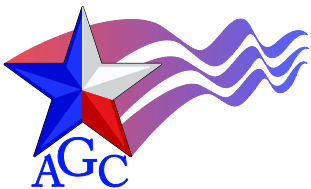


Grading and Progress Monitoring for Students with Disabilities

A Resource for Teachers

A Collaborative Project of the Texas Education Agency and the Statewide Access to the General Curriculum Network



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Introduction

Grading can often be a conundrum for teachers, administrators, and parents. Grades should accurately reflect the student's relative mastery of the curriculum (i.e., the district's Prekindergarten curriculum at Pre-Kindergarten and the Texas Essential Knowledge and Skills (TEKS) at Kindergarten through twelfth grade). In order to make grades accurate and fair, schools should provide students with clear and compelling standards for grading.

While students who receive special education services are required to have annual individualized education program (IEP) goals, these goals are not a substitute for the grading assignments linked to the general curriculum. Instead, IEP goals identify specific areas of need in which a student will receive specially designed instruction from a special educator in order to access and progress in the general curriculum. Rather than substituting for or supplanting the general curriculum, IEP goals help a student access and progress in the general curriculum.¹ At times, grades may be the sole system of gauging mastery, communication, and reflection of student progress and mastery of the general curriculum. When a student receives special education services, schools are also required to report on the student's progress toward mastery of IEP goals; however, this is a separate and distinct requirement from assigning course grades, as IEP goals are not the same as course content. Therefore, it is very important that the grading system provide valid and meaningful information for the teacher, parent, and student.

Because teachers of all students exercise judgment in grading in the classroom, there is room for subjectivity to enter the grading arena. This becomes especially challenging when teachers are also implementing IEPs in both self-contained and inclusive settings.

In considering grading for students with disabilities, schools must first have an effective grading and reporting system in place for all students (Jung & Guskey, 2007). Grading systems should be accurate, meaningful, consistent, and supportive of learning.

Currently, state law outlines the requirements for a school district grading policy in Texas Education Code (TEC) § 28.0216. It states a district's grading policy:

1. Must require a classroom teacher to assign a grade that reflects the student's relative mastery of an assignment;
2. May not require a classroom teacher to assign a minimum grade for an assignment without regard to the student's quality of work; and
3. May allow a student a reasonable opportunity to make up or redo a class assignment or examination for which the student received a failing grade.

In addition to state statute, Section 504 of the Rehabilitation Act of 1973 prohibits the discrimination on the basis of disability in programs or activities receiving federal financial assistance and Title II of the Americans with Disabilities Act of 1990 prohibits discrimination on the basis of disability by public entities, including public elementary and secondary school systems, regardless of receipt of federal financial assistance.

This document provides readers with a list of current statutes regarding grading and best practices regarding grading students with disabilities. This document will also discuss the unique situations that arise with modified content. Additionally, this document will discuss the decisions that admission, review, and dismissal (ARD) committees and classroom teachers can make regarding grading.

¹In Preschool Programs for Children with Disabilities (PPCD), a district-adopted curriculum should be in place. Consider a research based developmental checklist to report progress in lieu of taking grades. Preschool curriculum has a social emotional focus; therefore, letter grades do not accurately reflect growth in these areas

Legal Citations

Neither the Individuals with Disabilities Education Act (IDEA) nor any other federal education laws contain requirements for grading. Therefore, each state has discretion on the issue.

The TEC is the set of state laws our state legislators have passed that relate to education. ARD committees do not have the authority to override state laws. The Texas Administrative Code (TAC) is the set of rules that the State Legislature has authorized the Texas Education Agency (TEA) or the State Board to write. ARD committees must also follow these rules.

Below are selected state statutes and administrative rules regarding grading requirements in Texas. Note that these state statutes apply to all public school students in Texas regardless of special education eligibility.

TEC §28.021 addresses requirements for a student to progress from one grade level to the next.

TEC §28.021. STUDENT ADVANCEMENT.

- (a) A student may be promoted only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level.
- (b) In measuring the academic achievement or proficiency of a student who is dyslexic, the student's potential for achievement or proficiency in the area must be considered.
- (c) In determining promotion under Subsection (a), a school district shall consider:
 - (1) the recommendation of the student's teacher;
 - (2) the student's grade in each subject or course;
 - (3) the student's score on an assessment instrument administered under Section 39.023 (a), (b), or (l), to the extent applicable; and
 - (4) any other necessary academic information, as determined by the district.
- (d) By the start of the school year, a district shall make public the requirements for student advancement under this section.
- (e) The commissioner shall provide guidelines to districts based on best practices that a district may use when considering factors for promotion.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 895, Sec. 28, eff. June 19, 2009.

Acts 2011, 82nd Leg., R.S., Ch. 307, Sec. 1, eff. June 17, 2011.

TEC §28.0214 addresses who has the authority to determine a student's grade in a class/subject area.

TEC §28.0214. FINALITY OF GRADE.

(a) An examination or course grade issued by a classroom teacher is final and may not be changed unless the grade is arbitrary, erroneous, or not consistent with the school district grading policy applicable to the grade, as determined by the board of trustees of the school district in which the teacher is employed.

(b) A determination by a school district board of trustees under Subsection (a) is not subject to appeal. This subsection does not prohibit an appeal related to a student's eligibility to participate in extracurricular activities under Section 33.081.

Added by Acts 2003, 78th Leg., ch. 194, Sec. 1, effective June 2, 2003.

Renumbered from Education Code, Section 28.0212 by Acts 2005, 79th Leg., Ch. 728, Sec. 23.001(14), eff. September 1, 2005.

TEC §28.0216 establishes requirements for local educational agencies' (LEAs) grading policies. While the statute is titled "District Grading Policy," it applies to both independent school districts and charter schools in Texas.

TEC §28.0216. DISTRICT GRADING POLICY. A school district shall adopt a grading policy, including provisions for the assignment of grades on class assignments and examinations, before each school year. A district grading policy:

- (1) must require a classroom teacher to assign a grade that reflects the student's relative mastery of an assignment;
- (2) may not require a classroom teacher to assign a minimum grade for an assignment without regard to the student's quality of work; and
- (3) may allow a student a reasonable opportunity to make up or redo a class assignment or examination for which the student received a failing grade.

Added by Acts 2009, 81st Leg., R.S., Ch. 1236, Sec. 1, eff. June 19, 2009.

