

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2005**

**H**

**Simple  
Resolution  
Adopted**

**HOUSE RESOLUTION 2879  
Adopted 6/29/06**

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Sponsors: Representatives Glazier, Johnson, B. Allen, Jeffus (Primary Sponsors);  
Pate and Wiley.

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Referred to: Rules, Calendar, and Operations of the House.

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June 19, 2006

1 A HOUSE RESOLUTION URGING THE UNITED STATES DEPARTMENT OF  
2 EDUCATION TO RESPOND QUICKLY BUT THOUGHTFULLY ON THE  
3 FINAL REGULATIONS FOR STUDENTS WITH DISABILITIES, ALLOW  
4 SUFFICIENT TIME FOR STATES TO IMPLEMENT THE FINAL  
5 REGULATIONS, AND AFFORD AS MUCH FLEXIBILITY AS POSSIBLE TO  
6 THE STATES DURING THE INTERIM PERIOD.

7       Whereas, North Carolina has had a statewide testing program in reading and  
8 mathematics in grades three through eight since the 1992-1993 school year; and

9       Whereas, the Individuals with Disabilities Education Act (IDEA) and the  
10 subsequent passage of No Child Left Behind (NCLB) have caused changes to occur in  
11 the statewide testing program; and

12       Whereas, these two major federal acts together affect the testing of all  
13 students, including students with disabilities and Limited English Proficient (LEP)  
14 students; and

15       Whereas, the design, process, and procedures for appropriately assessing  
16 students with disabilities and LEP students is a challenge; and

17       Whereas, there is recognition of the importance of scientifically based  
18 instruction for all students, including students with disabilities and LEP students, with  
19 appropriate, reasonable, and valid universally designed assessments to measure  
20 progress; and

21       Whereas, on December 15, 2005, the United States Department of Education  
22 (USED) issued proposed regulations in the Federal Register; and

23       Whereas, the USED has received numerous comments and concerns  
24 expressed during the comment period for the above-mentioned proposed regulations;  
25 and

1           Whereas, the Council of Chief State School Officers (CCSSO) and the  
2 National Association of State Directors of Special Education (NASDSE) have expressed  
3 explicitly their concerns about the testing of students with disabilities; and

4           Whereas, the time given to states to make the changes necessary to meet the  
5 federal regulations in a timely manner is often inadequate; and

6           Whereas, the stakes involved for students, schools, school districts, and the  
7 State are high based on these assessments; Now, therefore,

8 Be it resolved by the House of Representatives:

9           **SECTION 1.** The North Carolina House of Representatives urges the United  
10 States Department of Education to respond quickly but thoughtfully to the concerns  
11 expressed by CCSSO and NASDSE on the final regulations for students with  
12 disabilities, allow sufficient time for states to implement the final regulations, and afford  
13 as much flexibility as possible to the states during the interim period and in  
14 implementing the final regulations.

15           **SECTION 2.** The Principal Clerk shall transmit certified copies of this  
16 resolution to the President of the United States and the Secretary of Education of the  
17 United States.

18           **SECTION 3.** This resolution is effective upon adoption.