



The Council of Parent Attorneys and Advocates, Inc.
A national voice for special education rights and advocacy

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ESEA Discussion Draft Undercuts Progress and Student Accountability ***Students with Disabilities At-Risk of Losing Access to a Regular Diploma***

WASHINGTON – Denise Marshall, executive director of The Council of Parent Attorneys and Advocates, Inc. (COPAA) released the following statement regarding the Senate discussion draft of the Elementary and Secondary Education Act (ESEA) released by Health, Education, Labor and Pensions Committee Chairman Lamar Alexander.

“We are gravely concerned about Chairman Alexander’s ESEA discussion draft due to its complete dismantling of accountability for the outcomes and improvement of all students, including students with disabilities. The bill lacks any mechanism for ensuring that students not making gains will be given any targeted intervention and support when they are failing to meet state standards. Furthermore, for the 6.4 million students with disabilities, including those living in poverty, the draft would place their access to a high school diploma at great risk by allowing schools to place students and count their scores as proficient – unchecked - into the alternate assessment on alternate achievement standards. Such decisions often lead to a reduction in or removal of access to the general curriculum in the regular classroom and take students off-track for a regular diploma as early as third grade.”

According to state reported special education data:

- Nearly 90% of students with disabilities do not have intellectual or cognitive disabilities (U.S. Department of Education 2014).
- 60% of students with disabilities spend 80% or more of their day in the general classroom
- 61% of students with disabilities graduate from high school. All 13 categories of disabilities have seen increases over the past ten years. Five [of the 13 categories] have seen double digit increases (NCES, 2014)
 - *autism* (10.8 percentage point increase),
 - *emotional disturbance* (20.1 percentage point increase),
 - *other health impairments* (10.7 percentage point increase),
 - *specific learning disabilities* (11.4 percentage point increase), and
 - *speech or language impairments* (16.6 percentage point increase)

Marshall continued, “As the data show, now is not the time to rollback accountability for our children. ESEA must hold schools, districts, and states accountable to individual students and subgroups of students and their families by ensuring that no child will be subjected to lower expectations, alternate standards or less attention when he or she is not on the path toward achievement and quality outcomes. Any legislation that does not ensure this layer of accountability is not good enough for our children. We hope to work with the Chairman and the Committee to fully address our concerns as the process continues.”

COPAA also signed the January 11 civil rights [ESEA principles statement](#).

The Council of Parent Attorneys and Advocates, Inc. (COPAA) is an independent, nonprofit organization of parents, attorneys, advocates, and related professionals. COPAA members nationwide work to protect the civil rights and secure excellence in education on behalf of the 6.5 million children with disabilities in America. COPAA’s mission is to serve as a national voice for special education rights and is grounded in the belief that every child deserves the right to a quality education that prepares him or her for meaningful employment, higher education and lifelong learning.