NDSC Comments on Secretary's Proposed Supplemental Priorities and Definitions for Discretionary Grants
Docket ID ED-2017-OS-0078

On October 12, 2017 Secretary DeVos published a document proposing 11 priorities and related definitions for use in discretionary grant programs. These priorities should further the responsibilities with which the Secretary is charged. According to the U.S. Department of Education (the Department) website, the Secretary is responsible for the following activities:

- Establishing policies for financial aid for education, administering distribution of the funds and monitoring their use for the early childhood, elementary, secondary and postsecondary education programs covered by federal law;
- Collecting data on America's schools and disseminating this research to Congress, educators and the general public;
- Identifying the major issues in education and focusing attention on them; and
- Enforcing federal statutes prohibiting discrimination in programs and activities receiving federal funds and ensures equal access to education for every individual.

NDSC appreciates the opportunity to provide recommendations regarding how these priories should be amended to ensure that all of the Department's responsibilities are met.

Overarching Issues

Recommendation: Add a _new_ priority focused on Early Learning. The priority would ensure that federal investments are made in projects focused on _all_ young children and their families and the early intervention, inclusive special education and other early learning and education opportunities designed to meet their individual needs and promote their optimal development.

Rationale: Improving education begins with services and supports to children and their families starting at birth. Through the Individuals with Disabilities Act (IDEA) and other federal statutes such as Every Student Succeeds Act (ESSA), NDSC strongly urges the Department to ensure that the discretionary grant programs

address young children and families and the critical early learning experiences that affect the rest of their lives. Science continues to document that children's success in school and later in life is greatly enhanced by their learning experiences prior to kindergarten. Early investments in children and their families yield maximum returns to society.

Recommendation: Strike and amend (underline through the priorities) "~~where possible,~~ incorporates evidence-based activities, strategies and interventions."

Rationale: NDSC strongly recommends that any discretionary grant program funded by the Department promote only evidence-based approaches.

Proposed Priority 1- Empowering Families to Choose a High Quality Education that Meets Their Child's Unique Needs and Definition of Educational Choice

Recommendation: Amend the definition of "educational choice," which is referenced in each of the priority areas by adding the language in bold:

Educational choice means the opportunity for a student (or a family member on their behalf) to create a personalized path for learning that is consistent with applicable Federal, State, and local laws, is in an educational setting that best meets the student's needs, and ~~, where possible,~~ incorporates evidence-based activities, strategies, and interventions. [49] Opportunities made available to a student through a grant program are those that supplement what is provided by a student's geographically assigned school or the institution in which he or she is currently enrolled, **follow federal statutes as if the opportunities were offered by a public school, are not denied to students because of the nature of their disability, are completely paid for (including transportation costs), do not use resources that are needed to support the education of students in public schools,** and may include one or more of the options listed below:
(1) Public educational programs or courses including those offered by traditional public schools, public charter schools, public magnet schools, public online education providers, or other public education providers.
(2) Private or home-based educational programs or courses including those offered by private schools, private online providers, private tutoring providers, community or faith-based organizations, or other private education providers.
(3) Internships, apprenticeships, or other programs offering access to learning in the workplace.
(4) Part-time coursework or career preparation offered by a public or private provider in person or through the internet or another form of distance learning, that serves as a supplement to full-time enrollment at an educational institution, as a stand-alone program leading to a credential, or as a supplement to education received in a homeschool setting.
(5) Dual or concurrent enrollment programs or early college high schools (as defined in section 8101(15) and (17) of the Elementary and Secondary Education Act, as amended), or other programs that enable secondary school students to begin

earning credit toward a postsecondary degree or credential prior to high school graduation, **including Comprehensive Transition and Postsecondary Programs for Students with Intellectual Disabilities, as defined in the Higher Education Opportunity Act.**

(6) Access to services or programs for aspiring or current postsecondary students not offered by the institution in which they are currently enrolled to support retention and graduation.

