

**Office of Special Education Programs  
U.S. Department of Education**



*No Child Left Behind*



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**Virginia Council of Administrators  
of Special Education**  
October 20, 2004

**Stephanie Smith Lee, Director  
Office of Special Education  
Programs  
U.S. Department of Education**



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**Before the IDEA**

- One in five children with disabilities was educated.
- More than 1 million children with disabilities were excluded from the education system.
- Another 3.5 million children with disabilities did not receive appropriate services.



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**Impact of the IDEA**

- Today, 6.5 million children with disabilities are served.
- 96% of students with disabilities are now served in regular school buildings.
- The number of children birth to three receiving early intervention services has increased.



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**Impact of the IDEA (cont.)**

- Increased Participation in Standardized Testing
- High School Graduation Rates: Increased from 51.9% in 1994 to 57.4% in 1999
- Increased College Enrollment: In 1978, under 3% of college freshman reported they had a disability, while in 1998, the figure was 9%



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**Impact of the IDEA (cont.)**

- Higher Employment Rates
- The Special Education Teaching Force: More than doubled
- Parent Involvement: More than 85% of parents are involved in planning their child's services and making educational decisions.



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## Challenges

- High school graduation rates are insufficient.
- Post-secondary enrollment and completion rates are low compared with peers.
- Unemployment rates are high.



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## The IDEA Amendments of 1997

- State Performance Goals and Indicators Consistent with Goals and Standards for All Children
- Access to, Participation in and Progress in the General Curriculum
- Inclusion in State and District Assessments
- Alternate Assessments



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## Key Issues for Current IDEA Reauthorization

- Accountability
- Funding
- Paperwork
- Personnel Issues
- Discipline



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## Key Issues (cont.)

- Parent Involvement
- Dispute Resolution
- Disproportionate Representation
- Early Intervention and Preschool services
- Secondary Transition



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## Secretary Paige's Press Release Principles for Reauthorizing the IDEA

- Stronger Accountability for Results
- Simplify Paperwork for States and Communities and Increase Flexibility for All
- Doing What Works
- Increase Choices and Meaningful Involvement for Parents



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## House Bill to Reauthorize IDEA: H.R. 1350 – Improving Education Results for Children With Disabilities Act of 2003

- Introduced: March 19, 2003
- Subcommittee Markup: April 2, 2003
- Full Committee Markup: April 10, 2003
- Yeas: 29 – Nays: 19
- SAP Issued: April 30, 2003
- Passed by the House: April 30, 2003
- Yeas: 251 – Nays: 171
- H.R. 1350 available at:
- <http://thomas.loc.gov/cgi-bin/query/z?c108:H.R.1350>



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## Senate Bill to Reauthorize IDEA: S. 1248 – Individuals with Disabilities Education Improvement Act of 2003

- Introduced: June 12, 2003
- Full Committee Markup: June 25, 2003
- SAP Issued: May 12, 2004
- Passed by Senate: May 13, 2004.
- S. 1248 available at:
- [http://health.senate.gov/bills/013\\_bill.html](http://health.senate.gov/bills/013_bill.html)



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## The No Child Left Behind Act (NCLB)

### On January 8, 2002, President Bush signed into law the No Child Left Behind Act (NCLB)

- Requires accountability for all children, including student groups based on poverty, race and ethnicity, disability and limited English proficiency (LEP).
- Will help close the achievement gap between disadvantaged, disabled and minority students and their peers.



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## NCLB Based on Four Principles

- Stronger accountability for results
- Increased flexibility and local control
- Expanded options for parents
- Focusing on what works



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## Focusing on What Works

### Reading First Program (K-3)

- Over \$1 Billion in 2004
- 6-year formula grants to States
- Competitive grants to LEAs to
  - Administer screening and diagnostic tests
  - Provide professional development



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## Focusing on What Works

### Improving Teacher Quality State Grants Program (Over \$3 Billion in 2004)

- Using scientifically based practices to prepare, train and recruit high-quality teachers
- Core academic subjects taught by highly qualified teachers by 2006 school year
- Must demonstrate annual progress toward goal



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## Focusing on What Works

### Highly Qualified Teachers and Special Education

- Special education teachers teaching core academic subjects must meet "highly qualified" requirements.
- All special education personnel must meet IDEA personnel-standards requirements.
- States have flexibility in how standards are met.



