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August 20, 2015

Chairman Lamar Alexander  
Chairman, Senate Committee on Health, Education, Labor & Pensions  
U.S. Senate  
Washington, DC 202515

Chairman John Kline  
Chairman, House Education and Workforce Committee  
U.S. House of Representatives  
Washington, DC 202515

Ranking Member Patty Murray  
Senate Committee on Health, Education, Labor & Pensions  
U.S. Senate  
Washington, DC 202515

Ranking Member Bobby Scott  
House Education and Workforce Committee  
U.S. House of Representatives  
Washington, DC 202515

**Re: Input to the conference committee in regard to S. 1177 & HR 5**

Dear Chairman Alexander, Chairman Kline, Ranking Member Murray and Ranking Member Scott,

On behalf of MAASE, the Michigan Association of Administrators of Special Education, working to provide high quality education to over 206,000 special education eligible students in the state of Michigan, I write to applaud your efforts and those of your colleagues to date on the reauthorization of the Elementary and Secondary Education Act (ESEA).

There are many aspects of both S. 1177 & HR 5 that will benefit students across the country from the focus on Early Childhood and Multi-Tiered Systems of Support to a more common sense approach to educational accountability.

For all that the proposed bills get 'right', there are elements that give MAASE pause and we welcome the opportunity to provide input on the following priority issues as you work through the conference process:

- **Maintenance of Effort:** MAASE opposes the elimination of state and local maintenance of effort, but supports additional common sense exceptions. All such exceptions must maintain services for students while allowing schools to increase efficiencies. MAASE recommends that additional exceptions to MOE include changes in funding as a result of individual district decisions (e.g. reductions in wages and/or benefits of employees that do not impact level of student services, reductions due to consolidation or privatization), state legislation requiring employees to pay portions of their health care premiums and waivers for exceptional or uncontrollable circumstances at the local educational agency level.
- **Portability:** MAASE is opposed to the utilization of public funds for nonpublic schools. As evidenced in Michigan, there have been virtually no positive results in student outcomes from the use of public dollars to support non-public schools. Portability does not rectify the issues related to poverty distribution, equity, parental choice or remediate student outcomes for those in failing schools. Public dollars must be retained for public schools. Our legislators are encouraged to seek real solutions to address failing schools that will incentivize best practice, community engagement, and quality instruction.
- **Accountability:** MAASE supports a 2% cap for students who are taking an alternate assessment for the purpose of calculating AYP and a 95% overall participation rate. Currently, approximately 400 districts in Michigan have requested a waiver to exceed the 1% cap and count up to 2% of students taking an alternate assessment. Based on this data, the general assessment is not yet able to adequately measure progress for approximately 2% of students with the most significant disabilities. This is supported by research indicating the 1% cap is, in fact too low. ([Raising Achievement: Alternate Assessments for Students with Disabilities, USDOE.](#)) Moving the cap to 2% would allow transparency and comparability for the purpose of ensuring high quality, effective instructional practices for all students.

MAASE welcomes the opportunity to see ESEA reauthorization move to completion this fall. We look forward to further improvements and a final outcome that will support the high quality education our nation's children deserve. To this end, we thank you and the 114<sup>th</sup> Congress for your commitment and leadership on this issue.

Sincerely,

Donna Jones, President