(7) Other educational services including credit-recovery, accelerated learning, and tutoring.

Rationale: NDSC recognizes that there are students who struggle for a variety of reasons in public schools (e.g. bullying, restraint and seclusion, and the failure of schools district to properly implement the Individuals with Disabilities Education Act and other civil rights laws). We also hear from families who are interested in being able to use public dollars for private schools or programs.

Although we appreciate the Department's interest in addressing these needs and its focus on students with disabilities in this priority, NDSC also has to consider the needs of students for whom there would not be meaningful "educational choice" or adequate educational funding unless projects that are funded under this priority are required to address certain issues related to prohibiting discrimination and ensuring equal access to education.

Many of the federal statutes that protect students against discrimination and provide equal access to education do not apply to private schools and programs, or only apply in a limited way. As a result, private schools and other private educational providers often deny access to students with significant cognitive disabilities, or only provide segregated options. In addition, many families cannot afford to pay the costs of tuition, transportation and therapies that may not be covered in many existing "educational choice" options. Those two issues could lead to a situation where students with significant cognitive disabilities and economically disadvantaged (or even middle class) students have no option but a public school system that has had its resources diminished to pay for "educational choice" for other students. As noted earlier, the responsibilities of the Secretary include prohibiting discrimination in programs and activities receiving federal funds and ensuring equal access to education for every individual. Therefore, NDSC added language to ensure that the grants are designed to address these key issues.

In addition, paragraph (5) of the definition of educational choice covers dual or concurrent enrollment programs. NDSC wants to ensure that this section of the definition clearly includes Comprehensive Transition and Postsecondary Programs for Students with Intellectual Disabilities, as defined in the Higher Education Opportunity Act.

Proposed Priority 2—Promoting Innovation and Efficiency, Streamlining Education with an Increased Focus on Improving Student Outcomes, and Providing Increased Value to Students and Taxpayers.

Recommendation: Amend the description of the priority areas below by adding words in bold and deleting words that are struck through:

Projects that are designed to address one or more of the following priority areas:
(a) Implementing strategies that ensure education funds are spent in a way that increases their efficiency and effectiveness, including by reducing waste ~~or~~ **and** achieving better outcomes.
(b) Supporting innovative strategies with the potential to lead to significant and wide-reaching improvements in the delivery of educational services.
(c) Reducing compliance burden within the grantee's operations (including on subgrantees or other partners working to achieve grant objectives or being served by the grant) in a manner that **benefits more students or improves results** and decreases paperwork or staff time spent on administrative functions, or other measurable ways that help educational providers to save money~~, benefit more students, or improve results~~.
(d) Demonstrating innovative paths to improved outcomes by applicants that meet the requirements in 34 CFR 75.225 (a)(1)(i) and (ii).
(e) Strengthening development capabilities to increase private support for institutions or demonstrating matching support for proposed projects **that lead to improved student outcomes**.

Rationale: In the discussion of this priority the Secretary emphasizes that the Administration is interested in eliminating unnecessary burdens placed on grantees. NDSC supports burden reduction, but it must be tempered with the understanding that often one person's burden is another person's civil rights. We are pleased by the comments in the discussion that also address the importance of improving student outcomes. However, the emphasis on efficiency, streamlining and value to taxpayers must be intertwined in each of the activities under this priority, instead of grantees being permitted to choose to focus on burden reduction or cost savings without also examining whether outcomes will be improved.

Proposed Priority 3—Fostering Flexible and Affordable Paths to Obtaining Knowledge and Skills.

Recommendation: Add the language in bold to the opening sentence of the priority.

