

October 18, 2011

Senator Harkin  
Senator Enzi  
U.S. Senate  
Health Education Labor and Pensions Committee  
Washington, DC 20510

Dear Senators,

**The organizations listed below representing both general and special education communities would like to express our deep concern with any amendment that would codify the use of modified alternate assessments in a re-authorized ESEA.** We believe that except for students with the most significant cognitive disabilities, all other students with disabilities should be required to take the same state assessments with accommodations and modifications as appropriate administered to students without disabilities, but with accommodations that are valid and reliable and recommended by the IEP team.

Only three states have a Department-approved two percent assessment and 12 are using another alternative assessment that has not been approved by the Department. The Department just recently eliminated the ability of states to use the two-percent proxy. While the Department of Education provided some funding through the State Enhancement Grants (GSEGs) for development of these assessments, ultimately, they failed to help states implement the regulation (e.g., it gave no workable guidance regarding acceptable assessments). Moreover, the Department never clearly defined the population of students for whom the assessment would be appropriate.

The 2% assessment is less practical as new tests are developed and adopted by states that will enable the majority of students with disabilities to take regular assessments with accommodations with accommodations that are valid and reliable and recommended by the IEP team. Both of the consortia tasked with designing assessments around the Common Core State Standards are building these assessments to include students with disabilities who have been included in 2% category. Given the lack of high quality modified assessments, states should have the option to eliminate the 2% test and adopt assessments that are valid and reliable for all but students with the most significantly cognitive disabilities. .

The lack of nation-wide expertise to create appropriate assessments that serve students with disabilities, coupled with the decision by both common core assessment consortia to design tests that can accurately gauge progress by the group most often taking the modified alternate assessments, demonstrates that a modified alternate assessment should not continue.

Thank you for your consideration of our views.

Sincerely,

American Association of School Administrators  
Council of Administrators of Special Education  
Council for Exceptional Children  
National Association of State Directions of Special Education  
National Center for Learning Disabilities  
National School Boards Association

cc: Senate HELP Committee Members