

**CCD Education Task Force  
Comments on OSERS ESEA-IDEA Alignment  
October 21, 2010**

OSERS	Recommendation	Comments and Questions
<p><b>The Vision:</b> Students with disabilities are general education students first. As a result, ESEA should be the basis for educating all students, ensuring all students are held to high challenging standards and are included within an accountability system. IDEA provides the special education supports and services a student may need to receive full educational benefit.</p>	<p><b>The Vision:</b> Students with disabilities are general education students first. As a result, ESEA should be the basis for educating all students, ensuring all students are <del>held to</del> <u>provided meaningful opportunities to achieve</u>, high challenging standards and are included within the ESEA accountability system <u>based on the same content standards</u>. IDEA is designed to ensure that each <u>student receives</u> <del>provides</del> the special education supports and services <u>needed to participate and learn on an equal basis</u> <del>student may need</del> so that they can <del>to</del> receive full educational benefit <u>in the Least Restrictive Environment (LRE)</u>.</p>	
<p><b>Underlying Policy Issues/Policy Objectives:</b> All students will be college and/or career-ready upon leaving the public school system.</p> <p>A single system of education exists in which “all students” truly means all.</p>	<p><b>Underlying Policy Issues/Policy Objectives:</b> All students will be college and/or career-ready upon leaving the public school system.</p> <p>A single, <del>system of</del> <u>diverse and dynamic education system</u> exists in which “all students” truly means all.</p>	
<p><b>Rationale:</b></p> <p>To ensure this vision is shared and supported by all, and that the underlying policy objectives are achieved, the Department’s ESEA reauthorization proposal should not only support inclusion and integration of students with disabilities into regular education and in the College and/or Career Ready (CCR) framework, it should emphasize and clearly articulate the equitable treatment of students with disabilities including accessing programs, and participating in the accountability and assessment systems. It is clear in the ESEA Blueprint that “meeting the needs of diverse learners”, including students with disabilities, is a priority for the Administration and that “schools must support all students, including by providing appropriate instruction and access to a challenging curriculum along with additional supports and attention where needed.”</p>	<p><b>Rationale:</b></p> <p>To ensure this vision is shared and supported by all, and that the underlying policy objectives are achieved, the Department’s ESEA reauthorization proposal should not only support <del>inclusion and integration of</del> students with disabilities <u>in the regular general education curriculum and in the College and/or Career Ready (CCR) framework</u>, it should emphasize and clearly articulate the equitable <u>education treatment</u> of students with disabilities <del>including accessing programs, and participating in the accountability and assessment systems.</del> <u>in all aspects of the public education system</u>. <u>As a result, students with disabilities must be included in the accountability and assessments systems, be taught by educators who have the skills to provide them with meaningful opportunities to achieve in the LRE and participate in learning environments that provide the same opportunity to become proficient on grade-level content standards</u>. It is clear in the ESEA Blueprint that “meeting the needs of diverse learners”,</p>	<p>Comment: 'Specialized instructional support personnel' means school counselors, school social workers, school psychologists, and other qualified professional personnel involved in providing assessment, diagnosis, counseling, educational, therapeutic, and other necessary services (including related services as that term is defined in section 602 of the Individuals with Disabilities Education Act) as part of a comprehensive program to meet student needs."</p> <p>Specialized instructional support services' means the services provided by specialized instructional support personnel.</p>

