



Indicators of School Quality and Student Success in New Accountability Systems

As states, districts and schools begin designing new accountability systems authorized by the Every Student Succeeds Act (ESSA), the undersigned organizations of the Consortium for Citizens with Disabilities Education Taskforce offer the following recommendations specific to the use of an ‘additional indicator(s) of school quality or student success.’

Our nation’s more than 6 million students with disabilities comprise 13% of the K-12 student enrollment. Over the last four decades, families, educators and policymakers have continued to raise expectations for this student population, recognizing that with the right services and supports these students can – and do – thrive in school, college and the workplace. Over time, the Elementary and Secondary Education Act – now known as ESSA – has played an integral role in this success. For the first time, ESEA ensured that schools, districts and states understood the shared responsibility for improving outcomes for students with disabilities, who were once stuck in the shadows of our education laws. Now, as states create new accountability systems under ESSA, a continued emphasis on improving outcomes for students with disabilities must continue.

As ESSA describes, this ‘additional indicator(s) of school quality or student success’ is a new addition to state accountability systems and – in the best case scenario – can provide families, educators and policymakers with meaningful, valid, and reliable data that can drive efforts to support improved outcomes for students. Importantly, this new indicator is part of a larger accountability system that includes academic achievement on annual assessments, high school graduation rates, and English language acquisition. As part of this system, it is critically important that this ‘new indicator’ be meaningful and actionable and to meet the technical requirements of the law including being disaggregated by student subgroup.

Our current educational system is evolving in important areas such as the continued development of longitudinal data systems and identifying ways to accurately measure the impact of evidence-based interventions. This progress is exciting and may impact the future selection and measurement of the new indicator(s) for school quality and student success. Therefore, this work must be continued and encouraged by all education stakeholders.

Data also indicates that in many communities, accountability systems are still a ‘work in progress.’ Currently, stakeholders are being asked to select a new way to measure school quality and student success while simultaneously being hindered by an unsophisticated infrastructure and a lack of available research and knowledge about how to accurately measure new ideas, both of which are critical to meeting ESSA’s technical requirements for this new indicator of school quality and student success.

It is with this in mind, that we offer our recommendations for the new indicator of school quality or student success. These recommendations are divided into two categories: (1) general recommendations; and (2) recommendations based on our view of our current educational infrastructure. Importantly, as research on how to measure new, innovative ideas emerges and we continue to improve existing data systems, there must be an opportunity for accountability systems to evolve. Some of these innovative areas of research include social emotional learning and student, family, and educator engagement.



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General Recommendations

As the U.S. Department of Education, State Education Agencies, local school districts and other stakeholders conceptualize and implement a new accountability framework, we strongly urge the following considerations:

- **Meaningfully engage and consult with various stakeholders from the disability community**, including state and local directors of special education, families of children with disabilities, special and general educators, specialized instructional support personnel, higher education faculty, advocates, and researchers. Working collaboratively from the beginning will strengthen the new accountability system itself and its subsequent implementation.
- **Expand or create new accountability systems that inspire meaningful actions and are coupled with evidence-based strategies to improve student outcomes** if achievement gaps or low performance is detected at the school level and/or among specific subgroups of students. The creation or expansions of accountability frameworks should align with existing special education initiatives, such as through the Results Driven Accountability and compliance requirements of the Individuals with Disabilities Education Act. Collaboration between stakeholders representing students with disabilities, including parents, advocates, state directors of special education, and those developing and implementing the new accountability system will help ensure this alignment.
- **Create and support the infrastructure necessary to interpret accountability data** in a valid and thoughtful way. Promote effective practices to explore how subgroups of students are performing, where success exists and where improvements need to be made. Meeting the disaggregation requirements of ESSA in both letter and spirit of the law is critical.
- **Raise expectations for students with disabilities and reject any proposal that relies on whether a student has met his/her IEP goals as an indicator of school quality/student success**, including as goals related to meeting high school graduation requirements.
- **Meaningfully engage and consult with the broad community of professionals who contribute to student success during the design and implementation of new accountability systems**, such as Specialized Instructional Support Personnel (SISPs, formerly known as pupil services personnel) that refers to a diverse group of professionals representing a range of perspectives and skills that provide critical components necessary to support instruction and student success in schools. ESSA refers to this group throughout the statute and acknowledges the need to engage all SISPs in school wide efforts, including meaningful consultation with members of the group involved in the development of state plans and other activities. These include professionals in both higher education and the PK-12 system.



