

KENNEDY PRAISES REFORM IN NO CHILD LEFT BEHIND

Testing standards for students with disabilities will reflect challenges and triumphs

Washington, D.C.—Today, Senator Edward M. Kennedy praised Secretary of Education Margaret Spellings' announcement to recognize the progress of certain students with disabilities for their achievements under the No Child Left Behind Act. Kennedy believes that it's especially important for students who for years were excluded from high standards and opportunity in America's classrooms to be given fair standards for achievement.

Senator Kennedy said, "Teaching children with disabilities is no longer just an issue of access, but of quality. Every school should have the resources needed to identify special needs children early, deliver quality instruction to those children, and help them make the transition to higher education and life opportunities once they finish school. I'm confident that today's policy will move us closer toward that goal, by establishing rigorous standards for instructing students with disabilities and by improving the benchmarks that measure their progress."

Currently under NCLB, the achievement of students with disabilities is measured in one of 3 ways: (1) regular assessment based on grade-level standards; (2) regular assessment, with accommodations, based on grade-level standards; or (3) alternate assessment for the most severely disabled. This third category is based on functional criteria and states may include up to 1% of their students in this last category for NCLB purposes.

But NCLB's current regulations leave some students out, particularly those with less severe disabilities. These students are still learning to the academic standard in their grade, but often don't do well on the regular assessment, even with accommodations, because of their cognitive limitations. With a modified state assessment of their standards, these students will be given a chance to succeed.

The regulation would allow states to develop and use "modified achievement standards," with modified tests, for approximately 20 percent of students with disabilities. The regulation permits this, as long as states ensure: (1) students are still instructed in grade-level content and tested on that content, (2) students are still encouraged to graduate with a regular diploma, and (3) guidelines are developed and used at the IEP meeting to determine whether a student should be included in this new category. The major difference from the current policy is that the achievement standard would be "modified" for these students, but not at the "functional" level, as it is with the most severely disabled.

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SENATOR EDWARD M. KENNEDY STATEMENT ON IMPROVEMENT TO NO CHILD LEFT BEHIND TO RECOGNIZE STUDENTS WITH DISABILITIES

Today's policy moves us closer toward the goal of ensuring that the No Child Left Behind Act works for students with disabilities, and I commend Secretary Spellings on her dedication to the sound

implementation of the law.

We've done well to ensure that children with the most severe disabilities are recognized under No Child Left Behind, and I'm hopeful that today's action will help acknowledge the skills and capabilities of an even greater number of students through modified standards and assessments. I'm pleased that the Secretary has struck a fair balance between the academic challenges facing special needs children and the accountability necessary to ensure their success.

Earlier this year, I proposed legislation to improve assessments for students with disabilities under the No Child Left Behind Act. Today's announcement is an important step forward toward meeting that charge, but more must be done to help states measure the progress of students with disabilities in the most appropriate manner. It's clear that the states need resources to get the job done and implement the most accurate, valid, and reliable measures.

Teaching children with disabilities is no longer just an issue of access, but of quality. To improve progress for students with disabilities, we must invest resources in reform. So far, the Bush Administration and this Republican Congress have committed to less than half of our fair share of special education funding, and short-changed the No Child Left Behind Act by \$13 billion in this year alone.

Our students with disabilities deserve more – not less – to meet the high standards of the No Child Left Behind Act.