TAC §74.26 establishes requirements for awarding credit to a student for a course.

TAC§74.26. Award of Credit.

(a) The award of credit for a course by a school district affirms that a student has satisfactorily met all state and local requirements. Any course for which credit is awarded must be provided according to this subsection.

(1) Credit earned toward state graduation requirements by a student in an accredited school district shall be transferable and must be accepted by any other school district in the state. A district may not prohibit a new student from attending school pending receipt of transcripts or records from the school district the student previously attended. Credit earned in a local-credit course may be transferred only with the consent of the receiving school district.

(2) A school district must ensure that the records or transcripts of an out-of-state or out-of-country transfer student (including foreign exchange students) or a transfer student from a Texas nonpublic school are evaluated and that the student is placed in appropriate classes promptly. The district may use a variety of methods to verify the content of courses for which a transfer student has earned credit.

(b) Districts may offer courses designated for Grades 9-12 (refer to §74.11 of this title (relating to High School Graduation Requirements)) in earlier grade levels. A course must be considered completed and credit must be awarded if the student has demonstrated achievement by meeting the standard requirements of the course, including demonstrated proficiency in the subject matter, regardless of the time the student has received instruction in the course or the grade level at which proficiency was attained. The academic achievement record (transcript) shall reflect that students have satisfactorily completed courses at earlier grade levels than Grades 9-12 and have been awarded state graduation credits.

(c) Credit for courses for high school graduation may be earned only if the student received a grade which is the equivalent of 70 on a scale of 100, based upon the essential knowledge and skills for each course.

(d) In accordance with local district policy, students who are able to successfully complete only one semester of a two-semester course can be awarded credit proportionately.

Source: The provisions of this §74.26 adopted to be effective September 1, 1996, 21 TexReg 4311; amended to be effective September 1, 1998, 23 TexReg 5675; amended to be effective September 1, 2001, 25 TexReg 7691

TEC §28.022 establishes requirements regarding the notification to parents when their child is performing unsatisfactorily.

Sec. 28.022 NOTICE TO PARENT OF UNSATISFACTORY PERFORMANCE

(a) The board of trustees of each school district shall adopt a policy that:

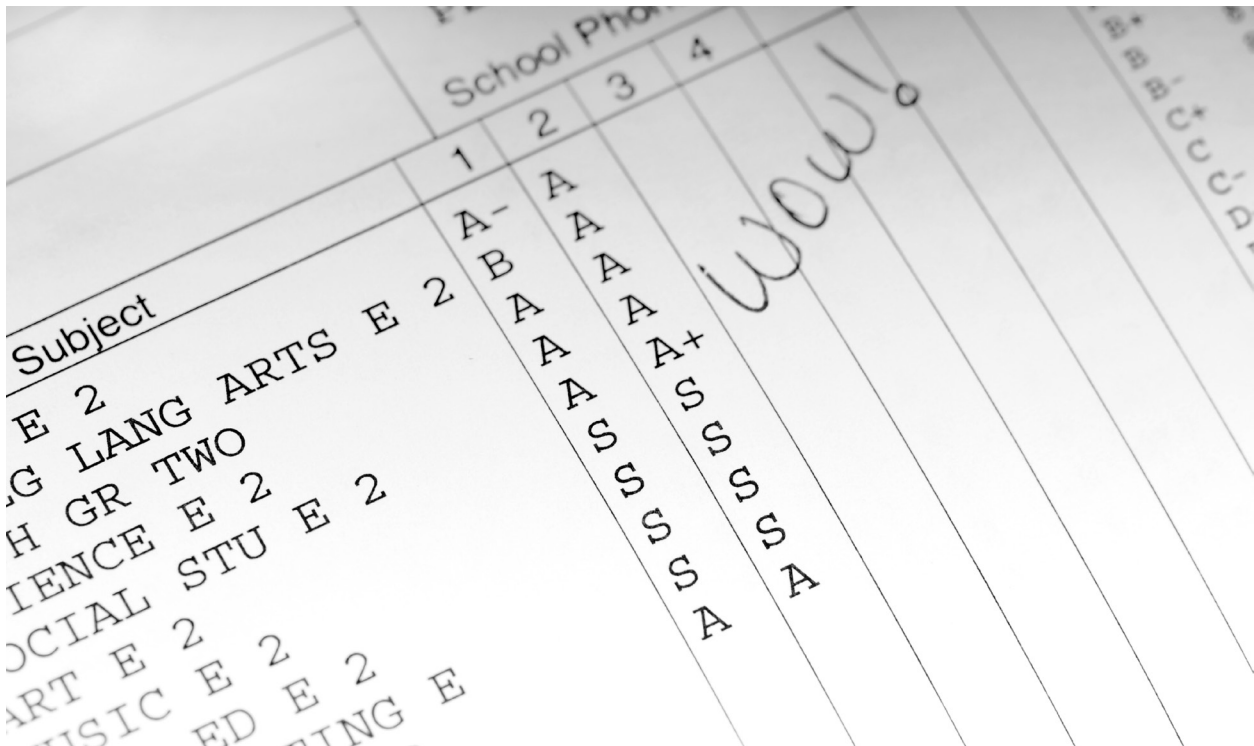
- (1) provides for a conference between parents and teachers;
 - (2) requires the district, at least once every 12 weeks, to give written notice to a parent of a student's performance in each class or subject; and
 - (3) requires the district, at least once every three weeks, or during the fourth week of each nine-week grading period, to give written notice to a parent or legal guardian of a student's performance in a subject included in the foundation curriculum under Section 28.002(a)(1) if the student's performance in the subject is consistently unsatisfactory, as determined by the district.
-

Confidentiality of Report Cards and Transcripts

Report cards and transcripts each convey information about a student's education. Local Education Agencies (LEAs) issue report cards to parents and guardians to indicate their child's progress or level of achievement in specific classes, course content, or curriculum. Conversely, a transcript informs postsecondary institutions or prospective employers of a student's credentials and academic achievements. Therefore, an LEA may share a transcript with individuals other than the student and his/her parent(s)/guardian(s).

The Office for Civil Rights (OCR) has determined that report cards *may* include information about a student's disability, including whether the student receives special education and/or related services, as long as it also informs parents about their child's progress and level of achievement in specific classes, course content, or curriculum, since this is the underlying purpose of a report card. Report cards are available only to parents and guardians, but are not available to post-secondary institutions, potential employers, or others outside of the LEA.