Recommendations Using Our Current Educational Infrastructure

As the U.S. Department of Education, states education agencies, local school districts and other stakeholders conceptualize and implement a new accountability framework, CCD strongly urges the additional indicator(s) of school quality or student success include measures of: (1) discipline and (2) teacher quality. These indicators would provide schools, districts, and states with meaningful and actionable data without requiring significant improvements in the current educational infrastructure.

DISCIPLINE

RECOMMENDATION: As an indicator of school quality or student success, states should include data relating to disciplinary removals, which include rates of in-school-suspension, out-of-school suspension, expulsion with educational services, expulsion without educational services, and informal school removal.

Much of this data is already captured by schools in compliance with the Civil Rights Data Collection (CRDC), which defines in-school-suspension, out-of-school suspension for students with disabilities and those without, expulsion with educational services, and expulsion without educational services. Therefore, states should build upon these definitions and:

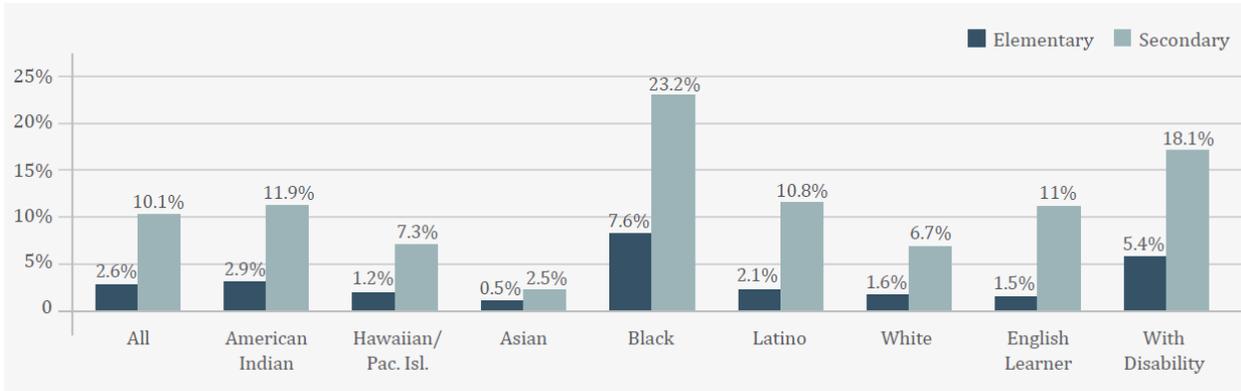
- Create a uniform definition of “informal school removal;”
- Ensure definitions are implemented in a uniform way;
- Conduct a thorough review of the practice of using in-school-suspension and informal school removal in place of out-of-school-suspension; and
- Set the minimum subgroup size, for purposes of reporting this data by school and district, at a number that protects personally identifiable information, as there is no need to ensure statistical reliability.

RATIONALE: The Civil Rights Data Collection (CRDC) has revealed that schools employ discipline practices and policies that disproportionately impact students with disabilities. In particular, schools suspend students with disabilities at rates that are typically two to three times higher than their non-disabled peers. Being suspended from school increases the risk, for all students, of high school dropout, involvement in the juvenile justice system, and is associated with poor outcomes across the life span. For students with disabilities, this disproportionate rate of suspension results in significant loss of instructional time, which impedes academic growth, can negatively impact academic performance, and contributes to low rates of graduation. In fact, states with the highest rates of secondary level suspension also have some of the lowest high school graduation rates in the country (Florida, Louisiana, Nevada, and South Carolina).

The chart below shows the elementary and secondary out-of-school suspension rates by subgroup for the 2011-2012 school year. Only one group – Black students – has a higher rate of out-of-school suspension than students with disabilities.

