Running head: DELIVERING ON THE STANDARDS FOR ALL KANSAS STUDENTS

# Delivering on the Standards for All Kansas Students

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Abstract

Teaching to the standards is not to be confused with teaching to the state assessment. The high stakes nature of these tests, in the context of NCLB and adequate yearly progress, can create a high level of anxiety among school personnel, and this stress can be communicated to students, distracting them from learning activities. The school system needs to protect the learning environment from such disruptive influences by encouraging teachers to focus on planning lessons which engage and challenge all students, evaluating the effectiveness of these lessons through informal assessments and striving to help students meet the essential standards through experiences which remain with them outside the classroom and beyond their school years.

"All students must be provided appropriate instruction to successfully learn the essential standards": this statement can be divided into three parts. First, there is the subject phrase, "all students." Second is the verb phrase, "must be provided appropriate instruction." Third is the adverbial phrase, "to successfully learn the essential standards."

This position paper will present an argument to justify each portion of the above statement, with the goal of tying these reasonable phrases to concrete, practical information about how Kansas schools can best serve the needs of students in the state.

*Including All Students*

Kansans have a particularly acute sense of awareness regarding the responsibility of schools to fairly include all students in learning activities, as a result of the landmark case, Brown v. Topeka Board of Education (1954), in which the U.S. Supreme Court ruled that "separate educational facilities are inherently unequal." Today's increasingly stringent requirements for inclusive classrooms are drawn from the same principle expressed by the Court on that occasion:

> Today, education is perhaps the most important function of state and local governments…. Today it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment. In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms. (347 U.S. 483)

An earlier call for inclusion, predating Brown v. Topeka Board of Education by nearly 40 years, is found in John Dewey's explanation of the role of equity and interaction in developing a society whose members have a shared, vested interest in a common stock of values (Dewey, 1916):

> In order to have a large number of values in common, all the members of the group must have an equable opportunity to receive and to take from others. There must be a large

> variety of shared undertakings and experiences. Otherwise, the influences which educate some into masters, educate others into slaves. (chap. 7)

Not only is inclusion of all students a principle which benefits American society, but it is also the law of the land. Ten years after Brown v. Topeka Board of Education, the U.S. Congress passed and President Lyndon B. Johnson signed into law the Civil Rights Act (1964), including this language:

> No person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits or otherwise be subjected to discrimination under any program or activity receiving Federal financial assistance. (§ 601)

In 1972, the U.S. District Court of the District of Columbia further defined the extent to which public schools are required to provide services to all students, in Mills v. the Board of Education of the District of Columbia, protecting the right of children with special needs to receive a free public education:

> The District of Columbia shall provide to each child of school age a free and suitable publicly-supported education regardless of the degree of the child's mental, physical or emotional disability or impairment. Furthermore, defendants shall not exclude any child resident in the District of Columbia from such publicly-supported education on the basis of a claim of insufficient resources. (348 F. Supp. 866)

In Lau v. Nichols (1974), the U.S. Supreme Court clarified the principle of equal access to education within the framework of Brown v. Topeka Board of Education and the Civil Rights Act of 1964, by finding that simply sharing the same classroom and using the same textbooks does not provide students whose first language is not English with an equal opportunity to learn:

> …there is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.

> Basic English skills are at the very core of what these public schools teach. Imposition of a requirement that, before a child can effectively participate in the educational program, he must already have acquired those basic skills is to make a mockery of public education. We know that those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful. (414 U.S. 56)

One popularly held belief, that children learn a second language faster and more easily than adults do, is not supported by research (McLaughlin, 1992). Adults have to do much more complex tasks with language than do children, so it takes adults longer to develop communicative competence. However, "teachers should not expect miraculous results from children learning English as a second language in the classroom," according to McLaughlin (1992, ¶ 11). There is also research which demonstrates that English language learners who are denied the protections of Lau v. Nichols, as may be the case with some English-only immersion policies, are more likely to drop out before finishing high school (Thomas & Collier, 2002). This is relevant to the challenge of inclusion in Kansas, where graduation rates in 2001-2002 were much lower, 61.7% and 69.6% for Hispanic males and females, respectively, than for all students, 83.9% and 87.6%, males and females (Kincaid, 2003). There are also anecdotal observations from supervisors of directed teaching that Hispanic and other culturally and linguistically diverse children in Kansas schools are suffering from benign neglect in many classrooms where teachers are either unwilling or unprepared to adapt instruction in ways which would more effectively include this growing segment of the P-12 population across the state.

