



Commemorating 40 Years Of Disability Advocacy 1973-2013

June 10, 2013

The Honorable Lamar Alexander
Ranking Member
U.S. Senate Health Education, Labor and Pensions Committee
Washington, DC 20510

Dear Ranking Member Alexander:

We write on behalf of the Education Task Force of the Consortium for Citizens with Disabilities to express our opposition to the Every Child Ready for College and Career Act of 2013 (ECRCCA). This legislation amends the Elementary and Secondary Education Act (ESEA) to allow states to remove any number of students with disabilities from the general accountability system. This approach would obscure achievement gaps, and lower expectations for all students with disabilities, wiping out a decade of progress for students with disabilities that has assured their access to the general education curriculum and increased their full inclusion in general education classrooms throughout the country.

The most troubling aspects of the ECRCCA are the changes to the current assessment system. While there is a national consensus that the No Child Left Behind Act (NCLB) needs revisions, the policy proposed in the ECRCCA—that allow states to administer either an alternate assessment based on alternate academic achievement standards or an alternate assessment based on modified academic achievement standards without limitations on the number of students that could be included -- are unacceptable. This provision would allow schools to take millions of students with disabilities off track for a regular high school diploma as early as 3rd grade when assessment decisions are made in schools, relegating them to lower career and college expectations—simply because they receive special education services.

Under current law, there are limits on the scores that can be considered proficient of students who appropriately take the alternate assessment based on alternate achievement standards. The policies set forth in your bill would allow states to direct unlimited numbers of students with disabilities – including those who have disabilities that do not preclude them from mastering grade level work – to academic course-work that is outside the general education curriculum.

We also are especially concerned with the policy that continues and expands the use of alternate assessments based on modified academic standards (AA-MAS). Reviving this failed and outdated policy does not build on the new assessments that are being developed and adopted by states that will enable the majority of students with disabilities to take regular assessments with accommodations as appropriate. Indeed, both of the consortia tasked with designing assessments around the Common Core State Standards are building those assessments to include students with disabilities who were previously taking modified assessments. Given the lack of high quality modified assessments, federal law should eliminate the AA-MAS and promote the adoption of

assessments that are valid and reliable for all students except those with the most significant cognitive disabilities. Investment in a modified alternate assessment should not continue nor should it be promoted or supported by the U.S. Congress.

Additionally, the bill provides no requirements to improve graduation rates – either for all students or groups of students. CCD continues to advocate that improving graduation rates for all students – particularly those students currently graduating at much lower rates than the overall population – is critical. This lack of attention to improving graduation rates, coupled with the expanded use of alternate assessments, will not help increase the numbers of students with disabilities who graduate from high school with regular diplomas ready for college or career training -- a goal about which there can be no disagreement.

CCD also believes the bill lacks appropriate provisions that would require states and school districts to provide support in all Title I schools where subgroups, including the subgroup of students with disabilities, are not meeting college and career-ready standards. Without an expectation that all of America’s students will be college and career ready and an accountability system that holds all schools accountable for the performance of all historically underperforming students, we will lose a critical focus on the academic achievement of students with disabilities – a disproportionate number of whom are poor and/or minority. No reauthorization of ESEA should sacrifice these vital advances, especially for students with disabilities.

Everyone agrees disaggregation of data is important. The reason it’s important is because of what it tells us about the achievement gap. But data means nothing if large numbers of students with disabilities – or possibly all - are excluded from the general assessment and thus, inappropriately reported within a state’s accountability system. CCD urges you to remove these provisions from the bill.

Thank you for considering our perspective and for your work on the education issues of our day. We would be happy to provide any further information or answer any questions.

Sincerely,



Katy Beh Neas



Laura Kaloi



Cindy Smith

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

The Consortium for Citizens with Disabilities is a coalition of over 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 disabilities and their families. CCD works 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 more information, please contact:

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