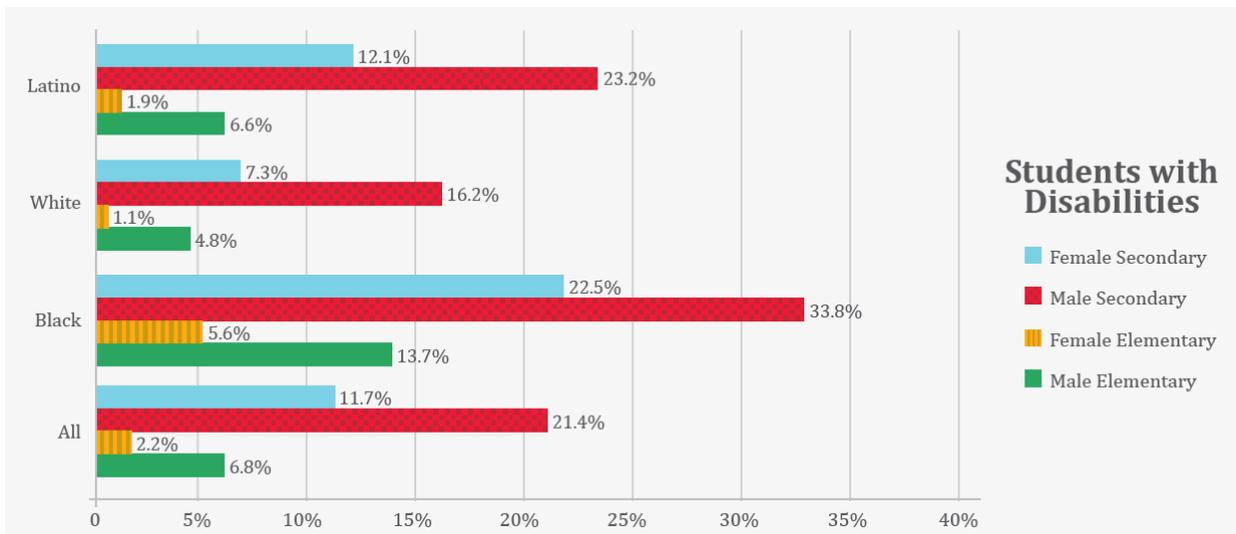


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Source: *Are We Closing the School Discipline Gap?* by the Civil Rights Project available at civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/are-we-closing-the-school-discipline-gap
 Note: Out-of-school suspension rates for students with disabilities vary across states. In 2011-2012 secondary school rates ranged from a high of 37.1 percent in Florida to a low of 4.9 percent in North Dakota. See state-by-state analysis.

Data on the suspension rate of students with disabilities that are disaggregated by race/ethnicity and gender shows even more stark disparities. Specifically, Black males with disabilities are at the highest risk for suspension (33.8 percent) among all student groups, followed by Latino males (23.2 percent). Black females with disabilities are suspended at higher rates (22.5 percent) than White males with disabilities at both the elementary and secondary level.



Source: *Are We Closing the School Discipline Gap?* by the Civil Rights Project available at civilrightsproject.ucla.edu/resources/projects/center-for-civil-rights-remedies/school-to-prison-folder/federal-reports/are-we-closing-the-school-discipline-gap



BURDEN: Using discipline data described above would not pose a significant burden for States. School districts are required to report discipline data by school and district to the Office for Civil Rights on a biennial basis as part of the Civil Rights Data Collection (CRDC). In fact, the CRDC discipline data includes: out-of-school suspension, in-school suspensions, expulsions, school-related arrests and referrals to law enforcement with each element reported by race, sex, disability-IDEA, LEP. Thus, States can elect to use CRDC data for two consecutive years without taking on any new data collection.

In fact, many states require annual collection of discipline data. Should state accountability systems that incorporate a school quality or success indicator of disciplinary removals require annual data, it may pose a new data collection burden for some states.

DATA QUALITY: Concern has been raised regarding accuracy of the CRDC and, in particular, missing/incomplete or underreported data. However, OCR is engaged in deliberate efforts to improve the quality of data collected. Further, data used for accountability purposes could improve over time.