Another aspect of full inclusion in public schools pertains to the education of undocumented immigrant children. Although this issue has at times been the focus of heated, politically-charged debates, including in the 2002 Kansas gubernatorial contest, such discussions primarily constitute a disservice to Kansas school children, diverting attention from more relevant concerns. The debate is a moot point because the U.S. Supreme Court, in Plyler v. Doe (1982),

determined unequivocally that states are prohibited by the 14th Amendment to the U.S. Constitution from denying a public education to any school-age child, regardless of immigration status:

> Undocumented alien children cannot be denied a free, public education because such a denial would violate their constitutional right of equal protection.
>
> Public education has a pivotal role in maintaining the fabric of our society and in sustaining our political and cultural heritage; the deprivation of education takes an inestimable toll on the social, economic, intellectual, and psychological well-being of the individual, and poses an obstacle to individual achievement.
>
> Nor is there any merit to the suggestion that undocumented children are appropriately singled out for exclusion because of the special burdens they impose on the State's ability to provide high-quality public education. The record does not show that exclusion of undocumented children is likely to improve the overall quality of education in the State. (457 U.S. 202)

For the purposes of inclusion, educators, schools and districts need to hear a single, unambiguous message from their political leaders on this issue: the responsibility of Kansas to provide a public education to every school-age child residing in the state is not contingent upon information about the immigrant status of any child. Plyler v. Doe offers guidance to ensure that "all students" includes culturally and linguistically diverse newcomers to the state. A student's immigration status is irrelevant.

*Providing Appropriate Instruction*

Once it is recognized that "all students" must be included in the learning activities offered by any public school in Kansas, and that the force of law is behind this requirement, the second point in the original statement regarding "must be provided appropriate instruction" should be examined to determine what this phrase means in practical terms. Inclusion does not make it any easier for teachers to design effective instructional strategies; weighing a diverse array of

strengths and needs further complicates the process of writing and implementing a lesson plan or a learning unit. Typical questions from an outside observer might be: How can you individualize your instructional approach? Isn't the time and energy you invest in slower students in effect stolen from the faster ones? Is the role of the teacher undergoing some kind of historic shift?

Certainly inclusion is driving a process of rethinking the traditional role teachers have filled in the educational experiences schools can offer. According to Don Atkinson, Principal at Jefferson Elementary School, in Great Bend, Kansas, "…we are going to get to the point when the teacher in front of the class teaching the same objective to everyone at the same time is not going to happen….We have to look at ways to meet individual needs rather than all students getting the same instruction at all times" (Atkinson, personal communication, October 28, 2003). The challenges of inclusion may force schools to make fundamental changes in the way they organize learning activities and the ways members of the school community interact, suggests Dianne L. Ferguson (1995):

> Inclusion is a process of meshing general and special education reform initiatives and strategies in order to achieve a unified system of public education that incorporates all children and youths as active, fully participating members of the school community; that views diversity as the norm; and that ensures a high-quality education for each student by providing meaningful curriculum, effective teaching, and necessary supports for each student. (p. 281)

Seeing "diversity as the norm" is a tall order for schools in some Kansas communities where geographic isolation and the relative novelty of experiences with diversity combine to mitigate against a welcoming disposition towards newcomers who speak different languages and hail from distant lands. Nevertheless, the English language learner population in Kansas public schools is increasing annually at three times the average rate for the rest of the United States and, according to KSDE Building Reports, there are now 21,852 ELLs in the state (KSDE, 2003). Some school districts in the state are taking proactive approaches and view as a positive challenge

the task of getting ready to receive larger numbers of culturally and linguistically diverse students (Cook, personal communication, November 10, 2003). In her research paper, "Building a Program for Delivering ESOL Services in a Rural Kansas School," Gina Halksworth (2003) describes an "optimal scenario" for welcoming newcomers:

> A non-English speaking family moves into town one day and enrolls their children in the local school district. Up to now there was no need for the school to have an English Language Learner (ELL) program. But now they have to do something since there are new students who do not speak and understand English. Through the education of the entire staff and community, the new family receives a warm welcome. The community is very hospitable and all of the school personnel offer their services, if the family needs anything….
>
> The first day of school is very welcoming to the two new students. The foreign language instructor asks them to share their culture with her class, and perhaps help her out from time to time. The librarian shows them a special section of the school library with children's literature at all grade levels in a number of different languages, for pleasure reading. The counselor shows them around the school, introducing them to all the teachers, and sends a note home in their first language, inviting the family to the school's "Open House." A few days later, this letter is followed up by a phone call from the ESOL instructor, or translator, asking if the family has any questions and, again, inviting them to the "Open House." (p. 43)

According to the newest Phi Beta Kappa /Gallup "Poll of the Public's Attitudes Towards the Public Schools" (Rose, Lowell & Gallup, Alec, 2003), the general public believes that the persistent achievement gap separating white students from Hispanic and black students is due mostly to other factors besides quality of schooling. Ninety-seven percent of those responding to the Phi Beta Kappa/Gallup survey believe that "amount of parent involvement" and "home life and upbringing" are either somewhat or very important factors contributing to this difference in

educational outcomes. Ninety-five percent say “interest on the part of students themselves” is somewhat or very important; 94% attribute part of the blame to “community environment”; 71% believe “racial bias” plays an important role. The public perception, then, is that the solution to these achievement gaps is not to be found in schools.

