

**Testimony of Lucinda Hundley
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**Before the
Health, Education, Labor and Pensions Committee (HELP)
United States Senate**

**Hearing on
ESEA Reauthorization: Meeting the Needs of Special Populations**

April 29, 2010

Chairman Harkin, Senator Enzi, and Other Members of the Committee:

Thank you for inviting me to speak today. I am the Assistant Superintendent of Student Support Services for Littleton Public Schools in Littleton, Colorado. Our district includes 24 schools Pre-K-12 and the district motto 'big enough to serve you, small enough to know you' is embodied in the comprehensive programming offered in a caring and involved small-town atmosphere. We have over 16,000 students enrolled this year including 1,550 that are served under the Individuals with Disabilities Education Act. Our high school graduation rate is 90 percent, 79.2% for students with disabilities, and our dropout rate is 1 percent.

In my role as Assistant Superintendent, I am directly responsible for all services provided from preschool to age 21 to students receiving special education services under IDEA. I work with a dynamic team of district leaders responsible for students with a broad range of needs, including Title I schools. Together, we strive to set the highest of expectations for all of our students.

Today, I'd like to highlight key components of my district's commitment and success with students receiving special education services as well as share several recommendations for you to consider as you reauthorize the Elementary and Secondary Education Act.

Littleton's Commitment to All Students

Three years ago, our Board of Education added a new element to the district's strategic plan to support and reinforce that student achievement should be at the heart of everything we do in our schools. The goals of that plan are:

- ensure that 90 percent of students – including students with disabilities - will be on or above grade level in the areas of reading and writing, mathematics, and science by the end of the 2011–2012 school year; and,
- cut the student achievement gap by half by the end of the 2009–2010 school year

We have made tremendous progress in accomplishing these goals, in fact, as of spring, 2009, 79.6% of Littleton Public School students are on or above grade level, in the areas of language arts and math, according to the District's student achievement index. This reflects all students, grades K – 10. While we have made gains in pursuing these goals, it will come as no surprise, that we continue to reassess not just what we are doing to improve student achievement, but how we are doing it, how we are improving general and well as special education, as well as how we are monitoring progress over time.

For students with disabilities, the gains are significant. In fact, our 2009 data show a district wide 98% participation rate in our statewide assessments and steady gains in achievement. Examples of this include 76.9% of elementary students with disabilities meeting the adequate yearly progress target for reading and 82.8% of elementary students with disabilities meeting the adequate year progress target for math. There is no question that the requirement in current ESEA law -- to fully include students with disabilities at the subgroup level in the accountability system -- is a significant reason for these gains.

To be effective, state accountability systems must include all students, and be held accountable for the achievement of all students. Using progress monitoring data related to IEP goals is not a valid assessment of the success of the system to promote high levels of achievement for students with disabilities on state standards. The IEP is an individualized guarantee for special education and related services based on assessed student needs. IEP goals are related to a student's specific individual needs, including for example, services and supports -- but these alone are not always a sufficient gauge of a student's educational achievement. Special education must also provide specially designed instruction and services for students with disabilities that facilitate high expectations and high achievement. The system is not held accountable if progress on meeting IEP goals is used as the sole accountability measure.

Under No Child Left Behind, students with disabilities now have a seat at the table, for instructional planning, staff development, and determining strategies for ongoing assessments to monitor progress. There is now a much broader ownership for the learning of all students, including those with disabilities.

Before the last reauthorization, the needs of students with disabilities were not fully considered in many of the decisions made regarding allocation of resources for teacher training, for programming including literacy and other interventions and for participation in assessments with their peers. Because of ESEA, Littleton Public Schools has made a significant investment in improving the quality of our instruction, in all subject areas. By bringing best practices to our schools through a team-based philosophy, we have been able to create and sustain school-wide reform systems through research-based programs such as Positive Behavior Support (PBS) and Response to Intervention (RtI). Both of these systemic strategies, while having roots in special education, are best implemented when the entire school building is engaged and both general and special education are working together to ensure that our most at-risk students, including low-income students, minority students, English Language Learners and students with disabilities, are provided the supports and interventions they need regardless of eligibility for one particular program or another.

When the U.S. Department of Education provided flexibility to states in creating an alternate assessment on modified achievement standards for students with disabilities -- often referred to as the 2% Rule -- Colorado's state legislature charged an expert study committee with the task of examining whether the state should move forward to develop a 2% test. In December 2005, the study committee released the report *Assessing 'Students in the Gap' in Colorado*. That report included key recommendations such as:

- Expand the eligibility and difficulty of Colorado's alternate assessment on alternate standards for students with the most significant cognitive disabilities
- Increase the use of standardized accommodations
- Promote intensive, targeted, research-based instruction

- Investigate accountability measures that could account for longitudinal growth
- Investigate the effect of giving Colorado's general assessment to students in smaller sections over a longer period of days.

(Source: Report from the HB-05-1246 Study Committee, 2005)

Colorado's decision to not move forward in developing the modified assessment has positively impacted my district's commitment to providing the intensive, targeted, research-based instruction that students need and we strive to make the best decisions regarding assessments for students with disabilities.

Current law, although not perfect, has helped us work together to support a philosophy and approach that sets the highest of expectations for all students and doesn't place arbitrary limits on what any student can or should be expected to achieve. This helps us carry out on going and focused professional development and staff training throughout the district. Our training is not a 'top down' model, but instead relies on school-based teams to pilot evidence based programs, see the student gains and then share and expand the growth of best practices and programs throughout the district.

