

December 2, 2015

Dear Member of Congress:

The Association of University Centers on Disabilities (AUCD) applauds House passage of the final bipartisan conference report to reauthorize the Elementary and Secondary Education Act, the “Every Student Succeeds Act” (S. 1177/ESSA). We believe the final bill makes important strides to support all students in having the opportunity to receive a quality education. We urge the Senate to pass the final bill and send it to the President’s desk.

While AUCD had advocated for a stronger federal role in the accountability system, we recognize that this bill is a compromise measure. However, AUCD feels that this bill is stronger for the most vulnerable students than the outdated No Child Left Behind Act (NCLB) and the current waivers that are in effect today in most states. Indeed, using data and new knowledge about how to most effectively teach students with disabilities, the new bill goes even farther than the original NCLB in many ways to assist these students to successfully graduate and become college and/or career-ready. For example, the new bill:

- Continues to include students with disabilities in state accountability systems and ensures students with disabilities will continue to have access to the general curriculum and be aligned with challenging academic content standards.
- Ensures accommodations for assessments for students with disabilities and that assessment results must be disaggregated so that we can see how these students compare to students without disabilities. The new bill goes even farther than current law by requiring states to incorporate concepts of Universal Design for Learning so that all children can benefit from our new understanding of how to provide access to diverse learners.
- Caps participation of students taking alternate assessments to one percent and further directs that this does not preclude these students from attempting to meet the requirement for regular high school graduation; Parents must be made aware of how participation in alternate assessments may impact a student’s ability to obtain a regular diploma.
- Requires Local Education Agencies to provide evidence-based interventions in schools with consistently underperforming subgroups, including students with disabilities; Annual state reports must contain the method by which the state identifies consistently underperforming subgroups within a school and progress toward goals.
- Annual state reports must contain information on incidents of bullying and harassment in schools and state plans must include information on how it will support local educational agencies by reducing the use of aversive behavioral interventions that compromise student health and safety (such as restraints and seclusion).

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Andrew J. Imparato
Executive Director

Again, AUCD supports this compromise bill and stands ready to help you as you work to finalize the reauthorization while ensuring the equitable education of all students, including those with disabilities.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Imparato". The signature is written in a cursive style with a horizontal line extending from the end.

Andrew Imparato
Executive Director, AUCD