Section 504 of the Rehabilitation Act and Title II of the Higher Education Act do not expressly outline confidentiality requirements, but prohibit different treatment on the basis of disability. Generally these statutes prohibit unnecessary disclosures of disability status to third parties. Because transcripts are provided to persons other than the student and their parent/guardian and reflect academic achievement and credentials, transcripts may not contain information disclosing students' disabilities.



Purpose and Audience of Grades

A student's grades communicate his/her relative mastery of content. Educators gather achievement information for two distinct reasons: to make instructional decisions (formative assessment) and to communicate summative performance in a course or on a task (summative assessment). This communication could be to administrators or other instructional personnel, the student, or the student's parent(s)/guardian(s).

Teachers take data and/or grades in two distinct ways. Formative assessments take place during instruction for the following purposes:

- to make instructional decisions;
- to gauge the efficacy of teaching practices and the student's acquisition of knowledge and skills;
- to identify and remediate individual and group deficiencies;
- to allow students to reflect on their progress prior to the determination of a final grade; and
- to guide future instructional decisions and learning experiences.

Summative assessments, however, take place in order to reflect mastery of content at a certain point in time. Summative assessments include questionnaires, surveys, interviews, observations, testing, and projects (a culminating project that synthesizes knowledge). Schools use this information to:

- convey information regarding achievement to parents and students;
- call attention to the needs of struggling learners;
- determine students' grade-level promotion and retention; and
- determine awards, accolades, and entry into clubs/activities.

Both formative and summative assessments are critical pieces of information to have at all levels of education, including early childhood. All children grow at such different rates that LEAs must monitor students' progress closely, so that teachers can assist students at the earliest signs of academic struggle.

While educators and districts have some flexibility in determining the frequency of reporting students' progress, according to TEC §28.022, districts must craft a policy in which teachers notify parents or legal guardians in writing of unsatisfactory progress at least once every three weeks or during the fourth week of each nine-week grading period. This includes a student's performance in a subject included in the foundation curriculum under Section 28.002(a)(1) if the student's performance in the subject is consistently unsatisfactory, as determined by the district. This applies to grades Pre-K – 12.

Authority For Decision Making, Progress Monitoring, and Grading Responsibilities for Teachers

Decision Making

The ARD Committee is responsible for making decisions surrounding grading practices for students with disabilities. ARD committees must base grading considerations and decisions on individual student needs. Day-to-day decisions by classroom teachers pertaining to grading should reflect the ARD committee's choices for accommodations, modifications, IEP goals, progress monitoring, and grading. ARD committees must ensure that accommodations and modifications included in the IEP are effective for the student. Accommodations and modifications should assist students in accessing and progressing in the general curriculum and in meeting his/her IEP goals. Their intent is not so that a student passes a class. (Freedman, 2008).

The ARD committee is also responsible for continuously reviewing and updating its decisions based on a student's progress and based on his/her present levels of academic achievement and functional performance (PLAAFP). The ARD committee also ensures supports and services are being faded, increased, and altered (when appropriate) to ensure least restrictive environment and aptly providing free appropriate public education (FAPE). The least restrictive environment is inclusive of supports and services, not simply a location where services are received.

Educators involved in the decision making progress should react quickly to low grades that might indicate a student is struggling to access or make progress in the general education curriculum. When there is concern that the current supports and supplementary services are no longer effective for a student, an ARD committee meeting may need to take place. The ARD committee must revise the IEP as appropriate to address a student's lack of expected progress toward the annual goals and in the general education curriculum (34 CFR §300.324(b)(1)(ii)(A) and 1414(d)(4)(A)(ii)(I)).

The following charts differentiate the various roles that individuals and/or groups serve in the decision making process concerning grading students with disabilities. In addition, the charts can serve to clarify specific responsibilities of those individuals and the actual grading process.



Decision Making Responsibilities Related to Grading

ARD Committee (Makes individualized decisions for each student)	Administrator (Makes general decisions for a campus)
<ul style="list-style-type: none"> • Determines location, duration, and frequency of services that will allow a student to access and make progress in the general education curriculum. • Determines who (what position: Special Educator, General Educator, Related Service Provider, Etc.) is responsible for implementing and measuring progress toward IEP goals.* • Determines the accommodations, modifications, supports, and supplementary aids and services needed by each student with a disability to successfully be involved in and progress in the general curriculum while achieving the goals of the IEP. • Determines “how often” and “how” the LEA will monitor and report the student’s progress towards IEP goals. • Determines promotion/retention decisions.** • Determines modified grading policy if appropriate. *** 	<ul style="list-style-type: none"> • Determines any “campus” grading policies for all students • Determines master schedule for campus, including assignments of teachers and support staff. Administrator would also determine teacher of record for grading purposes. • Determines how to implement the district’s grading policy. • Determines when and how the LEA reports grades to parents. • Determines how those implementing the IEP would document supports, including accommodations, modifications, and specially designed instruction.

*This determination is not a requirement, but ARD committees may find it helpful to include this information in a student’s IEP.

** ARD committees will make decisions pertaining to promotion and retention, serving also as the grade placement committee when a student fails, with the **exception of determining if a student receives “course credit” for high school**. For additional information, refer to the legal citations provided in this document (Pg.6).

***If appropriate accommodations, modifications and specially designed instruction are in place for a student, there should be few instances when there would be a need to alter the student’s individual grading policy. When doing so, the ARD committee should be able to defend the reason and ensure that the committee made the decision based on individual student needs. **The ARD committee must also ensure that the grading policy a student’s teachers use is one that is also available to all students regardless of special education eligibility**. For additional information, refer to the legal citations provided in this document.

