

FOR RELEASE
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Contact: Jim Bradshaw
(202) 401-1576

PAIGE RELEASES PRINCIPLES FOR REAUTHORIZING INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)

U.S. Secretary of Education Rod Paige today unveiled a set of principles to guide the Education Department in its work toward seeking reauthorization of the Individuals with Disabilities Education Act (IDEA), the landmark statute that provides for the education of America's 6.5 million students with disabilities.

"Every child in America deserves the highest-quality education, including our children with disabilities," Secretary Paige said. "Our goal is to align IDEA with the principles of No Child Left Behind by ensuring accountability, more flexibility, more options for parents and an emphasis on doing what works to improve student achievement. I look forward to working with Congress in the weeks and months ahead to achieve these goals."

The act, which comes up for reauthorization before Congress this year, guarantees a free appropriate public education in the least restrictive environment to students with disabilities. At the time it was passed by Congress in 1975, more than a million students with disabilities were warehoused in institutions.

Today, many students with disabilities are educated in regular classrooms alongside their nondisabled peers. Following is the text of the principles that will guide the department's work toward reauthorizing the act:

PRINCIPLES FOR REAUTHORIZING THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT

Since 1975, the Federal government has played an important role in ensuring that children with disabilities receive the best possible education through the Individuals with Disabilities Education Act (IDEA). President Bush's sweeping reforms in the No Child Left Behind Act made fundamental improvements in elementary and secondary education to enhance the education of children with disabilities by supporting accountability for results, expanded parental choice, a focus on what works, and increased local flexibility. The President believes the next step for achieving excellence in the education of children with disabilities is significant reform of IDEA.

In 2001, the President created the Commission on Excellence in Special Education. After 13 meetings and hearings across the country, the Commission delivered to the

President its recommendations for improving special education and reforming IDEA. President Bush believes the Commission's recommendations should serve as the starting point for reauthorization. The President intends to work with the Congress to renew IDEA based on the following principles:

1. STRONGER ACCOUNTABILITY FOR RESULTS

Children with disabilities must be considered as general education students first. Under No Child Left Behind (NCLB), states are responsible for implementing a single accountability system for all students based on strong academic standards for what every child should know and learn, including children with disabilities. IDEA must incorporate the NCLB principles of assessment for children receiving special education and align with NCLB accordingly to enhance state efforts to improve student achievement.

Consistent with those principles, IDEA should ensure that students with disabilities have access to and make progress in the general curriculum, and are appropriately included in state accountability systems. IDEA must move from a culture of compliance with process to a culture of accountability for results. Consequently, IDEA eligibility and compliance paperwork requirements at the federal level must be streamlined and focused on improving results for students with disabilities. In return for that rigorous accountability, states and localities will receive significant annual increases in IDEA funding. This funding would be on a discretionary basis.

2. SIMPLIFY PAPERWORK FOR STATES AND COMMUNITIES AND INCREASE FLEXIBILITY FOR ALL

IDEA guarantees the availability of a free appropriate public education for children with disabilities. Yet the law itself often hampers effective education by requiring vast amounts of paperwork and substantial procedural requirements for teachers and administrators. IDEA should be simplified and unnecessary paperwork eliminated by focusing on results. This will increase the time spent by teachers on teaching and minimize time currently spent on procedural and non-instructional tasks while still preserving the fundamental rights of students with disabilities. States should be allowed to submit plans to the Department to streamline and simplify paperwork while demonstrating compliance.

States and localities should have more flexibility to use federal special education money to provide direct services for students with disabilities. This will permit states, for example, to create intrastate risk pools for the highest cost children with disabilities, or to increase professional development opportunities for teachers, paraeducators, other service personnel and administrators. In addition, the current process for states to demonstrate their eligibility to receive IDEA funds must be streamlined and simplified.

Meaningful involvement for parents of students with disabilities should also include earlier and easier access to alternative dispute resolution. IDEA should expand and improve upon existing dispute resolution processes through a variety of strategies

including improved mediation practices; allowing mediation to be requested at any time during the dispute resolution process; and permitting the use of voluntary binding arbitration for both parents and districts. The law should also simplify the complexities of IDEA's discipline requirements. Changes would improve school safety while preserving protections for students with disabilities.

3. DOING WHAT WORKS

IDEA should target federal education dollars to implement research-based practices that have been proven to help students with disabilities learn. Half of the more than 6 million children currently served under IDEA have learning disabilities and about 90 percent of them exhibit reading difficulties as their primary demonstration of their specific learning disability. IDEA should ensure the revision of outdated regulations that result in the misidentification of students as having disabilities because they did not receive appropriate instruction (in areas such as reading) in their early years. This will help schools focus on identification practices that promote earlier intervention, dramatically reducing the misidentification of students with learning disabilities.

More broadly, IDEA should ensure that schools, local education agencies, state education agencies and the Federal Department of Education quickly adopt research and evidence-based practices. OSERS research and training activities should be aligned with the work of the Department's Institute of Education Sciences. Additionally, information should be provided to families and teachers on effective programs based on rigorous research, including requiring the federally funded parent training centers to educate parents about effective research that improves results for students with disabilities. IDEA should also reflect the research principles outlined by the President's Commission on Excellence in Special Education while adhering to the standards for high quality research established by the Education Sciences Reform Act of 2002.

4. INCREASE CHOICES AND MEANINGFUL INVOLVEMENT FOR PARENTS

A core principle of IDEA is identifying and serving all children with disabilities regardless of the type of school they attend-traditional public, public charter, private, and parochial. IDEA currently empowers parents of children with disabilities to participate in the selection of schools and services for their children and where those services will be provided. For instance, IDEA permits parents to move their child out of a special education program to the private program of their choice if an IEP team agrees the child would be more appropriately served in such a program.

Yet too often these choices for students with disabilities are limited by arbitrary decisions. IDEA should expand opportunities to help parents, schools, and teachers choose appropriate services and programs for children with disabilities, including the charter and private schools of their choice. States should then measure and report academic achievement results for all students benefiting from IDEA funds, regardless of what schools they choose to attend.

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Note to editors: For more information about IDEA, visit
<http://www.ed.gov/offices/OSERS/OSEP/>.