

# WHAT'S HAPPENING IN WASHINGTON

V CASE  
May 24 – 26, 2006  
Virginia Beach, VA

Deborah A. Ziegler  
Associate Executive Director for Policy and Communications



---

---

---

---

---

---

---

---



## IDEA 2004 Regulations Update

- Part B Regulations
- Part C Regulations
- Part D Regulations
- Paperwork Waiver Demo Regulations
- Multi Year IEP Demo Regulations

2

---

---

---

---

---

---

---

---



## IDEA 2007 APPROPRIATIONS

3

---

---

---

---

---

---

---

---



**Appropriations for Federal Programs for the  
Education of Exceptional Children  
IDEA  
(in thousands)**

**State and Local Grant Program**

FY 2004 Appropriation	\$10,068,106
FY 2005 Appropriation	\$10,589,746
FY 2006 Appropriation	\$10,582,849
FY 2007 Administration	\$10,682,961
<b>Request</b>	
FY 2007 CEC Recommends	\$16,938,918

4

---

---

---

---

---

---

---

---



**State and Local Grant Program  
(Part B)**

Appropriations (in millions)

<u>Fiscal Yr.</u>	<u>Appropriated</u>	<u>\$ Increase</u>	<u>% of Full Funding</u>
04	\$10,068.11	----	18.4 %
05	\$10,589,746	\$ 521.64	18.6 %
06	\$10,582,849	\$ - 6,897.00	17.7 %
07*	\$10,682,961	\$ 100,112	17.0 %

\*FY 2007 Administration Request

5

---

---

---

---

---

---

---

---



**Appropriations for Federal Programs for the  
Education of Exceptional Children  
IDEA(in thousands)**

**Preschool Grants**

FY 2004 Appropriation	\$387,699
FY 2005 Appropriation	\$384,597
FY 2006 Appropriation	\$380,751
FY 2007 Administration	\$380,751
<b>Request</b>	
FY 2007 CEC Recommends	\$840,972

6

---

---

---

---

---

---

---

---



**Appropriations for Federal Programs for the Education of Exceptional Children IDEA (in thousands)**

**Early Intervention Program (Part C)**

FY 2004 Appropriation	\$444,363
FY 2005 Appropriation	\$440,808
FY 2006 Appropriation	\$436,400
FY 2007 Administration Request	\$436,400
FY 2007 CEC Recommends	\$680,000

---

---

---

---

---

---

---

---

**NCLB Reauthorization**

*CEC Wants to Hear Your Voice  
On the New Vision for NCLB!*

---

---

---

---

---

---

---

---

**NCLB Reauthorization**

In 2007, Congress is scheduled to reauthorize the Elementary and Secondary Education Act (NCLB).

---

---

---

---

---

---

---

---

## NCLB Reauthorization

Politically, this may not happen in 2007 for a couple of reasons:

- NCLB is a sweeping, controversial law with many components
- A Republican-led Congress may not want to revamp a law that is a key to President Bush's legacy

10

---

---

---

---

---

---

---

---

## NCLB Reauthorization

CEC has been preparing for the start of the reauthorization of NCLB

- Soliciting comments from its Representative Assembly on critical provisions in NCLB
- Soliciting comments from CEC members on NCLB
- Participating in the Forum on Education Accountability and working with other education groups to provide initial recommendations to Congress

11

---

---

---

---

---

---

---

---

## NCLB Reauthorization

CEC believes that addressing the following significant, constructive concerns are among those necessary to make the Act fair and effective for all children.

12

---

---

---

---

---

---

---

---

## NCLB Reauthorization

CEC's concerns include:

- Over-emphasizing standardized testing;
- Narrowing curriculum and instruction to focus on test preparation rather than richer academic learning;
- Overidentifying schools in need of improvement;

13

---

---

---

---

---

---

---

---

## NCLB Reauthorization

CEC concerns (cont'd)

- Using sanctions that do not help improve schools;
- Inappropriately excluding low-scoring children in order to boost test results; and
- Inadequate funding.