In Littleton, students with disabilities are included in the general classroom to the greatest extent possible according to their individual needs. Because of a sustained effort to more fully include students with disabilities with their peers, in my estimation we are getting it right, including in Littleton, Colorado. We are benefiting greatly because we are fostering and supporting acceptance that creates a school society in which all pre-school, elementary, middle and high school students are expected to learn and know grade level content to the greatest extent possible, and, where all children have a place in both the academic and social structure of school and where, for example, a young man with Down Syndrome can be nominated prom king while in high school and hold down an hourly job at age 24, in a typical work place setting.

Another example of how students with disabilities are benefiting is with both the focus on transition to post secondary opportunities and our state's College in Colorado program. It helps students engage in discussions about their future, identify resources available to them, participate in activities related to their goals, such as career planning, job related skill development, on the job coaching, dual enrollment programs at the local community colleges or classes that support their career interests. Ultimately, it sets the bar high enough that students have a vision of themselves achieving goals after high school, which can include going to college. The College in Colorado program has expanded to include identifying higher education resources for students with disabilities. Imagine being a student with disabilities who, in the past, would have assumed that college wasn't in their future. Now, many students with disabilities in Colorado have set very realistic goals for themselves, goals that include college.

In Littleton, for students that graduate or exit at age 21 after receiving special education services, we contact each of them, and their parents, one year after graduation to ask them what they are currently doing in their life, how prepared they were, how they are doing, and what suggestions that might have for us to improve our supports to students with disabilities. After five years of collecting this post-school outcome data, we are confident to report that the majority of the students that have graduated or exited at age 21 are doing quite well. For the 2009 graduates reporting, 52% are involved in higher education, and 44% are employed in the work force. This continues to be an area of priority for us, linking K-12 student achievement outcomes with post secondary success.

Key Recommendations

Inherent to our success as a district is also the ongoing challenge to make an imperfect law work so that we can fully support and serve all of the students for which we are responsible. As such, I'd like to offer several recommendations for you to consider as you reauthorize the ESEA.

1. Maintain full accountability for students with disabilities. Please consider however, as part of the annual assessment, the addition of a growth model that measures student growth at a cohort level. Current accountability with artificial targets for student performance does not allow for recognition of significant growth over time. Comparisons should be made from year to year against the same cohort or group of students, to fully understand the actual gains being made by that group (e.g. compare the same group of third graders to themselves when in the 4th grade). Accountability in this model is much more authentic as a measurement of real progress and therefore more accepted when it is relevant at the student level and reflective of the work being done. If our goal is to teach students and expect them to learn grade level content, we need to measure and compare those same students' growth each year. On a broad level, while states set their own targets, states (and their school districts) should get credit for progress made toward their own proficiency. A district level example of this is that in 2009, Littleton achieved 129 out of 135 AYP targets for our subgroups, but got no credit for progress that these students made, only the note that the district did not achieve AYP.
2. Provide flexibility in use of funds through ESEA to train and build capacity for more teachers. There is a critical shortage of special education personnel in Colorado and throughout the nation. By allowing federal funds to flow for training of both general and special education staff, districts like mine could ensure that general educators are better prepared to teach students with diverse learning needs and that special educators better understand how to teach to grade level standards while providing specially designed instruction as required by IDEA. This would also allow districts to better utilize limited resources to assure that the staff with the most appropriate skills and training are those working with students with a range of learning needs. We want to focus our training on improving student academic achievement and how to teach students to successfully master the challenging curricula to the greatest extent of their abilities.
3. Support teacher training programs that provide ongoing incentives and support to draw qualified staff into the field where there are critical shortages. We all recognize that there is a serious shortage nationally of special education teachers. Colorado's Teacher in Residence training program is an example where higher education, in partnership with school districts, provides ongoing training, oversight and support in coordination with the mentoring support that the school district can provide. This type of teacher preparation program as an example, paired with flexibility for use of funds to build capacity and increased skills with current teaching staff as described previously, will enhance the efforts we are currently making in the field to provide trained, quality staff proficient in evidence based instruction and progress monitoring.
4. Provide incentives for state assessments to be designed and implemented so that all students can accurately demonstrate, over time, their academic knowledge and skills. Our assessments must utilize the principles of Universal Design for Learning to ensure that all students – including those with disabilities – can meaningfully demonstrate their

knowledge and skills, thereby providing a more accurate understanding of student academic performance for evaluation by educators, families and policymakers. This 'next generation' of assessments must consider the needs of diverse learners from creation, rather than attempting to retrofit assessments during their implementation. An assessment can only be considered an accurate picture of a student's knowledge and skills if it is designed to allow a student to most effectively demonstrate what they know.

5. Expand opportunities to improve early literacy instruction and critical interventions throughout ESEA. Including a strong literacy component as part of ESEA and supporting professional development for teachers (e.g., the LEARN Act as recently introduced in the Senate and House) will help ensure training and funding for statewide literacy planning and instruction. School improvement and reform provisions must require the adoption and valid use of proven school-wide educational strategies, and embedding them in the general education structure. By including a 'multi-tier system of supports(MTSS)—which allows for systems such as Response to Intervention, Positive Behavior Support and other research-based instruction and intervention systems—we can prevent academic failure, increase academic achievement and reduce the number of students mistakenly identified as needing special education.

Thank you again for this opportunity to speak to you today. I will be happy to take your questions.