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ABSTRACT

Intended to help state level administrators plan for minimal competency testing programs, the guide discusses conceptual, legal, and budgeting considerations involved in competency programs for different handicapped populations. Problems and remedies are cited from a longitudinal study of the implementation of P.L. 94-142, the Education for All Handicapped Children Act. Five chapters are designed to answer the following questions (sample findings in parentheses): Who should set test standards? (difficulties encountered when local school districts set standards); Who should be included in competency test programs? (legal requirements stating that decisions be made on an individual basis); What kinds of competency test should be used with handicapped students? (modification of test administration procedures rather than development of special tests for handicapped students); When should competency tests be administered? (use as a screening test for early detection of learning problems); and What should graduation criteria be for handicapped students? (use of differential standards). (CL)

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MINIMAL COMPETENCY TESTING AND SPECIAL EDUCATION STUDENTS
A Technical Assistance Guide

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Purpose of This Guide

This guide was prepared to help state-level administrators plan for minimal competency testing programs. The intent of minimal competency testing is to ensure that students graduating from public high schools possess the basic skills necessary to participate successfully in adult life. Because such standards suggest that all students are equally able to acquire minimal skill levels, state and local education agencies and special educators are confronted with the problem of the special education population. Differences in the abilities of handicapped students, as well as the philosophy of individually appropriate goals for handicapped students codified in PL 94-142 and many state laws, raise the issue of whether different competency testing policies may need to be established for handicapped students.

This guide discusses conceptual, legal, and budgetary considerations in establishing competency testing programs for different handicapped populations. Since the ultimate decision on whether or not a state adopts a competency testing program frequently depends on the legislature or the state board of education, this guide addresses the following questions that need to be considered by all interested parties before the decision is made:

- Who should set test standards?
- Who should be included in competency test programs?
- What kinds of competency test should be used with handicapped students?
- When should competency tests be administered?
- What should be the graduation criteria for handicapped students?

This guide is one product of SRI International's Longitudinal Implementation Study of PL 94-142, funded by the Office of Special Education in the U.S. Department of Education. The problems that local and state educational agencies in this study have faced and the solutions they have tried provide the examples that illustrate issues regarding minimal competency testing and special education.* These examples are only illustrations of possible solutions and do not provide definitive answers to the questions listed above.

* Examples were drawn from the six states in SRI's study that have implemented or are planning to implement a minimal competency test program: California, Florida, Illinois, Pennsylvania, Tennessee, and Washington.

Who Should Set Test Standards?

Observations in the longitudinal study sites show different results when the state education agency (SEA) sets minimal competency test standards and develops tests then when the local education agency (LEA) performs these functions. In general, when standards are set at the state level, the result is broad competency test policies that provide greater uniformity in competency criteria, in student populations to be included, and in the allowable alternative graduation standards across the entire state.

In Florida, for example, minimal competency test policy and test development have been the primary responsibility of the SEA. In establishing its statewide competency standards, the SEA has developed a long-range plan that will eventually affect students in nearly all special education categories. In the 1982-83 school year, a student must pass a two-part minimal competency test (basic skills and functional literacy) to receive a regular high school diploma. Students who fail the test will receive a certificate of completion. All special education students are to be provided the opportunity to take the regular test and can thereby earn a regular diploma.

However, if a special education student does not pass the test, or if the parents and the LEA decide that the student should not be included in the regular minimal competency testing program, a special education diploma will be awarded if the student passes a special state-developed test (different for each handicapping condition). For example, the minimal competency test for educable mentally handicapped (EMH) students tests competencies related to basic reading, writing, math, social-personal, and career tasks. The competency test for trainable mentally handicapped (TMH)

students tests competencies related to basic skill areas (sensory-motor, communications, and math), and social and prevocational tasks. The competency test for hearing impaired (HI) students tests competencies in reading, writing, and math. As these tests become a graduation requirement, students who pass them will receive a special education diploma and those who do not will receive a special certificate of completion.

Where competency test standards are set by LEAs, they tend to vary across the state, so that a student may be considered qualified for graduation in one district and not in another. For example, LEAs in California can individually develop competency tests for the regular student population. LEAs can also set different standards of competency for students who would be unable to reach a district's regular standards, even with appropriate educational services and support. Different standards can be established for students who are in special education or who have "diagnosed learning handicaps or disabilities." Any such special standards are to be included in the student's IEP. If a district does not set differential standards, all students must technically pass the district's regular minimal competency test.

Who Should Be Included In Competency Test Programs?

The ultimate decision on whether or not a state adopts a minimal competency test program remains with the state legislature or the state board of education. However, many local education agencies in states with minimal competency testing programs have retained considerable autonomy in deciding criteria for who is or is not to be included. Criteria for such decisions have varied in SRI's study sites. Although most sites give all students the opportunity to overcome deficiencies and pass the test, the competency test requirement can sometimes be waived for handicapped students who are unlikely to pass. For example, in some sites lower functioning students in EMH and JMH classes are being individually assessed and excluded from competency test requirements; individual graduation competencies for these students often are being developed during the IEP meeting.

