



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

October 4, 2013

Monique M. Chism
Director, Student Achievement and School Accountability Programs
Office of Elementary and Secondary Education
U.S. Department of Education
400 Maryland Avenue, SW., Room 3W224
Washington, DC 20202-6132

Re: Docket ID ED-2012-OESE-0018

Dear Ms. Chism:

The Council of Parent Attorneys and Advocates, Inc. (COPAA) is an independent, nonprofit membership organization focused on protecting civil rights and securing excellence in education on behalf of the 6.5 million children with disabilities in America. With over 1400 members nationwide, COPAA is at the forefront of special education advocacy. COPAA is committed to creating a level playing field to ensure children with disabilities receive the high-quality education to which they are entitled and have available to them a free appropriate public education (FAPE) that is designed to meet their unique needs and prepare them for post-secondary outcomes, community participation and employment.

COPAA is pleased to submit comments in support of the Notice of Proposed Rulemaking (NPRM) which will amend current §§ 200.1 and 200.6 to eliminate a State's ability to define modified academic achievement standards for certain students with disabilities; develop and administer alternate assessments based on those standards; and, subject to limitations on the number of proficient scores that may be counted for AYP purposes under current § 200.13(c), use the scores from those alternate assessments in AYP calculations. This regulation has been of significant concern to COPAA since it was enacted in 2007.

COPAA members advocate for and work directly with students with disabilities and their families. As a result, we have unfortunately become all too familiar with the negative impact this policy has had on certain students' opportunities to maintain access to the general curriculum, be taught in the regular classroom and achieve a regular diploma. By issuing this NPRM, the U.S. Department of Education is supporting not only the rights of students with disabilities to participate and make progress in the general curriculum with their peers, but also that assessment decisions must help drive the instruction and supports provided to assure positive outcomes for these students. COPAA especially appreciates that the NPRM reiterates the direct connection of the revised Title I policy to the Individuals with Disabilities Education Act (IDEA) and clarifies:

...the transition from alternate assessments based on modified academic achievement standards under Title I of the ESEA also would apply to how States include children with disabilities in these assessments under the IDEA.

COPAA wholeheartedly supports the NPRM and believes the Department is taking a much needed positive step toward assuring all students are expected to and taught to achieve grade level standards with their peers. We look forward to working with you to ensure that all students transitioning from the modified to the general assessment, their teachers and their administrators are all supported to ensure success. We appreciate this opportunity to comment.

Sincerely,

A handwritten signature in black ink that reads "Denise Marshall". The signature is written in a cursive style.

Denise Marshall
Executive Director