



July 8, 2015

U.S. Senate  
Washington, DC 20510

Dear Senator:

We write on behalf of the Education Taskforce of the Consortium of Citizens with Disabilities (CCD) which advocates on behalf of the nearly six million students with disabilities. As you begin the important work to discuss and debate the Every Child Achieves Act (ECAA) this week, *CCD offers the following recommendations regarding several amendments that may come forward.*

**Isakson Amendment, Title I: Removing the 1% Cap on Use of Alternate Assessments: OPPOSE:** While it is unclear if this will come to a vote, CCD urges you to oppose this amendment if a vote is taken. CCD adamantly opposes this amendment and urges you to consider that a bipartisan effort has been achieved in the ECAA by including the evidence-based use and state application of a cap of 1% [of all students which equals about 10% of students with disabilities] on the use of an Alternate Assessment based on Alternate Achievement Standards (AA-AAS) for students with the most significant cognitive disabilities. CCD urges the Senate to continue to support students with disabilities and maintain the cap established in the ECAA. Please oppose this amendment to assure all students will be held to high expectations. See the [CCD's position](#) on the 1% policy.

**Franken-Cassidy Amendment, Title I: Disaggregate Data by Disability Student Group: SUPPORT:** CCD supports the Franken-Cassidy amendment to direct states to include the academic performance of students with disabilities, by disability category, on Annual State Report Cards. This amendment would provide critical information to the public, parents, educators, and policymakers. By providing stakeholders with a better understanding of how students with various types of disabilities are performing, better decision-making can occur for families and schools. We urge your support of this amendment.

**Bennet Amendment Title II: New Teaching Standards (The Great Act): OPPOSE** CCD has registered its opposition to *The Great Act* in the past and continues to oppose it as it would result in lowering standards for teachers and principals to enter the profession. Students with disabilities depend on the skills of their teachers and other educators who work with them to be able to identify their unique learning needs, provide accommodations and implement research based instructional strategies. These skills are learned in rigorous preparation programs with significant clinical experience and mentoring by highly skilled educators. This bill would exacerbate the current practice of placing people in classrooms as the teacher of record when they are still learning how to be teachers. It would create a second – and lower – set of standards for teachers to become the teacher of record. The creation of a “certificate” which states much consider as a Master’s degree will not promote rigorous preparation of teachers or principals. The GREAT Act would not contribute to increased success for students with disabilities. We urge you to oppose this amendment.

**Casey Amendment, Title X: Strong Start: SUPPORT:** This amendment expands and improves early learning opportunities for children across the birth-to-age-five continuum. It provides access to high quality preschool for all children and specifies that all preschools should be inclusive of children with disabilities and the need for increased funding to support their early learning needs. Inclusive early childhood experiences open the doors to lifelong learning, interactions, and achievements. Quality education for inclusive lives begins in early childhood and continues throughout a child’s life experiences into schools, places of employment, and the broader community. Please SUPPORT.

**Franken All Titles, Student Non-Discrimination Act: SUPPORT:** As our nation's primary statute promoting equal access to education, it is vital that ESEA ensures that every student is able to attend school in a safe, inclusive environment free from discrimination and harassment. We know there are far too many students, including students with disabilities who are lesbian, gay, bisexual, or transgender (LGBT) or perceived to be LGBT that are subject to well-documented, pervasive discrimination, including harassment, bullying, intimidation, and violence. The Student Non-Discrimination Act would explicitly prohibit public schools from discriminating against any student on the basis of actual or perceived sexual orientation or gender identity. We urge SUPPORT for this amendment.

**Gardner-Warren Amendment, Title I: Data Cross-Tabulation: SUPPORT:** We support this amendment because using data cross-tabulated by gender, race/ethnicity, disability and other factors will ensure that State Report Cards do not mask the needs of smaller subgroups of students. It also assures that interventions are driven by data and not by assumptions and stereotypes about the needs of boys and girls in school. The ECAA already requires that all interventions be evidence-based, and data cross-tabulation would help to support that goal. Cross-tabulating data does not require the collection of any new data and does not create any new burdens. Cross-tabulation would simply require that the data already collected and reported be presented in a format that is more helpful and useful to schools, districts and states. Please SUPPORT this amendment.

**Kirk-Reed-Baldwin-Brown Amendment, Title I: Resource Equity: SUPPORT:** All students should have access to a high-quality education, and schools should be able to get the resources they need to help students excel in education and in life. Unfortunately, too many students, particularly low-income, minority and students with disabilities, do not have access to the opportunities they need to graduate from high school ready for career training and/or college. This amendment addressing resource equity is a step forward to remedying persistent inequities and ensuring that all students have the opportunity to reach their full potential. CCD urges your SUPPORT.

**Scott Amendments: New Titles: Portability and Vouchers: OPPOSE:** CCD opposes the Scott amendments which seek to create portability of federal funds for students with disabilities to private schools. This portability is egregious for several reasons: First, the purpose is disingenuous in that all parents would be required to give up rights under IDEA in the name of "choice." Parents or students must not have to give up procedural or substantive requirements under the Individuals with Disabilities Education Act (IDEA), nor their right to an impartial due process hearing when the schools fails to comply. Schools that accept federal funds under voucher programs must comply with applicable federal laws, and the Individualized Education Program (IEP) must remain the cornerstone of providing individualized special education and related services designed to meet each eligible student's unique needs. Second, states cannot, by delegating the education function to private voucher schools, place students beyond the reach of the federal laws in its administration of publicly funded programs (See: 2013 Department of Justice (DOJ) issued a letter to WDPI [https://www.aclu.org/files/assets/04\\_09\\_13\\_letter\\_to\\_wisconsin\\_dpi\\_0.pdf](https://www.aclu.org/files/assets/04_09_13_letter_to_wisconsin_dpi_0.pdf) ). Third, private schools do not fall under the requirements of Title I related to accountability or otherwise. As such, Title I funds should not be used to fund them. Finally, it is inappropriate to amend IDEA as part of the reauthorization of ESEA.

**Tester Title I: Gradespan Testing: OPPOSE:** We urge opposition to any amendment which would strip the bill's current requirement for states to develop and implement annual, statewide standardized assessments in reading and math. Any proposed amendment that would decimate one of the cornerstones of the Elementary and Secondary Education Act (ESEA) via grade span testing or other onerous proposals must be stopped. We ask you to seriously consider the implications of amendments that will significantly reduce access to this information for parents, schools and communities. Unfortunately, we know that without the continued requirement for annual, statewide assessment, access to timely, relevant interventions that can improve student outcomes will be jeopardized and will seriously undermine the progress and limit opportunities to improve the achievement of students with disabilities. Even more concerning is the concept of masking the performance of students with disabilities. Please OPPOSE this amendment or others like it.

Sincerely,

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*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, visit [www.c-c-d.org](http://www.c-c-d.org).*