

Overview: Elimination of the Oklahoma Modified Alternate Assessment Program (OMAAP)

The Oklahoma State Department of Education is committed to improving access to the general education curriculum for students with disabilities. In this respect, students with disabilities benefit from instruction that is focused on grade level academic standards and high expectations. The intent of the Individuals with Disabilities Education Act (IDEA) is to:

- ❖ Have high expectations for students with disabilities,
- ❖ Ensure access to the general education curriculum in the regular classroom,
- ❖ Support those students' efforts to meet challenging expectations, and
- ❖ Prepare them to lead productive and independent adult lives.

For many special education advocates, the modified assessment represents an attempt to assess students with disabilities differently from their peers, leads to the creation of a modified curriculum, and takes them off track from receiving a regular high school diploma. Instead of maintaining rigor and high expectations, modified assessments decrease learning expectations. Students with disabilities are better served through targeted intervention, specialized instruction, and instructional and assessment accommodations based on their individual educational needs. Likewise, schools are accountable for providing an adequate education to all children and should make decisions regarding assessment and instruction based on the educational needs of their students – not on whether a student's score will reflect poorly on a school's overall performance. According to the National Dissemination Center for Children with Disabilities (NICHCY), "Providing students with disabilities with the tools necessary for success in the classroom and to show their knowledge and skills in a regular assessment format means that they are truly included in the world of education" (NICHY (2007). *Assessment and Accommodations. Evidence for Education. 2(1), p. 10/* <http://nichcy.org/wp-content/uploads/docs/eeaccommodations.pdf>).

The following topics are addressed to enable a better understanding of the elimination of the modified assessment:

- A. Students with Disabilities and Assessments**
- B. The Oklahoma Modified Alternate Assessment Program (OMAAP)**
- C. Elimination of the OMAAP**
- D. Assessment Accommodations**
- E. Accommodations and Modifications**
- F. Supporting Students who Previously Participated in the OMAAP**
- G. Role of the Oklahoma State Department of Education**
- H. Alternate Routes to a Diploma**

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A. Students with Disabilities and Assessments

The No Child Left Behind Act of 2001 (NCLB) prohibits schools from excluding students with disabilities from the educational accountability system. NCLB requires states to implement statewide accountability systems covering all public schools and students. Excluding students with disabilities from testing is also a violation of the Individuals with Disabilities Education Act (IDEA). IDEA addresses the participation of children with disabilities in assessments with appropriate accommodations in administration, as necessary, as well as their participation in alternate assessments for those children who cannot participate in state and district-wide assessment programs. These assessment requirements were put into place as a way to determine if students are acquiring the knowledge and skills they need to be successful in adult life. Students have a basic right to public education - "a property interest which is protected by the Due Process Clause and which may not be taken away... without adherence to the minimum procedures required by the Clause" (Goss v. Lopez, Supreme Court, 1975).

States are required to provide accommodations and alternate assessments as needed, to ensure that students with disabilities participate fully in NCLB testing. Students with disabilities should participate in the same tests taken by their peers. However, some students need accommodations to show their knowledge on a regular assessment, or they need to participate in an alternate assessment which is linked to the same standards found in the regular assessment. The IEP team makes decisions regarding assessments and accommodations within the scope of the law.

The Oklahoma School Testing Program (OSTP) is a statewide assessment program that was established to improve academic achievement for all Oklahoma students, and includes grades 3–8 and high school end-of-instruction assessments, for which students who complete an area of instruction must also take the corresponding statewide standardized assessment. Every student, including students with disabilities, enrolled in a tested grade-level or course in an Oklahoma public school must participate in the statewide assessment program.

B. The Oklahoma Modified Alternate Assessment Program (OMAAP)

The Oklahoma Modified Alternate Assessment Program (OMAAP) is an alternate assessment based on modified academic achievement standards (AA-MAS). Students who participate in this assessment option must have standards-based IEPs and receive instruction based on grade-level content standards. This is an optional assessment that most states do not offer. The states that do offer a modified assessment will be phasing it out by 2014. According to the National Center on Education Outcomes (NCEO) many states that had earlier identified one set of prioritized content standards across all grade levels for their alternate assessment based on modified achievement standards now require grade-level content alignment. This reflects ESEA regulations and guidance

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requirements that all assessments must be aligned to the grade-level definitions of content for the enrolled grade of the student being assessed.