Educators' Grading Responsibilities in the General Education Setting for Students with Disabilities

General Educator	Special Educator	Classroom Paraprofessional
<ul style="list-style-type: none"> • Maintains knowledge of the accommodations/ modifications to be implemented in the IEP. • Partners with special educators to determine appropriate implementation of accommodations and modifications for specific content standards. • Implements any accommodations/ modifications through development of appropriate assignments and assessments per the student's IEP. • Maintains documentation (according to LEA policy) of the provision of special education services to students as specified in each student's respective IEP. • Responsible for final grade determination for assignments and overall course/class (unless otherwise specified by the ARD committee). • Responsible for ensuring accurate reporting of grades. • Provides fair assessments that allow students an equal opportunity to demonstrate what they know (Bauer and Brown 2001). • Responsible for asking for a review of IEP through a staffing or ARD meeting if concerns/questions exist regarding student's IEP and/or lack of expected progress toward the annual goals and in the general education curriculum. 	<ul style="list-style-type: none"> • Ensures general educator is aware of any individual student IEP-directed accommodations and/or modifications, including goals/objectives related to the content/course. • Assists in incorporating IEP-required accommodations and/or modifications into lesson plans. • May assist in final grade determination for both assignments and overall course/class as determined by the student's IEP. • Designs process/forms for collection of data on student progress on IEP goals/objectives. • May assist in grading assignments/tests. • May assist with recording and/or reporting of grades. • Responsible for asking for a review of IEP if concerns/questions exist regarding student's IEP and/or lack of expected progress toward the annual goals and in the general education curriculum, where appropriate. 	<ul style="list-style-type: none"> • Provides any information requested by teacher(s) for consideration of grading. • Assists in preparation of materials as needed to implement accommodations/modifications. • Assists in documenting provided accommodations/modifications. • Implements supports under the direction of teacher(s). • May assist in grading objective assignments/tests (i.e. multiple choice, fill in the blank, etc.). • May assist in clerical recording of grades. Note that some LEAs allow only the classroom teacher to enter grades in grade book/online grading system. • May assist in collection of data on student mastery of material using criteria/checklist developed by general or special educator.

Progress Toward IEP Goals

If a student fails to maintain progress or fails to make progress toward an IEP goal for two consecutive reporting periods, best practice states that the ARD committee should consider the need to meet and evaluate current supports and services that are not currently resulting in “progress.” To better explain when there would be a need to re-evaluate a student’s services based on lack of progress, consider the following goal.

A student in 3rd grade has a goal to increase reading fluency on a 3rd grade leveled text to 65 wpm with no more than four errors.

(Baseline: student is reading 3rd grade leveled text at 35 wpm with eight errors)

	1st Reporting Period/Progress Report	2nd Reporting Period/Progress Report	3rd Reporting Period/Progress Report	4th Reporting Period/Progress Report
SCENARIO A	Student is reading at 45 wpm with seven errors	... 45 wpm with seven errors	... 50 wpm with four errors 58 wpm with four errors
	Student maintained and continued to make progress toward IEP goal. No need to call an ARD meeting based on progress towards goal. Continue supporting student in this area in order to maintain the progress gained in this area.			
SCENARIO B	Student is reading at 45 wpm with seven errors	...43 wpm with seven errors	...43 wpm with seven errors	...45 wpm with five errors
	Student failed to maintain progress after 1st reporting period and failed to progress after 2nd reporting period. The ARD committee should meet after 2nd reporting period to re-evaluate specially designed instruction and supports needed for student to make progress towards goal.			
SCENARIO C	Student is reading at 45 wpm with seven errors	...56 wpm with five errors	...56 wpm with five errors	...52 wpm with SIX errors
	Student made progress after 1st reporting period but failed to maintain progress during the next reporting period and failed to progress between the 3rd and 4th reporting periods. The ARD committee should meet to re-evaluate specially designed instruction and supports needed for student to make progress towards goal.			

Accommodations, Modifications, and How IEP Goals Impact Grading Students with Disabilities

There is a great deal of confusion and misconceptions amongst educators and parents regarding how accommodations, modifications, and IEP goals impact and affect grading practices for students with disabilities.

IDEA 2004 requires the ARD committee to determine and provide the accommodations, modifications, supports, and supplementary aids and services needed by each student with a disability to successfully be involved in and progress in the general curriculum while achieving the goals of the IEP regardless of which state assessment the student is taking.

Accommodations are changes in how the student is accessing content and materials. Accommodations do not change the learning standards for the student, but allow the student to participate in and demonstrate mastery of the general curriculum.

Modifications are changes to the depth of what students are taught and tested. Modifications change the expectation of learning.

An ARD committee may decide that a student needs specific accommodations and modifications for instruction while needing different accommodations and modifications for assessment. This section will clarify how these specific aspects of a student's ARD impact grading.

Accommodations

Accommodations are intended to reduce or even eliminate the effects of a student's disability but do not reduce learning expectations. An accommodation is a change that is necessary and does not fundamentally alter or lower the standard or expectations, but may change the manner in which students demonstrate mastery of knowledge or skills. If an ARD committee determines it is necessary to provide a student with a disability accommodations in order for him/her to participate, access, and progress in the general curriculum, the educator must implement the accommodations for instruction and assessment as prescribed by the IEP. Then the teacher grades the student according to the established learning criteria. If a student's accommodations are not implemented as written in the IEP, it is unfair to grade a student on such an assignment.

Since an accommodation does not change the mastery expectation, there is no need to indicate accommodations when reporting grades. However, while accommodations may or may not be included with the reporting of grades, this does not mean that their implementation does not require documentation. Educators should refer to their local requirements and expectations for documenting accommodations provided per a student's IEP. The Education Department General Administrative Regulations (EDGAR) in CFR section 76.731 "requires that a State and a subgrantee must keep records to show its compliance with Federal legal requirements" (Letter to Brousaides, June 9, 2010). According to the same guidance, documentation is required "to ensure that the public agency provides FAPE to a child with a disability in accordance with the child's IEP".

Modifications

Modifications are practices and procedures that change the nature of the task or target skill. A modification is a change that is necessary for a student to gain access and make progress in the general curriculum. Modifications fundamentally alter or lower the standard or expectations for the student. When an ARD committee determines that modifications are necessary, it is important that all members of the team, including the student and parent(s), have a clear understanding of how the student's educators will implement the modifications. ARD committees consider modifications on a content-by-content basis. Educators implement modifications in subject areas only when the student requires modifications in order to meet his/her needs. Educators provide modifications to instruction in coordination with the student's assignments and assessments.

Educators must modify assignments or assessments prior to grading a student's work. Following this procedure allows for a student's individual achievement to be the basis of his/her grade and provides for a true reflection of his/her mastery of content as demonstrated through completed modified work, assignments, and tasks, etc. This allows for a shift away from subjective grades and allows objective measures and mastery of assignments to be the basis for grades in compliance with TEC §28.0216.

