



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

February 1, 2008

Senator Edward Kennedy
Chairman
HELP Committee
428 Dirksen
Washington, DC 20510

Senator Michael Enzi
Ranking Member
HELP Committee
428 Dirksen
Washington, DC 20510

Dear Senator:

The CCD Task Force on Education is made up of almost 60 national organizations concerned about the education of students with disabilities and the participation of parents in the educational process. The Task Force is comprised of organizations that represent educators, related services professionals, direct service providers, advocates and parents.

CCD continues to support the promise of No Child Left Behind (NCLB) that every child can achieve greatness thanks to a quality education. Because of the alignment of the Individuals with Disabilities Education Act (IDEA) and NCLB, special education students are expected to have a highly qualified teacher, access to the general curriculum, and the individualized supports and accommodations necessary to achieve high academic standards. School districts and states are required to measure using appropriate assessments and report this progress as part of the NCLB accountability system.

We understand that some organizations are promoting a policy in which the Individualized Education Program (IEP) would be used as the primary accountability tool under NCLB for special education students. The undersigned organizations urge you to reject this policy.

Section 614 of the 2004 amendments to the IDEA clearly enumerates the content of each special education student's IEP. Each IEP must contain the following:

- (1) a statement of the child's present levels of academic achievement and functional performance
- (2) a statement of measurable goals designed to meet the child's needs that result from the child's disability
- (3) a description of how the child's progress will be measured
- (4) a statement of the special education and other services to be provided to the child
- (5) an explanation, if any, as to why the child will not participate with non-disabled children
- (6) a statement of individual accommodations necessary to measure academic and functional performance
- (7) the projected date the beginning of services; and
- (8) transition services and planning for school to life transition.

As you can see, the IEP is a tool that serves multiple functions as it monitors the services and supports provided to the student. IEPs are not designed or used as tools for holding schools accountable for whether students with disabilities are taught to the academic content and achievement standards established by the state for all students.

IEP teams do not make curriculum decisions. Rather, the IEP is a legal document used by schools and parents to determine what services and supports are necessary for an individual child with a disability to have access to the classroom, to the curriculum, and to reach his or her potential.

We have attached a chart that highlights key elements of a student's IEP for your information.

Thank you for considering our views.

American Counseling Association
American Dance Therapy Association
American Music Therapy Association
American Occupational Therapy Association
American Therapeutic Recreation Association
Association of University Centers on Disabilities
Bazelon Center for Mental Health Law
Children & Adults w/Attention Deficit-Hyperactivity Disorder
Council for Exceptional Children
Council of Learning Disabilities
Council of Parent Attorneys and Advocates, Inc.
Easter Seals
Higher Education Consortium for Special Education
Learning Disabilities Association of America
National Alliance on Mental Illness
National Association of School Psychologists
National Association of State Directors of Special Education
National Center for Learning Disabilities
National Down Syndrome Congress
National Down Syndrome Society
School Social Work Association of America
TASH
Teacher Education Division of the Council for Exceptional Children
The Advocacy Institute
The ARC of the United States
The American Society for Deaf Children
The National Center for Learning Disabilities
Tourette Syndrome Association, Inc.
United Cerebral Palsy Association

For further information, please contact any of the individuals listed below.

Katy Beh Neas, Easter Seals kneas@easterseals.com	202.347.3066
Paul Marchand, The Arc and United Cerebral Palsy marchand@thedpc.org	202.783.2229
Laura Kaloi, National Center for Learning Disabilities lkaloi@nclld.org	703.476.4894
Jane West, Higher Education Consortium for Special Education and the Teacher Education Division of the Council for Exceptional Children jwest@aacte.org	202.293.2450

Language Arts/Reading IEP GOAL for 15 year old Maryland student with Down Syndrome	Actual instructional goals and activities in the general education classroom and curriculum school year 2006-2007
<p>- Will use word bank, pictures or visual cues to generate and select topics using graphic organizer, webbing, writing questions on topic and discussion.</p>	<p>- Read original text of "Animal Farm", the No Fear version of Shakespeare's "As You Like It" and an abridged version of the Hobbit.</p>
<p>- Will use writing-to-learn strategies such as journals, listing graphics, think-aloud's on paper to connect ideas and thinking about a lesson.</p>	<p>- Had 20 grade-level objectives per quarter to master in U.S. History. - Worked on weather, chemistry and geology in science including Power Point presentation and oral presentations on grade level topics</p>
<p>*IEP Progress Report to Parents:</p> <ul style="list-style-type: none"> ▪ Goal achieved ▪ Making sufficient progress to meet goal ▪ Not making sufficient progress to meet goal 	<p>Progress Report to parents: Quarterly grades based on the same assessment and projects used by the rest of the class. Takes regular grade level assessment under NCLB and earned 337 in Reading – missing proficiency by 50 points. In 2004 student missed proficiency on this assessment by 90 points and has closed the gap by 20 points each subsequent year.</p>