Higher functioning students in specific learning disability (SLD) and EMH programs are also being evaluated in some sites for inclusion in competency test requirements. For example, in one district students who spend the majority of their time in the regular classroom are required to take the competency test; however, special education students who spend the majority of their day in special education classes may not be required to take the test. Such decisions often are made during IEP planning meetings and seem to be based on a subjective assessment of the individual student, with considerable weight being given to the student's current skill levels, self-motivation, and self-esteem.

In short, in places where decisions are being made about who should be included in the testing, the feeling is that legal mandates require that decisions regarding special education students be made on an individual

rather than a group basis. As one special education director replied when asked about the effect of minimal competency tests on special education students:

You can't require all special education students to take the tests and you can't excuse all of them; you have to decide on a case by case basis and document adaptations, if necessary.

Associated with the problem of whether to include special education children in the minimal competency program are two concerns expressed by educators in the study sites. First, there were curricular concerns. For example, educators expressed some concern that competency testing may encourage instruction that teaches only to the particular test competencies, and thus may limit curriculum options and program individualization and variability. There is also a pervasive fear by educators that special education can potentially become a dumping ground for unmotivated students who do not have a specific learning handicap yet who fail (or who are expected to fail) the competency test. Conversely, some regular and special educators believe that reassessment of curriculum goals to address competency issues will improve the quality of both regular and special education by setting minimal standards that provide a foundation for more advanced study by some students and minimal daily life skills for others.

What Kinds of Competency Test Should Be Used with Handicapped Students?

There currently is no standard definition of functional competency or standard procedures to measure it appropriately and fairly. The development of competency tests for special education students has raised further questions about these reliability and validity issues. Although there has been a significant effort by state and local education agencies to establish rationales for the selection of items included in the tests and to field-test the items, test standardization and the reliability of test results for the handicapped population remain a problem. A special education coordinator in one rural district in SRI's longitudinal study commented that the validity of the district's special competency tests easily could be challenged legally because they have been developed by a "committee of local folks." Another district in the study developed a special competency test for handicapped students using test items from several standardized tests, which may or may not have been validated for the specific handicapped group being tested.

Instead of trying to develop special tests for handicapped students, some of our study sites have modified the test administration procedures. Examples of this approach include:

- Individual test settings
- Extended time to take the tests
- Aural-oral testing procedures
- Braille and large-print tests
- Additional space between printed lines on the tests

Alternative answering procedures

Tests given by means of audio cassettes or videotape.

For example, in one district in the SRI study, a student with cerebral palsy was given the regular competency test by a teacher familiar with the student's handicap; in other places, modifications in test scheduling or setting or in recording of answers were routinely made.

A side effect of these test accommodations for special education students is that regular students are also benefiting. For example, in one district, regular students have the option to use the tests with larger print designed for the visually impaired.

When Should Competency Tests Be Administered?

In many places, competency tests have become synonymous with a "test for diploma": a student passes the test and receives a diploma, or the student does not pass the test and does not receive a diploma. When this is the case, the competency test can become simply a final barrier to graduation, rather than an educational strategy to ensure that a student has the skills necessary to succeed in everyday life activities and in the world of work. However, several districts in the longitudinal study have begun to establish early identification and remediation programs designed to ensure that students pass the competency test and are awarded a regular diploma.

The availability of remediation alternatives for students failing the competency tests has become a planning and budgetary issue for both regular and special educators in the study sites. In places that use competency testing as early as the elementary grades, the test has become a potential screening device for the early detection of learning problems. If competency testing occurs in the 9th or 10th grades, remediation strategies can be implemented to ensure that most students pass the test before or during their senior year. In either case, no longer is competency testing a final-hour barrier to the awarding of a high school diploma.

Another screening function is suggested by some administrators and teachers in the longitudinal study, who feel that a comprehensive competency testing program administered over time can identify students who in the past might otherwise have "slipped through the cracks" because the extent of their learning deficits had not warranted placement in special programs. These are the "slow learners" who continue to be chronologically promoted without gaining the minimal skills to complete more demanding classwork and eventually to meet minimum graduation requirements. Thus, minimum

competency testing, properly developed and implemented, can constitute an ongoing evaluation process to ensure that high school graduates possess those basic skills deemed necessary for full participation in adult life.

Plans for alternative remediation programs, however, are just beginning to take shape in the study sites. Remediation alternatives being considered or developed include:

- Specific remediation programs for both regular and special education students (e.g., basic skills classes).
- Special summer school programs.

Another issue related to when the tests are given is the amount of instruction or "lead time" given students to prepare for the competency test requirements (e.g., test content, criteria for passage of the test). Some legal issues regarding competency testing as a valid assessment tool in general have already surfaced with rulings focusing on sufficient lead time for students:

- Debra P. v. Turlington (474F. Supp. 244 D.M.D. Florida 1979): Florida schools were stopped by a recent federal court decision from using additional test-for-diploma requirements until the 1982-1983 school year, when sufficient lead time for teaching the measured functional literacy skills will have been provided.
- Board of Education of Northport--East Northport Union Free School District v. Ambach: In this New York case, the court held that two special education students who received regular diplomas without passing the competency test were entitled to the diplomas because insufficient notice had been given of competency requirements.