Projects that are designed to address one or more of the following priority areas **for all individuals, including those with disabilities**, **and incorporate the principles of Universal Design for Learning**

Rationale
Currently, some of the initiatives in priority areas (a) through (f) do not consider the needs of individuals with disabilities so it is necessary to specifically address them in this priority. Also, there are barriers in education and the workplace that prevent many individuals, including those with disabilities, from earning the credentials, gaining the skills and knowledge, and/or succeeding in the work-based experiences described in priority areas (a) through (f). Therefore, it is important to ensure that these barriers are addressed through the use of Universal Design for Learning, which is recognized in federal law (including the Higher Education Opportunity Act and the Every Student Succeeds Act) and policies (including the National Educational Technology Plan) with the definition below:

Universal Design for Learning
A) provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged; and
(B) reduces barriers in instruction, provides appropriate accommodations, supports, and challenges, and maintains high achievement expectations for all students, including students with disabilities and students who are limited English proficient.

Universal Design for Learning is recognized by iNACOL as a critical component of competency based learning in its paper "*Quality and Equity by Design: Charting the Course for the Next Phase of Competency-Based*.

Universal Design for Learning is also recognized as an important framework for transition and workforce development. See http://aem.cast.org/policies/workforce-development-policies.html#.WftIbWKPLLt, http://www.ncwd-youth.info/blog/?p=198 and http://www.ncwd-youth.info/information-brief-37. In addition, it is a necessary element in career assessment and vocational evaluation http://www.udlcenter.org/sites/udlcenter.org/files/VECAP%20Position%20Paper%20on%20UDL_2012.pdf.

Recommendation: Add a new priority area (g) as provided below:

(g) Examining barriers to obtaining industry-recognized and other workforce credentials for individuals with disabilities, including individuals with an intellectual disability who may need modified instruction and assessment; developing and disseminating strategies to address these barriers; and developing credentials based on employment support approaches (including Supported Employment and Customized Employment as defined in the Workforce Innovation and Opportunity Act of 2014) and providing technical assistance regarding the use of such credentials.

Rationale: Individuals with disabilities who are quite capable of performing jobs often have difficulty with showing what they know on written and other credential assessments. In order to meet the Secretary's goal of expanding approaches to learning, "including those that allow students to more easily demonstrate their knowledge and skills" it is important to identify and address barriers to learning and credential assessment for individuals with disabilities. This is especially true for individuals with intellectual disabilities who face barriers to participation in apprenticeships and in receiving certain employment services, due to challenges in obtaining a "recognized postsecondary credential" as defined in the Workforce Innovation and Opportunity Act, although these individuals are achieving success in obtaining a postsecondary education credential offered by a Comprehensive Transition and Postsecondary Program (CTP) as defined in the Higher Education Opportunity Act, and obtaining employment. In addition, it is important that this priority address opportunities to earn a credential using supported employment and customized employment as defined in the Workforce Innovation and Opportunity Act. These recommendations are in keeping with the President's goal of expanding job opportunities for all and improving the economy.

Proposed Priority 5—Meeting the Unique Needs of Students and Children, including those with Disabilities and/or with Unique Gifts and Talents

Comment: NDSC appreciates the attention that students with disabilities are given in this priority. We are especially pleased by the following statement: "In particular, the Department is committed to ensuring that students with disabilities have equal access to a high-quality education, consistent with applicable requirements in Federal and State law, are held to high standards, and are prepared to lead productive, independent lives."

Recommendation: Amend the opening sentence for the priority areas by adding the words in bold.

Projects that are designed to address one or more of the following priority areas **and incorporate the principles of Universal Design for Learning**:

Rationale:
We added the language "and incorporate the principles of Universal Design for Learning" in the opening sentence because Universal Design for Learning is a critical component for a priority that is designed to meet the unique needs of students and children, including those with disabilities and/or with unique gifts and talents. See the more detailed discussion of Universal Design for Learning in our rationale under Priority 3.

Recommendation: Amend priority area (a) by adding the words in bold and deleting the works that are struck through.

