



Debate over testing frequency part of larger tussle over federal role

When Sen. Lamar Alexander, R-Tenn., first broached a proposal for reauthorizing the ESEA, special ed and disability groups objected to a version of that plan, called Option 1, that would eliminate the requirement to test children in reading and math every year in grades 3-8.

At the time, those groups said they would provide a more extensive critique of the plan by a Feb. 2 deadline for comments to the Health, Education, Labor and Pensions Committee, which Alexander chairs.

Those comments are now in, and the additional concerns include who designs the tests and how the scores are reported. And then there are issues beyond testing, such as graduation rates, teacher distribution, and restraint and seclusion.

All told, there are dozens of points on which special ed and disability groups want Alexander to yield or on which they want him to act. But unifying them is a belief that the federal government must continue to take a tangible role in monitoring states.

Call it the mend-it, don't-end-it approach, as in this statement from the National Center for Learning Disabilities: "We appreciate that the draft upholds key tenets that have resulted in an increased attention [on the performance] of students with disabilities," it said. "However, despite the inclusion of these tenets, the [draft] includes other provisions which significantly undermine the usefulness of these tenets; and there is an absence of pro-active strategies to support students with disabilities, which represents a missed opportunity."

Becoming 'profession-ready'

When it comes to designing assessments, there are actually two issues, according to comments by the Consortium for Citizens with Disabilities.

First, Alexander's bill "eliminates the authority of the Secretary related to the peer review and approval of state assessment systems," it said. Second, it said, it lets districts design their own assessments, further fragmenting the testing universe at a time when the Common Core movement is trying to get everyone on the same page.

"CCD is strongly opposed to allowing local educational agencies to develop and administer their own assessments in lieu of the state-designed academic assessment system," it said. "Such an allowance raises many questions related to validity, reliability and equality for students who historically underperform, including students with disabilities."

On reporting, CCD wants Congress to make sure states don't exclude groups of students larger than 10, a phenomenon called n-size.

"This provision has historically been misused by many states ... to avoid reporting school and school district assessment outcomes for students with disabilities," it said.

On graduation rates, the Alexander plan lacks a sense of urgency, CCD said. The bill "does not include any requirement that states and districts set graduation goals and/or targets for all students and every category of students, nor does it place any emphasis on graduation in state accountability planning and reporting on use of Title I funds," it said.

Likewise, the bill is weak on teacher equity, CCD said.

"The bill does not provide for the equitable distribution of teachers in high-need schools, which can lead to a disparate impact on low-income students with disabilities," it said. "ESEA should provide support to states and school districts to ensure that teachers are profession-ready before becoming the teacher of record."

Setting divergent paths

Finally, CCD said, Congress should take the opportunity to "prohibit the use of restraint and seclusion in non-emergencies that do not threaten physical safety, prohibit the use of aversive behavioral interventions that compromise health and safety, and protect all students from physical and mental abuse."

The sheer volume of points raised by CCD as well as by individual groups in separate comments might seem overwhelming. But the theme is clear, and it is one on which there truly is disagreement: How much latitude should states have to set their own course?

For Alexander, the answer to that larger question is clear: Washington must back off.

"In exchange for [ESEA] waivers, the Secretary has told states what their academic standards should be, how states should measure the progress of students toward those standards, [and] what constitutes failure for schools," he said at a Jan. 21 hearing.

On Feb. 6, Alexander and Sen. Patty Murray of Washington, the HELP Committee's top Democrat, said they had agreed to move forward and develop a joint proposal.

But for groups such as TASH, the Education Department is a guardian of hard-won gains. Thus, such groups argue, the agency needs reinforcing, not weakening.

"Despite some progress for students with disabilities, significant achievement gaps persist," said TASH, which signed the CCD letter but also submitted its own set of comments. "A strong ESEA is necessary for students with disabilities to climb the ladder of success to career and college readiness."

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February 6, 2015

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