**CCD Education Task Force  
Comments on OSERS ESEA-IDEA Alignment  
October 21, 2010**

OSERS	Recommendation	Comments and Questions
<p>The unique responsibilities of special education teachers and related services personnel must also be recognized and rewarded in ESEA. ESEA must support the preparation and ongoing training needed for both general and special educators. It must also reward general education teachers for teaching students with disabilities within the general education classroom. Additionally, all teachers of students with disabilities must be provided resources and fair assessments so education of students with disabilities in the least restrictive environment (LRE) is reinforced and supported.</p> <p>To ensure that the needs of students with disabilities are met seamlessly in the general education classroom, ESEA should incorporate the following precepts:</p>	<p>including students with disabilities, is a priority for the Administration and that “schools must support all students, including by providing appropriate instruction and access to a challenging curriculum along with additional supports and attention where needed.”</p> <p><u>In order to have equitable treatment of all students with disabilities, misperceptions about students who currently fall within the 1% rule must be addressed. Research shows that these students can master many more academic skills than previously thought, and that even the very small group of students in the current 1% rule with more complex needs can know and do far more than has been expected – if they receive appropriate services and supports to do so. .</u></p> <p>The unique responsibilities of special education teachers and <del>related services personnel</del> <u>specialized instructional support personnel</u> must also <u>be recognized</u> and rewarded in ESEA. ESEA must support the preparation and ongoing training needed for both general and special educators. <u>This training must ensure that general education teachers, special education teachers and specialized instructional support personnel have the knowledge and skills to collaborate so that students with disabilities can become proficient in the general curriculum</u></p> <p><del>It must also reward general education teachers for teaching students with disabilities within the general education classroom. Additionally, all teachers of students with disabilities must be provided resources and fair assessments so education of students with disabilities in the least restrictive environment (LRE) is reinforced and supported.</del></p> <p><u>It must also ensure general education teachers can successfully teach students with disabilities and that these students are provided accommodations as appropriate . Additionally, all teachers of students with disabilities, including those who teach students with disabilities in specialized settings, must be</u></p>	

**CCD Education Task Force  
Comments on OSERS ESEA-IDEA Alignment  
October 21, 2010**

OSERS	Recommendation	Comments and Questions
	<p><u>provided the resources they need and universally designed assessments on the content standards associated with the college and career ready framework so education of students with disabilities in the least restrictive environment (LRE) is reinforced and supported.</u></p> <p>To ensure that the needs of students with disabilities are met, ESEA should incorporate the following precepts:</p>	
<p>Assessments that take into account progress of students with a range of disabilities that hold them to the same standards as all students.</p>	<p>Assessments <u>developed with the principles of universal design for learning that take into account the progress of all students with disabilities with a range of</u> that hold them to the same content standards <del>as all students</del> for their enrolled grade, and allow for appropriate accommodations and use of assistive technology. <u>Accountability assessments must not be used either to limit a student's access to the general curriculum or to determine educational placement</u></p>	
<p>Accountability measures that ensure the inclusion of students with disabilities.</p>	<p><u>Continue to assure that the accountability <del>measures system that ensure the inclusion of</del> fully includes students with disabilities, that all students have access to the general curriculum and the disaggregation of these data to inform instruction and measure progress of the groups.</u></p>	<p>Question: With regard to growth models, the USED has allowed states to not include students taking the AA-AAS. How does USED intend to ensure the inclusion of those students in all ESEA accountability measures?</p>
<p>Common definitions, integrated performance measures and same indicators for all students (e.g., same graduation data, dropout data, and suspension and expulsion data, same timelines).</p>	<p>Common definitions, integrated performance measures, <u>same standards, same progress measures</u> and same indicators for all students (e.g., same graduation data, dropout data, and suspension and expulsion data, same timelines).</p>	<p>Comment: Yes, especially if this intends to align the SPP performance indicators with ESEA.</p>
<p>Highly effective teacher performance evaluation framework and indicators that reward general education teachers and special education teachers for teaching students with disabilities in the general education classroom (working conditions, professional development).</p>	<p>Highly effective teacher performance evaluation framework <u>that is evidence-based</u> and indicators that reward <u>and reflect the expectation that every general education teacher and special education teachers will for effectively teaching</u> students with disabilities. <del>in the general education classroom. (working conditions, professional development).</del></p>	<p>Comment: ESEA may include additional federal support for research and implementation of "value add" models for evaluation of both general and special educators. Further, it should be clarified that the ESEA's "highly effective teacher" evaluation framework also applies to</p>