Importantly, using disciplinary removals as currently exist as part of the CRDC, as an indicator(s) within a state accountability system does not address the ubiquitous practices of school push out – those ways in which children and youth are removed from school without the benefit of formal due process, which is provided when a student receives a formal expulsion or suspension). Some of these methods include removal from school to homebound services, a shortened school day, long stays in the principal’s office, and “sent homes” which are commonly used when children have unaddressed behavioral needs. A focus on in-school/out-of-school suspension could have the unintended consequences of contributing to use of these other ways that students are removed from their instructional setting and therefore must be closely analyzed.

ALIGNMENT WITH IDEA: Including disciplinary removals as an indicator in state accountability systems would align with and enhance several aspects of IDEA results-oriented initiatives including:

- Annual data collection under Indicator 4 of the Part B State Performance Plan.
- Improvement activities being implemented under State Systemic Improvement Plans (SSIPs). In fact, the majority of states have State Identified Measureable Results (SiMRs) focused on improving the achievement of students with disabilities in reading or math or both on state assessments. A significant number of states have a SiMR focused on improving high school graduation rates.
- Improvement activities driven by the new Results-Driven Accountability matrix of annual determinations of state performance.

ALIGNMENT WITH FEDERAL AND NATIONAL ORGANIZATION INITIATIVES: Including disciplinary removals in state accountability systems will support a growing number of initiatives at the federal and state levels, as well as initiatives undertaken by national organizations. Examples include:



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- The U.S. Department of Education’s *Rethinking Discipline* initiative which seeks to increase awareness of the prevalence, impact, and legal implications of suspension and expulsion and provide basic information and resources on effective alternatives.¹
- National School Boards Association, *Addressing The Out-Of-School Suspension Crisis: A Policy Guide for School Board Members*²
- Opportunity to Learn Campaign, *Stopping Out-of-School Suspensions: A Guide for State Policy*³
- The American Academy of Pediatrics, *Policy Statement: Out-of-School Suspension and Expulsion*⁴
- The National Center for Special Education in Charter Schools, *Key Trends in Special Education in Charter Schools: A Secondary Analysis of the Civil Rights Data Collection 2011–2012*⁵

TEACHER QUALITY

RECOMMENDATION: As an indicator of school quality or student success, accountability systems should include the percentage of teachers who are fully certified, fully-licensed and experienced.

- **Define “experienced” as teachers who have at least three years of successful teaching practice and allow states to define “successful.”**

RATIONALE: Students with disabilities must have access to educators – both special and general educators with the expertise and ability to address their unique learning needs. Research has demonstrated that teachers are the single most important in-school factor for student success. Unfortunately, research has also demonstrated that students from disadvantaged backgrounds often have less-qualified teachers as compared to their non-disadvantaged peers.⁶ For students with disabilities, the issue is further compounded by the fact that nearly

¹ See <http://www2.ed.gov/policy/gen/guid/school-discipline/index.html>

² National School Boards Association, *Addressing The Out-Of-School Suspension Crisis: A Policy Guide for School Board Members*, April 2013, available at <https://www.nsba.org/sites/default/files/0413NSBA-Out-Of-School-Suspension-School-Board-Policy-Guide.pdf>

³ Opportunity to Learn Campaign, *Stopping Out-of-School Suspensions: A Guide for State Policy*, Dec. 2012, available at <http://schottfoundation.org/resources/stopping-out-school-suspensions-guide-state-policy>

⁴ The American Academy of Pediatrics, *Policy Statement: Out-of-School Suspension and Expulsion*, Mar. 2013, available at <http://pediatrics.aappublications.org/content/131/3/e1000>

⁵ The National Center for Special Education in Charter Schools, *Key Trends in Special Education in Charter Schools: A Secondary Analysis of the Civil Rights Data Collection 2011–2012*, Nov. 2015, available at: http://static1.squarespace.com/static/52feb326e4b069fc72abb0c8/t/567b0a3640667a31534e9152/1450904118101/crdc_full.pdf

⁶ <http://ny.chalkbeat.org/2016/02/25/schools-with-mainly-black-and-latino-students-have-less-qualified-teachers-report-says/#.VthWyktORVu>



every state across the nation has a shortage of special educators, a challenge that has existed for years.⁷ For these reasons, it's critically important that a measure of teacher quality be considered as an 'indicator of school quality or student success.'