However, the Center for Research on Education, Diversity and Excellence (CREDE) has accumulated more than a dozen years of research demonstrating that the presence of certain elements in classroom practices with at-risk students are consistently associated with: “improved academic performance, school attendance, dropout rates, student engagement, and/or parental and community satisfaction” (Tharp, Roland & Entz, Susan, 2003). According to this research, “regardless of grade level, cultural or racial group, or subject matter, two or more of these elements were present in successful programs.” The five key elements, or “Standards for Effective Pedagogy,” are:

1. Joint productive activity: Students and teachers producing together. Working together toward a common goal is the ideal setting for encouraging mutual assistance and for developing language in meaningful contexts. It is especially valuable for teachers to participate with children during activities; there they can see, evaluate, assist, and be most responsive to each child’s strengths and needs.
2. Language and literacy development: Developing language and literacy across the curriculum. In every activity, throughout the domain of instructional goals, the teacher has a metagoal: developing children’s language and literacy.
3. Contextualization/making meaning: Connecting school to students’ lives. Every major theory of human development—from cognitive science to sociocultural theory—assumes that understanding develops by connecting new information to things already known. Embedding the abstract goals of school in the knowledge, experiences, and values of children and their families increases retention and comprehension more than any other single strategy.

4. Challenging activities: Teaching complex thinking. Children learn what they are taught, and the more the teacher challenges them to use ever more complex thinking, the more they grow into it. The human brain is designed to seek new experiences and incorporate them into its developing structures. Since learning changes the physical structure of the brain, compelling cognitive challenges have a decisive and long-term impact on the actual architecture of the brain.
5. Instructional conversation: Teaching through conversation. At times children do need to listen in large groups, to hear instructions and follow them, and to practice some routines together, with teacher leading and children chorusing. But this is not the ideal context for learning, and there is no warrant in research or theory for allowing whole-group instruction to increasingly dominate classrooms, from preschool through high school. Rather, individual and small group dialogues, pervasive in the quality preschool classroom, offer the ideal model for learning. Only in dialogue, an instructional conversation, can a teacher assess and assist in maximum responsiveness to children's development. (pp. 39-40)

The five CREDE Standards for Effective Pedagogy provide a framework for building learning environments which address the differentiated needs found in the typical inclusive classroom. "These elements have been tested on special education populations as well," according to Tharp and Entz (2003). One recent example of the "literacy across the curriculum" element was at Dodge City Middle School, where during the 2002-2003 school year every teacher in every subject area consciously incorporated the use of graphic organizers to help all students understand and utilize information (Lutz, 2002). Graphic organizers, such as concept mapping, matrices and flowcharting, are a form of "scaffolding" used to help build literacy skills (Peregoy, Suzanne & Boyle, Owen, 1997):

> Scaffolding is a metaphor based on the temporary structures put up around buildings so that construction can take place. In learning and development, students are constructing

> the ability to carry out complex processes, such as walking, talking, reading, writing, thinking and understanding the social and physical worlds around them. Scaffolds are temporary supports…that permit learners to participate in the complex process before they are able to do so unassisted. (pp. 80-81)

*Scaffolding and the Dodge City Phenomenon*

At Dodge City Middle School, the use of graphic organizers as "scaffolding" for "literacy across the curriculum" resulted in a 60% increase in the numbers of eighth-graders scoring at proficient level or above on the state reading assessment, from 2002 to 2003.

