April 29, 2003

Member
U.S. House of Representatives
Washington, DC 20515

Attn: Education Legislative Assistant

Dear Representative:

On behalf of the National Association of Secondary School Principals (NASSP) – the preeminent leadership organization representing the nation’s middle level and high school principals, assistant principals, and aspiring principals – I write concerning H.R.1350, the Improving Education Results for Children with Disabilities Act.

Since its original passage, the Individuals with Disabilities Education Act (IDEA) has helped to improve the state of American education by affording a more equitable learning environment, and greater opportunity for students with disabilities. While NASSP reaffirms support for IDEA, it is important to note that the law can be improved. Many implementation challenges exist that impede the ability of teachers and administrators, who seek to provide all students with a quality education.

NASSP is pleased that the Committee chose to focus considerable attention on many of the priorities important to principals. We appreciate the time and consideration you have devoted to the reauthorization. H.R.1350 offers some positive improvements that help address IDEA implementation challenges; however, certain other provisions raise concern.

Funding
Paramount to the success of IDEA is providing the necessary resources to fulfill the obligations of the law. It is unrealistic to expect true improvement in student performance without the necessary resources. While NASSP appreciates recent funding increases appropriated by Congress, and the attempt by the Committee to provide a 7-year course to reach full funding of the law, we continue to support mandatory full funding of the Act.

Related to funding, NASSP is concerned that H.R.1350 imposes a state cap of 12 percent related to the number of students aged 3-17 who are eligible for Part B IDEA funds. We understand that the cap is an action related to other language included in the bill attempting to address the “over-identification” of IDEA-eligible students. However, NASSP opposes this cap because it proposes an arbitrary funding ceiling that may result
in denying certain students the services they require, when the goal should be “improved identification.”

NASSP supports the creation of a “State Cost Sharing” mechanism that allows states to retain funding to help schools provide high cost services to students. Such a reserve fund will help to better manage funding while ensuring appropriate high cost services are provided to the students that need them. NASSP strongly supports the state cost sharing plan.

**Paperwork Reduction**

As you are well aware, principals and school staff fulfill an inordinate amount of paperwork requirements related to the implementation of IDEA. NASSP appreciates the inclusion of paperwork reduction provisions in the 1997 law, such as, a 10-state pilot program allowing waivers in return for innovative paperwork improvements, language encouraging the expansion of appropriate uses of technology related to the IEP process, and provisions written throughout H.R.1350 that reduce duplicative filing.

Although NASSP supports the concept of a three-year IEP option with annual review, the provision offered in H.R.1350 has the potential of creating a greater burden than is currently present. The multi-year IEP language does little to streamline the IEP process. In addition, a potential exists for increased litigation due to some ambiguity in what would be defined as “sufficient progress” during the Comprehensive Review Process.

NASSP supports the inclusion of a Government Accounting Office (GAO) review of paperwork requirements through a national sampling of states and school districts to identify “excessive paperwork completion burdens.” However, a study will only identify the problems associated with paperwork. NASSP encourages follow-through once the GAO study is completed to ensure additional paperwork improvements are implemented.

**Discipline**

NASSP acknowledges the great difficulty in devising IDEA discipline policy that provides both appropriate civil rights protection for students with disabilities and protection of the rights of all students and staff in the school, who are entitled to a safe and effective teaching and learning environment. We support the changes in H.R.1350 related to IDEA discipline. However, we recognize the importance that behavioral assessments play with regard to improving the learning atmosphere, and encourage schools to continue use of these important tools.

We commend the Education and Workforce Committee for including a requirement that educational services be made available for IDEA students who are expelled or suspended from school, and encourage funding to be provided to support quality alternative settings in all districts that do not have access to these services. NASSP believes that all children should have quality alternative education options available to them if the general education classroom is not the most appropriate setting for learning.
Principal and Teacher Training

In general, principals and other educators are not provided the proper training required to adequately implement all aspects of IDEA. NASSP believes that the majority of higher education principal training programs are especially deficient with regard to special education and IDEA preparation. That is why we are especially pleased you chose to include authorized activities for leadership training activities, which includes interdisciplinary training for various types of leadership personnel including principals.

In addition, we appreciate the inclusion of an amendment offered by Representative Ron Kind during the markup of H.R.1350 that aids schools in providing professional development to administrators.

I look forward to working with you as the reauthorization process moves forward to ensure a workable IDEA that improves the educational services provided students with disabilities.

Sincerely,

Gerald N. Tirozzi, Ph.D.
Executive Director