<http://www.cehd.umn.edu/nceo/topicareas/alternateassessments/altAssessFAQ.htm>

C. Elimination of the OMAAP

The OMAAP is being eliminated for first time test takers for Grades 3-8 and EOI assessments beginning with the 2013-2014 school year. First time test takers (for grades 3-8 and EOI) will no longer have this assessment option available to them. However, this assessment option will remain in place through the 2015-2016 school year for students who participated in the EOI OMAAP for the first time prior to the start of the 2013-2014 school year. This timeframe will provide students the opportunity to retake the OMAAP in the same subject area in order to apply a modified proficiency score. More information regarding the elimination of the OMAAP can be found at <http://ok.gov/sde/sites/ok.gov.sde/files/OMAAP%20Phase%20Out%20Memo.pdf>.

The AA-MAS was never intended to be a long-term solution for students with disabilities and the USDE has recently expressed the intent to no longer allow states to use it. Secretary Duncan has publicly expressed the need to eliminate the “2% test”, saying *“I want to say here and now for the record that we are moving away from the 2% rule. We will not issue another policy that allows districts to disguise the educational performance of 2% of students. That’s unacceptable, and that must change. We have to expect the very best from our students and to tell the truth about student performance so that we can give all students the supports and the services they need”*.

<http://www.ed.gov/news/speeches/preparing-students-disabilities-success-secretary-duncans-remarks-american-association>

The National Center for Learning Disabilities publicly applauded Secretary Duncan’s call, writing, “We will continue to advocate for policies that require all students with learning disabilities to participate in general state assessments, with accommodations as needed. Every student with a learning disability should have every opportunity to achieve graduating from high school with a regular diploma with their peers” (<http://www.ncld.org/ld-insights/blogs/u-s-department-of-education-finally-backs-away-from-a-policy-that-masks-student-performance>).

Many other well respected disability organizations have applauded this shift away from the modified assessment, for a recent example, see the Consortium for Citizens with Disabilities letter to President Obama: http://www.c-c-d.org/fichiers/CCD_regulation_letter_final.pdf, in which they “write to ask you and your Administration to take immediate steps to end the AA-MAS as soon as possible” and “Propose regulations that formally end the use of the AA-MAS”. This letter was signed by the Council for Exceptional Children, the Council of Parent Attorneys and Advocates, Inc., the Learning Disabilities Association of America, the National Alliance on Mental Illness, the National Association of State Directors of Special Education, and the National Center for Learning Disabilities, among others.

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In reply to growing concerns that the modified assessment is hindering our students with disabilities from receiving an adequate education, a Notice of Proposed Rule Making (NPRM) eliminating the alternate assessment based on modified academic achievement standards (the “2% assessment”) was published in the Federal Register on August 23rd, 2013. In the NPRM, the Secretary proposes to amend the Title I regulations to no longer authorize a State, in satisfying ESEA accountability requirements, to define modified academic achievement standards and develop alternate assessments based on those modified academic achievement standards.

D. Assessment Accommodations

The elimination of the OMAAP does not affect the receipt of instructional or assessment accommodations. Students on an Individualized Educational Program (IEP) or Section 504 plan may receive instructional or assessment accommodations, based on the IEP or Section 504 plan. The Individuals with Disabilities Education Act (IDEA) makes it very clear that the use of accommodations in state assessments is permissible and requires that states develop guidelines for the provision of appropriate accommodations. Guidelines must identify only those accommodations for each assessment that do not invalidate the score and instruct IEP teams to select only those accommodations that do not invalidate the score (See 34 CFR § 300.160: Participation in assessments). Oklahoma’s “Accommodations for Students on an IEP or 504 Plan” can be found at

- 1) [OSTP Accommodations for Students with an Individualized Education Program \(IEP\) or Section 504 Plan \(http://www.ok.gov/sde/sites/ok.gov.sde/files/documents/files/OSTP-Accommodations.pdf\)](http://www.ok.gov/sde/sites/ok.gov.sde/files/documents/files/OSTP-Accommodations.pdf)
- 2) [Oklahoma Accommodations Guide \(http://ok.gov/sde/documents/2014-08-07/oklahoma-accommodations-guide\)](http://ok.gov/sde/documents/2014-08-07/oklahoma-accommodations-guide)

E. Accommodations and Modifications

Modifications and accommodations are two separate concepts. Accommodations are changes in materials or procedures that enable students to meaningfully access instruction and assessment. Assessment accommodations do not change the construct that is being measured. Accommodations mediate the effects of a student’s disability and do not reduce learning expectations. Assessment modifications, in contrast, do change the construct that is being measured, creating challenges for assessment validity. Modifications fundamentally decrease learning expectations and prevent students from accessing the general education curriculum in a meaningful way.

