

NASSP Individuals with Disabilities Education Act (IDEA) Legislative Recommendations

JULY 22, 2009

The NASSP IDEA Task Force, selected in fall 2007, is composed of 11 active middle level and high school principals or assistant principals and four representatives from institutions of higher education from across the country. Each member possesses a solid knowledge of IDEA through practitioner and personal experiences and other research.

The mission of the IDEA Task Force has been to study the effects of the federal IDEA law and regulatory language on school leaders and the nation's diverse education structure, and propose recommendations regarding the changes that should be incorporated into a newly reauthorized law.

Assist states and districts in effectively recruiting and retaining highly qualified special education teachers.

- According to the Center of Personnel Studies in Special Education, 98% of the nation's largest school districts report shortages of special education teachers; more than 50,000 special education teachers are required to address this shortage.
- The U.S. Bureau of Labor Statistics recently noted that the number of special education teachers needed is expected to increase through 2014 at a rate faster than the average occupation. The reason for this demand is projected increases in the number of students requiring

special education and related services and the number of current teachers who will transfer to general education, retire, or leave education for other professions.

- Some states and districts are successfully recruiting and retaining highly qualified special education teachers by offering targeted salary increases for hard-to-recruit positions, bonuses for critical subject area shortages, housing incentives, tax credits, and loan forgiveness.
- Extension of the High, Objective, Uniform State Standards of Evaluation (HOUSSE); mentoring; induction programs; and financial incentives are all possible strategies that could help address the shortage of special education teachers.

Expand professional development opportunities and technical assistance that aids teachers, school leaders, and support personnel to more effectively provide instructional and other services to all students with disabilities.

- While in the past, students with disabilities may have received special education and related services in alternative settings or classrooms, 52.1% of students in 2004 were educated for most of the school day inside the regular classroom.
- Many teachers and school leaders lack the coursework and field experience needed to lead local efforts to create learning environments that emphasize academic success for students with disabilities.
- The overrepresentation of English language learners in special education classes suggests that most educators have difficulty distinguishing students who truly have

learning disabilities from students who are struggling for other reasons, such as limited English.

- Additional funding for professional development and technical assistance would allow providers to offer more effective instruction based on brain research and offer educators strategies on how to effectively teach students with disabilities.
- School leaders must have timely access to research on effective instructional strategies, assessments, and growth models, etc., provided by the Technical Assistance and Dissemination Centers, in order to comply with regulations and procedures required under IDEA and to provide a better education for students with disabilities.

Transition planning that includes measurable postsecondary goals and transition services should begin when a student reaches the age of 14 or by 8th grade.

- Quality transition planning and implementation is dependent upon coordination and partnering between all governmental agencies that may serve students with disabilities. The sooner those partnerships can be established, the likelihood of success increase for each student.
- Parents of students with disabilities experience substantial challenges with service delivery systems, day-to-day living, residential locations, and uncertainty about the future. Parents view themselves as their children's case managers, with responsibility for identifying and coordinating resources and supports, providing specialized nursing services and therapies, and finding little emotional energy and time to plan for the future.
- Introducing students with disabilities and their families to the opportunities available after high school and self-advocacy strategies at an earlier age (i.e. 14 instead

of 16) will enhance students' abilities to achieve their postsecondary goals.

- Focusing on post-high school transitions brings both relevancy and real world applications into the classroom thereby enhancing student motivation for learning.
- According to the National Longitudinal Transition Study, nearly 8 in 10 young adults with disabilities engaged in some form of activity related to employment or postsecondary education after exiting high school.

Research and develop exemplary models in the areas of instructional and intervention strategies, assessment tools, development of individualized education programs (IEPs), and transition planning in order to meet the needs of students with disabilities.

- For example, autism is the fastest growing serious developmental disability in the nation. Currently, 1 in 150 individuals are likely to be diagnosed with autism. However, very little research and development exists in regards to how best serve students with autism.
- Model IEPs and forms that are brief and effective must be researched and developed and made readily available to districts in order to reduce paperwork thereby increasing time available for instruction.
- In order to increase the quality and effectiveness of transition programming; model transition programs and forms that are aligned to the IEP and are brief and effective must be researched and developed, and made readily available to districts.
- Developing a model for transition planning, with emphasis on the Summary of Performance, would allow for enhanced communication between colleges, technical and training programs as well as careers without college, regardless of where the student may choose to reside.

Ensure a linkage between states' data systems to streamline paperwork and increase consistent and appropriate access to services for students with disabilities who transfer between, schools, districts, and states.

- In 1999, the Government Accountability Office cited a correlation between academic disabilities and transience as a cause of the overidentification of migratory children who qualify for special education and related services. For this reason, Section 1308 of ESEA requires districts to ensure the linkage of records pertaining to migratory children with a disability for the purpose of electronically exchanging, among the states, health and educational information for such children.
- Since students with disabilities who are transient may not be classified as migratory, this required linkage should be expanded to include all students who receive special services.

Develop an assessment and accountability system for the purpose of calculating adequate yearly progress (AYP) that allows for students with disabilities to be assessed at their current instructional level, as determined by the students' IEP teams.

- A student's IEP team is in the best position to know a student's individual abilities as well as which assessments will accurately demonstrate that student's individual growth towards meeting state standards and benchmarks.
- Districts should be allowed to assemble both formal and informal evaluations into a comprehensive portfolio for each student that includes standardized assessments, criterion referenced tests, cognitive tests, teacher and parent observations, course performance, and intervention strategies to determine the appropriate assessment for the student.

- Legislation (H.R. 4100) was introduced in the 110th Congress to establish a competitive grant program that would allow states to conduct pilot programs to determine the effectiveness of assessing students with disabilities who are achieving significantly below grade-level proficiency at their instructional level.

Provide incentives for highly qualified teachers to acquire dual certification in special education and general education.

- Dual endorsed teachers bring with them a skill set that allows them to better work with all students. For example, positive behavior supports work best when applied schoolwide.
- Incentives, such as loan forgiveness or tax credits, to general education teachers who pursue special education certification, may help recruit and retain more special education teachers.
- Currently in many school districts, special education teachers and teaching assistants are placed in regular education classrooms to provide individualized instructional support for special education students (i.e. inclusion). Dually endorsed teachers require less external support thereby allowing special education personnel to be redistributed into more effective intervention services.

Create a common set of standards of care and assessments for each of the disabilities enumerated in IDEA.

- IDEA 2004 defined a child with a disability as "a child with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance (referred to in this title as 'emotional disturbance'), orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific

learning disabilities; and who, by reason thereof, needs special education and related services.” However, differences in the determination of these conditions have resulted in inconsistencies in the services provided to students within a state and between different states.

- Clarification of the standards of care would ensure that each student would receive “comparable” services within a particular school or district, and when the student transfers within the same state or outside of the state.

Fully fund IDEA.

- From 1995 through 2004, the total number of students ages 6–21 receiving special education and related services under IDEA increased from almost 5.1 million to more than 6.1 million, and the largest increase occurred for students in middle level and high schools.
- When Congress first passed IDEA in 1975, the federal government agreed to pay for the excess costs of educating a child with a disability compared to a general education student, which translates to 40% of the national average per-pupil expenditure (APPE).
- School districts were allocated \$22.8 billion (34.2%) in federal funding under IDEA in FY 2009, which includes funding allocated by the American Recovery and Reinvestment Act and regular annual appropriations.
- The IDEA shortfall increases demand on school districts’ general fund balance, forcing them to raise taxes or eliminate critical education programs and staff.

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