



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

October 8, 2020

Kelly Terpak  
U.S. Department of Education  
400 Maryland Avenue, SW  
Room 4W312  
Washington, DC 20202

Submitted via regulations.gov

Re: Docket ID ED-2020-OPEPD-0096

Dear Ms. Terpak:

The Consortium for Citizens with Disabilities (CCD) Education Task Force appreciates the opportunity to comment on the Proposed Priority and Definitions for Discretionary Grant Programs that would promote the use of Department of Education's (ED) discretionary grants funds to support remote learning as defined in the notice published in the September 8, 2020, Federal Register.

As stated in the Federal Register announcement, the Department proposes this new priority and definitions to build State and local capacity to support remote learning and instruction in light of the impact of the COVID-19 pandemic on elementary, secondary, and post-secondary schools.

In general, the CCD Education Task Force is supportive of the proposed priority and offers the following specific comments:

**COMMENT: Elevate the role of Universal design for learning (UDL) in the proposed priority.** UDL is a mature framework that is shown to improve and optimize teaching and learning for all people based on scientific insights into how humans learn, including remote and online learning environments. Its development has been supported by Federal funds and its principles have been infused into numerous Federal policies (See: <http://www.cast.org/impact/udl-public-policy>). Therefore, we recommend the proposed priority incorporate a requirement that each of the proposed components (a)-(f) include the

following statement: “be developed, to the extent practicable, using the principles of universal design for learning.”

**COMMENT: Include reference to the disproportionate impact of school closings on students with disabilities in the Background in the final notice.** While not mentioned in the Background of the proposed priority, students with disabilities have been as disproportionately harmed by school closings as Hispanic, Black, and low income students, if not more so. In fact, numerous reports have spoken to this issue.<sup>1</sup>

**COMMENT: Expand the proposed definition of Competency-based education (CBE) (also called proficiency-based or mastery-based learning).** Add a statement that such credentials are appropriate for all students, including those with the most significant cognitive disabilities.

**COMMENT: Maintain proposed priority’s component (f) which will be used in conjunction with another component part of the priority.** Component (f), as proposed, states “Providing high-quality remote learning or competency-based education specifically for one or more of the following student subgroups: Students from low-income families, students with disabilities, English learners, Native American students, homeless students, and students attending schools in rural areas.

**COMMENT: Maintain the requirement that “The remote learning environment must be accessible to individuals with disabilities in accordance with Section 504 and 508 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, as applicable. The remote learning environment must also provide appropriate remote learning language assistance services to English learners.”** This requirement aligns with the information presented in the Office for Civil Rights Webinar on Online Education and Website Accessibility presented on March 16, 2020, available at <https://www.youtube.com/watch?reload=9&v=DCMLk4cES6A>.

Thank you for considering these comments.

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<sup>1</sup> See, for example, *Schools Struggle to Educate Students With Disabilities Amid Pandemic*, U.S. News and World Report, April 15, 2020 at <https://www.usnews.com/news/education-news/articles/2020-04-15/schools-struggle-to-educate-students-with-disabilities-amid-pandemic>

*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 monitors federal legislation and regulations that address the educational needs of children with disabilities and their families, including the Individuals with Disabilities Education Act (IDEA) programs*