



Commemorating 40 Years  
Of Disability Advocacy  
1973-2013

### **Principles for the reauthorization of Elementary and Secondary Education Act**

Students with disabilities have benefitted greatly from the Elementary and Secondary Education Act (ESEA) because the law requires their academic achievement to be measured and reported. As a result, more students with disabilities have been afforded the opportunity to learn and master grade-level academic content. While the Department of Education has provided states with the opportunity to waive certain elements of the law, the Consortium for Citizens with Disabilities Education Task Force urges Congress to reauthorize the Elementary and Secondary Education Act in the 113<sup>th</sup> Congress. In order for all students to be career and college ready, the undersigned members of CCD urge Congress to incorporate the following principles in the ESEA reauthorization:

**All students are general education students first.** Whether they receive special education or related services under the Individuals with Disabilities Education Act (IDEA) or accommodations under Section 504 of the Rehabilitation Act of 1973, all students are entitled to receive an appropriate education from the public school system. ESEA must continue to work in conjunction with IDEA to promote a learning environment in which all children are given the opportunity to become proficient on grade-level content standards. The integration of IDEA, Section 504 and ESEA must be enhanced to ensure all students, regardless of disability status receive an appropriate education. Students must be provided the opportunity to be active participants in the education process, with full access to learning opportunities, including those around language and communication development.

**All students should leave high school ready for college or a career.** All students – including those with disabilities --must leave high school prepared to succeed in postsecondary education and/or in the workplace. All students deserve an educational experience that fosters academic and social growth by providing a challenging, meaningful, and enriched learning environment that builds upon their strengths and addresses their individual needs. Preparing our nation's students to excel in the global marketplace is our strongest strategy for retaining our status as a worldwide leader.

**General and special education teachers must have the skills and knowledge necessary for teaching grade-level content and diverse learners.** State, district, and individual school systems must ensure that appropriately qualified teachers are available in all schools. Only teachers, who have completed their preparation, are fully certified and have demonstrated their knowledge and skill should be described as "highly qualified" or "highly effective." Teachers-in-training who are serving as teachers should not be described in any manner that would misrepresent their skills, such as "highly qualified." In circumstances where teachers-in-training

are serving as teachers, they should be distributed equitably, so that they are not disproportionately serving vulnerable students, including students with disabilities. Parents should be fully informed about the status of these individuals. As research has demonstrated, the best student outcomes are achieved by those who are fully prepared.

**All students have the right to be free from physical or mental abuse, aversive behavioral interventions that compromise health and safety. Restraint and seclusion must only be used in emergencies threatening physical safety and are never a substitute for appropriate educational or behavioral support.** ESEA must require evidence-based, positive and preventative strategies to promote a positive school culture and climate and keep all students, including students with the most complex and intensive behavioral needs, and school personnel safe

**Struggling learners should be identified early and should receive targeted instruction or interventions.** Students who are struggling to meet their grade-level academic standards should receive targeted instruction and appropriate behavior supports as soon as possible. Targeted instruction and intervention, through a research-based multi-tier system of supports (e.g. response to intervention, and positive behavior support) have demonstrated their effectiveness in assisting struggling learners, creating a positive school climate that leads to better outcomes for students. School-wide 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. The implementation of universal design for learning (UDL) to address physical and cognitive barriers in instruction and assessment will enhance the benefit of targeted instruction and intervention for all students, including struggling learners. Additionally, research demonstrates that students are more likely to achieve academic success when schools identify and address other barriers to learning such as access to mental health services, assistive technology, specialized instructional support services, and adequate nutrition.

**Assessments must be designed and implemented to ensure that all students can accurately demonstrate their academic knowledge and skills.** National, state, district and classroom based assessments must utilize the principles of universal design to ensure that all students – including those with disabilities – can meaningfully demonstrate their knowledge and skills, thereby providing a more accurate understanding of student academic performance for evaluation by educators, families and policymakers. This ‘next generation’ of assessments that are being designed in alignment with the Common Core State Standards must consider the needs of diverse learners from creation, rather than attempting to retrofit assessments during their implementation. The assessments need to be based on the academic standards for the student's enrolled grade. An assessment can only be considered an accurate picture of a student's knowledge and skills if it is designed to allow students to most effectively demonstrate what they have learned in their grade. Attached to these principles are CCD's recommendations on Computer Adaptive Assessment.

**Growth models must include all students with disabilities and ensure that students with disabilities are held to high expectations for growth.** Not all of the current approved growth models include students with disabilities. Growth models are relevant and important indicators of the effectiveness of schools as long as the growth model ensures that all students are fully included, that all students and their progress are valued and counted in the same manner, and that there are no exceptions. Growth models must be based on the student's enrolled grade and include multiple measures of student performance.

**The principles of universal design for learning must apply throughout ESEA.** All national, state and district-wide assessments must be developed using the principles of universal design for learning. Curriculum objectives, materials, teaching methods and classroom assessments must be consistent with the principles of universal design for learning.

**Early learning opportunities should be promoted from birth.** ESEA should promote learning opportunities to ensure that all young children, at risk for and with disabilities, beginning at birth, have their delays identified at the earliest possible stage and have the supports and evidence-based services necessary to be successful in quality early learning settings within their community. All early learning professional development opportunities should reflect the needs of diverse learners including students with disabilities.

**The Individualized Education Program (IEP) is not an appropriate accountability tool to measure a student's academic progress.** 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 children. 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.

**Families must be empowered to be effective advocates for their child and students with disabilities need to be included in the decision-making process about their academic opportunities to the extent appropriate.** Parent involvement under ESEA should be expanded to include incentives for meaningful family engagement policies and practices. Research affirms the link to improved educational outcomes for children when parents are involved in their education. .

**The ESEA must be adequately funded so that public schools have the resources they need to meet the needs of all students.** While ESEA reauthorization is not an appropriations bill, adequate funding is essential for its effective implementation.

ACCSES

American Dance Therapy Association

American Music Therapy Association

American Network of Community Options and Resources

American Speech Language Hearing Association

American Therapeutic Recreation Association  
Association of Assistive Technology Act Programs  
Association of University Centers on Disabilities  
Autism National Committee  
Brain Injury Association of America  
Conference of Educational Administrators of Schools and Programs for the Deaf.  
Council for Exceptional Children  
Council for Learning Disabilities  
Council of Parent Attorneys and Advocates, Inc.  
Disability Rights Education and Defense Fund  
Division for Early Childhood of the Council for Exceptional Children  
Easter Seals  
Higher Education Consortium for Special Education  
IDEA Infant and Toddler Coordinators Association  
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 Association of State Head Injury Administrators  
National Center for Learning Disabilities  
National Council on Independent Living  
National Disability Rights Network  
National Down Syndrome Congress  
National Down Syndrome Society  
National PTA  
Perkins School for the Blind  
School Social Work Association of America  
Teacher Education Division of the Council for Exceptional Children  
The Advocacy Institute  
The Arc  
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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May 2013