



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

February 26, 2015

Dear Representative,

On behalf of the Education Task Force of the Consortium for Citizens with Disabilities (CCD), we write to follow up on our February 25<sup>th</sup> letter which explained why **CCD cannot support the Student Success Act (H.R. 5)**, to reauthorize the Elementary and Secondary Education Act (ESEA). Now, we are providing our views on selected amendments to be debated this week.

**Of utmost concern to CCD is amendment #74 as offered by Mr. Goodlatte, which CCD opposes.** This harmful amendment would undermine one of the central tenants of state and local efforts to raise achievement for all students: the ability to know how all students, in all schools and all communities, fare on a common, objective measure of achievement by allowing school districts to design their own assessments in lieu of statewide assessments. Under this amendment, students with disabilities may be held to a lower standard than their peers without disabilities.

There is nothing fair or equitable about an assessment option that allows local districts – wealthy or resource-poor – to separate themselves from their State assessment systems to develop their own district assessments without adequate oversight, technical review and scrutiny that States are not prepared to provide. Invariably, local assessments would be skewed toward local norms resulting in more low performing students appearing to be performing adequately. The amendment also exempts districts from being required to include ALL students in locally designed assessments. Such allowance is out of compliance with a number of federal laws including: Section 504 of the Rehabilitation Act of 1973, the Individuals with Disabilities Education Act and the Americans with Disabilities Act. We do not believe that a local assessment should – under any circumstances – be authorized to substitute for the State required assessment. Such an allowance raises many questions related to validity, reliability and equality for students who historically may struggle to meet state standards, including students with disabilities.

Below, please find CCD's views on selected amendments to H.R. 5.

#	Sponsor(s)	Summary	CCD Position
2	<a href="#">Thompson, Bennie (MS)</a>	Requires that The Student Success Act shall not go into effect until the Secretary of Education determines that its enactment will not reduce the college and career readiness of racial or ethnic minority students, students with disabilities, English learners, and low-income students and provides written notification to Congress on such determination.	<b>SUPPORT</b>
20	<a href="#">Fudge (OH)</a>	Ensures continued state investment in educating students by requiring states to demonstrate that the level of state and local funding remains constant from year to year.	<b>SUPPORT</b>
23	<a href="#">Scott, Bobby (VA)</a>	This amendment repeals H.R 5 and replaces the bill text with a substitute amendment that provides robust funding levels, replaces the outdated, rigid mandates of No Child Left Behind, and maintains civil rights and equity protections that ensure all students graduate from high school college- and career-ready.	<b>SUPPORT</b>
74	<a href="#">Goodlatte (VA)</a>	This harmful amendment would undermine one of the central tenants of state and local efforts to raise achievement for all students: the ability to know how all students, in all schools and all communities, fare on a common, objective measure of achievement by allowing school districts to design their own assessments in lieu of statewide assessments. Under this amendment, students with disabilities may be held to a lower standard than their peers without disabilities.	<b>OPPOSE</b>
96	<a href="#">Quigley (IL), McKinley (WV), Serrano (NY)</a>	Restores the paraprofessional qualifications that are in place under current law, which helped stop school districts from hiring paraprofessionals with little experience in education and no professional training. Since all districts are in compliance, and have been since 2006, this amendment would present no new burden.	<b>SUPPORT</b>
104	<a href="#">Bonamici (OR), Costello (PA)</a>	Allows State educational agencies and eligible entities to use Local Academic Flexible Grant funds to audit and streamline assessment systems, eliminates unnecessary assessments,	<b>SUPPORT</b>

#	Sponsor(s)	Summary	CCD Position
		and improves the use of assessments.	

ESEA reauthorization represents an opportunity to provide meaningful access to educational experiences that support students with disabilities in their academic achievements, and prepares them to reach their college and career ambitions. Unfortunately, H.R. 5 does not go far enough to support the needs of the nation’s six million students with disabilities, who are 13 percent of total public school enrollment. **We urge you not to support H.R. 5.**

Since parents, teachers, and school leaders have had access to knowledge about how students with disabilities fare academically compared to their grade-level peers, students with disabilities have experienced:

- improved access to the general education curriculum;
- reduced dropout rates;
- increased high school graduation rates in many states; and,
- increased inclusion in general education classrooms throughout the country.

On behalf of the CCD Education Task Force, we urge you consider how H.R. 5 undermines key tenets of ESEA which have resulted in improved outcomes for children and youth with disabilities as you prepare to vote on amendments to – and the final vote on – H.R. 5.

Sincerely,

CCD Education Taskforce Co-Chairs:

Eileen Dombrowski, Easter Seals	202.347.3066	edombrowski@easterseals.com
Lindsay E. Jones, National Center for Learning Disabilities	202.628.2662	ljones@ncld.org
Laura Kaloi, Council of Parent Attorneys and Advocates	202.349.2310	lkaloi@wpllc.net
Kim Musheno, Association of University Centers on Disability	301.588.8252	kmusheno@aucd.org
Cindy Smith, Natl. Assoc. of Councils on Developmental Disabilities	202- 506-5813	csmith@nacdd.org

*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.*