**CCD Education Task Force  
Comments on OSERS ESEA-IDEA Alignment  
October 21, 2010**

OSERS	Recommendation	Comments and Questions
		teachers working with students with the most significant cognitive disabilities as well as students in other settings (e.g. separate classrooms, “alternative” schools and programs.)
Preparation programs that integrate general and special educators’ courses.	Preparation programs that <u>prepare general and special teachers educators to effectively instruct and use evidence-based practices in the classroom. integrate general and special educators’ courses.</u>	<p>Question: How does this impact the training of special educators who teach in the areas of specific disabilities, such as SLD, deaf education, visually impaired, etc.?”</p> <p>Comment: All beginning teachers should be prepared, and demonstrate skill through a performance assessment, that they can utilize effective instructional techniques and evidence based strategies that result in student learning for all students. No teacher should be called highly qualified or serve as a teacher of record before they have completed their preparation and passed a valid and reliable performance assessment.</p>
Recruitment and retention programs targeted to alleviate the greatest educator shortage areas in the US; e.g., special educators and related services personnel.	Recruitment and retention programs targeted to alleviate the greatest educator shortage areas ( <u>both geographic an content specific</u> ) in the US; e.g., special educators and <u>specialized instructional support</u> <del>related services</del> personnel.	
Ongoing professional development for special educators on serving students with disabilities with intensive needs.	Ongoing professional development for <u>general and special teachers educators and specialized instructional support personnel on serving students with disabilities with intensive needs. teaching that is evidence-based and differentiated (including the use of assistive technology) to maximize student academic progress.</u>	Comment: CCD highly encourages joint training as well as specific and unique training to maintain specialized skills.
Ongoing professional development for general educators on effectively working with students with disabilities.	Strike entirely	(see bullet on ‘ongoing professional development for general and special educators above)

**CCD Education Task Force  
Comments on OSERS ESEA-IDEA Alignment  
October 21, 2010**

OSERS	Recommendation	Comments and Questions
The provision of incentives for IHEs to partner with LEAs as part of clinical practicums and teacher residencies.	The provision of incentives for IHEs to partner with LEAs as part of clinical <del>practicums</del> preparation and teacher residencies <u>that prepare teachers to effectively educate diverse learners.</u>	
Collaborative technical assistance that links IDEA Part D projects and IES research initiatives within ESEA.	Collaborative technical assistance that links IDEA Part D projects and IES research initiatives within ESEA.	Comment: There is a need for collaboration especially for IDEA Part D projects and the centers under OESE (Comprehensive Assistance Center, Equity Centers, Regional Educational Laboratories) and projects under OII (PIRCs).
Reinforcement in general education of the civil rights and equity provisions that guarantee a free appropriate public education (FAPE) and LRE, and that protect FAPE with due process safeguards; inclusion of civil rights assurances that maintain an appropriate level of enforcement of the law.	Strike entirely	Comment: This bullet is worded awkwardly and the true intent is unclear. ESEA should continue to require and ensure the provision of a high-quality education and accountability for the academic achievement of all students, including students with disabilities. IDEA provides the civil rights and equity provisions for eligible students.
Promotion of schoolwide approaches to discipline, behavior (e.g., PBIS) and academics.	<del>Promotion</del> Use of <u>positive, schoolwide, multi-tier system of supports without delay.</u>	Comment: This definition appears in the LEARN Act and there is agreement by approximately 15 national general and special education organizations to use the term and definition: MULTI-TIER SYSTEM OF SUPPORTS.— 'Multi-tier System of Supports' means a comprehensive system of differentiated supports that includes evidence-based instruction, universal screening, progress monitoring, formative assessment, and research-based interventions matched to student needs, and educational decision

