



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

December 21, 2018

Johnny Collett
Assistant Secretary
Office of Special Education and Rehabilitative Services
400 Maryland Ave., SW
Washington, DC 20202-7100

RE: Results Driven Accountability. Submitted via email to: RethinkRDA@ed.gov

Dear Assistant Secretary Collett:

The Consortium for Citizens with Disabilities (CCD) Education Task Force is writing in response to Office of Special Education and Rehabilitative Services (OSERS) effort regarding Results Driven Accountability (RDA) and supports any effort undertaken to raise expectations and improve outcomes for students with disabilities. As part of our formal comments, CCD would first like to acknowledge the work of its members and endorse the more detailed comments provided by: The Advocacy Institute; The Arc; Council of Parent Attorneys and Advocates; National Center for Special Education in Charter Schools; National Disability Rights Network; and, the National Down Syndrome Congress.

Since the reauthorization of the Individuals with Disabilities Education Act (IDEA) CCD has consistently provided input to OSERS regarding efforts to design and implement a system of monitoring and enforcement as required by the law. Specifically, we have contributed input to proposed changes to the design and implementation of the State Performance Plan and Annual Performance Report (SPP/APR), the addition and provisions of the State Systemic Improvement Plan (SSIP) and all components of RDA since it was proposed in 2013. Our goal has always been to help OSERS implement and oversee a system that reflected the intent of Congress which said:

The new focus on substantive performance indicators under section 616 contrasts with previous statutory obligations to collect data that primarily addressed demographic issues. The purpose of these provisions is to shift the Federal monitoring and enforcement activities away from SEA and LEA administrative process issues that have historically driven compliance monitoring, to a system that primarily focuses on substantive performance of students with disabilities.”ⁱ

CCD would like to reiterate and reinforce – in this era of ‘rethinking RDA’ – what we said to OSEP in 2014 which is:

CCD believes OSEP’s original RDA goals can provide both the vision and important guidance to states so students can make measurable gains. States should be making measurable strides in all outcome measures on which they are collecting data. OSEP should evaluate the proposed SSIP by whether or not the plan attempts to: (1) close the biggest achievement gaps for students with disabilities; (2) bring the outcomes of students with disabilities in that state closer to the national averages; and (3) bring the outcomes of students with disabilities closer to those of their non-disabled peers.ⁱⁱ

To that end, we would like to offer several key recommendations to the Office of Special Education Programs (OSEP) consistent with previous comments made by CCD and by its members:

- **Any review or evaluation of the current processes involving the functions OSEP must be both informed and constrained by section 616 of IDEA.** The law lays out the monitoring, technical assistance, and enforcement responsibilities of the U.S. Department of Education and must be adhered to.
- **The participation and proficiency of students with disabilities on statewide assessments must be included in RDA.** CCD has recommended this to OSEP since 2014.ⁱⁱⁱ However, and to CCD's great disappointment, OSEP has not adequately required states to include the performance of students with disabilities on state assessments in the RDA Results Matrix. As the basis for this new endeavor, CCD encourages OSEP to review in-depth the specific considerations and recommendations made by The Advocacy Institute.^{iv}
- **Information required to be made public by states and data generated as part of the Differentiated Monitoring and Support (DMS) must be readily available and fully accessible to the public.** Transparency of data is a major issue regarding the status of children with disabilities in states and districts. As noted by The Advocacy Institute:

DMS reports are not posted on States' websites...nor shared with the State's Parent Training and Information Center, Protection and Advocacy office and other stakeholders in the state. The activities provided to a State identified for DMS "engagement activities" appear to involve some degree of technical assistance – generally provided by one or more of the OSEP funded TA centers – do not include outside stakeholders who could prove helpful in implementing improvements. More importantly, implementation of activities to improve results appear to be left in the hands of the States. As such, DMS is largely a "self-help" model that relies on the States' willingness and capacity to implement improvement activities with fidelity.

CCD urges OSEP to design a system, consistent with IDEA and the intent of Congress as well as optimal alignment with ESSA, that assures state accountability for the achievement and outcomes of students with disabilities. Thank you for this opportunity to comment. We would be pleased to contribute further to discussions regarding the current RDA process.

CCD Education Task Force Co-chairs:

Kim Musheno: Autism Society of America kmusheno@autism-society.org

Amanda Lowe: National Disability Rights Network (NDRN) amanda.lowe@ndrn.org

Erin Prangle: National Association of Councils on Developmental Disabilities EPrangle@nacdd.org

Laura Kaloi: Council of Parent Attorneys and Advocates & The National Center for Special Education in Charter Schools, lkaloi@stridepolicy.com

CCD, headquartered in Washington DC, 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. Since 1973, CCD has advocated on behalf of people of all ages with physical and mental disabilities and their families. CCD has worked to achieve federal legislation and regulations that assure that the 54 million children and adults with disabilities are fully integrated into society.

ⁱ Senate report to accompany S. 1248 <https://www.gpo.gov/fdsys/pkg/CRPT-108srpt185/html/CRPT-108srpt185.htm>

ⁱⁱ Letter to Washington, (April, 2014) at: http://www.c-c-d.org/rubriques.php?rub=taskforce.php&id_task=2&archive=1

ⁱⁱⁱ See: CCD Letter to Ringer (April, 2014) at: http://www.c-c-d.org/rubriques.php?rub=taskforce.php&id_task=2&archive=1

^{iv} *Results Driven Accountability: Needs Substantial Intervention*, The Advocacy Institute, (November 2018) at:

<https://www.advocacyinstitute.org/resources/AdvocacyInstitute.RDA.Report.Nov2018.pdf>