students with**

- disabilities within the Statewide Assessment Program leading to a high school diploma shall be aligned with assessment accommodations in post secondary programs—see Section B, Recommendation #1e.**
- 6. Interagency agreement between the VR and Exceptional Student Education within the Department of Education as well as the Department of Education and other agencies providing transition shall be developed and/or finalized and signed. The agreement must also specify how various agreements will cooperate to deliver needed services for students with disabilities.**
 - 7. An appeals process, similar to that available in the community colleges for associate degree or non-degree programs shall be implemented within the Florida universities to allow students with disabilities entrance according to specific criteria even though they have not passed the FCAT or received a high school diploma. Such an appeals process shall be consistently disseminated to high school and post-secondary educators, parents, and students with disabilities.**
 8. Current and any future definitions/eligibility criteria for learning disabilities shall be aligned across Exceptional Student Education and VR.
 9. A work group of representatives of community colleges, universities, and school districts shall be convened to re-examine the current guidelines being used by community colleges and universities for the necessary post-secondary education evaluation needed by students with disabilities (i.e., “recent evaluation”).
 10. School districts and post-secondary institutions shall collaborate in effective transition IEP development to support individual student access to post-secondary education.
 11. A review shall be conducted to determine if publicly-funded post secondary scholarships (e.g., Bright Futures) and financial aid programs have fair and open eligibility requirements to prevent discrimination against students with disabilities.
 12. The provisions of Section 1007.264 F.S., pertaining to allowable course substitutions for admission to post-secondary programs shall be broadly disseminated to parents and school district personnel.
 13. Section 1007.264, F.S. shall be amended to include all disability areas, consistent with current policy and practice.
 14. The ALA program shall be expanded to support students in all disability categories.

15. Guidance shall be provided to school districts to facilitate the transfer of assistive technology within the transition planning process from high school to post-secondary programs.

H. Educational Support, Technology, and Research

The Florida Legislature, Florida Board of Education, and/or Florida Department of Education shall ensure that the following are implemented:

- 1) **Funding shall be provided for development and deployment of computer and web-based options to the FCAT and Alternate Assessments. Such development must comply with *Section 508, Ticket to Work and Work Incentives*.**
- 2) **Adequate Supplemental Academic Instruction funds and/or other state and federal funds shall be provided to ensure that remediation activities are provided for students with disabilities who are not meeting grade level benchmarks of the Sunshine State Standards.**
- 3) **Funding shall be provided for research to develop an alternate assessment for students with disabilities leading to a standard diploma.**
- 4) Collaborative training shall be funded and implemented for all stakeholders on the Statewide Assessment Program, including Alternate Assessments leading to standard and special diploma options, IEP decision making, reasonable accommodations, exemptions and appeals, and transition to post-secondary education options.
- 5) Sufficient training shall be provided for testing administrators and related staff regarding the proper administration of all Statewide Assessment Program options/formats.
- 6) All institutions of higher education and organizations shall routinely collect and report data regarding scholarships, financial aid, and reasonable course substitutions for college/university admission received by students with disabilities.