



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

**Principles for the Reauthorization of Elementary and Secondary Education Act
January 2015**

Students with disabilities have benefitted greatly from the Elementary and Secondary Education Act because the law requires their academic achievement to be measured and reported. As a result, more students with disabilities have been afforded the opportunity to learn and master grade-level academic content. The Consortium for Citizens with Disabilities Education Task Force looks forward to assisting the efforts of Congress and the Department of Education to reauthorize the Elementary and Secondary Education Act so that all students can learn and thrive in school and be career and college ready. In order for all students to achieve academic excellence, the undersigned members of CCD urge Congress to incorporate the following principles in the reauthorization of the Elementary and Secondary Education Act (ESEA):

All students are general education students first. Whether they receive special education or related services under the Individuals with Disabilities Education Act (IDEA) or accommodations under Section 504 of the Rehabilitation Act of 1973, all students are entitled to receive an appropriate education from the public school system. ESEA must continue to work in conjunction with IDEA to promote a learning environment in which all children are given the opportunity to become proficient on grade-level content standards. The integration of IDEA, Section 504 and ESEA must be enhanced to ensure all students regardless of disability status receive an appropriate education. Students must be provided the opportunity to be active participants in the education process, with full access to learning opportunities, including those around language and communication development.

Assessments must be designed and implemented to ensure that all students can accurately demonstrate their academic knowledge and skills. The alternate assessment on alternate achievement standards for students with the most significant cognitive disabilities must be capped at 1% of all participating students. States must not use any other alternate assessment, including the alternate assessment on modified achievement standards. National, state, district and classroom based assessments must utilize the principles of universal design for learning and be fully accessible to ensure that all students – including those with disabilities – can meaningfully demonstrate their knowledge and skills, thereby providing a more accurate understanding of student academic performance for evaluation by educators, families and policymakers. The assessments need to be based on the academic standards for the student's enrolled grade. An assessment can only be considered an accurate picture of a student's knowledge and skills if it is designed to allow students to most effectively demonstrate what they have learned in their grade and must be based on the full-range of the grade-level curriculum, whether the test is computer-based, computer-adaptive or otherwise.

All students should leave high school ready for college or a career. All students – including those with disabilities must leave high school prepared to succeed in postsecondary education and/or in the workplace. All students deserve an educational experience that fosters academic and social growth by providing a challenging, meaningful, and enriched learning environment that builds upon their strengths

and addresses their individual needs. Preparing our nation's students to excel in the global marketplace is our strongest strategy for retaining our status as a worldwide leader.

General and special education teachers must have the skills and knowledge necessary for teaching grade-level content and diverse learners. State, district, and individual school systems must ensure that appropriately qualified teachers are available in all schools. Only teachers, who have completed their preparation, are fully certified and have demonstrated their knowledge and skill should be able to teach. Teachers-in-training who are serving as teachers should not be described in any manner that would misrepresent their skills. In circumstances where teachers-in-training are serving as teachers, they should be distributed equitably, so that they are not disproportionately serving students with disabilities. Parents should be fully informed about the status of these individuals. As research has demonstrated, the best student outcomes are achieved by those who are fully prepared.

All students have the right to be free from physical or mental abuse, aversive behavioral interventions that compromise health and safety, and any physical restraint or seclusion imposed solely for purposes of discipline or convenience, or as a substitute for appropriate educational or behavioral support. ESEA must require evidence-based, positive and preventative strategies to promote a positive school culture and climate and keep all students, including students with the most complex and intensive behavioral needs, and school personnel safe.

Struggling learners should be identified early and should receive targeted instruction or interventions. Students who are struggling to meet their grade-level academic standards should receive targeted instruction and appropriate behavior supports as soon as possible. Targeted instruction and intervention, through a research-based multi-tier system of supports (e.g. response to intervention, and positive behavior support) are known to assist struggling learners, create a positive school climate and result in better outcomes for students. School-wide targeted instruction and intervention must not delay or deny an evaluation for special education services for a child who may be eligible for such services. The implementation of universal design for learning to address physical and cognitive barriers in instruction and assessment will enhance the benefit of targeted instruction and intervention for all students, including struggling learners. Additionally, research demonstrates that students are more likely to achieve academic success when schools identify and address other barriers to learning such as access to mental health services, assistive technology, specialized instructional support services, and adequate nutrition.

Growth measures must include all students with disabilities and ensure that students with disabilities are held to high expectations for growth. The current approved growth measures do not all include students with disabilities. Growth measures are relevant and important indicators of the effectiveness of schools as long as the growth model ensures that all students are fully included, that all students and their progress are valued and counted in the same manner, and that there are no exceptions. Growth measures must be based on the student's enrolled grade and include multiple measures of student performance.

The principles of universal design for learning and ensuring full accessibility must apply throughout ESEA. All national, state and district-wide assessments must be developed using the principles of universal design for learning and be fully accessible. Curriculum objectives, materials, teaching methods and classroom assessments must be fully accessible and consistent with the principles of universal design for learning.

Early learning opportunities should be promoted from birth. ESEA should promote learning opportunities to ensure that all young children, at risk for and with disabilities, beginning at birth, have the supports and evidence-based services necessary to be successful in quality early learning settings within their community. All early learning professional development opportunities should reflect the needs of

diverse learners including students with disabilities.

The Individualized Education Program (IEP) is not an appropriate accountability tool to measure a student's academic progress. The IEP is an agreement between parents and schools that details the specific skills, services and supports a child needs to make progress in the general education curriculum. Moreover, the final regulations to IDEA reaffirm that the IEP is not appropriate for school accountability purposes. ESEA provides academic accountability for students with disabilities, like it does for every other student. Therefore, all statewide assessments used for ESEA accountability purposes, including alternate assessments, must continue to measure only academic achievement, not progress on functional goals.

Families must be empowered to be effective advocates for their child and students with disabilities need to be included in the decision-making process about their academic opportunities to the extent appropriate. Families need specific tools, training and other technical assistance in order to make informed and appropriate decisions about their child's educational needs and choices. ESEA should provide incentives for meaningful family engagement policies and practices that drive student achievement for all students and create infrastructure and capacity for effective family engagement at the federal, state and local levels.

The Elementary and Secondary Education Act must be adequately funded so that public schools have the resources they need to meet the needs of all students. While ESEA is not an appropriations bill, it must be adequately funded to be implemented.

ACCSSES

American Dance Therapy Association

American Foundation for the Blind

American Music Therapy Association

American Network of Community Options and Resources

American Occupational Therapy Association

American Therapeutic Recreation Association

Association of Assistive Technology Act Programs

Association of University Centers on Disabilities

Autism National Committee

Autistic Self Advocacy Network (ASAN)

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, Inc.

Disability Rights Education and Defense Fund

Division for Early Childhood of the Council for Exceptional Children

Easter Seals

Higher Education Consortium for Special Education

Learning Disabilities Association of America

Mental Health America

National Alliance on Mental Illness

National Association of Councils on Developmental Disabilities

National Association of School Psychologists

National Association of State Directors of Special Education

National Association of State Head Injury Administrators

National Center for Learning Disabilities
National Council on Independent Living
National Disability Rights Network
National Down Syndrome Congress
National Down Syndrome Society
National Organization on Disability
National PTA
Perkins
School Social Work Association of America
Teacher Education Division of the Council for Exceptional Children
The Advocacy Institute
The Arc
The Autism Society
United Cerebral Palsy

The Consortium for Citizens with Disabilities is a coalition of nearly 100 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:

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