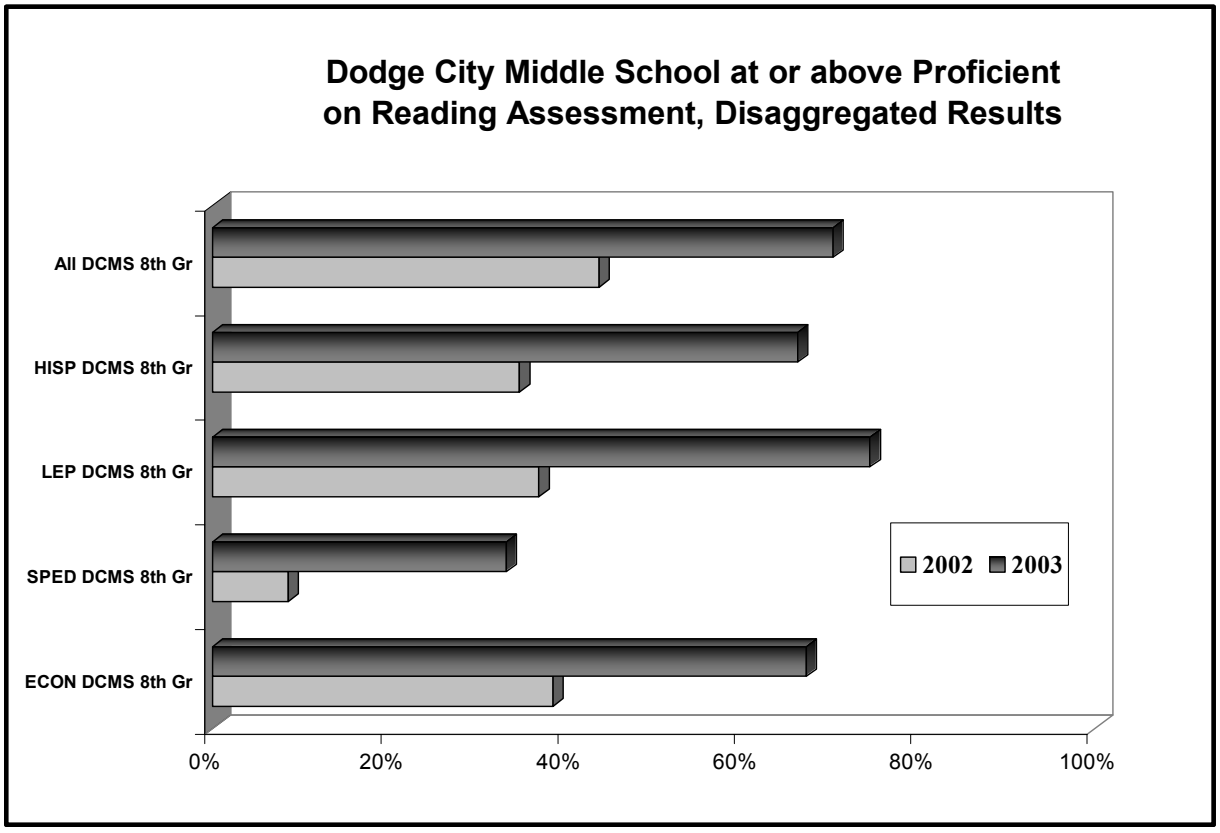


**Figure 1**

The details of this feat are worthy of taking note: 58.2% of the students at Dodge City Middle School are Hispanic; only 52% of Hispanic eighth-graders in the entire state scored at or above proficient on the 2003 reading assessment; 70.3% of eighth-graders at Dodge City Middle School scored at or above proficient on the 2003 reading assessment; that percentage is nearly at a par

with the percent of all Kansas eighth-graders, 70.5%, regardless of ethnicity/race, who scored at or above proficient on the 2003 reading assessment (KSDE, 2003).

Hispanic eighth-graders at Dodge City Middle School contributed strongly to the overall improvement in reading scores there: 66.3% of Hispanic eighth-graders at DCMS scored at or above proficiency, including 16.8% scoring at exemplary, the highest level, which outpaced white and Asian ethnic groups at DCMS scoring at that level, 10.1% and 16.7%, respectively (KSDE, 2003). Limited English Proficient, or LEP (ELL), students at DCMS made outstanding gains, 101% improvement: in 2002, 37% of ELL eighth-graders at the school scored at or above proficiency on the reading assessment; in 2003, 74.5% scored at or above proficiency, including 21.7% scoring at the exemplary level (KSDE, 2003). The disaggregated reading scores for Students with Disabilities among the eighth-graders at DCMS jumped 287%: 8.6% of Students with Disabilities scored at or above proficiency in 2002; 33.3%, in 2003. Economically Disadvantaged Students at Dodge City Middle School improved 74%: from 38.6% scoring at or above proficient on the 2002 reading assessment, to 67.3% in 2003 (KSDE, 2003).

Dodge City Middle School's 2002-2003 school year initiative applying the use of graphic organizers to work on literacy across the curriculum demonstrated the relevance of this element from the CREDE Standards for Effective Pedagogy in the Kansas context. Determining "appropriate instruction" for Kansas classrooms, which are increasingly multiethnic, multilingual and inclusive, will entail aligning learning activities with the CREDE Standards, a set of teaching principles with a proven track record. Dodge City Middle School's success provides clear evidence that the CREDE model is viable for Kansas schools. As teachers develop lesson plans aligned with the Kansas standards, they should also be making certain to consistently incorporate the five CREDE elements in order to enhance the learning experience for all students.

Another reason that what happened at Dodge City Middle School is important is because it illustrates the positive difference collaborative efforts among teachers can make in a school. The "literacy across the curriculum" CREDE standard implies that teachers are going to be

involved in a cooperative project which requires them to share ideas and compare notes on a regular basis. Peer observations were part of the process at DCMS, and these observations gave teachers new insights to help them work more effectively with students (Lutz, 2002). The motto at the middle school and across Dodge City Schools USD 443 district for the 2002-2003 year was "We work hard. We work smart. We work together" (Gerber, 2003).

The Dodge City example counters the notion held by the general public that poor achievement by minority groups is not a problem schools and teachers can solve (Rose, Lowell & Gallup, Alec, 2003); further, what happened to reading scores through the use of graphic organizers across the curriculum in Dodge City Middle School provides strong evidence to use in arguing against those who would claim that inclusive educational practices divert resources and attention away from higher achieving students. Everyone at Dodge City Middle School benefited from a "literacy across the curriculum" approach: the CREDE Standards offer at least part of the solution to the challenge of providing "appropriate instruction" which addresses differentiated needs in an inclusive setting.

*Making School Fun*

At Dodge City Middle School, the teachers and students were engaged in an endeavor to influence reading scores indirectly through a curriculum initiative which created a teaching and learning network in the school. The positive energy and enthusiasm which comes from such an overwhelming "joint productive activity" is part of the explanation for why projects like this have the potential to work so well. The administration established an atmosphere which was conducive to growth and development—for students and teachers—and kept the focus on teachers providing a meaningful educational experience for all the children in the school.

