



COMMISSION ON
NO CHILD LEFT BEHIND

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FOR IMMEDIATE RELEASE
THURSDAY, MARCH 29, 2007

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NCLB Commission Statement on U.S. House Hearing on How NCLB Affects Students with Disabilities

Washington, DC—Today the Commission on No Child Left Behind made the following statement in response to the U.S. House of Representatives Committee on Education and Labor, Subcommittee on Early Childhood, Elementary and Secondary Education hearing on the impact of NCLB on students with disabilities.

The Commission applauds the Committee for holding a hearing focused on improving the law's impact on students with disabilities. Although NCLB has provided greater attention and instructional support to students with disabilities, there is still much more to be done to close the gap between students with disabilities and their non-disabled peers. In 2005, only 6 percent of eighth graders with disabilities performed at the proficient level or above on the National Assessment of Educational Progress (NAEP) in reading, compared with 33 percent of eighth graders without disabilities. In addition, large numbers of students with disabilities continue to be excluded from states' assessments and accountability systems.

"Students with disabilities are capable of achieving at high levels," said Commissioner Judy Heumann. "We must do all that we can to ensure that they are given the opportunities and support that they need to be successful."

Our report, *Beyond NCLB: Fulfilling the Promise to Our Nation's Children*, lays out specific, actionable steps that can be taken to assure that states set high expectations for all students, require fair and accurate assessment systems and train teachers well to help students with disabilities succeed. Our recommendations ensure that these students are appropriately included in the accountability systems, and we recommend specific solutions to address the unique challenges facing schools in educating students with disabilities.

As it does for all students, the Commission recommends limiting the minimum subgroup size for including children with disabilities for accountability purposes to twenty. We recommend allowing the use of growth models to ensure that schools receive credit for significant improvements in student performance. We also recommend including a measure of *effectiveness* in improving student achievement for making determinations about teacher quality and school leadership.

In addition, we make specific recommendations that help ensure that the unique needs of students with disabilities are met. The Commission recommends maintaining current levels of funding to states for the development of assessments to enable states to improve their overall quality and to create and implement alternate assessments, when necessary, for students with disabilities. While the Commission supports the current policy of assessing up to one percent of students, those with the most severe cognitive disabilities, against alternate achievement standards, we recommend reducing the number of students with disabilities currently allowed to be assessed against modified achievement standards from the current two percent to no more than one percent. The Commission also recommends strengthening the procedures used for determining

which students are included in these categories and improving the tools and training provided to teams that make those decisions and develop individual education plans (IEP's).

We urge the adoption of this comprehensive set of recommendations to ensure that students with disabilities and all other students will succeed. These and other recommendations by the Commission form a blueprint for improving NCLB and accelerating the progress in meeting its goal of proficiency for all students. You can access the Commission's full report by visiting www.nclbcommission.org.

The Commission on No Child Left Behind is funded by the Bill & Melinda Gates Foundation, the Ewing Marion Kauffman Foundation, the Joyce Foundation, the John D. and Catherine T. MacArthur Foundation, Carnegie Corporation of New York, and the Spencer Foundation. This document is published to communicate the results of the Commission's work. The findings, interpretations, and conclusions expressed in the Commission's documents are entirely those of the author(s) and should not be attributed in any manner to the donors.