February 25, 2015

Dear Representative,

The Council for Exceptional Children (CEC) has significant concerns regarding The Student Success Act (H.R. 5) and urge you not to support the bill as currently written.

CEC is pleased that since the Committee mark up, some progress has been made to include new language that improves data transparency as well as assuring parents understand the implications of alternate assessments on alternate achievement standards including that students are not precluded from attempting to complete requirements for a regular diploma. We believe that these improvements, in combination with the other positive provisions in HR 5 such as disaggregation of data by student categories; the 95% student participation rate for all students as well as for student subgroups in assessments; and the use of universal design for learning principles in assessment design – are all incredibly important. However, in total, the bill just does not go far enough.

As an advocate for the six million students with disabilities attending public school across the U.S., CEC strongly urges the House of Representatives to work in a bipartisan fashion to craft legislation that continues to provide meaningful access for all students. Any bill to reauthorize ESEA must at least include the following:

- Limit the use of Alternate Assessments based on Alternate Achievement Standards to 1% of all students assessed, by grade and by subject;
- Ensure that parents are involved in the decision that their child will take an alternate assessment on an alternate achievement standard;
- Ensure that students with disabilities, including students that take the alternate assessment on alternate achievement standards have continued access to the general education curriculum and are not precluded from earning a regular high school diploma;
- Prohibit the elimination of maintenance of effort provisions.
- Increase the funding authorization for ESEA programs to a minimum of the FY 2010 level.
- Prohibit Title I portability provisions.
- Ensure the inclusion of early childhood education programs.
- Ensure strong provisions related to charter school accountability.
- Ensure strong provisions for professional development.
- Prohibit performance pay that is solely based from standardized test scores.

We hope you will give further consideration to the important provisions that we know will help ensure that students with disabilities are held to high standards and have excellent teachers in settings where they are most likely to succeed. We know you share our goal to see that every student has the opportunity to achieve and be prepared for post-secondary education and careers.
We would be happy to discuss CEC’s recommendations with you in further detail. Thank you for considering CEC’s recommendations. We urge you to vote no on H.R.5.

Sincerely,

[Signature]

Deborah A. Ziegler, Ed. D.
Director
Policy and Advocacy and Professional Standards