Enjoyment of learning is at the very heart of understanding what it means to provide all students with "appropriate instruction." Jerry Esfeld has been teaching fourth grade at Jefferson Elementary School in Great Bend for 40 years, now retired but still teaching on a part-time basis. She is membership chair of the Kansas Foundation for Agriculture in the Classroom, recently

attending that organization's annual conference in Nashville, with the theme, "Cows, Crops and Country Music" (The Hutchinson News, 2003). Jerry Esfeld was the first person in her family to go to college and she never doubted she wanted to be a teacher. She has been a finalist for Kansas Teacher of the Year, nominated for the Disney Teacher of the Year, named Outstanding Young Educator and named Professional Woman of the Year during a career dedicated to helping young children—including the author of this paper 36 years ago—develop self-confidence for life-long learning (Scott, 2002). "My main activity is now and always will be to continue to enjoy life and have fun in the classroom and wherever my daily activities take me," she said in an interview for a teaching newsletter (Scott, 2002). "My principal project is to make learning fun and develop strategies that will meet the needs of each student."

Fun plays a crucial role in education, according to John Dewey (1916):

> Experience has shown that when children have a chance at physical activities which bring their natural impulses into play, going to school is a joy, management is less of a burden, and learning is easier….
>
> Sometimes, perhaps, plays, games, and constructive occupations are resorted to only for these reasons, with emphasis upon relief from the tedium and strain of "regular" school work. There is no reason, however, for using them merely as agreeable diversions. Study of mental life has made evident the fundamental worth of native tendencies to explore, to manipulate tools and materials, to construct, to give expression to joyous emotion, etc. When exercises which are prompted by these instincts are a part of the regular school program, the whole pupil is engaged, the artificial gap between life in school and out is reduced, motives are afforded for attention to a large variety of materials and processes distinctly educative in effect, and cooperative associations which give information in a social setting are provided. In short, the grounds for assigning to play and active work a definite place in the curriculum are intellectual and social, not

> matters of temporary expediency and momentary agreeableness.... Art is again the answer to this demand. (chap. 15)

Art and the arts can greatly improve learning and accentuate the educational experience in ways which remain with the student long afterwards. Children with special needs gain tremendous access to the general curriculum through art activities (Hurwitz, Al & Day, Michael, 2001):

> Children in art are able to interact with such materials as paint or clay in direct response to their senses of sight, sound, smell and touch. The materials of art are sensory, concrete and manipulable in direct ways that are unique within the school curriculum. All the senses can be brought into interaction, providing opportunities to adapt art-making activities for students who have some sensory or motor impairment. For example, even totally blind children can form expressive objects with clay. Hearing-impaired children can visually observe a demonstration of color mixing with paint and can try the process with immediately verifiable results, and children with motor difficulties can work with finger paints or with large brushes for painting….
>
> The aspect of art activity that provides so much therapeutic potential is the creative and expressive dimension. Art, according to Susanne Langer (1967), is "the objectification of human feeling." Verbal language, says Langer, is inadequate for the expression of the life of feeling all human beings share. These feelings can be adequately expressed only through the arts. (pp. 74-76)

The difference that art can make in the learning experience of gifted students also has relevance for the Kansas context, where gifted is a special education category. In her Ph.D. dissertation (1987), Karen Lee Carroll explains an approach to incorporating art activities in gifted education:

> Art teachers should recognize that gifted education in art, whether it be for the academically or the artistically gifted—or both—must be as rich in ideas as it is in studio experiences. Likewise, the experiences should emphasize looking at and responding to works of art as well as creating images and objects. What is clearly apparent from

> practice is that bright students respond quickly and adeptly to art instruction. On the other hand, those with artistic gifts often need to be challenged to use their image-making abilities to think about and explore the world of ideas which reside in the history of art and in the realm of aesthetics. (as cited in Hurwitz, Al & Day, Michael, 2001, p. 102)

The following goals are associated with integrating art and the arts (music, dance, drama, etc.) across the curriculum (Gelineau, 2004):

- Sharpening sensory awareness
- Improving verbal/nonverbal communication
- Enhancing collaborative/cooperative skills
- Stimulating the imagination
- Developing creative potential
- Refining auditory/visual skills
- Aiding practice in gross/fine motor skills
- Fostering cognitive, affective, kinesthetic and aesthetic development
- Heightening sensitivity to diversity
- Providing emotional release and reducing stress
- Improving self-image
- Developing self-discipline (p. 9)

Howard Gardner (1993) argues for inclusion of the arts in the design of lessons in any subject area, on the basis of his model of nine different kinds of intelligence which expand the realm of learning beyond the traditional emphasis on analysis and reason in schooling. Gardner's "multiple intelligences" are:

- Logical/Mathematical Intelligence
- Verbal/Linguistic Intelligence
- Interpersonal Intelligence

- Existential Intelligence
- Visual/Spatial Intelligence
- Naturalist Intelligence
- Musical/Rhythmic Intelligence
- Body/Kinesthetic Intelligence
- Intrapersonal Intelligence (p. 11)

