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NO CHILD LEFT BEHIND



RAISING THE ACHIEVEMENT OF STUDENTS WITH DISABILITIES: New Ideas For IDEA

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"No Child Left Behind and the Individuals with Disabilities Education Act have put the needs of students with disabilities front and center. We now have a laser-like focus on helping these kids."

– U.S. Secretary of Education Margaret Spellings

Students with disabilities have made great strides in the classroom over the past three decades, sparked by the passage of the *Individuals with Disabilities Education Act [IDEA]*. This revolutionary law paved the way for children with disabilities to enjoy full access to educational opportunities.

Another revolutionary law, the *No Child Left Behind Act [NCLB]*, promised a quality education to every K-12 student, including students with disabilities, for the very first time. Signed in 2002, NCLB has made the academic achievement of these students a national priority, leading to even greater classroom progress.

Today, the U.S. Department of Education announces new final regulations under the IDEA that will help schools, districts and states implement IDEA and NCLB seamlessly to ensure that the goals of each law are met. The changes, shaped by thousands of public comments from educators, parents and others, will help make the laws' promise a reality in every state, school district and classroom for the nation's 6.6 million students with disabilities.

Before And After IDEA

On Nov. 29, 1975, President Gerald Ford signed into law the Education for All Handicapped Children Act, now known as IDEA. It guaranteed students with disabilities access to a free and appropriate public education. Prior to IDEA, American schools educated only about one in five students with disabilities. After the law was implemented, their school attendance and graduation rates increased substantially:

- The number of students with disabilities completing high school **rose 17 percentage points** between 1987 and 2003, while participation in postsecondary education **more than doubled** (source: U.S. Department of Education).

The No Child Left Behind Act

Although access for students with disabilities was guaranteed, academic achievement was not. An "achievement gap" grew, aggravated by what President Bush has called the "soft bigotry of low expectations." The *No Child Left Behind Act* committed the nation to ensuring that all students can read and do math at grade-level proficiency by 2014, with states assessing students annually to ensure continuous progress. The law also breaks down the results by student group so that no child falls through the cracks. Since the law was passed:

- 95 percent of students with disabilities are participating in state reading assessments (2003-04); and
- Reports show students with disabilities are receiving more classroom time and attention.

Given the opportunity to succeed, students with disabilities have shown real academic gains:

- Reading scores for 4th-graders with disabilities increased more than 20 points between 2000 and 2005, four times greater than their peers;
- While the achievement gap between students with and without disabilities declined by a third (from 50 to 32 points).

Students with disabilities have responded well to *NCLB's* accountability measures. In 2003-04, only 13 percent of schools that missed their Adequate Yearly Progress (AYP) goals did so based solely on their performance.

Aligning IDEA To NCLB

On December 3, 2004, President Bush signed into law the *Individuals with Disabilities Education Improvement Act of 2004*, reauthorizing *IDEA* and aligning the law with the goals and purpose of *No Child Left Behind*. These two historic laws are now working together to ensure that high standards are set for all students with disabilities, and that every child receives a quality education.

Inviting The Public To Comment

Following *IDEA's* reauthorization, the Department's Office of Special Education and Rehabilitative Services (OSERS) solicited ideas for draft regulations to implement the law. This gave parents, teachers, administrators and advocates the opportunity not just to review and adapt to the changes, but to help shape them.

- Beginning in Jan. 2005, a series of public meetings was held across the country.
- On June 21, 2005, the Department published the draft regulations as a Notice of Proposed Rulemaking.
- The Department held a second series of public meetings on the proposed regulations in summer 2005.
- More than 5,500 people responded, with the Department reviewing every email, letter and comment from the public hearings.

Citizen comments were carefully considered and led to a number of changes. For example, public comment on the identification of students with learning disabilities led to a clarification of how this determination will be made.

The Final Regulations

The final regulations are designed to do what's best for students. There is a new focus on ensuring that students with disabilities achieve to high standards. In addition, the final regulations:

- Provide flexibility in spending resources to ensure that students with disabilities are identified early and accurately, and that they receive the support they need;
- Ensure that students with disabilities have highly qualified teachers;
- Reduce burdensome paperwork for educators and administrators; and
- Strengthen parents' involvement in their children's education.

Making The Changes User-Friendly

The Department of Education has put together a user-friendly package to guide the public through the changes, including an **analysis of the public's comments** and a **summary of the major changes** since the draft regulations' publication. OSERS is developing a comprehensive plan to aid state and local educators and officials, with **technical assistance**, an easy-to-navigate **Internet index**, and a **new curriculum** to train providers, parents and advocates. Log onto <http://www.ed.gov/policy/speced/guid/idea/idea2004.html> to view the final regulations.

Other Support For Students With Disabilities

- In Dec. 2005, Secretary Spellings released proposed regulations explaining how the Department would allow states to **develop new and appropriate assessments** for certain students with disabilities that the latest research shows can achieve to high standards within an expanded time frame.
- In Sept. 2005, President Bush signed a law allowing Gulf Coast states to **access \$25.9 million** in federal vocational rehabilitation funds to support students with disabilities affected by Hurricanes Katrina and Rita.
- In April 2006, the Department unveiled a "**Tool Kit on Teaching and Assessing Students with Disabilities**" to help states and school districts implement *NCLB's* accountability measures.