In order to communicate a clear meaning of a student's grade, educators may include a notation for grades achieved on modified assignments and assessments. Additionally, educators may include these types of notations on students' report cards when local guidelines allow. Consistent with the underlying purpose of a report card, these notations provide information that informs parents about their child's progress or level of achievement in specific classes, course content, or curriculum.

It is essential to remember that, regardless of grading, educators must document the provision of modifications provided to a student according to local requirements (EDGAR Section 76.731). It is important to distinguish that neither a notation on the student's report card (when local policy allows) nor documenting the provision of services is IEP progress monitoring or reporting. Progress reporting of a student's mastery toward his/her IEP goals is separate from the reporting of the student's classroom grades.



Grading Example

In a Math class, the teacher expects students to calculate long division problems involving four digit numbers by two digit numbers accurately. The teacher designs an assessment that includes 20 word problems for students to complete in a 45-minute class period.

With Accommodations:

An accommodation for a student may allow the teacher to break the assessment up over several sessions. When the student has completed the assessment, the teacher would grade it in the same manner as he/she did for students who did not receive the accommodation, in this case, as a percentage. If the student misses three of 20 questions on the test, with accommodations, he/she would score an 85 percent. There would be no need to make a notation with the grade or assessment in the grade book since the accommodation had no effect on the expectation of the assessment. The teacher may document the provision and efficacy of the accommodation.

With Modifications:

A modification for a student on this assessment might be to complete division problems involving three digits by one-digit numbers. This student's assessment would consist of the same problems with an altered number of digits to reflect the modification appropriately.

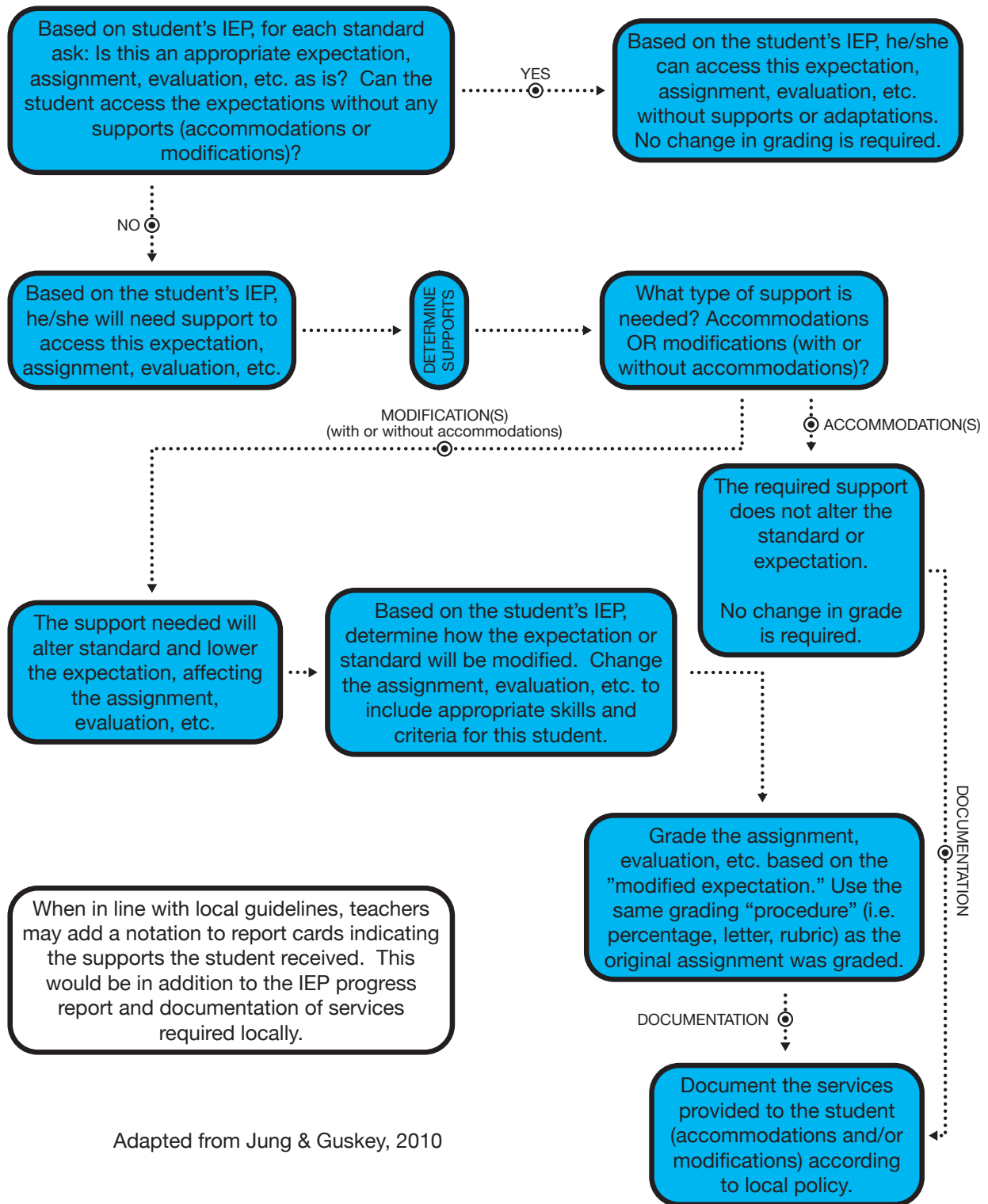
Or

A student would only complete word problems involving numbers that evenly divide (no remainders).

In both modification examples, the modified assessment would be provided to the student and would then be graded based on his/her completion in the same manner as his/her peers who had not received modifications as a percentage. If the student misses three of the modified questions out of 20, he/she would score an 85 percent. If local policy allows, the teacher may include a notation next to the assessment indicating the provided modification.

The following page includes a flowchart that outlines the decisions teachers make in regards to grading work completed by students with disabilities with or without accommodations and/or modifications.

Considerations for Grading Flowchart



Adapted from Jung & Guskey, 2010

IEP Goals and IEP Progress Reporting

All students receiving special education services must have measurable annual IEP goals. All students receiving special education services in an academic area must have corresponding, standards-based annual goals that link to enrolled grade-level content standards. The student's PLAAFP is the basis for his/her annual IEP goals. The student's PLAAFP inform the manner of the specially designed instruction that the student needs in order to progress toward enrolled grade-level standards. The curriculum standards in Texas are the Texas Essential Knowledge and Skills (TEKS) for students in Kindergarten - Grade 12. Preschool students should have goals aligned with the Texas Infant, Toddler, and Three-Year-Old Learning Guidelines, and/or The Texas Prekindergarten Guidelines or district adopted prekindergarten curriculum for students aged three and four.