By accommodating for and encouraging growth within each of these multiple intelligence domains, teachers are also helping students to develop creativity skills (Gardner, 1993), and helping themselves to become more creative in the process (Gelineau, 2004). According to Gelineau (2004), teachers "can begin by becoming pathfinders…paying special attention along the route to [the] need to":

- Sharpen sensory awareness
- Develop a sense of humor
- Take more risks
- Perceive things in a different way
- Make new connections between unconnected things
- Use more imagination
- Think like a child
- Become more playful
- Break out of old habits
- Practice empathy
- Be more open to change (p. 26)

Gelineau offers the following advice for establishing a classroom environment which is as conducive as possible to learning, growth and creativity (2004):

> While it is agreed that arts experiences in the classroom can foster the ability to think creatively, the success of any creative activity may be in large part dependent upon the atmosphere the teacher has created in the classroom. If all children have been made to feel that their contributions are welcome and worthy, then the climate is fertile for creative thinking. In contrast, an environment disquieted by tension and shattered dignities will destroy any kind of creative effort. (p. 26)

For students to find this kind of a learning environment in Kansas schools is of paramount importance, if they are to grow into individuals who can access sources of new knowledge and develop creative solutions to the challenges facing that future version of their communities, the state, the nation and the global society.

*Assessing Learning Under NCLB*

If the reader of this paper is familiar with what teachers, administrators, schools and districts are going through today in Kansas, he or she is bound to be wondering where in fairyland such idyllic settings for learning and creativity can possibly be found, in the era of Adequate Yearly Progress, School Improvement and No Child Left Behind. Who has time to worry about deepening the experience of students through the arts or trying to make learning "fun"? How can teachers become "pathfinders" when they are continuously pushed to focus entirely on test preparation activities and the pressure of knowing the ramifications for their school if their students do not meet the AYP goals each year?

At Nancy Kraft's workshop, "No Child Left Behind and Strategies for Families of ELL Students," at the KSDE Migrant Ed/ESOL Conference in Wichita, on June 5, 2003, the discussion of the pressures of meeting Adequate Yearly Progress (AYP) goals degenerated into a complaint session in which teacher after teacher said they were being forced by NCLB to set aside good teaching practices and focus instead on "teaching to the test" so that their students would have a chance on the state assessments (Kraft, 2003). In Kansas, as in many parts of the country, cynicism about NCLB is growing. "The goal of making sure every child receives a good

education is an excellent one," said an unsigned opinion page editorial in the Kansas City Star (2003), "Unfortunately, Congress passed a law that hobbles the public schools with unfunded mandates and unrealistic goals."

Don Atkinson, Principal at Jefferson Elementary School and one of two members on the Quality Performance Accreditation (QPA) team for Great Bend Schools USD 428, believes that NCLB is just a continuation of a trend of changes which started with QPA in the late 1980s, with districts and schools being held more accountable for what the students are learning. "What we are trying to do is align our local curriculum with the state curriculum, and then teach to those objectives," he explained in a recent interview (Atkinson, D., personal communication, October 28, 2003). "It used to be the teacher could teach whatever they wanted whenever they wanted, and the textbook was the curriculum…now we are deciding what at each grade level will be taught….Some teachers like the focus and direction it gives them."

Atkinson explains that part of the problem with QPA and NCLB is that there have been a lot of changes. "We change horses in midstream fairly often," he said. "My hope is that these [NCLB] changes will stick around long enough that we get into that comfort zone and don't have too many new things for people to get used to."

Larrell Cook, Superintendent of Kismet-Plains Schools USD 483, agrees that there are tensions involved in implementing the new laws, but that administrators can alleviate the problems by being proactive (Cook, L., personal communication, November 10, 2003):

> NCLB has indeed brought many challenges that have led to increased stress levels throughout the district. We have made a commitment to our staff to offer quality professional development, align our curriculum with state standards and make it a working document by placing it online. We are having grade-level and curricular area meetings quarterly to share ideas and information. Communicating with our staff openly and often has helped to relieve tensions brought on by NCLB. They are aware that we

> will do everything we can at the district level to assist them in the challenges they face in the classroom daily. (¶ 2, L. Cook e-mail)

Special education professionals in Kansas have particular concerns regarding high-stakes testing for students on Individualized Education Plans (IEPs). In a position paper adopted by the Region 8 Special Education Cooperative (2003), it is argued that:

> the NCLB position on AYP and the requirement that all students achieve proficiency are seriously flawed and should be eliminated for special education students…No Child Left Behind directly conflicts with the IDEA [1997 Reauthorization of the Individuals with Disabilities Education Act] premise of identifying children who have disabling conditions that adversely interfere with their learning and providing individualized special services to allow those identified students to make progress. (¶ 6)

In a recent interview, Mark Hauptman, Assistant Superintendent, Hays Schools USD 489, explained that high-stakes state assessments, for many special education students, provide "no usable information" because they fail to fulfill either of the two main purposes required of any assessment, "to see where the child is, and evaluate instruction" (Hauptman, M., personal communication, November 4, 2003).

