

# New York State Council of School Superintendents

# 2006

# Federal Legislative Program



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Increasingly federal laws have a direct impact on school districts. Expanding mandated testing, via the No Child Left Behind Act (NCLB), and requiring two due process standards for special education students, (under Individuals with Disabilities in Education Act (IDEA)), are just two examples. It is imperative that Federal lawmakers hear directly from New York State school superintendents to appreciate the impact federal laws have on the education of Children in New York.

This multi-faceted agenda sets forth the issues of greatest concern to superintendents and aims to bring them to the forefront of Legislators' minds in the 2006 Congressional Session. The New York State Council of School Superintendents will partner with its national affiliate, the American Association of School Administrators (AASA), to advocate this critical legislative program.



## Fully Fund the Individuals with Disabilities Act (IDEA)

In 1975, Congress passed the Individuals with Disabilities in Education Act (IDEA) and promised to provide 40 percent of funding for every student. Congress continues not to fulfill its funding promise – offering barely nineteen percent of aid to school districts. NYSCOSS urges Congress to fully fund IDEA.

We also ask Congress to correct provisions in the law which have a detrimental impact on schools and special education students.



- **Single Standard for Placements:** Amend IDEA to provide a single standard applicable to special education placements. Current law permits two standards – one for IEP placements and the other as a result of litigation. A single standard will ensure the least restrictive environment for children, and will require students in all settings to meet state standards, a hallmark of NCLB and IDEA.

- **Revise Statute of Limitations:** A two-year statute of limitations now applies to children receiving special education services. Such a lengthy amount of time is a breeding ground for litigation. NYSCOSS urges Congress amend IDEA to shorten the statute of limitations to



three months from the time the parent knew or reasonably should have known they disagreed with the child's individual educational program. This will ensure disputes are resolved in a timely manner and not years after the fact.

## Reform and Fund the No Child Left Behind Act (NCLB)

New York State is a leader in the area of raising academic achievement. It was one of the first states to have its NCLB compliance plan adopted and approved by the Federal Education Department.

**Funding:** New York State will only receive a modest increase in its Title 1 allocation in 2006-07 and 10 percent of school districts will lose funding. NCLB must be fully funded to meet its goal of improving academic achievement for students.

**Special Education:** Progress for students with disabilities should be based on their IEPs, using the measures of progress called for, including accommodations. NCLB should be amended to allow students with disabilities who need more than five years to graduate to be counted as graduates.



**Accountability Models:** NCLB should be amended to allow longitudinal data that is currently used in state accountability systems to also be used to demonstrate adequate yearly progress for NCLB. This will enable schools to demonstrate progress in closing the achievement gap by measuring the aggregate change in performance of individual students over time.

### Early Childhood Education:

High quality early care and education activities are directly linked to academic success for children in K-12. New York schools have strived for years to put these programs in place, especially in our highest need areas. These programs help ensure kindergarten readiness and success in all future years. NYSCOSS asks Congress to support fully funded universal access of all four-year olds to pre-kindergarten programs.

## Carl D. Perkins Vocational & Technical Education Act (Perkins Act)

The world is flat. Children must be provided the resources and opportunities to be competitive in a shrinking international climate. Vocational education plays an integral role in meeting this goal. The quality and availability of technical education helps students address workforce needs of the future. New York State has successfully integrated rigorous academics into its career and technical education programs funded through the Perkins Act. More than 700 career and technical education courses offered by



New York's 38 BOCES offer students the opportunity to earn Regents credit. In 2005-06, \$65.1 million was awarded to 141 education programs to support approximately, 525,000 secondary and post secondary students. NYSCOSS urges Perkins Act reauthorization:

▶▶ **Target Funding:** NYSCOSS opposes block grants. Targeted, separate funding will help struggling students meet academic standards through CTE and other alternative means.

▶▶ **Maintain Funding Formula Structure:** NYSCOSS urges maintaining two funding formulas for secondary and post-secondary CTE.

▶▶ **Accountability:** Accountability requirements should focus on meaningful indicators of success of CTE programs. The accountability focus is best placed on academic results based upon portfolios of student work and standards established by trade and professional associations.

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Founded in 1883, NYSCOSS has provided over 120 years of educational leadership. Now the organization serves and represents over 700 active superintendents and other school district leaders.

NYSCOSS' vision is to be the preeminent organization in New York State influencing the development of education policy and asserting the leadership role of the superintendency.