For more information on accommodations (specifically in regard to the instructional vs. assessment accommodations and the difference between accommodations and modifications – p2) please see this document:

<http://www.cehd.umn.edu/NCEO/onlinepubs/NCLD/Accommodations.pdf>

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F. Supporting Students who Previously Participated in the OMAAP

- Utilize the principles of Universal Design for Learning (UDL),
- Focus core instruction on the Oklahoma Academic Standards,
- The general education setting should be the first consideration when determining the least restrictive environment that affords a student access to the Oklahoma Academic Standards, and
- Utilize instructional and assessment accommodations that focus on providing appropriate access and that do not decrease learning expectations.

In [Lessons Learned in Federally Funded Projects that Can Improve the Instruction and Assessment of Low Performing Students with Disabilities](#)

(<http://www.cehd.umn.edu/nceo/OnlinePubs/LessonsLearned.pdf>), edited by Martha L. Thurlow, Sheryl S. Lazarus, and Sue Bechard (January 2013), Nagle and Cameto reported on the Oklahoma Modified Alternate Assessment Program (OMAAP) reading assessment – “They noted that even though the assessment included numerous changes designed to make it less difficult for these students (e.g., limited use of terminology and language from other content areas, segmented passages, reduced amount of reading through elimination of words and phrases, simplified words or phrases in item prompts, minimized use of pronouns and prepositional phrases), the barriers that students encountered seemed to be related less to the assessment itself. They concluded that ‘reading level, test-taking strategies, and possible lack-of-instruction appear to be the actual ‘barriers’ to reading’ (p. 427). Much of the research (more found in the hyperlinked volume above) gives us great information about the characteristics and needs of students currently being assessed through a modified assessment; for another example see:

<http://cete.ku.edu/sites/cete.drupal.ku.edu/files/docs/Publications/2011/j.2044-8317.2010.02012.x-3.pdf>

G. Role of the Oklahoma State Department of Education (OSDE)

The OSDE Special Education Services division is committed to improving access to the general education curriculum for all students with disabilities. The division has created specific pages (at <http://ok.gov/sde/special-education>) dedicated to

- 1) [Universal Design for Learning](http://ok.gov/sde/universal-design) (<http://ok.gov/sde/universal-design>),
- 2) [Oklahoma Academic Standards](http://ok.gov/sde/oklahoma-academic-standards) (<http://ok.gov/sde/oklahoma-academic-standards>),
- 3) [Assistive Technology](http://ok.gov/sde/assistive-technology) (<http://ok.gov/sde/assistive-technology>),
- 4) [Co-Teaching](http://ok.gov/sde/co-teaching) (<http://ok.gov/sde/co-teaching>),

and other areas that should help teachers improve their instructional strategies and accommodations selections for this population of students. The research and tools available should help us to ensure that previous OMAAP test takers are provided access to the general education curriculum and benefit from educational supports.

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H. Alternate Routes to a Diploma

All students, including students with disabilities, are given the option to retake required EOIs exams up to three times per calendar year if necessary if they are unsuccessful. In fact, school districts must offer remediation opportunities for students who do not score Proficient or Advanced on one or more of the required EOI exams. In addition, all students may utilize the following additional options:

A) **ALTERNATE TEST:** Students who do not score Proficient or Advanced on one of the required EOI exams may use one or more alternate tests to meet this requirement. In order to use an alternate test, the student must have earned a score equal to or greater than the minimum scores listed here: <http://ok.gov/sde/sites/ok.gov.sde/files/documents/files/ACE-EOIAltCutScores.pdf>.

B) **END OF COURSE PROJECT:** Students who do not score Proficient or Advanced on one of the required EOI exams after one attempt may use one or more End-of-Course (EOC) Projects to meet this requirement: <http://ok.gov/sde/achieving-classroom-excellence-resources#TestRes>.

In the Spring of 2013, the Office of Educational Support, the Office of Instruction, the Office of Accountability and Assessment, Federal Programs, and Special Education Services coordinated the development of additional EOC projects designed for students with disabilities and English language learners. These additional projects were created by committees composed of at least two special education teachers, two regular education teachers, and one district curriculum coordinator.

The EOC projects now comprise three categories:

- **Category A:** These projects are available to all students, including students with disabilities and English Language Learners.
- **Category B:** These projects are only available to students on an IEP or an LIEP. The IEP or LIEP team must make a determination that this project is appropriate for a student based on the student's individual needs. IEP students are allowed this option for all subjects. Students on an LIEP are only allowed this option for English II and III.
- **Category C:** These projects are only available to students on an IEP who participate in the Oklahoma Alternate Assessment Program (OAAP).

C) In addition, students with disabilities may retake required EOIs and meet the testing requirements for graduation through a modified proficiency score. For more information, please see this worksheet:

http://ok.gov/sde/sites/ok.gov.sde/files/Modified%20Proficiency%20Checklist_0.pdf.

Oklahoma State Department of Education
Special Education Services
(405) 521-3351
<http://ok.gov/sde/special-education>