



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

December 4, 2015

Dear Chairman Alexander and Ranking Member Murray:

The Consortium for Citizens with Disabilities (CCD) applauds the House passage of the final bipartisan conference report to reauthorize the Elementary and Secondary Education Act, the “Every Student Succeeds Act” (S. 1177/ESSA) and we thank you for the bipartisan work to agree to a final conference bill. 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 CCD had advocated for a stronger federal role in the accountability system, we recognize that this bill is a compromise. However, CCD feels that this bill is stronger for the most vulnerable students than the outdated No Child Left Behind Act (NCLB) and the current waivers that are in effect in most states today. 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 ESSA:

- Continues to include students with disabilities in state accountability and assessment systems; ensures students with disabilities will continue to have access to the general education curriculum; and, ensures that they have access to 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 modern understanding of how to provide access to diverse learners.
- Caps participation of students taking alternate assessments aligned with alternate academic achievement standards at one percent of all students; further directs that this does not preclude these students from attempting to meet the requirement for regular high school diploma; and, requires that schools explain to parents how participation in alternate assessments may impact a student’s ability to obtain a regular high school diploma.

- Requires Local Education Agencies to provide evidence-based interventions in schools with consistently underperforming subgroups, including students with disabilities; and, assures annual state reports must contain the method by which the state identifies consistently underperforming subgroups within a school and measures progress toward goals.
- Requires States, in Title I plans to address how they will improve conditions for learning including reducing incidents of bullying and harassment in schools, overuse of discipline practices and reduce the use of aversive behavioral interventions (such as restraints and seclusion).

CCD recognizes that the ESSA is the result of many compromises. As such, we urge you to remain diligent in your efforts to support the funding and regulatory process necessary to assure schools can follow through on the promise of ESSA which is: ‘to provide all children significant opportunity to receive a fair, equitable, and high-quality education, and to close educational achievement gaps.’ As we all know and agree, every student with a disability deserves this opportunity.

Moreover, this new legislation significantly shifts the authority to make very important education decisions to the states. While this provides a great opportunity for states to tailor their education systems to the needs of their students, including students with disabilities, this new level of authority also will require an increased amount of responsibility for states to ensure that they close achievement gaps. Our organizations stand ready to work with states across the nation to ensure they are implementing measures that will help every student with a disability achieve their full potential.

CCD thanks you again for your leadership and commitment to assuring federal law continues to provide meaningful access to rigorous standards for all students and fully includes students with disabilities in state assessment and accountability systems. CCD urges the Senate to approve this bill and looks forward to helping states to successfully implement the law.

Sincerely,

ACCSES
 American Dance Therapy Association
 American Foundation for the Blind
 American Occupational Therapy Association
 Association of Assistive Technology Act Programs
 Association of University Centers on Disabilities
 Autism Society
 Autism Speaks
 Brain Injury Association of America
 Council for Exceptional Children
 Council for Learning Disabilities
 Council of Parent Attorneys and Advocates
 Disability Rights Education & Defense Fund
 Division for Early Childhood of the Council for Exceptional Children

Easter Seals
 Learning Disabilities Association of America
 Mental Health America
 National Alliance on Mental Illness
 National Association of Councils on Developmental Disabilities
 National Association of School Psychologists
 National Association of State Directors of Special Education
 National Center for Learning Disabilities
 National Center for Special Education in Charter Schools
 National Disability Rights Network
 National Down Syndrome Congress
 National Down Syndrome Society
 National PTA
 Perkins
 School Social Work Association of America
 TASH
 The Advocacy Institute
 The Arc
 The National Council on Independent Living

The Consortium for Citizens with Disabilities is a coalition of 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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