While aligned with grade-level content standards, IEP goals are not a restatement of the standards (see the *IEP Annual Goal Development Question and Answer Document*). Once the ARD committee has developed measurable annual goals (consisting of standards based and/or functional goals) based on a student's PLAAFP, the ARD committee must decide how the LEA will measure the student's progress and how often the student's progress toward mastery of his/her goals will be reported throughout the year. Districts must report a student's progress toward mastery of all of his/her IEP goals. The ARD committee must note in the student's IEP when the LEA will provide the student's parents with periodic reports of the student's progress toward meeting his/her annual goals.

The reporting of progress is distinctly different than the issuing of grades in the courses in which the student is enrolled. Best practice dictates that teachers should report a student's progress in the same manner in which the student's goals and associated objectives (if applicable) are measured; however, this is not a requirement.





Best Practices

After considering the legal requirements and decisions made by the ARD committee, teachers should review the following best practices. Grading practices can incorporate these guidelines insofar as the guidelines are consistent with district grading policy.

Ken O'Connor outlines four keys to success for effective grading in his article "Making the Grades" to make grades accurate, meaningful, consistent, and supportive of learning (2009).

Make Grades *Accurate*

Accurate grades separate student and teacher behaviors and attitudes from achievement scores. In doing so, grades are purely authentic measurements of achievement and focus solely on student proficiency in well-defined content and/or standards.

Make Grades *Meaningful*

Grades must communicate useful, concrete information to the student and parents about achievement and performance on specified standards.

Make Grades *Consistent*

The interpretation and description of clearly described performance standards and processes for grading should remain the same from teacher to teacher and be evident from classroom to classroom.

Make Grades *Support Learning*

Focus grading practices on quality of work and ensure that grades are a true reflection of student learning, rather than just an accumulation of points.

Frequently Asked Questions

1. May a report card for a student with a disability simply refer to another document that more fully describes the student's progress?

Nothing in Section 504 or Title II requires that LEAs use any particular format or method to provide information to parents about their student's progress or level of achievement in specific classes, course content, curriculum, IEP, or IAP (Individual Accommodation Plan). Under Section 504 and Title II, the LEA must provide students with disabilities report cards that are **as informative and effective** as the report cards provided to students without disabilities. Also, IDEA contains specific provisions that require periodic reporting.

In Texas, district policy determines if this is allowable or if a report card itself must describe student progress. An IEP report card/progress report does not serve in place of a general curriculum/course report card. One document could serve both purposes, but would have to report separately on progress toward IEP goals and grades in courses. Regardless of the form(s)/format(s) used, every student must receive a grade report for courses, and students who receive special education services must also receive a report on progress toward IEP goals

2. May a report card for a student with a disability identify special education or other related services or resources being provided for that student or otherwise indicate that the student has a disability? For instance, may the report card refer to an IEP or a plan for providing services under Section 504?

Report cards indicate a child's progress or level of achievement in specific classes, course content, or curriculum. Consistent with this purpose, it would be permissible under Section 504 and Title II for a report card to indicate that a student is receiving special education or related services as long as the report card informs parents about their child's progress or level of achievement in specific classes, course content, or curriculum. For instance, a report card for a student with a disability may refer to an IEP or may refer to a plan for providing services under Section 504.

However, the mere designation that a student has an IEP without providing any meaningful explanation of the student's progress, such as a grade or other evaluative standard established by an LEA and or State Education Agency (SEA), would be inconsistent with IDEA's periodic reporting requirements as well as Section 504 and Title II. Under Section 504 and Title II, in general, the LEA must provide students with disabilities report cards that are as informative and as effective as the report cards provided for students without disabilities (See 34 C.F.R. § 104.4 (b)(1)(i)-(iv)).

In Texas, a student must receive periodic reports required by IDEA, that is, an IEP progress report/report card consistent with the schedule determined by the ARD committee; the student must also receive course grades consistent with the reporting requirements determined by the district (generally on a six-week or nine-week basis).

3. May a report card for a student with a disability distinguish between special education programs and services and general education curriculum classes through specific notations or the use of asterisks or other symbols?

Generally, LEAs may notate the difference on a student's report card between general education classes and other types of programs, such as advanced placement, honors, or remedial courses. Providing this information is consistent with general requirements of Section 504 and does not discriminate against the student.

In Texas, while the report card could denote that a course is modified and/or the provision of special education services in the course, this does not substitute for the IDEA requirement to provide a report on the progress a student is making toward his/her IEP goals. Because schools provide transcripts to outside entities, transcripts cannot denote the provision of special education services or modified content/courses in order to maintain the student's confidentiality.

Purpose and Audience of Grades

4. Can teachers base grades on a student's effort, work habits, attendance, and/or participation?

As referenced in state law (TEC § 28.0216), a school district grading policy must require a classroom teacher to assign a grade that reflects the student's relative mastery of an assignment. Effort, attendance, work habits, and participation are not directly related to the demonstration of mastery of an assignment, nor do they give a clear picture of the student's academic learning. For alternative ideas, refer to the best practices section of this document (pg. 21).

5. When are letter grades appropriate/not appropriate?

Letters from the Office of Civil Rights regarding Section 504 of the 1973 Rehabilitation Act and IDEA clarify that districts may use different grading systems for a student with a disability in the regular classroom if the systems are also available to, and used by, the general student population and if the alternative system is chosen on an individual basis by the student's ARD committee. Examples of grading systems include letter grades, pass/fail, and audit without credit. Alternative or modified grading is not the discretion of the classroom teacher.

In early childhood settings, teachers may use letter grades only when appropriate. Consider research-based, norm-referenced checklists as part of the daily routine in an early childhood setting.

6. How can teachers use rubrics in the grading process?

A rubric is a scoring tool that clearly defines the performance expectations for an assignment or student product. A rubric provides clear descriptions of each section of the assignment or student product at varying levels of mastery. Teachers can use rubrics for a wide array of assignments: papers, projects, oral presentations, artistic performances, assessments, group projects, etc. Teachers can use rubrics as scoring or grading guides to offer specific feedback and to support ongoing learning efforts (Jackson & Larkin, 2002). Rubrics are generally more objective and create a standard against which the teacher consistently measures each student's performance on a specific assignment.