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## Focusing on What Works

### Higher Qualifications for Paraprofessionals

- Paraprofessionals hired after 1/8/2002 to work in Title I funded programs must have
  - Completed 2 years of study at an IHE
  - Obtained associate's or higher degree OR
  - Met rigorous standard of quality
  - Demonstrated ability to instruct in reading, writing and mathematics (through State or local academic assessment)
- Paraprofessionals hired before 1/8/2002 to work in Title I funded programs must meet requirements in 4 years.



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## Focusing on What Works

### Paraprofessionals and Special Education

- If a person working with special education students does not provide any instructional support (such as a person who solely provides personal care services), the person is not considered a paraprofessional under Title I.



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## Statewide Accountability System

States must implement a single, statewide accountability system covering all public schools and students based on:

- Challenging academic content standards that contain rigorous content and encourage the teaching of advanced skills; and
- Challenging student achievement standards that determine how well students are mastering the content.
- Challenging State standards in reading and math.



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## Statewide Accountability System

- Annual testing for all students in grades 3-8 and at least once in grades 10-12 by 2005-2006
- Assessment results must be broken out (disaggregated) by poverty, race/ethnicity, disability and limited English proficiency.



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## Assessments and Students with Disabilities

- Assessments must provide accommodations for students with disabilities as defined in the Individuals with Disabilities Education Act (IDEA), and under Section 504.
- NCLB regulations require that assessments be accessible and valid for use by the widest possible range of students.



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## Alternate Assessments

- IEP team determines if child cannot participate in all or part of the State assessments, even with accommodations.
- If a child cannot participate in the State assessments, even with accommodations, the State must provide for one or more alternate assessments for a child with a disability.



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## Alternate Assessments

- Aligned with the State's content standards.
- Yield results separately in reading/language arts and math.
- Designed and implemented to support use of the results to determine AYP.



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## Alternate Assessments

### States may use more than one alternate assessment:

- Alternate assessment scored against grade-level standards.
- Alternate assessment scored against alternate achievement standards.



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## 2004 OSEP Investments

### NEW ACTIVITIES Related to Assessments

#### Research on Accessible Reading Assessments

- Projects will conduct research on how the accessibility is affected by the development, design and administration of reading assessments.
- Projects will (1) develop principles and guidelines for making reading assessments more accessible and (2) develop accessible reading instruments that are suitable for large-scale administration and school accountability purposes.
- Recipients: Education Testing Service and University of Minnesota



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## Universal Design of Assessment

- Designing assessments to be inherently accessible and valid for the widest possible range of students.



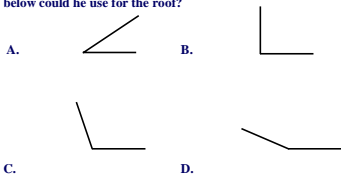
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## Universal Design of Assessment

### Sample Original Item

Ramón is building a doghouse. He wants the roof of the doghouse to be at an angle that is more than  $90^\circ$  but less than  $110^\circ$ . Which angle below could he use for the roof?



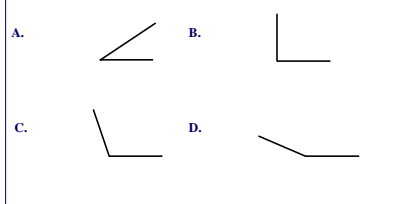
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## Universal Design of Assessment

### Revised Item

Which angle is more than  $90^\circ$  but less than  $110^\circ$ ?



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## 2004 OSEP Investments

### NEW ACTIVITIES Related to UD

#### National Instructional Materials Accessibility Standard Centers

- Building awareness about NIMAS among States and other relevant organizations
- Support a timely phase-in of the NIMAS specifications.
- Make recommendations to update NIMAS due to advances in technology and to address the needs of a broader range of students with disabilities
- Evaluate whether adoption of NIMAS results in greater and more timely availability of materials.
- Recipient: Center for Applied Special Technology, Inc.



<http://www.cast.org/NFF/NIMAS/>

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## Alternate Achievement Standards

- States may use alternate achievement standards to evaluate performance of students with the **most significant cognitive disabilities**.
- States may give equal weight to proficient and advanced performance based on the alternate standards in calculating school, district, and State AYP.
- Subject to 1% cap.



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## Alternate Achievement Standards

- States define “students with the most significant cognitive disabilities” as
  - Students who are within one or more of the 13 existing categories of disability and
  - Whose cognitive impairments may prevent students from attaining grade-level achievement standards, even with the best instruction.
- Individual IEP Team decision.