(a) Ensuring students with disabilities are ~~offered the opportunity to meet challenging objectives~~ instructed **on the challenging content standards for the grade in which they are enrolled** and receive an educational program that is both meaningful and appropriately ambitious in light of each student's circumstances by improving **all** ~~one or more~~ of the following:
(i) Academic outcomes.
(ii) Functional outcomes.
(iii) Development of skills leading to competitive integrated employment or independent living.
(iv) Social or emotional development.

Rationale: In priority area (a) the Department is quoting the Endrew F. Supreme Court case, which we are pleased to see. However, it is also important to use the language in the Every Student Succeeds Act and its regulations, which states that "challenging objectives" for students with disabilities (and every other student) are the state content standards for the grade in which they are enrolled.

In order for the Department to fulfill its commitment to "to ensuring that students with disabilities have equal access to a high-quality education, consistent with applicable requirements in Federal and State law, are held to high standards, and are prepared to lead productive, independent lives," it is necessary for any grant under this priority to simultaneously work on multiple goals, rather than improve some outcomes in the absence of the others. Therefore a grant should not address functional outcomes in the absence of academic outcomes, or the other critical skills mentioned under (a). All of these goals must be met as part of implementing the general education curriculum for the grade in which the students are enrolled, using the services, supports and accommodations etc. that are written into the students Individualized Education Program (IEP) and all other requirements under the Individuals with Disabilities Education Act, the Every Student Succeeds Act and the Workforce Innovation and Opportunity Act.

Recommendation: Amend the priority area (b) by adding the words in bold.

(b) Ensuring coursework, books, or other materials **and technology,** are accessible, **consistent with the Individuals with Disabilities Education Act, the Americans with Disabilities Act, the Rehabilitation Act, the Communication Act, and the Web Content Accessibility Guidelines (WCAG2 AA),** to students who are children with disabilities and/or individuals with disabilities under Section 504**.**

Rationale: Technology should be specifically mentioned since it is often used to deliver instructional content. Also, it is important to reference the statutes and policies that impact the accessibility of instructional materials, including technology, in this priority area.

Recommendation: Add a new priority area (d) as provided below:

(d) Ensuring that students with disabilities have access to fully prepared and profession-ready teachers who can deliver research-based instructional strategies.

Rationale: For students with disabilities to achieve positive academic outcomes and be prepared for postsecondary opportunities and employment, they must have access to educators who are skilled in research-based strategies, which will yield the results we all seek.

Proposed Priority 6—Promoting Science, Technology, Engineering, and Math (STEM) Education, With a Particular Focus on Computer Science.

Recommendation: Amend the background information to add the language below in bold.

Technology used for educational purposes must be accessible to students who are children with disabilities and/or individuals with disabilities, consistent with the requirements of the **Individuals with Disabilities Education Act,** Americans with Disabilities Act**,** ~~and~~ Section 504 of the Rehabilitation Act of 1973, **the Communication Act, and the Web Content Accessibility Guidelines (WCAG2 AA)**. **Accessibility provides options for representing, expressing and engaging with instructional materials. It is essential for some learners and provides options for all others.** The provision of assistive technology devices and services is also integral to the education of children with disabilities under the IDEA. Technology can enable adult learners to fit courses into their work schedule or to learn and earn new credentials that prepare them to further their careers regardless of where they live.

Rationale: IDEA should be mentioned with respect to the broader issue of accessibility, since it is not limited to assistive technology. The Communication Act and the Web Content Accessibility Guidelines should also be referenced because of their provisions regarding accessibility. Also, accessibility is more than physical access to the materials. That is why the reference to "options for representing, expressing and engaging with instructional materials" is important.

Recommendation: Amend the opening sentence for the priority areas to add the language in bold:

Projects designed to improve student achievement in science, technology, engineering, math and computer science, or other educational outcomes, **including through the incorporation of the principles of Universal Design for Learning,** and are designed to address one or more of the following priority areas:

Rationale: Universal Design for Learning is critically important for improving achievement for all students in every academic area, including STEM. There have

been studies specifically on the benefits of Universal Design for Learning for STEM education (for an example see http://journals.sagepub.com/doi/abs/10.1177/004005991304500401?journalCode=tcxa). In the background section of this priority the National Educational Technology Plan is discussed. There are numerous references to Universal Design for Learning throughout that plan.