There are two types of rubrics: analytic and holistic. An analytic rubric separates the assignment or piece of work in sections and then adds up all the sections to obtain a total score. Analytic rubrics are more process oriented. A holistic rubric rates an assignment or student product in its entirety without regard to the individual sections. Holistic rubrics are more product oriented (Jackson & Larkin, 2002).

Students receiving special education services need a systematic way to help them assess their own work. Rubrics can help students achieve focused goals that help them learn. Rubrics also help teachers maintain consistency in evaluating assignments or student products because there are clear guidelines to follow.

Decision Making & Grading Responsibilities

7. How can teachers provide accommodations or modifications on assessments in class if the student cannot use those accommodations on state assessments?

Regulation 34 CFR §300.160 states that local and state policies may not allow accommodations that invalidate test scores on a test used for accountability purposes (such as orally administering a reading test to a student). Many districts use common assessments and benchmarks to help prepare a student for the appropriate state assessment. A test given in class (i.e. benchmarks, unit tests, summative assessments) that the school is not using for accountability purposes may utilize accommodations not allowable on the state assessment. This provides an equal opportunity for students to demonstrate what they know and prevents bias.

It is important for ARD committees to distinguish between instructional accommodations and accommodations needed for assessment. Once an ARD committee determines appropriate accommodations and modifications for a student (including frequency, duration, and location of such services), the LEA is responsible for seeing that those services are provided to a student.

8. If a student is receiving special education services, should a student's progress or mastery toward his/her IEP goals be the basis for his/her grades?

A student's progress or mastery toward his/her IEP goals is never the basis for his/her grade. It is important to point out that, even if written in measurable terms, a goal such as "70% mastery of grade-level TEKS" does not meet IDEA requirements of a measurable goal detailed in 34 CFR §300.320(a)(2)(ii). Such a goal is simply a restatement of the expectations for all students in general education. Students' IEPs should not contain a restatement of the state standards, but must include measurable annual goals. Those goals designate the necessary learning for the student to ensure access to and progress in the general curriculum as well as resulting in the student's attainment of standards set out as critical in his/her PLAAFP. LEAs report students' progress towards mastery of their IEP goals through IEP progress reports. This is its own process and is separate from reporting students' grades.

9. How does mastery of annual goals relate to grading and promotion?

TEC §28.0216 requires that school district grading policies:

"(1) must require a classroom teacher to assign a grade that reflects the students' relative mastery of an assignment; [and]

(2) may not require a classroom teacher to assign a minimum grade for an assignment without regard to the student's quality of work."

These rules apply to classroom assignments, examinations, and overall grades for each grading period. Because of this, teachers may not assign a grade based on effort, and schools cannot pass a student who has not mastered the curriculum. Since goals can be either academic or functional in nature, they either serve as a "link" to grade level standards, or they serve to help a student "access" grade-level standards. In this case, IEP goals remain supplementary to grade-level standards. Because of this, mastery of an IEP goal does not constitute passing a course, and passing a course does not equate to mastering an IEP goal.

TEC §28.021(a) requires that a school determines a student's promotion from one grade level to the next "only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level." For a student who receives special education services, the ARD committee, which includes the parent, makes the promotion/retention decision, but must base the decision on the student's mastery of the curriculum, not on his/her behavior or the amount of effort he/she puts into assignments. This decision may or may not include mastery of specific IEP goal(s) related to the required curriculum and must follow the LEA's policies related to promotion/retention.

10. Does mastery of a student's IEP goal constitute mastery of a course?

TEC §28.021(a) requires that promotion from one grade level to the next be determined "only on the basis of academic achievement or demonstrated proficiency of the subject matter of the course or grade level."

Mastery of an IEP goal does not automatically constitute passing a course, and passing a course does not automatically equate to mastering an IEP goal.

11. Can the teacher just “adjust” or accommodate the grade on an assignment as a way of modifying?

Teachers should not use adjusted grades when a student requires accommodations and modifications that enable him/her to complete the regular education curriculum satisfactorily. (See flowchart on page 19.)

12. Can a school have a modified “grading system” for certain programs of students such as a low incidence program?

A school may not have a modified grading system that is limited solely to students with disabilities (Letter to Runkel, 1996). The ARD committee determines any modifications in grading on an individual basis, and these modifications should appear in the student’s IEP. A blanket grading policy that applies solely to students receiving special education services is inappropriate. ARD committees should not use modified grading criteria when a student requires accommodations and modifications that are effective and that enable him/her to complete the regular education curriculum satisfactorily.

The individualized grading structure below is an example of how an ARD committee may amend grading structures of an individual class in order to meet a student’s needs.

Grading Element	Weight Of Grade	Individualized Grading Weight
Research Paper	20%	10%
Oral Presentation of Research Paper	10%	5%
Tests	50%	50%
Homework	10%	15%
Classwork/Lab Work	10%	20%

In this example, there was concern that the student would not be able to complete the research paper or the oral presentation. One of the teachers suggested that the ARD committee modify the grading criteria in order to lessen the weight of these items and increase the weight of the classwork and homework. Before the ARD committee considers making adjustments or changing the grading structure for the class, it would need to ensure that appropriate accommodations and modifications would not allow the student to be successful with the typical grading structure.

ARD Committees should base decisions on objective data, not subjective information or concerns prior to attempting services that allow for less restrictive services. These accommodations may include allowing the student to create a video presentation to accompany the research paper in place of an oral presentation. The ARD committee may include language in the IEP for the student to complete the research paper in multiple chunks with scaffolding and graphic organizers provided for each section.

If accommodations and modifications have been exhausted and still do not allow for a student to be successful, an ARD committee may consider altering the grading criteria for a student with a disability. In doing so, the committee would need to ensure that the outcome of the decision is something that is also available to all students. The committee would need to base the decision on the student’s individual needs, which the committee outlines in the IEP.

13. How do you grade for a student with severe cognitive disabilities who is receiving services in the general education setting?

Considerations for grading students with severe cognitive disabilities are the same as for all students with disabilities. The focus of IDEA 2004 is to provide all students access to general curriculum. Students should earn grades based on activities for which they are accessing the standards, not based on progress toward goals and objectives. The expectations for what these students should achieve in the grade-level content may be different from what is required in grade-level achievement standards due to needed modifications; however, the essence of the content at grade level should not change.