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## Alternate Achievement Standards

- Expectation of performance differs in complexity from grade-level achievement standards.
- Aligned with State’s content standard.
- Promote access to the general curriculum.
- Reflect professional judgment of the highest achievement standards possible.
- Must be developed through a documented and validated standards-setting process.



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## Alternate Achievement Standards

### Well-designed alternate achievement standards can provide a roadmap to grade-level standards and achievement.

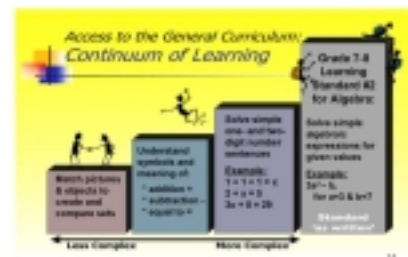
- Massachusetts, for example, has expanded their content standards along a continuum of entry points and provided access to the general curriculum through the expanded standards.
- Extensive teacher training has been delivered on the use of the expanded standards to provide access to the general curriculum.



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## Massachusetts Standards with a Range of “Entry Points”



<http://www.doe.mass.edu/mcas/at/r/math.doc>

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Wiener & Green, 2002



## 1% Cap Final Rule

- 1% cap applies to the number of proficient and advanced scores that may be included in AYP determinations.
- 1% cap does not limit the number of students taking an assessment against alternate achievement standards.
- 1% cap applies at the State and district levels.
- Alternate assessments based on grade level achievement standards would not be affected by the 1% cap.



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## Role of the IEP Team

- IEP teams continue to determine how to appropriately assess a child with a disability.
- IEP Team decisions should always be on a case-by-case basis and support access to the most challenging curriculum possible for the individual student.
- Inform parents of potential consequences, if any.



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## 2004 OSEP Investments

### NEW ACTIVITIES Related to Standards and Assessments for Students with the Most Severe Cognitive Disabilities

#### Center on Standards and Assessment

- National Center to help States improve and implement alternate achievement standards and alternate assessments for students with the most significant cognitive disabilities.
- Center will also look at how alternate achievement standards and alternate assessments impact student learning and access to the general education curriculum.
- Recipient: University of Kentucky



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## Additional Information

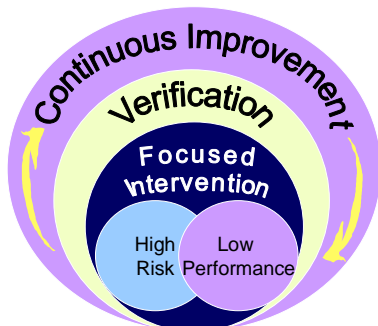
- If you have specific questions about this regulation, please contact the Department.
- For guidance on the standards and assessments requirements of NCLB, go to our website at <http://www.ed.gov/policy/speced/quid/nclb/standassguidance03.pdf>
- For a copy of the regulations, go to [www.ed.gov/policy/elsec/reg/list.jhtml](http://www.ed.gov/policy/elsec/reg/list.jhtml).



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## Continuous Improvement and Focused Monitoring System



## OSEP Focused Monitoring Performance Areas

### Part C Identification

### Part C Settings

### Part B Exiting/School Completion

### Part B Access/LRE

- Multiple data indicators used in each area
  - For example, graduation, drop out and 5 year change data used in Exiting/School Completion



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## 2004 OSEP Investments

### NEW ACTIVITIES Related to Improving Student Performance

#### IDEA General Supervision Enhancement Grant

⇒ Projects must engage in one or more activities to assist States with:

- ⑩ Measuring the impact of special education and early intervention services by using outcome indicators.
- ⑩ Improving participation in and achievement on State assessments (including alternate assessments) by using universal design principles.
- ⑩ Improving the State's technical assistance and dissemination system.



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## 2004 OSEP Investments

### ONGOING ACTIVITIES Related to Improving Student Performance

#### State Improvement Grants Program

- ⇒ Funds are used to reform and improve State special education and early intervention systems.
- ⇒ States work in partnership with schools, stakeholders, and other organizations.
- ⇒ Partnerships identify critical areas that need improvement, including performance of students with disabilities and compliance issues.
- ⇒ At least 75% of funds must be used on personnel preparation and professional development.