In the SRI study of PL 94-142, districts are trying different strategies to familiarize students with minimal competency testing expectations. Examples include:

- One district developed a videotape program on the competency test, which is shown to both regular and special education students to inform them of required competencies.

- Another district developed a school-based competency test committee to inform teachers of required competencies, particularly in English and math.
- Several districts have provided inservice training to both regular and special education teachers on competency testing requirements.
- Several districts are detailing the academic skills included in the competency test on individual IEPs to prepare students to meet competency standards. Specific skill assessment strategies have then been used to track individual student progress toward these standards.

What Should Graduation Criteria Be for Handicapped Students?

In places that have minimal competency testing programs, the issue of graduation criteria for handicapped students arises. Possible graduation criteria range from passing the regular minimal competency test to various "differential" standards. Such differential standards include:

- Achieving a lower score on the regular test than is required for regular students.
- Passing the regular test with modified testing procedures.
- Passing a special competency test.
- Achieving individually determined graduation standards, which are specified in the IEP.

Most of these options have been discussed in the previous sections. In this section, we illustrate how these issues have come together in determining graduation requirements. A common procedure for determining graduation criteria in the study sites has been to link them in some way to the IEP.

In Florida, where minimal competency testing for the handicapped is mandated by the state, several graduation alternatives are currently being implemented. Students in special education may now prepare for and take the regular competency test, and, if they pass, a regular diploma is awarded. The decision for inclusion in the regular minimal competency testing program can be made at an IEP meeting with formal consent from the parents. In the future, if a student takes and passes one of the newly developed special education competency tests or is subsequently certified by the LEA as mastering graduation standards, a special diploma is to be awarded. If a student does not meet any of these criteria, a special certificate of completion is awarded.

In California, where minimal competency standards are set at the discretion of the LEA, each local school board must initially decide on a differential standards policy. If a policy of differential standards is adopted, the specific graduation criteria for an individual student are included in the IEP. Special education students must also be provided with a reasonable and equitable opportunity to demonstrate proficiency on regular competency tests and can receive a regular diploma if these proficiencies are achieved.

Although differential standards are allowed, LEAs in California do not have the option to issue certificates of high school completion. Therefore, some districts are still struggling to develop an alternative policy to the awarding of a regular diploma. School personnel in one California district who were in the process of trying to set fair differential standards commented:

The philosophy of the school is that differential standards are not okay, but a certificate of completion is. Since [certificates of completion] are not legal now, we're reluctantly modifying our position about differential standards in competencies, credits, modes. [One] can have differential standards, but there has to be a standard.

In some districts in the SRI study, graduation proficiencies are tied directly to IEP objectives, as follows:

- One district has developed a specific skills matrix for special education students, which is used in conjunction with the development of a student's IEP. The completed skills matrix may become an alternative to a diploma for some special education students, providing documentation of individual performance abilities or related educational experience, such as prevocational or specific vocational training.
- Another district is setting differential standards on an individual basis. These are determined by the IEP committee, which can adjust credit requirements or modify test administration procedures.

Some districts link graduation requirements for special education students directly to the IEP. Math, written expression, and reading criteria are taken from the competency test and included as goals on the IEP. At the IEP meeting, individual success criteria related to these goals are determined so that these closely parallel regular competency test expectations. Special education students, therefore, have the option of taking the regular test or waiving it and meeting related IEP goals.

Despite federal mandates that address the rights of students in educational settings, no current legal precedent prohibits or permits the denial of a regular high school diploma to a special education student if enough preparation time and educational opportunities to meet competency requirements have been provided.* Setting differential competency test standards for handicapped students has become a significant alternative to help overcome the problem of denying special education students a regular diploma in the longitudinal study sites. When special education students meet their prescribed standard, they may receive a regular diploma, a special diploma, a certificate of completion, or a "letter of recommendation" documenting their academic progress and current skill levels.

* For additional information on legal decisions concerning graduation and promotion issues, readers should review the following cases: Debra P. v. Turlington, Board of Education of Northport--East Northport Union Free School District v. Ambach, Lenfant v. District of Columbia Board of Education, and Sandlin v. Johnson.

Conclusion

It is too early to predict the specific long-term positive or negative effects of the implementation of competency testing programs for the handicapped. Competency testing may become a major impetus to the reevaluation of the goals of special education programs, particularly at the secondary level. For example, some special educators in SRI's PL 94-142 study feel competency testing can have a positive influence by requiring special education to define what skills different handicapped groups need to master to be considered functionally competent. On the other hand, the ramifications of competency test validity issues may pose future legal problems.

Regardless of these consequences, it remains clear that the general public wants assurances that upcoming generations will be prepared to compete successfully in an increasingly complex and demanding society. It is also clear that, depending on individual ability levels, such assurances may be applied to our nation's handicapped students as well.

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