Recommendation: Amend priority area (d) by adding the language in bold.

(d) Expanding access to and participation in rigorous computer science (as defined in this notice) coursework for traditionally underrepresented students such as racial or ethnic minorities, women, **students with disabilities**, or students in communities served by rural local educational agencies (as defined in this notice).

Rationale: As noted in the study referenced in the earlier rationale, very few students with disabilities pursue STEM careers. Therefore, it is important to add them to the list of traditionally underrepresented students.

Proposed Priority 7—Promoting Literacy.

Recommendation: Amend the background section of the priority to add the following critical information regarding literacy instruction.

To be successful in the 21st century requires skills that an earlier generation never imagined. What students need to know and be able to do to be ready for higher education, work, and civic life is constantly evolving. It is clear, however, that all citizens need advanced literacy skills in order to think critically as well as to access new information and technologies. Creating globally competent graduates depends on students using their reading and writing skills to develop important abilities in such areas as math, science and technology. Literacy is THE foundation for learning and despite the fundamental importance of reading and writing, only 36 percent of fourth-grade students, 34 percent of eighth-grade students, and 37 percent of twelfth-grade students performed at or above the proficient level in the 2015 reading assessment of the National Assessment of Educational Progress (NAEP)—the Nation's Report Card.

Rationale: While we strongly support the Secretary's focus on literacy as a priority, it is important to further emphasize how important literacy instruction is to the nation.

Recommendation: Amend the opening sentence for the priority by adding the language in bold:

Projects **implementing comprehensive literacy instruction, as defined by the Every Students Succeeds Act,** that are designed to address one or more of the following priority areas:

Rationale: Congress recognized the importance of establishing a meaningful literacy policy articulated across the grades and across the curriculum by authorizing the Literacy for All Results for the Nation (LEARN) program in the Every Student Succeeds Act. Experts agree on the instructional practices and policies that are required if all students are to attain a 21st century standard of literacy. Writing and reading skills must be taught in a continuum reflecting the growing complexity of literacy skills and knowledge needed to succeed at each level of education. In addition, schoolwide literacy programs that are designed to support evidence-based literacy interventions supported by strong evidence (as defined in 34 CFR 77.1) need to focus on the specific learning needs of low performing readers and writers, including English learners and students with disabilities. The Every Student Succeeds Act defines comprehensive literacy instruction and any project using federal grant money under this priority should use that definition:

 The term "comprehensive literacy instruction" means instruction that—
(A) includes developmentally appropriate, contextually
explicit, and systematic instruction, and frequent practice,
in reading and writing across content areas;
(B) includes age-appropriate, explicit, systematic, and
intentional instruction in phonological awareness, phonic
decoding, vocabulary, language structure, reading fluency,
and reading comprehension;
(C) includes age-appropriate, explicit instruction in
writing, including opportunities for children to write with
clear purposes, with critical reasoning appropriate to the
topic and purpose, and with specific instruction and feedback
from instructional staff;
(D) makes available and uses diverse, high-quality
print materials that reflect the reading and development
levels, and interests, of children;
(E) uses differentiated instructional approaches, including
individual and small group instruction and discussion;
(F) provides opportunities for children to use language
with peers and adults in order to develop language skills,
including developing vocabulary;
(G) includes frequent practice of reading and writing
strategies;
(H) uses age-appropriate, valid, and reliable screening
assessments, diagnostic assessments, formative assessment
processes, and summative assessments to identify a
child's learning needs, to inform instruction, and to monitor
the child's progress and the effects of instruction;

(I) uses strategies to enhance children's motivation to
read and write and children's engagement in self-directed
learning;
(J) incorporates the principles of universal design for
learning;
(K) depends on teachers' collaboration in planning, instruction,
and assessing a child's progress and on continuous
professional learning; and
(L) links literacy instruction to the challenging State
academic standards, including the ability to navigate, understand,
and write about, complex print and digital subject
matter.