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## 2004 OSEP Investments

### ONGOING ACTIVITIES Related to Improving Student Performance

#### Highlights of SIG Programs

- ⇒ Missouri has been engaged in a statewide effort to train and support the use of Positive Behavior Interventions and Supports (PBIS)
- ⇒ Idaho has implemented statewide a Response to Intervention research-based model.
- ⇒ North Carolina established regional Centers for Excellence that provide professional development in reading, writing, mathematics and behavior.
- ⇒ Alabama has "scaled up" the use of research based reading instruction throughout the State.



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## 2004 OSEP Investments

### ONGOING ACTIVITIES Related to Improving Student Performance

#### Regional Resource Centers

- ⇒ Centers help States support better outcomes for infants, toddlers, and children with disabilities and their families by:
  - ⑩ Improving systems for planning and performance measurement; Dissemination of scientifically-based practices; Providing current information and TA on NCLB and IDEA; Collaborating with the Regional Parent Technical Assistance Centers; Providing TA to State Improvement grantees; Providing OSEP-specified technical assistance to selected States.
- ⇒ Recipients: WestEd, U. of Kentucky, U. of Minnesota, U. of Oregon, Auburn U., Utah State
- ⇒ Federal Resource Center: [www.dssc.org/frc](http://www.dssc.org/frc)



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## 2004 OSEP Investments

### ONGOING ACTIVITIES Related to Improving Outcomes for Infants and Toddlers, and Preschool SWDs

#### Early Childhood Outcomes Center

- ⇒ ECO Center is developing infant, toddler, preschool and family outcomes measures that can be used in local, state, and national accountability systems.
- ⇒ States like Georgia, Connecticut, Indiana, Delaware, and Oregon are already working with the ECO Center to enhance their work in early childhood outcomes.
- ⇒ ECO is a partnership between the University of North Carolina, the University of Kansas, the University of Connecticut, SRI, and NASDSE.

⇒ [www.the-eco-center.org](http://www.the-eco-center.org)



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## Other 2004 OSEP Investments

### NEW ACTIVITIES

#### National Center on Secondary, Transition, and Postsecondary School Outcomes for Students With Disabilities

- ⇒ National center to will assist States, schools, communities, and agencies to improve outcomes by analyzing and using data on what happens to students with disabilities after they leave secondary education.
- ⇒ Center will also identify how secondary, transition, and postsecondary school outcome data systems work and the policies and practices that sustain these systems.

⇒ Recipient: University of Oregon



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## Other 2004 OSEP Investments

### NEW ACTIVITIES

#### Research on Postsecondary Supports

- Two projects will focus on supporting students with disabilities in postsecondary education settings such as colleges and universities.
- The goal is to develop supports for these students that are integrated with the services given to all students.
- Recipients: University of Massachusetts; Transcen, Inc (Rockville, MD)



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## Other 2004 OSEP Investments

### NEW ACTIVITIES

#### Technology Implementation Center

- National Center to assist States and schools to use technology to improve achievement and access to the general education curriculum for students with disabilities.
- Center will look at best practice that integrates technology into teaching and develop strategies and professional development to support SEAs and LEAs in implementing these practices.
- Recipient: American Institutes for Research



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## Other 2004 OSEP Investments

### ONGOING ACTIVITIES

#### Communities of Practice

- A community of practice is a group of peers who are connected to one another informally by a common sense of purpose.
- Community members often share similar roles and face similar problems for which they collectively seek solutions.
- The CoP strategy being supported by OSEP links to OSEP's National Technical Assistance and Dissemination Network.



- Website: [www.tacomunities.org](http://www.tacomunities.org)

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## Other 2004 OSEP Investments

### NEW ACTIVITIES

#### Research on Parent Participation

- Two projects will work to provide parents with the skills they need to participate effectively in systemic efforts to improve education under IDEA and NCLB.
- Parents of children with disabilities will be prepared to take on leadership roles in local and State education policy forums, school improvement teams, local and State advisory groups, special education advisory councils, and other coalitions designed to improve educational results.
- Recipients: Federation for Children with Special Needs (Boston, MA); University of Vermont



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## Other 2004 OSEP Investments

### ONGOING ACTIVITIES

#### Technical Assistance Alliance for Parent Centers

- The Alliance supports a unified technical assistance system for the purpose of developing, assisting and coordinating Parent Training and Information Projects and Community Parent Resource Centers.
- The goal is to strengthen the connections to the larger technical assistance network and fortify partnerships between parent centers and state education systems at regional and national levels.
- 1 National Center and 6 Regional Centers to assist the 106 parent centers in the United States.
- National Center: [www.taalliance.org](http://www.taalliance.org)



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