



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

December 3, 2020

The Honorable Mitch McConnell  
Majority Leader, U.S. Senate  
Washington, DC 20510

The Honorable Charles Schumer  
Minority Leader, U.S. Senate  
Washington, DC 20510

Chairman Lamar Alexander  
Senate Health Education Labor and Pensions  
Committee  
Washington, DC 20015

Ranking Member Patty Murray  
Senate Health Education Labor and Pensions  
Committee  
Washington, DC 20015

Dear Majority Leader McConnell, Minority Leader Schumer, Chairman Alexander, and Ranking Member Murray:

The undersigned members of the Consortium for Citizens with Disabilities (CCD) Education Task Force write to urge you to prioritize and address the needs of children with disabilities, their families, and the professionals who serve them as you work to finalize the next emergency relief bill in response to the COVID-19 pandemic. 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. CCD is committed to ensuring that students with disabilities have every opportunity to succeed and that the educators who serve them are equipped with the resources and skills necessary.

States, districts, early intervention programs, and communities have gone without any additional support from the government since the passage of the CARES Act in March. The level of need—in education and other sectors—facing our most vulnerable communities across the country cannot be overstated. It is imperative that Congress take swift action to respond to this need and invest in programs that will help early intervention providers, educators, children with disabilities, and families navigate this pandemic.

Specifically, students with disabilities have been disproportionately impacted by this pandemic and the challenges with distance learning. Therefore, CCD urges you to put forward an emergency relief package that includes the Coronavirus Child Care and Education Relief Act (S. 4112) introduced by Ranking Member Patty Murray (D-WA), as well as the Supporting Children with Disabilities During COVID–19 Act (S.4100) introduced by Senators Chris Murphy (D-CT), Maggie Hassan (D-NH) and Chris VanHollen (D-MD). Given the effects of the national crisis, it is imperative that both S. 4112 and S. 4100 be included in the next COVID-19 relief bill. By doing so, Congress will protect the rights of students

with disabilities and provide a significant investment in education, including dedicated funding for the Individuals with Disabilities Education Act (IDEA) (early intervention and special education) which is critical for children with disabilities and the professionals who serve them.

We also strongly recommend the following be included in the Senate's next bill in response to COVID-19:

**1. Protect the rights of infants, toddlers, children and youth with disabilities and their families and all state and district obligations under the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act.**

The rights of children with disabilities under IDEA and Section 504 of the Rehabilitation Act remain intact, even during the COVID-19 pandemic. Importantly, the report submitted on April 17, 2020 by the U.S. Secretary of Education recommended only minimal waivers under both the IDEA and the Rehabilitation Act. In fact, the Secretary declared her intent to protect the “core tenets” of these laws and her belief that “schools can, and must, provide education to all students, including children with Disabilities.” Thus, Congress need not open this issue for further consideration in any COVID-19 relief legislation.

**2. Invest substantial supplemental funding in public education and provide school leaders and educators with resources to provide educational services to students served under IDEA.**

The COVID-19 pandemic has illuminated the impact of the historic and continuous gross underfunding of IDEA and the great strain that this underfunding places on state and local education systems. The CARES Act funding levels were not sufficient to meet the needs facing states and districts. State budget cuts and teacher layoffs have and will continue to exacerbate the existing critical shortage of special education teachers. To help states meet their obligations and provide school leaders and educators with resources to provide educational services and supports to students served under the IDEA, Congress must invest additional funds in the following amounts (supplemental to FY2021 funding) as included in S. 4100: \$11.3 billion in IDEA Part B Section 611 programs; \$500 million in IDEA Part C programs; \$400 million in IDEA Part B Section 619 programs; and \$300 million in IDEA Part D personnel preparation.

In addition, Congress should support the Save Education Jobs Act, H.R. 8691, which would stabilize the education workforce and mitigate the impact of student learning loss. H.R. 8691 would provide up to \$261 billion to preserve teaching and other school jobs over a 10-year period. Shoring up funding for general education is critical to students with disabilities as most of them spend the majority of their time in the general education classroom and the overwhelming majority of special education dollars come from states and districts that are in desperate need of federal funding. America has one million fewer teachers than a year ago and many more could be lost in the coming months.

**3. Federal education funds must remain in public schools and must not be used for any voucher or voucher-like programs, whether designed for students or educators (including but not limited to traditional vouchers, education savings accounts, tuition tax credits/scholarships, or microgrants).**

All students have the right to attend a high-quality public school that meets their needs while maintaining all of their rights under the IDEA and other civil rights statutes. Congress should prohibit the use of COVID relief funding for voucher or voucher-like programs.

**4. Invest funding to address the expanding teacher shortage through the Teacher Quality Partnership (TQP) Grants in Title II of the Higher Education Act.**

The pandemic threatens to significantly shrink the teacher workforce, through layoffs resulting from budget cuts and decreased enrollment in teacher preparation programs. The TQP program is a partnership between higher education and PK-12 schools to prepare new teachers in shortage areas for high need schools and to provide mentoring and induction for new teachers. Congress should add \$100 million to this program.

We appreciate the opportunity to provide these recommendations and look forward to working with Congressional leadership and their staff to develop a proposal that significantly invests in and adequately supports students with disabilities and the educators who serve them. Please let us know if we can provide additional information.

Sincerely,

American Association on Intellectual and Developmental Disabilities  
American Physical Therapy Association  
American Therapeutic Recreation Association  
Association of Assistive Technology Act Program  
Association of University Centers on Disabilities  
Autism Society of America  
Autistic Self Advocacy Network  
Bazelon Center for Mental Health Law  
Brain Injury Association of America  
Center for Public Representation  
Children and Adults with Attention-Deficit/Hyperactivity Disorder  
CommunicationFIRST  
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 (DREDF)  
Easterseals  
Higher Education Consortium for Special Education  
Learning Disabilities Association of America  
National Association of State Head Injury Administrators  
National Center for Learning Disabilities  
National Center for Parent Leadership, Advocacy, and Community Empowerment  
National Center for Special Education in Charter Schools  
National Disability Rights Network  
National PTA  
Perkins School for the Blind  
RespectAbility  
School Social Work Association of America  
Teacher Education Division of the Council for Exceptional Children  
The Advocacy Institute  
The Arc of the United States

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*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 of CCD monitors federal legislation and regulations that address the educational needs of children and youth with disabilities and their families, including regulatory efforts under federal law such as the Individuals with Disabilities Education Act (IDEA), the Every Student Succeeds Act (ESSA), Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act (ADA). The Education Task Force advocates for high expectations for children with disabilities under these and other laws.*

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