



November 19, 2021

The Honorable Charles Schumer  
Senate Majority Leader  
S-221, The Capitol  
Washington, DC 20510

The Honorable Nancy Pelosi  
Speaker of the House  
H-232, The Capitol  
Washington, DC 20515

The Honorable Patty Murray  
Chairperson  
Committee on Health, Education, Labor & Pensions  
428 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Robert "Bobby" Scott  
Chairman  
Committee on Education and Labor  
2176 Rayburn House Office Building  
Washington, DC 20515

The Honorable Bernard Sanders  
Chairman  
Committee on the Budget  
624 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable John Yarmuth  
Chairman  
Committee on the Budget  
204-E House Office Building  
Washington, DC 20515

Dear Majority Leader Schumer, Speaker Pelosi, Chairwoman Murray, Chairman Scott, Chairman Sanders, and Chairman Yarmuth,

The Consortium for Citizens with Disabilities (CCD) Education Task Force is writing to thank you for your ongoing commitment to ensuring the infant, children, youth, and adults with disabilities across the United States have access to the continuum of education and employment opportunities as well as protection from discrimination on the basis of disability that we know supports their economic security and success. As passed by the House, the **Build Back Better Act (BBB)/H.R. 5376 affirms that individuals with disabilities have value in our society and would expand their access to quality programs and protect their civil rights.** As you work to finalize the bill, CCD urges you to move quickly to pass the BBB with the provisions and funding we offer below:

**I. Maintain \$400 billion in funds and protect and nondiscrimination provisions: Childcare and Universal Pre-kindergarten programs.**

**Childcare and Universal Pre-kindergarten: Subtitle D: Sec. 23001 (b)(1)(B) and (j).** It is imperative that any childcare and preschool provider in receipt of federal funding, whether directly from the state or indirectly through a third-party, *must not be allowed to discriminate against infants, toddlers, and young children on the basis of disability.* The BBB, as currently drafted, makes clear that the protections of both the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 apply. Collectively, these two laws serve as the preeminent disability nondiscrimination laws and have paved the way for individuals with disabilities to participate fully in our society. Including the protections in these new program(s) affirms the status quo and would not alter how any current recipient of early education funds, including religious entities, participates in the new childcare or PreK programs, or preclude any new religious entity from in the new program. For these reasons, we urge you to leave these protections intact in the final bill. *It is critical that the final BBB includes these protections to ensure that the extension of federal financial assistance to enhance and expand childcare and Pre-K comes with the longstanding requirement that providers must not use taxpayer funds to deny access or services based on a child's disability.*

## **2. Maintain and Fund at \$616 million: Title II, Subtitle A, Part I-Educator Workforce Investments.**

CCD supports the proposed essential investments in the educator workforce. The funds are desperately needed to address the teacher shortages that existed before the pandemic and have become dramatically worse. We thank you for the current proposal and ask you to maintain the following investments, especially those focused on Part D of the Individuals with Disabilities Education Act (IDEA) and:

- **\$228 million: Teacher Quality Partnership** to support comprehensive educator preparation through teacher residencies and Grow Your Own Programs.
- **\$113 million: Teacher preparation** at Historically Black Colleges and Universities, Tribal Colleges and Universities and other minority-serving institutions.
- **\$162 million: Individuals with Disabilities Education Act Part D personnel preparation** to support the comprehensive preparation of teachers for students with disabilities.
- **\$113 million: School Leadership Recruitment and Support Program** to help increase student access to well-prepared and diverse school leaders.

## **3. Maintain and Fund at \$270 million: Subtitle C, Part III-Competitive Integrated Employment.**

CCD wholeheartedly supports this new grant program and related funding that will help incentivize states to increase access to competitive integrated employment and stop funding programs that pay subminimum wages in sheltered workshops to people with disabilities.

## **4. Maintain and Fund at \$10 million: Assistive Technology Act Programs.**

The funding is essential to expanding the capacity of State Assistive Technology programs which serve millions of children, youth, and adults with disabilities in every state and U.S. Territory.

Again, we thank you for these major investments and for the nondiscrimination protections as currently included in the BBB. Together, the combination will create greater access and equity for all individuals with disabilities as they each successfully transition - from birth, to school, to employment - and live independently within their communities.

Sincerely,

American Music Therapy Association

American Psychological Association

Association for University Centers on Disabilities

Association of People Supporting Employment First

Autism Society of America

Autistic Self-Advocacy Network

Bazelon Center for Mental Health Law

Brain Injury Association of America

Center for Learner Equity

Children and Adults with Attention-Deficit/Hyperactivity Disorder

CommunicationFIRST

Conference of Educational Administrators of Schools and Programs for the Deaf

Council of Administrators of Special Education

Council for Exceptional Children

Council for Learning Disabilities

Council of Parent Attorneys and Advocates

Council of State Administrators of Vocational Rehabilitation

Disability Rights Education & Defense Fund

Division for Early Childhood of the Council of Exceptional Children  
Division for Learning Disabilities of the Council for Exceptional Children  
Easterseals  
Higher Education Consortium for Special Education  
IDEA Infant and Toddler Coordinators Association  
Learning Disabilities Association of America  
National Association of Councils on Developmental Disabilities  
National Association of School Psychologists  
National Association of State Directors of Special Education  
National Center for Learning Disabilities  
National Disability Rights Network  
National Down Syndrome Congress  
RespectAbility  
Teacher Education Division of the Council for Exceptional Children  
The Advocacy Institute  
The Arc of the United States

CCD Education Task Force Co-Chairs:

Lindsay Kubatzky, National Center for Learning Disabilities  
Kim Musheno, Autism Society of America  
Laura Kaloi, Council of Parent Attorneys & Advocates and  
Center for Learner Equity

[lkubatzky@ncld.org](mailto:lkubatzky@ncld.org)  
[kmusheno@autism-society.org](mailto:kmusheno@autism-society.org)  
[lkaloi@stridepolicy.com](mailto:lkaloi@stridepolicy.com)

The Consortium for Citizens with Disabilities (CCD) is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society. The Education Task Force proactively monitors federal legislation and regulations that address the educational needs of children with disabilities and their families, including the 7.7 million infants, children, youth and young adults eligible under the Individuals with Disabilities Education Act (IDEA) who must be provided a free, appropriate public education (FAPE) and maintain their rights to an individualized education program (IEP) that is implemented in the least restrictive environment (LRE). We also advocate for the 1.3 million students eligible under Section 504 of the Rehabilitation Act of 1973 (Section 504) and ensure equal access to educational opportunity for all these students under the Americans with Disabilities Act (ADA). The Education Task Force advocates for enhanced opportunities for children under these laws.