



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

Principles for the reauthorization of No Child Left Behind

The Consortium for Citizens with Disabilities Education Task Force fully supports the purpose of No Child Left Behind (NCLB) “to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education and reach, at a minimum, proficiency on challenging State academic achievement standards and state academic assessments.” The undersigned organizations urge the Congress to consider revisions to NCLB that promote and protect its fundamental purpose and embrace the following principles:

All students with disabilities must be included in the NCLB accountability system.

States, school districts and schools must continue to measure and report the academic performance of students with disabilities. Students with disabilities must remain a distinct subgroup. To ensure that all students with disabilities are included in accountability systems, states should establish the lowest possible “n” sizes that are statistically reliable and maintain student confidentiality. Subgroup size must not be used as a strategy to exclude students with disabilities from the calculation of adequate yearly progress. Students with disabilities who receive public education in public schools outside the jurisdiction of the State Education Agency, such as public charter schools and state schools serving children with disabilities, must be included in the NCLB accountability system.

All students with disabilities are general education students first. The Individuals with Disabilities Education Act (IDEA) provides the individualized framework to enable each child with a disability to receive a free, appropriate, public education in the least restrictive environment, have access to and make progress in the general curriculum, and to participate in state and district-wide assessments or an alternate assessment. NCLB must continue to build on IDEA’s strengths by promoting a learning environment in which all children are expected to become proficient on grade-level content standards and states, school districts and schools are accountable for their achievement. Special education is a part of general education. The complementary policies of IDEA and NCLB must be enhanced.

Struggling learners should be identified early and should receive targeted instruction prior to being referred to special education. Schools should create a climate that is conducive to learning and that addresses the social/emotional health of all students. Strategies such as positive behavior supports, response to intervention or other scientifically-based interventions should be implemented in schools to identify struggling learners or students with mental health issues or other issues that affect learning as early as possible and to provide targeted instruction and appropriate behavior supports for such students. 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.

Highly qualified general and special education teachers must have both skill and knowledge necessary for teaching grade-level content and skill and knowledge necessary for teaching diverse learners. Teachers must know how to diagnose student learning needs, address challenging behaviors, understand how to implement the mandates of IDEA and NCLB, select and implement evidenced-based instruction, modify curriculum and implement classroom strategies, including providing accommodations for instruction and assessment, to meet the needs of diverse learners. Teachers need to be able to align instruction of the curriculum to grade-level content standards for the grade in which the student is enrolled. Parents must be given information about the qualifications of service providers interacting with their children.

Pupil services and pupil service providers must be infused to an appropriate level in NCLB similar to related services in the Individuals with Disabilities Education Act.

To ensure student success, pupil services providers should be included in all provisions regarding the recruitment, retention, and professional development of school-based education personnel. Pupil services personnel provide essential services that address barriers to learning and assist students to be successful in school. A more accurate title for these professionals within NCLB and IDEA would be *Specialized Instructional Support personnel*. These personnel are known as "pupil services personnel" in the ESEA and as "related services personnel" in the IDEA, despite the fact that they are exactly the same professionals. This difference in terminology continues to cause confusion for school districts and doesn't reflect the unique contribution to the instructional process that these personnel make. Establishing one common statutory term would ease this confusion and would more accurately reflect the nature and purpose of the services that these professionals provide.

Schools must establish environments of high expectations of academic success for all students. Students with disabilities should generally be expected to earn a regular high school diploma. All parents must be regularly informed about the progress of their child towards meeting grade-level standards through report cards and other means. Supplemental education services providers must be able to meet the unique needs of students with disabilities.

The graduation rate of students with disabilities must be dramatically improved.

Students with disabilities drop out of school at an alarmingly high and unacceptable rate. In the 2001-2002 school year, 51 percent of students with disabilities graduated with a standard diploma, while 38 percent dropped out of school. Requirements regarding the role of graduation rates in the determination of adequate yearly progress should be enhanced in order to produce substantial and consistent improvement in graduation rates for all subgroups.

Public schools should be provided the resources they need to meet the needs of all students. There must be a significant federal investment for states to implement NCLB and IDEA in a meaningful way, including Title I and Part B. In addition, NCLB's Title II and IDEA's Part D professional development program must be fully funded to ensure that every child has a high quality teacher. With the highly qualified teacher deadline looming, and with no state currently ready to meet the law's standard, additional resources are critical. New resources also are needed to advance the capacity of states to provide appropriate assessments, training and technical assistance and other support activities. IDEA's early

childhood programs, Part C and Section 619, must be fully funded so that young students enter kindergarten with the potential of needing fewer special education services.

Parents must be empowered to be effective advocates for their child. Parents need specific tools, training and other technical assistance in order to make informed and appropriate decisions about their child's educational needs. Parents with children in low performing schools must be informed and educated about options available under NCLB, including the availability of supplemental educational services or transferring to higher performing schools.

Students must be empowered to be effective self-advocates. Students with disabilities need to be included in the decision-making process about their academic opportunities to the extent appropriate.

Research-based educational practices should be used to ensure every student is receiving instruction and assessments that are appropriate and effective. Comprehensive and sustained professional development should be in place for teachers, administrators and related services personnel so that they are knowledgeable and effective in promoting and delivering effective research-based instruction in the classroom. Students with disabilities need to be assessed appropriately and receive accommodations as provided for in their Individualized Education Programs (IEPs) or their Section 504 plans. Significant investments in tools, training and other technical assistance is needed for both educators and parents regarding the implementation of all assessments for students with disabilities.

The principle of universal design must apply throughout NCLB. All state and district-wide assessments must be universally designed. Curriculum objectives, materials, teaching methods and classroom assessments must be universally designed.

The Individualized Education Program (IEP) is not an accountability tool for NCLB. The IEP is a contract 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.

Alexander Graham Bell Association for the Deaf and Hard of Hearing
American Association of Child and Adolescent Psychiatry
American Association of People with Disabilities
American Association on Mental Retardation
American Council of the Blind
American Counseling Association
American Dance Therapy Association
American Music Therapy Association
American Speech-Language-Hearing Association
Association of University Centers on Disabilities
Autism Society of America
Bazelon Center for Mental Health Law
Children and Adults with Attention Deficit/Hyperactivity Disorders

Council for Exceptional Children
 Council for Learning Disabilities
 Disability Rights Education and Defense Fund
 Easter Seals
 Epilepsy Foundation
 Helen Keller National Center
 Higher Education Consortium on Special Education
 Learning Disabilities Association of America
 National Alliance on Mental Illness
 National Association of Councils on Developmental Disabilities
 National Association of State Directors of Special Education
 National Association of School Psychologists
 National Center for Learning Disabilities
 National Coalition on Deaf-Blindness
 National Disability Rights Network
 National Down Syndrome Congress
 National Down Syndrome Society
 National Mental Health Association
 National Rehabilitation Association
 School Social Work Association of America
 Teacher Education Division of the Council for Exceptional Children
 The Advocacy Institute
 The Arc of the United States
 Tourettes Syndrome Association
 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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