One NCLB requirement which has raised a lot of concern among special education professionals in Kansas is a 1% cap on the number of students in a district or in the state who may be included in AYP determinations using their alternate assessments rather than the regular state assessment. Since the 1997 Reauthorization of IDEA, Kansas has developed "Extended Curricular Standards" for all academic areas, for any student with severe cognitive disabilities whose Individualized Education Plan (IEP) team determines "the student meets the eligibility criteria for the alternate assessment" (KSDE, 2003). The eligibility criteria that the student must meet are:

- The student has an active IEP and is receiving services under IDEA and is age 10, 13, or 16 by September 1 of the assessment year; and

- The student's demonstrated cognitive abilities and adaptive behavior require substantial adjustments to the general curriculum. The student's learning objectives and expected outcomes focus on functional application, as illustrated in the benchmarks, indicators and examples in the extended standards; and
- The student will not take ANY regular state assessment, regular state assessment with accommodations or any of the assessments with modifications; and
- The student primarily requires direct and extensive instruction to acquire, maintain, generalize and transfer the skills done in the naturally occurring settings of the student's life (such as school, vocational/career, community, recreation & leisure and home); and
- The student scored at or below the 4th percentile on a nationally or locally normed assessment. (p. 3)

If the IEP team determines an alternative assessment is appropriate, they must select from the Extended Curricular Standards at least two but no more than three indicators for any one standard, and at least two indicators per content area, i.e., reading/writing, mathematics, science and social studies. A total of 15 target indicators must be chosen: at least nine of these for "emerging skills," which are "challenging skills at the student's current instructional level" and the rest for "maintenance skills," or "skills that have been demonstrated and are continually practiced to retain the student's performance level" (Wright, L., 2003).

The "emerging skills" must align with goals on that student's IEP. Data is collected over the school year for the 15 selected indicators, and maintained in an evidence file, or portfolio, kept in a secure location accessible to IEP team members to add evidence to. At the end of the school year, an examiner—who cannot be the parent, a current teacher or a paraeducator—conducts individual evaluation interviews with the respondents, who must include the special education teacher, can only include one paraeducator per student, must include the work

supervisor or job coach if there is a transition component (16 year old), must include any related service provider such as physical therapist, occupational therapist, speech language pathologist, etc., and parent participation is optional. The respondents are responsible for collecting and submitting evidence on each of the target indicators used in the alternative assessment, including: student performance at any level; multiple items for each indicator; demonstration of progress over time and in different settings; the evidence file itself, containing samples of the student's classroom work, vocational activities, photographs, video or audio tapes, etc.; and covering each of the 15 indicators selected by the IEP team (Wright, L., 2003).

The above description reflects current practice in Kansas regarding alternative assessments. On May 16, 2003, Kansas State Assistant Commissioner of Education Alexa Pochowski directed a letter to the Office of Elementary and Secondary Education, U.S. Department of Education, to convey the concerns of KSDE regarding significant conflicts between requirements under IDEA and those found in the 2002 Reauthorization of the Elementary and Secondary Education Act, better known as No Child Left Behind. One of her concerns was the 1% cap on alternative assessments for AYP:

> Of the total number of assessments given in 2002 (221,203), just 5,189 students with disabilities participated in the alternate assessment. Those students most likely to take the alternate assessment were those students with severe multiple disabilities—86.4%. The next most likely, at 66.7%, were the mentally retarded, with the autistic, at 61.4% or nearly the same rate. Remarkably, 35% of autistic students, 30% of the mentally retarded and 71% of those with traumatic brain injuries were given the regular assessment. This tells us that the use of alternate assessments is restricted based on the severity of the cognitive impairment, not on disability category. In terms of the total percent who participated in alternate assessments in Kansas, about 2.3% engaged in some form of alternate assessment. (¶10)

In her letter, Assistant Commissioner Pochowski asked that the Federal government not set a fixed percentage as a cap for alternative assessments which can be counted toward AYP. The fact is that any alternative assessments beyond the 1% cap are counted as below proficient level for the purposes of school or district AYP. KSDE continues to recommend that IEP teams determine eligibility for alternative assessment with regard only to the requirements set by the state, in compliance with the 1997 IDEA, currently still in force pending reauthorization by Congress. However, the Federal government refuses to change the 1% cap, so there are likely to be AYP consequences in Kansas.

*Expanding the Alternate Assessment Model?*

Kansas is right to insist on providing the Alternate Assessment option to qualifying special education students. In fact, this alternative assessment model may well hold the key to resolving current problems associated with the high-stakes, single-test on a single-day nature of assessment for AYP purposes under NCLB. The data from such assessments is open to a significant amount of error, and, according to the National Research Council (Heubert and Hauser, 1999), "no single test score can be considered a clear measure of a student's knowledge."

By restructuring the State of Kansas Assessments in Reading, Math and Writing to include, in addition to annual one-day tests, a version of the Kansas Alternate Assessment model, with its emphasis on authentic assessment and multiple data collection points during the school year, for all students in the grades being assessed, the state would make the QPA and AYP processes more relevant to the differentiated needs of every child in today's inclusive classrooms. By tying the assessment process more closely to the ongoing teaching and learning cycle throughout the school year, KSDE would be forcing schools and teachers to adjust their focus back onto the quality of each student's educational experiences.

