



FACT SHEET

EDUCATION

Background

The U.S. Congress may work this year to reauthorize the No Child Left Behind Act (NCLB). NCLB significantly impacts the education of students with disabilities. The No Child Left Behind Act requires all students up to high school to be assessed to determine educational progress by individual schools and school systems. The disability community has been and continues to be among NCLB's strong supporters since this law finally requires students with disabilities to be part of the student achievement system. The NCLB Act authority expired in September 2007. There has been much controversy about how to measure educational progress for students with disabilities, who are frequently blamed by educators for poor results by schools. Despite two sets of regulations aimed at assuring that certain students with disabilities are assessed appropriately, the controversy continues inside and outside of the disability community.

The recently reauthorized Higher Education Act funds student loans for post secondary education and funds programs to prepare school administrators and teachers, including special education teachers. The Congress authorized new post secondary educational opportunities for students with disabilities who want to continue their education beyond high school, particularly for those students with significant cognitive impairments who are not likely candidates for admission to typical colleges and universities but could profit from community college and other post secondary education opportunities. Changes in the law include:

- Model programs to create and expand programs to serve students with intellectual disabilities;
- Technical Assistance, training and support to facilitate higher education access;
- Expanded student loan benefits for veterans with disabilities; and
- Programs to train teachers and other personnel to teach students with disabilities.

There is also a well-documented severe shortage of qualified special education teachers and related services personnel. Personnel preparation funding is available through Part D of the Individual with Disabilities Education Act and the Higher Education Act.

Action Taken by Congress and the Administration

It is unclear whether the Congress will pass a NCLB reauthorization bill this year. There are many policy and political hurdles to overcome. Many Members of Congress and President Obama have expressed support for NCLB but seek to adjust some of NCLB's key provisions. No Administration or Congressional leadership bills have been introduced in this Congress.

Recommendations

- Assure that any changes to NCLB do not negatively impact students with disabilities;
- Require closer coordination of NCLB and IDEA policies;

- Fully fund the new provisions in the Higher Education Act that increase postsecondary opportunities, provide access to work study and financial aid for students with significant cognitive disabilities;
- Increase funding for all components of the Individuals with Disabilities Education Act (IDEA), particularly the Part B State Grant, the Part C Early Intervention State Grant and the Preschool Program; and
- Increase funding for programs to increase the cadre of administrators, highly qualified teachers and related services personnel needed to address the critical shortage of special education staff in our nation's public schools.

Relevant Committees

House Education and Labor Committee

Senate Health, Education, Labor and Pensions (HELP) Committee

House Appropriations Committee

Senate Appropriations Committee

For more information, please contact The Arc and United Cerebral Palsy Disability Policy Collaboration (202) 783-2229, Association of University Centers on Disability (301) 588-8252, American Association on Intellectual and Developmental Disabilities (202) 387-1968, National Association of Councils on Developmental Disabilities (202) 506-5813 or the Self Advocates Becoming Empowered (802) 760-8856.

4/13/09

TALKING POINTS FOR ADVOCATES

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EDUCATION

- More than 6 million students with disabilities are served by IDEA.
- The No Child Left Behind Act makes all schools give tests to all special education students to find out what they are learning.
- These tests can be unfair if students are tested on things they did not learn.
- Some new tests are more fair, but some people aren't sure they work to really tell if the students are learning what they should.
- Too many special education teachers are not qualified to teach.
- There are not enough qualified special education teachers to teach all the students with disabilities.
- Many special education students want to go to college, especially community colleges, after they graduate from high school.
- New programs in the Higher Education Act will help students with intellectual disabilities go to community colleges and other schools to better prepare them for jobs and life in the community.

Congress should:

- Make sure the No Child Left Behind Act works well for students with disabilities;
- Find more money to train teachers to serve students with disabilities;
- Fully fund the new Higher Education Act programs so that community colleges can better serve students with intellectual disabilities; and
- Increase funding for all special education programs in IDEA.