Novice teachers make marked gains in effectiveness in their first years in classrooms and so reducing the frequency that children are taught by a succession of beginning teachers is an effective strategy to could improve overall educational quality.⁸ Research indicates a direct relationship between teacher experience and returns to students in terms of higher test scores and student behavior. These returns extend well beyond the first few years of teaching.⁹ Ongoing turnover of teachers has a direct and negative effect on student achievement and overall school functioning.¹⁰ New, inexperienced teachers who leave the field are twice as likely as those who stay to be lacking in full certification and report being less prepared in pedagogy and classroom management.¹¹ Equal access to experienced, fully credentialed, successful teachers is therefore an important indicator of school quality.

Importantly, ESSA requires states to include in their Title I state plans information regarding the professional qualifications of teachers in the state, which includes inexperienced teachers, teachers with emergency or provisional credentials, and teachers who are not teaching in the subject or field for which the teacher is certified. Additionally, States must describe the measures they will use to ensure low-income and minority students are not served at disproportionate rates by "ineffective, out-of-field, or inexperienced teachers."

By including these requirements in the Title I state plans, Congress took an important step in recognizing the importance of making information related to teacher qualifications available to families, schools, and policymakers. CCD believes it is appropriate to take the next logical step and include this important information related to teacher qualifications in a State's accountability system.

Furthermore, by including this information in a State's accountability system, it is CCD's hope that the result will be a greater emphasis on improving teacher quality for students with disabilities, including a focus on recruiting and retaining educators, particularly in shortage areas such as special education.

⁷ <http://www.npr.org/sections/ed/2016/01/16/462181638/solving-the-special-ed-teacher-shortage-quality-not-quantity>

⁸ Billingsley, B. S. (2004). Promoting teacher quality and retention in special education. *Journal of Learning Disabilities*, 37(5), 370 – 376.

⁹ Ladd, H.F. & Sorensen, L.C. (2015). Returns to teacher experience: Student achievement and motivation in middle school. American Institutes of Research, National Center for Analysis of Longitudinal Data in Education Research (CALDER). Washington, DC.

¹⁰ Boe, E. E. (2014). Teacher demand, supply, and shortage in special education: A national perspective. In P.T. Sindelar, E. D. McCray, M. T. Brownell, & B. Lignugaris/Kraft (eds.), *Handbook of research on special education teacher preparation* (pp. 67 - 93). New York, NY: Routledge; Ronfeldt, M., Loeb, S., & Wycoff, J. (February, 2013). How teacher turnover harms student achievement. *American Educational Research Journal*. Vol. 50, No. 1, 4- 36.

¹¹ Boe, E. E. (2014). Teacher demand, supply, and shortage in special education: A national perspective. In P.T. Sindelar, E. D. McCray, M. T. Brownell, & B. Lignugaris/Kraft (eds.), *Handbook of research on special education teacher preparation* (pp. 67 - 93). New York, NY: Routledge



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ACCSES

American Academy of Pediatrics
American Dance Therapy Association
American Foundation for the Blind
American Speech-Language-Hearing Association
Association of University Centers on Disability
Autism Speaks
Autistic Self Advocacy Network
Bazelon Center for Mental Health Law
Council for Exceptional Children
Council for Learning Disabilities
Council of Parent Attorneys and Advocates
Easter Seals
Higher Education Consortium for Special Education
Learning Disabilities Association of America
National Association of Councils on Developmental Disabilities
National Association of School Psychologists
National Association of State Head Injury Administrators
National Center for Learning Disabilities
National Disability Rights Network
National Down Syndrome Congress
National PTA
School Social Work Association of America
Teacher Education Division of the Council for Exceptional Children
The Advocacy Institute
The Arc

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The Consortium for Citizens with Disabilities is a coalition of national consumer, advocacy, provider and professional organizations headquartered in Washington, D.C. Since 1973, the CCD has advocated on behalf of people of all ages with physical and mental disabilities and their families. CCD has worked to achieve federal legislation and regulations that assure that the 54 million children and adults with disabilities are fully integrated into the mainstream of society.