Kansas students would be the primary beneficiaries of a new state assessment system combining data from yearly tests and multiple portfolio assessments integrated with and informing classroom instructional practices. The composite for each student through these two

data streams would provide teachers, schools and the state with a more accurate picture of how well students are learning and schools are functioning. Teachers would still be creating lessons and units based on the same Kansas Standards being used today, but would be much less inclined to give exaggerated priority to preparing students directly for the test-taking experience. Teachers would become full partners with school, district and state administrators in the process of inputting assessment data to inform decisions about curriculum and instructional strategies.

*Teaching to the Essential Standards*

Until that day comes, there are a few things Kansas educators can do to maintain the focus on learning experiences, student growth and enjoyable activities, while indirectly contributing to each student's confidence and ability to do perform to his or her potential on the inevitable annual assessments.

Beginning in the 2005-2006 school year, students in grades 3, 4, 5, 6, 7 and 8 (and once more during the three years from 9th to 11th grade) will be required to take the State of Kansas Reading Assessments. This is a change from the current requirement of a test at the end of 5th, 8th and 11th grades. New Kansas Curricular Standards for Communication Arts were approved by the Kansas State Board of Education in July, 2003, and are posted on the KSDE Web site. New state assessments in reading and writing are being developed in alignment with the newly approved standards (KSDE, 2003).

Imagine that you are teaching eighth grade and want to design a unit which addresses one or more of the triangled (highlighted for inclusion on the state assessment) Knowledge-Based Indicators listed under new Communication Arts Standard 1, "The student reads and comprehends text across the curriculum," Benchmark 3, "The student expands vocabulary."

Eighth Grade Knowledge Base Indicators for S1B3

The student…

1. Δ determines meaning of words or phrases using context clues (e.g., *definitions, restatements, examples, descriptions, comparison-contrast,* clue words, *cause-effect*) from sentences or paragraphs.

3. Δ determines meaning of words through structural analysis, using knowledge of Δ Greek, Δ Latin, and Anglo-Saxon Δ roots, Δ prefixes and Δ suffixes to understand complex words, including words in science, mathematics and social studies.

4. Δ identifies and determines the meaning of *figurative language*, including Δ*similes*, Δ *metaphors*, Δ *analogies*, Δ *hyperbole*, Δ *onomatopoeia*, Δ *personification*, Δ *idioms,* Δ *imagery*, and *symbolism*. (pp. 233-234)

In designing a unit aligned with one or more of these highlighted indicators, you also want to be certain to align your lessons with one or more of the CREDE Standards of Effective Pedagogy, discussed above, because several of your students qualify for free school lunch and several others are English language learners. The first step is to discover possible alignments of the highlighted indicators from 8th grade Communication Arts S1B3 above with indicators for the CREDE elements (crede.org):

Alignment of S1B3 Knowledge Base Indicators with CREDE Standard 2

S1B3I4 with CREDE S2I5: *The teacher connects student language with literacy and content area knowledge through speaking, listening, reading and writing activities.* (www.crede.ucsc.edu/standards/2ld.shtml)

In particular, this indicator for the second CREDE Standard seems well-suited for the Instructional Example given by KSDE for S1B3I4: *The teacher has the students examine the work of American poets such as Edgar Allen Poe, Robert Frost and Carl Sandburg for word relationships such as analogies, similes and metaphors. Students then create their own word relationships modeled after the poets.* (p. 234)

Next, because you know that integrating the arts with your instruction can greatly enhance the learning experience for your students, you decide to try to align your unit with one or more indicators from the new draft of Kansas Curricular Standards for Theater (KSDE, 2004). Intermediate Standard #3, "Developing Acting Skills," and Benchmark 1, "The student imagines and clearly describes characters and their relationships," seem to fit with the raw materials you already have collected from the CREDE and Reading standards above. Indicator 2, "*The student role-plays a character who interacts with and responds to a specific situation*," can be adapted for the reading lesson you are designing.

Sample Lesson Plan Integrating Arts and CREDE with Reading Instruction

Grade Level: 8th Grade

Subject(s):

- Communication Arts / Reading / Expanding Vocabulary
- Literacy Development
- Developing Acting Skills

Duration: 1-2 hours per day, 3 days

Description: This lesson introduces students to figurative language in the Robert Frost Poem, "The Road Not Taken."

Objectives: Students will be able to: 1) identify and determine the meaning of metaphors and analogies in a poem; 2) connect the language of the poem with the real-life processes of making decisions and choices; 3) role-play a character based on the poem's narrator, and act out the same or a similar situation.

These are the first several steps as an example of how to integrate arts standards, CREDE standards and content area standards for the purpose of developing lesson plans and learning units which meet and go beyond the objectives required for satisfactory performance on annual state assessments. It will not be easy for a building or district administrator to establish an environment conducive to teachers creating lesson plans which "bundle" arts, CREDE and content-area

standards. The first step may be to discourage teachers from discussing state assessments at all. What are some other ways to define the goals for the school? Is it possible to engage all members of the school community in activities and projects which provide intrinsic enjoyment while also hitting learning targets? How would teachers react to an in-service on making school more fun?


**Figure 2**

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