14

---

---

---

---

---

---

---

---

## *Let CEC Know What You Think!*



15

---

---

---

---

---

---

---

---

## NCLB Flexibility for States: Raising Achievement for Students with Disabilities

**Deb Ziegler**  
Associate Executive Director  
Policy and Communication Services  
Council for Exceptional Children

16

---

---

---

---

---

---

---

---

NCLB Flexibility for States:  
Raising Achievement for Students with Disabilities

## Department of Education Guidelines

- On May 10, 2005 Secretary of Education Margaret Spellings announced new "common sense" guidelines in providing states additional flexibility in implementing the No Child Left Behind Act

17



---

---

---

---

---

---

---

---

NCLB Flexibility for States:  
Raising Achievement for Students with Disabilities

## Department of Education Guidelines

- Spellings announced that states will be allowed to test up to 2% of students who still do not meet grade-level standards, even with high quality instruction

18

---

---

---

---

---

---

---

---

## Department of Education Guidelines

- new 2% subgroup of students is in addition to the separate 1% group of student with the most significant cognitive disabilities who are permitted to take alternate assessments aligned to alternate achievement standards

19

---

---

---

---

---

---

---

---

## Department of Education Guidelines

- Department of Education will allow schools to adjust their adequate yearly progress (AYP) for the 2005-2006 school year based on modified assessments it could have given to this 2 percent of students in the 2004-2005 school year under these new guidelines

20

---

---

---

---

---

---

---

---

## Department of Education Guidelines

- In order for schools within a state to be eligible to adjust their AYP for the 2005-2006 school year, states must meet the following criteria:

21

---

---

---

---

---

---

---

---

## Department of Education Guidelines

- they must test at least 95% of their students with disabilities;
- they must have appropriate accommodations for students with disabilities;

22

---

---

---

---

---

---

---

---

## Department of Education Guidelines

- they must have alternative assessments in math and language arts for students with disabilities who cannot take these tests with accommodations; and

23

---

---

---

---

---

---

---

---

## Department of Education Guidelines

- the minimum number of students counted for AYP ("N") must be the same for students with disabilities as it is for other subgroups.

24

---

---

---

---

---

---

---

---

## Department of Education Guidelines

- States had to apply to the Department of Education no later than June 1 and include:

25

---

---

---

---

---

---

---

---

## Department of Education Guidelines

- An explanation of why the state wants to take part in the plan and what parts of the state's accountability plan would be affected by the change;

26

---

---

---

---

---

---

---

---

## Department of Education Guidelines

- A justification of how the flexibility will result in more meaningful accountability and increased student achievement; and

27

---

---

---

---

---

---

---

---

## Department of Education Guidelines

- A date by which the state needs approval from the Department in order to make timely AYP determinations.

28

---

---

---

---

---

---

---

---

## CEC Recommendations

- CEC has advocated for a longitudinal growth model to be included in the accountability system to allow more focus on individual student achievement

29

---

---

---

---

---

---

---

---

## CEC Recommendations

- CEC recommends replacing the law's arbitrary proficiency targets with ambitious achievement targets based on rates of success actually achieved by the most effective public schools

30

---

---

---

---

---

---

---

---

### CEC Recommendations

- CEC recommends allowing states to measure progress by using students' growth in achievement as well as their performance in relation to pre-determined levels of academic proficiency

31

---

---

---

---

---

---

---

---

### CEC Recommendations

- CEC will continue to urge the Department to move toward a growth model. The new approach is better for children with disabilities because it allows educators to align curriculum and instruction with standards and assessment to better meet the needs of individual children

32

---

---

---

---

---

---

---

---

### CEC Recommendations

- While CEC supports the interim flexibility with conditions, we remain cautious until we see the regulations

33

---

---

---

---

---

---

---

---

### CEC Recommendations

- CEC worries about those who will view the proposed 2% cap as an invitation to fill that cap with as many students with disabilities as possible to shield school authorities and schools from any negative impact brought forward by AYP

34

---

---

---

---

---

---

---

---

### CEC Recommendations

- Different standards for a "new category" would modify the number of students eligible for alternate assessments and has the potential to take large numbers of students out of the mainstream curriculum – forcing them into an instructional category that won't allow them direct access to grade level content and eventual graduation from high school with a regular diploma

35

---

---

---

---

---

---

---

---

### CEC Recommendations

- CEC offered support of the interim flexibility with the following conditions:

