



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

Docket ID ED-2014-OPE-0057

January 26, 2015

Honorable Arne Duncan
Secretary
U.S. Department of Education
400 Maryland Ave, SW
Washington, DC 20202

Dear Secretary Duncan:

The Education Task Force of the Consortium for Citizens with Disabilities (CCD) writes to respond to the Department of Education's proposed regulations regarding teacher preparation issues that were published in the Federal Register on December 3, 2014. We support the overall goal of these regulations -- to develop and distribute more meaningful data on teacher preparation program quality and to help students make more informed decisions when choosing a teacher preparation program to attend; however, we have multiple and significant concerns about the proposals outlined in these regulations and believe that they will result in significant unintended consequences for some of our nation's most challenged students – students with disabilities.

CCD is deeply aware of the importance of *all* teachers being prepared to be effective instructing students with disabilities. Both general education and special education teachers must be proficient in implementing evidence-based strategies for students with disabilities. It is important to know how graduates perform in the field and their impact on student learning, and CCD supports accountability for preparation programs so that elements of high quality and effective teacher preparation are better understood. Programs in need of improvement should be identified and given the opportunity and appropriate guidance to improve. The Department's proposals would be a distraction from the critical reform work already underway at many colleges and universities and generate perverse incentives for special education programs. Our key concerns are highlighted below.

Impact on Special Education Students and Their Families

These proposals stand to disproportionately harm special education students and their families. Students with disabilities and their families deserve well prepared effective teachers. However, there is a current shortage of well -prepared general and special education teachers, and other professionals (e.g specialized instructional support personnel) that provide instruction and related services to students with disabilities.

These shortages are predicted to become even greater over the next decade. Rather than building the capacity of preparation programs to effectively train teachers, this proposal would undermine reforms and innovation underway by focusing attention on metrics that are not representative of excellent programs and utilizing resources which could best be used in continued program improvement.

Exacerbation of the Shortage of Special Education Teachers

One of the most critical shortage areas in our nation is in the availability of well-prepared special education teachers. Every year school districts struggle to staff their schools with well-prepared teachers. Many states have resorted to lowering entry level credentialing requirements because the shortage is so acute. This regulatory proposal would exacerbate that shortage. Some colleges and universities may reduce or eliminate their special education preparation programs rather than risk low ratings that could result from invalid metrics of program quality and program effectiveness. Furthermore, since this proposal would deny TEACH grants to programs that receive low ratings, this would lead to fewer students choosing to pursue special education as a field. TEACH grants have been used by thousands of special education candidates to support them in their preparation. With those funds no longer available and/or uncertain in their availability, candidates may choose other fields or majors. In some cases, students would lose their financial aid in the midst of their preparation, forcing them to abandon their studies until they secure additional financial resource for tuition. In addition, employers who seek to hire special education teachers may be misinformed by ratings that do not truly reflect the effectiveness of the graduates of the program, nor the metrics of greatest interest to the employer.

Unfair Impact on Special Education Programs

Because the regulatory proposal relies heavily on K-12 student test scores and approaches such as value-added measurement, special education programs would be inappropriately negatively affected. Student with disabilities receiving special education services, as a group, score lower than other student populations. This is problematic, and certainly requires attention and intervention from schools, districts and states. However, this proposed regulatory system offers nothing to further that understanding or to address that challenge. Rather, these proposed regulations inappropriately assume that the problem lies solely with the teacher preparation program, while ignoring the myriad of other variables that impact student achievement. The regulations would penalize good programs that prepare excellent teachers who choose to work with students with significant learning challenges and could mean loss of federal and potentially state funding and potential program closings.

These proposals require that programs be rated based on the employment and retention rates for graduates. We know that special education teachers have a high turnover rate largely due to working conditions in the schools, demands of the job, excessive paperwork, and lack of proper mentoring and induction programs. This high turnover rate is not the result of the quality of preparation programs, and the assumption of the relationship among program quality and teacher turnover is not supported by research.

Finally, providing inaccurate information about program quality will not serve potential candidates as they consider what preparation they may want to pursue. They may make decisions based on ratings that do not actually reflect the quality of the program nor capture the program qualities they are seeking.

Lack of state capacity and resources

The Department's cost estimate of \$42.1 million over 10 years to carry out this proposal is a vast underestimate. California alone estimates that it will cost \$485 million in the first year alone. Annually assessing the quality of 25,000 separate programs using the data collection required is a massive undertaking. Very few, if any, states have the data systems that would be needed, nor the resources to develop them. Requiring these complex rating systems with zero Federal financial support would result in sloppily designed data systems with questionable and potentially unreliable results that would be used to make high stakes decisions.

Efficacy of Indicators for Rating System

The proposal puts forward four indicators of program effectiveness that states must use in determining program quality (student learning outcomes, placement and retention rates, graduate and employer surveys, accreditation or state program approval with specific variables measures). These indicators represent areas of data that could be useful for programs in determining areas of strength and areas in need of improvement. However, they do not represent a comprehensive assessment of program quality. The Department of Education should help states and institutions build capacity to develop data collection methods and validate data and indicators. Instead, the Department's proposal requires high stakes decision-making based on data capacity that does not exist and variables that have not been demonstrated to be valid in relation to determining program quality. Teacher preparation programs can, and should, prepare teachers to help all students achieve to their highest potential.

We urge you to work with the disability community and others to recraft this proposal so that it will result in strengthened preparation programs, especially those that encourage graduates to teach our highest need students and work in our nation's most underserved communities. We need to ensure that all teachers, be they working in a special education or general education environment, are fully prepared to teach every student in their classrooms. We are eager to work with you to develop new and strengthen existing initiatives that will have this result.

Congress has begun the process to reauthorize the Elementary and Secondary Education Act and is expected to take up the Higher Education Act later this year. We believe that a proposal of this magnitude needs to be considered within the context of reauthorization. A full dialogue with all stakeholders, including Congress, is warranted.

Sincerely,

ACCSES
American Foundation for the Blind
American Speech-Language-Hearing Association
Brain Injury Association of America
Conference of Educational Administrators of Schools and Programs for the Deaf
Council for Exceptional Children
Council for Learning Disabilities

Council of Parent Attorneys and Advocates
Easter Seals
Higher Education Consortium for Special Education
Institute for Educational Leadership
Learning Disabilities Association of America
National Association of School Psychologists
National Association of State Directors of Special Education
School Social Work Association of America
Teacher Education Division of the Council for Exceptional Children

cc: Members of the Senate Health, Education, Labor and Pensions Committee
Members of the House Education and Workforce Committee

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

Eileen Dombrowski, Easter Seals	202.347.3066	edombrowski@easterseals.com
Lindsay E. Jones, National Center for Learning Disabilities	202.628.2662	ljones@nclld.org
Laura Kaloi, Council for Parent Attorneys and Advocates	202.349.2310	lkaloi@wpllc.net
Cindy Smith, National Disability Rights Network	202-408-9514	cindy.smith@ndrn.org