ARD Committees start with the PLAAFP in order to determine such appropriate accommodations and modifications that will allow the student to successfully access and progress in the curriculum at the appropriate depth. Upon the implementation of special education services, teachers can grade students on the work the students complete. See the Grading Flowchart for additional information (pg. 19). Also, refer to the “Best Practices” section of this document for more suggestions(pg.21).

14. If a student is receiving instruction in a resource setting, do you determine grades based on progress toward their IEP goals or on progress toward mastery of the curriculum?

All students are general education students first. For all students in the state of Texas grades K-12, the state standards are the TEKS. A student’s education setting does not change curriculum standards. Students should earn grades for activities in which they are accessing the standards.

The location in which a student receives services has no bearing on the types of grades he/she receives. Relative mastery of the TEKS, with or without accommodations or modifications, is the basis for a student’s grade.

Academic goals have a link to grade-level standards, but they are not the same as standards and serve a different purpose. The IEP progress report provides the ARD committee members, including the parents, with information about a student’s progress toward mastery of his/her annual IEP goals and gives the ARD committee information needed to make individualized decisions about the special education and related services a student requires in order to succeed. However, grading communicates the student’s achievement toward mastery of state standards.

15. Who determines grades for students who receive special education services?

The ARD committee typically establishes who will be responsible for determining the grades of a student receiving special education services. However, this is not a requirement.

16. Who determines the accommodations and modifications for a student with a disability?

The ARD committee is responsible for determining appropriate accommodations and modifications for a student with a disability. The committee makes these decisions based on multiple sources of objective data documented in a student's PLAAFP. Accommodations and modifications should be included and removed from the IEP as necessary. The committee must review the student's IEP at least annually in order to ensure that the IEP is meeting the student's needs, allowing him/her to have access to and progress in the general curriculum, and that the student is receiving services in the least restrictive environment.

If the ARD committee places a PPCD student in an early childhood inclusive setting, the general educator and special educator should work together to determine the student's accommodations and modifications.

Best Practices

17. Should a teacher give a zero for work that is missing or incomplete?

While there is no statute that prohibits the use of zeros in grading, teachers should assign a student an "incomplete" for work that the student does not turn in or that is unsatisfactory, and allow him/her to complete the work before, during, or after school, during lunch, or in other settings. This practice will allow for a more accurate reflection of what the student does or does not know.

18. How does the weight of assignments (i.e. large projects, term papers, final exam vs. classwork, quizzes, and homework) affect an overall grade?

Weighing all assignments equally can skew a teacher's ability to determine if the student has mastered the content. For example, take a student who earns a zero on a classroom assignment and subsequently passes an equally weighted test with a perfect score: this would show that the student mastered the concept, but his/her overall grade relative to that concept would now be a fifty, which is not a true reflection of his/her mastery.

Conversely, weighting grades at the end of a semester or grading period can skew grades and not allow students to demonstrate mastery of a concept over the course of a grading period.

When weighting assignments, teachers should do so carefully and with discretion in order to make a student's relative mastery the priority for the grades he/she receives.

19. Should a teacher include a student's behavior and/or work ethic in his/her grade?

TEC §28.0216 states that district grading policies reflect a student's mastery of an assignment. Teachers should include only achievement data in determining grades and allow behaviors and attitudes to be reported separately from achievement, such as a checklist or rubric.

Teachers should refrain from including other factors not directly related to the demonstration of academic learning, such as:

- **Homework completion and practice** – does simply completing the homework assignment reflect mastery of the learning objective?
- **Attendance/tardiness** – is being physically present in class impacting a student's acquisition of knowledge and skills.*
- **Behavior** – a student's behavior, positive or negative, should not have an impact on academic performance.
- **Effort** – effort is difficult to gauge and/or grade in an objective way.
- **Timeliness of work completion** – student may require varied amounts of time to complete classwork. Teachers should work with students who struggle with timeliness in order to identify the root cause of their late work (i.e. external factors, lack of understanding of the content) and then work with the student and/or remediate their areas of academic need.
- **Following class rules** – (see behavior above)
- **Extra credit**
- **Organization**

*There are instances where attendance and/or effort may be a part of determining grades, but it should be a true reflection of what is required in order to master the academic content.

20. Should teachers take points/letter grades off for assignments that students submit after a due date?

Teachers should provide a positive, supportive approach for a student who struggles to turn in work in a timely manner. Teach the student how to communicate with the person to whom they are responsible, how to arrange a mutually agreed upon timeline, and then how to work to meet the timeline. This approach is more conducive to "real-life" situations and is a more positive approach to student work completion.

21. Should a teacher compare students' achievement to one another in order to obtain a grade (grading on curve)?

This practice does not offer specific feedback to learners on what they need to do to improve their performance and, therefore, their grade. This practice also limits a low achiever's opportunity to improve their grade(s), despite making gains in their learning (Florida Department of Education, 2006).

Instead, grade students against their mastery of a defined level of performance objectives communicated through rubrics and/or other scoring guides.

In early childhood settings, teachers should base a student's progress on the student's individual improvement rather than on the relative growth of others in the same setting. The focus should be on academics and should include a social/emotional component.

22. In early childhood settings, should a teacher assess progress only at the beginning and end of the year?

In early childhood settings, teachers should monitor a student's progress throughout the year. Teachers should have a research-based tool to monitor progress on their district-adopted curriculum (i.e. an informal, research-based, norm-referenced assessment tool). At this age, students learn at rapid rates, and providing two data points in a school year would not be adequate progress monitoring.

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Additional Resources

Texas Education Agency

<http://www.tea.state.tx.us/>

Texas Project First

<http://www.texasprojectfirst.org/>

Project Forum

<http://www.projectforum.org/>

Student Attendance and Accounting Handout (SAAH)

http://www.tea.state.tx.us/index2.aspx?id=7739&menu_id2=789

IDEA 2004

<http://idea.ed.gov/>

Additional Access to the General Curriculum Documents found at: www.esc20.net/agcnetwork

- Guidelines for Co-Teaching In Texas
- Individualized Education Program (IEP) Annual Goal Development Question and Answer Document
- Working With Paraprofessionals: A Resource for Teachers of Students with Disabilities
- Least Restrictive Environment (LRE) Question and Answer Document