36

---

---

---

---

---

---

---

---

### CEC Recommendations

- students with disabilities have access to grade-level content;
- students with disabilities have access to early and effective scientifically-based interventions to remediate academic skill deficits;

---

---

---

---

---

---

---

---

### CEC Recommendations

- students with disabilities have access to highly qualified teachers qualified to teach core academic subjects;
- educators embrace high expectations for students with disabilities;

---

---

---

---

---

---

---

---

### CEC Recommendations

- IEP team members, including families, receive intense training to make appropriate and responsible decisions about identifying children in this subgroup and what type of assessment is appropriate;

---

---

---

---

---

---

---

---

### CEC Recommendations

- appropriate stakeholders receive intense training on the development of modified achievement standards and alternate assessments;

40

---

---

---

---

---

---

---

---

### CEC Recommendations

- research and development of more effective universally designed accountability and assessment systems that better meet the goal of high academic achievement for all children is funded by the DOE;

41

---

---

---

---

---

---

---

---

### CEC Recommendations

- involving the special education, general education, disability and family community in the development of the notice for proposed rulemaking; and

42

---

---

---

---

---

---

---

---

### CEC Recommendations

- involving the special education, general education, disability and family community in the development of the growth model.

---

---

---

---

---

---

---

---

### Joint Organizational Statement Recommended Changes to NCLB

#### Progress Measurement

1. Replace the law's arbitrary proficiency targets with ambitious achievement targets based on rates of success actually achieved by the most effective public schools

---

---

---

---

---

---

---

---

### Joint Organizational Statement Recommended Changes to NCLB

#### Progress Measurement

2. Allow states to measure progress by using students' growth in achievement as well as their performance in relation to pre-determined levels of academic proficiency

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Progress Measurement

3. Ensure that states and school districts regularly report to the government and the public their progress in implementing systemic changes to enhance educator, family, and community capacity to improve student learning

46

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Progress Measurement

4. Provide a comprehensive picture of students' and schools' performance by moving from an overwhelming reliance on standardized tests to using multiple indicators of student achievement in addition to these tests

47

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Progress Measurement

5. Fund research and development of more effective accountability systems that better meet the goal of high academic achievement for all children

48

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Assessments

6. Help states develop assessment systems that include district and school-based measures in order to provide better, more timely information about student learning

49

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Assessments

7. Strengthen enforcement of NCLB provisions requiring that assessments must:

50

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Assessments

- Be aligned with state content and achievement standards;
- Be used for purposes for which they are valid and reliable;

51

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Assessments

- Be consistent with nationally recognized professional and technical standards;
- Be of adequate technical quality for each purpose required under the Act;

52

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Assessments

- Provide multiple, up-to-date measures of student performance including measures that assess higher order thinking skills and understanding; and

53

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Assessments

- Provide useful diagnostic information to improve teaching and learning.

54

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Assessments

8. Decrease the testing burden on states, schools and districts by allowing states to assess students annually in selected grades in elementary, middle schools, and high schools

55

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Building Capacity

9. Ensure changes in teacher and administrator preparation and continuing professional development that research evidence and experience indicate improve educational quality and student achievement

56

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Building Capacity

10. Enhance state and local capacity to effectively implement the comprehensive changes required to increase the knowledge and skills of administrators, teachers, families, and communities to support high student achievement

57

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Sanctions

11. Ensure that improvement plans are allowed sufficient time to take hold before applying sanctions; sanctions should not be applied if they undermine existing effective reform efforts

58

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Sanctions

12. Replace sanctions that do not have a consistent record of success with interventions that enable schools to make changes that result in improved student achievement

59

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Funding

13. Raise authorized levels of NCLB funding to cover a substantial percentage of the costs that states and districts will incur to carry out these recommendations, and fully fund the law at those levels without reducing expenditures for other education programs

60

---

---

---

---

---

---

---

---

## Joint Organizational Statement Recommended Changes to NCLB

### Funding

14. Fully fund Title I to ensure that 100 percent of eligible children are served

61

---

---

---

---

---

---

---

---

## CEC Contact Information

Deborah A. Ziegler  
Associate Executive Director for Policy and Communication Services  
Council for Exceptional Children  
1110 N. Glebe Road, Suite 300  
Arlington, VA 22201  
703-264-9406  
debz@cec.sped.org

62

---

---

---

---

---

---

---

---