Recommendation: Amend priority area 7(d) by adding the language in bold:

Integrating literacy instruction into content-area teaching **beginning in the elementary grades and continuing in the middle and high school grades after establishing a strong early foundation** using practices supported by strong or moderate evidence (as defined in 34 CFT 77.1).

Rationale: Integrating literacy instruction into content-area teaching should <u>not</u> be exclusively targeted to the middle and high school grades. Rather it is critical to incorporate literacy instruction into all content areas beginning in the elementary grades and continuing in the middle and high school grades after establishing a strong early foundation. The priority should explicitly address this issue.

Recommendation: Add a new priority area 7(f) as provided below:

(f) Promoting support at a State and local level for early care and learning programs, including parenting support programs, to build foundational early language and literacy skills, together with close coordination between such programs and elementary education programs that maintain a differentiation of interventions and practices for different age groups.

Rationale: The process of learning to read and write begins at the earliest stages of life when a child first hears sounds and begins building understanding. A child's very early experiences establish the foundation for future learning. Inequities in those experiences, deeply influenced by parental practices, level of education, and resources, as well as the quality of early care and learning experiences begin almost immediately and have a profound long-term impact. Writing and reading skills must be taught in sequentially to reflect the growing complexity of literacy skills and knowledge needed to succeed at each level of learning and education.

Proposed Priority 8—Promoting Effective Instruction in Classrooms and Schools.

Recommendation: Amend priority area (f) by adding the language in bold:

(f) Increasing the opportunities for high-quality preparation of, or professional development for, teachers or other educators of **literacy**, science, technology, engineering, and math subjects, **as well as special educators, which incorporates the principles of Universal Design for Learning**.

Rationale: Literacy instruction is necessary for learning any subject area, including STEM education, and should be included in this priority area. Knowledge about how to implement the intentional, proactive design principles within Universal Design for Learning in order to improve student achievement in all subject areas, including literacy, science, technology, engineering, and math, is essential to ensure effective instruction for all students. Universal Design for Learning is included in the Every Student Succeeds Act and the Higher Education Opportunity Act. In addition, other innovative practices (such as competency based learning, personalized learning, multi-tiered systems of support, etc.), which are addressed in the Every Student Succeeds Act, as well as in most states plans to implement that law, rely on proper implementation of Universal Design for Learning. Some resources can be found below:

Handbook of Research on Classroom Diversity and Inclusive Education Practice, IGI Global, 2017
https://www.igi-global.com/book/handbook-research-classroom-diversity-inclusive/176479

Handbook of Research on Digital Content, Mobile Learning, and Technology Integration Models in Teacher Education, IGI Global 2017 https://www.igi-global.com/book/handbook-research-digital-content-mobile/179215

http://www.ascd.org/publications/educational-leadership/mar17/vol74/num06/Personalization-and-UDL@-A-Perfect-Match.aspx

http://www.gettingsmart.com/2017/09/udl-framework-personalized-learning/

https://education-reimagined.org/udl-lens-transform-education/

https://www.all4ed.org/webinar-event/a-learner-with-agency-is-a-learner-who-is-future-ready/

Recommendation: Add a new priority area 8(g) as provided below:

(g) Developing innovative high quality robust preparation programs to address the critical special education teacher shortage, such as high school teaching academies (https://www.educatorsrising.org/what-we-

offer/overview**) one-year pre-service residencies, paths for paraprofessionals to become special education teachers, and dual enrollment programs.**

Rationale: There are proven strategies to expand the pool of fully prepared special educators. Many high schools, particularly in diverse communities, have developed high school academies, which support high school students in preparing for a career as a teacher. Some university special education preparation programs partner with high schools to offer dual enrollment and early college credit for high school students who want to be special educators – particularly in high need areas such as rural areas. One-year pre-service residency programs are a well-established strategy for preparing teachers who are ready on day one and fully engaged in the communities where they will teach prior to assuming their role as a teacher. Supporting paraprofessionals, who may be from the communities where high need schools are located, so that they can become special education teachers is another effective approach. Teachers prepared with these robust strategies are also more likely to stay in the field longer than those who become special educators without full preparation.