**CCD Education Task Force  
Comments on OSERS ESEA-IDEA Alignment  
October 21, 2010**

OSERS	Recommendation	Comments and Questions
		making using student outcome data.
Promotion of early intervening services (EIS) to provide academic and behavioral support for students who have not been identified as in need of special education.	<del>Promotion</del> Delivery of early intervening services (EIS) to provide academic and behavioral support for students who have not been identified as in need of special education.	Comment: The precept of early intervening services in IDEA should be validated and expanded in ESEA -- with ESEA funds. USED should consider a comparable funding structure for EIS in ESEA as currently exists in IDEA where a certain percentage of funds can be used to support EIS activities, especially where instances of disproportionality in special education exists.
Promotion of universal design for learning (UDL) principles/practices to be incorporated into instruction for all students.	<del>Promotion of</del> Universal design for learning (UDL) principles/practices to be incorporated into <u>curriculum development for all students (including goals, selection/design of instructional materials, teaching methods and assessment) with the timely delivery of and use of assistive technology and alternate formats. for all students.</u>	
Phased, tiered instructional interventions (e.g., RTI) for all students while ensuring intensive, clinical instruction is provided for high needs students with disabilities.	<del>Multi-tier system of supports. Phased, tiered instructional interventions (e.g., RTI)</del> <u>Multi-tier system of supports. Phased, tiered instructional interventions (e.g., RTI) for all students while ensuring intensive, specialized clinical instruction and supports are provided for all high needs students with disabilities.</u>	Comment: Comment: This definition appears in the LEARN Act and there is agreement by approximately 15 national general and special education organizations to use the term and definition: MULTI-TIER SYSTEM OF SUPPORTS.— ‘Multi-tier System of Supports’ means a comprehensive system of differentiated supports that includes evidence-based instruction, universal screening, progress monitoring, formative assessment, and research-based interventions matched to student needs, and educational decision making using student outcome data.
Consider more capacity for greater schoolwide funding	Consider <u>flexibility in matching ESEA funds with IDEA Early</u>	Comment: We urge USED to require ESEA to

**CCD Education Task Force  
Comments on OSERS ESEA-IDEA Alignment  
October 21, 2010**

<b>OSERS</b>	<b>Recommendation</b>	<b>Comments and Questions</b>
integration or funding flexibility on a pilot/limited basis in the ESEA reauthorization.	<u>Intervening Services (EIS) funds on a more capacity for greater schoolwide funding integration or funding flexibility on a pilot/limited basis in the ESEA reauthorization.</u>	match the existing IDEA EIS funding (up to 15%) to serve all students. Given the fact that IDEA has never been funded at the full amount and the intention of the grant program is to assist schools with the excess cost of providing an appropriate education to students with disabilities then additional IDEA dollars should not be considered.
SEA and LEA plans and applications that represent a consolidation of ESEA and IDEA requirements.	SEA and LEA plans and applications that represent a consolidation of ESEA and IDEA requirements.	Comment: Clarification is needed on USED goal; however, this is worth exploring especially if the notion is to alleviate duplicative requirements; however due process protections under IDEA should not be weakened.
Family engagement provisions that reinforce the family participation requirements in IDEA.	Family engagement provisions that reinforce the family participation requirements in <u>ESEA and IDEA and that support family engagement in all learning settings.</u>	<p>Comments: Strengthen the Parent Information Resource Centers (PIRCs).</p> <p>Ensure continuation and enforcement of the parent planning and participation provisions under 1118 of Title I that expressly require schools and school districts to engage parents in school level changes based on data, including student performance, observations, and review of policies and practices.</p> <p>Provide an identical statutory definition of effective family engagement in Section 1118 of Title I of ESEA and Part A Section 602 of IDEA. Leading researchers, expert practitioners, and advocates define family engagement in education as: <u>a shared responsibility of families and schools for</u></p>

**CCD Education Task Force  
Comments on OSERS ESEA-IDEA Alignment  
October 21, 2010**

OSERS	Recommendation	Comments and Questions
		<p><u>student success, in which schools and community-based organizations are committed to reaching out to engage families in meaningful ways and families are committed to actively supporting their children’s learning and development. This shared responsibility is continuous from birth through young adulthood and reinforces learning that takes place in the home, school and community.</u></p>
<p>Similar maintenance of effort provisions (supplement not supplant); more flexibility in funding across ESEA and IDEA.</p>	<p>Strike entirely</p>	<p>Comment: Both ESEA and IDEA contain their own maintenance of effort requirements as well as supplement not supplant provisions. Although some children fall within the protections of both laws, the purpose of the two Acts are quite different. Moreover, the IDEA already permits up to 15% of its funds to be used for EIS purposes, which can certainly include meeting ESEA requirements. Prior to permitting any further siphoning of IDEA funds, we would recommend, on a pilot basis as enumerated above, requiring ESEA to match the existing IDEA EIS funding (up to 15%) to serve all students.</p>
<p>Same services/funds provided to serve students with disabilities in private, charter or autonomous schools to ensure students with disabilities are provided the same options as general education students.</p>	<p>Strike entirely</p>	<p>USED should enforce current law.</p>

