



June 11, 2012

The Honorable Tom Harkin  
Chairman  
Subcommittee on Labor, Health and Human Services, Education and Related Agencies  
Committee on Appropriations  
United States Senate  
Washington, DC 20510

Dear Chairman Harkin:

We are writing on behalf of the Education Task Force of the Consortium for Citizens with Disabilities. The Task Force objects to the extension of an amendment to the Elementary and Secondary Education Act (ESEA) related to the definition of highly qualified teachers in the FY 2013 Labor, Health, and Human Services, and Education (LHHS) appropriations bill to be considered this week.

The provision we oppose was included in the FY 2011 continuing resolution (CR) and amends the ESEA to allow teachers in the *midst of their preparation* to be called "highly qualified" teachers despite that fact that *they are not fully prepared to be teachers*. The regulation has been determined to be in violation of the statute by the 9th Circuit Court of Appeals and in May 2012 the Court reaffirmed its ruling. This inequitable distribution of unqualified teachers has a disproportionate impact on students with disabilities.

The ongoing lowering of standards related to highly qualified teachers will negatively impact students with disabilities. Research shows that students with disabilities thrive when receiving instruction from fully certified special education teachers. An Institute for Education Sciences study of all Florida teachers (Feng & Sass, 2010) found that fully certified special education teachers generate superior student learning gains as compared to special education teachers who are not fully certified. The current amendment has opened the floodgates for more and more uncertified special education teachers to serve students with disabilities.

We also know that more than half of students with disabilities participate in general education classrooms for 80 percent or more of the school day. General education teachers need additional preparation in order to ensure that they are skilled in working with students with disabilities. A few weeks of training is not enough preparation for a teacher to be skilled in utilizing universal design for learning, differentiating instructional strategies, managing challenging behaviors, preventing the use of restraint and seclusion, and providing educational supports to a diverse classroom – especially in our most underserved, under resourced schools. As more students with disabilities participate in general education classrooms, it is critical that all teachers have increased preparation and skill. Being an effective teacher for a student with autism or intellectual disabilities or learning disabilities requires sophisticated skill and is not mastered in a five week program.

We join a coalition of over 85 national advocacy organizations in our opposition to the continuation of this policy set forth in the fiscal year 2011 CR. We urge you to reject the inclusion of any amendment lowering standards for teachers in the LHHS appropriations bill.

Thank you for considering our views.

Sincerely,

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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. Approximately 50 national organizations participate in the CCD Education Task Force.