Proposed Priority 9—Promoting Economic Opportunity

Recommendation: Add a new priority area (f) as provided below:

(f) Increasing paths to competitive integrated employment (as defined in the Workforce Innovation and Opportunity Act) for students with intellectual disabilities (ID) through participation in postsecondary education; addressing barriers to the use of Vocational Rehabilitation, Individuals with Disabilities Education Act, and other funds to support such individuals, including dually-enrolled students; developing and disseminating strategies to determine what a student with ID is expected to learn and how to assess progress in postsecondary programs; and developing and delivering technical assistance on employment training, supports, and job placement.

Rationale: Individuals with ID have the worst employment rate of any group in the country, approximately 13%. New postsecondary options are showing greatly improved employment and community living results (see thinkcollege.net). While states can no longer preclude these students, who often take alternate assessments, from attempting to complete the requirements for a regular high school diploma under the Every Student Succeeds Act, the majority do not receive a regular high school diploma. Barriers to the use of funds to support students who have not earned a high school diploma in postsecondary education programs need to be addressed. The federally-funded National Coordinating Center Accreditation Workgroup recommended (page 25: https://thinkcollege.net/resource/accreditation-and-credentials/report-model-accreditation-standards-higher-education) that the Department of Education fund the development and dissemination of resources and strategies regarding student learning and assessment. While the employment rate of students with ID is more

than triple the rate of those with ID not attending postsecondary programs, identifying and disseminating best practice regarding employment training, supports and job placement is critically important.

Proposed Priority 10—Encouraging Improved School Climate and Safer and More Respectful Interactions in a Positive and Safe Educational Environment.

Recommendation: Amend the priority by adding the words in bold and deleting the words that are struck though.

Projects that are designed to address one or more of the following priority areas:
(a) Creating positive**, inclusive**, and safe learning environments, including by providing school personnel with effective strategies, **such as Universal Design for Learning and Positive Behavioral Interventions**.
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(b) Developing positive**, inclusive**, learning environments that promote strong relationships among students, faculty, and staff to help enhance the learning environment and prevent bullying, **harassment,** violence, **overuse of discipline practices (especially for students of color and students with disabilities), and aversive behavioral interventions (such as restraint and seclusion),** ~~and disruptive actions~~ that can diminish the opportunity to receive a high-quality education.

Rationale: Inclusive schools that successfully integrate all students, including students with disabilities, into the school community and general education classrooms are safer schools because there is less bullying, harassment, aversive behavioral interventions and other occurrences that diminish the opportunity for students to receive a high quality education. Therefore, it is important that inclusion be addressed as part of this priority. In addition, we have added references to the overuse of discipline practices, harassment and aversive behavioral interventions because reducing their occurrence in order to improve school conditions for learning is a focus of the Every Student Succeeds Act, and these incidents disproportionately impact students with disabilities and students of color.

Proposed Priority 11—Ensuring that Service Members, Veterans, and Their Families Have Access to High-Quality Educational Choices.

Comment: The amendments we recommended to the definition of "educational choice" in our comments for Priority 1 also apply to any project under this priority**.**

Recommendation: Amend the priority by adding the words in bold**.**

Projects that are designed to address the academic needs and **federal rights** of military- or veteran-connected students (as defined in this notice), **including the implementation of the Individuals with Disabilities Education Act.**

Rationale: Military families often face challenges with respect to the implementation of the Individuals with Disabilities Education Act. These issues should be explicitly addressed in Priority 11.