

SHAPE * MERGEFORMAT

July 15, 2011

The Honorable Tom Harkin

Chairman
Committee on Health, Education,
Labor and Pensions
United States Senate
731 Hart Senate Office Building
Washington, DC 20510

The Honorable Michael B. Enzi

Ranking Member
Committee on Health, Education,
Labor and Pensions
United States Senate
379A Russell Senate Office Building
Washington, DC 20510

The Honorable John Kline

Chairman
Committee on Education and the
Workforce
United States House of Representatives
2439 Rayburn House Office Building
Washington, DC 20515

The Honorable George Miller

Ranking Member
Committee on Education and the
Workforce
United States House of Representatives
2205 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Harkin, Ranking Member Enzi, Chairman Kline and Ranking Member Miller:

Re: *Recommended Legislative Language for ESEA Reauthorization Universal Design for Learning*

The National Universal Design for Learning Task Force, representing a broad range of organizations including both general and special education, appreciates your commitment to the reauthorization of the Elementary and Secondary Education Act (ESEA), and urges you to complete the legislative process.

Additionally, we would like to offer some specific recommendations regarding language that would promote the principles of UDL. As you may be aware, UDL is an approach that would significantly improve teaching and learning, and has the potential for reducing costs in the delivery of educational services to all students. Please note that we have developed this language based on the current law. However, we are well aware that the final language would be significantly different, and would defer to you and your colleagues to determine the appropriate provisions to include the spirit and intent of our

recommendations.

Therefore, we offer the following:

Title I **DEFINITIONS**

PRINCIPLES OF UNIVERSAL DESIGN FOR LEARNING. The term “principles of universal design for learning” refers to providing flexibility in the ways that information is presented, in the ways that students respond or demonstrate knowledge, and in the ways in which students are engaged in order to provide appropriate support and challenge and enhance the performance for a typically diverse spectrum of learners.

The application of UDL principles minimizes irrelevant barriers, provides appropriate supports and enables all students, including those with disabilities, to demonstrate their knowledge, skills, and abilities in accordance with intended learning standards and instructional goals.

UNIVERSAL DESIGN FOR LEARNING.

The term ‘universal design for learning’ means a scientifically valid framework for guiding educational practice that—

(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.

UNIVERSALLY DESIGNED TECHNOLOGY.

The term universally designed technology means hardware and software that—

(A) include the features necessary for use by all learners and/or supports integration with the necessary assistive hardware and software technologies to ensure that they are accessible and optimized for all learners; and

(B) allow educators to provide instruction that is consistent with the principles of universal design for learning.

HIGH QUALITY PROFESSIONAL DEVELOPMENT.

The term “high quality professional development” means professional

development that is designed to increase the knowledge and expertise of teachers, principals, and other school leaders in applying instructional strategies and practices that are appropriate to the needs of children and improve student learning, including strategies and practices consistent with the principles of universal design for learning.

ASSESSMENTS

The principles of universal design for learning should be considered in the development of all assessments, both formative and summative, designed to demonstrate academic progress and achievement.

SEA ASSURANCES

Each State plan shall contain assurances that—
the State educational agency supports the principles of UDL in the development of its plan under this section of the law.

((B) the State educational agency to the extent that it is involved in recommending, selecting and purchasing texts books and other instructional materials has considered such products that are consistent with the principles of UDL.

Each local educational agency plan shall provide assurances that the local educational agency will —

Encourage the use of curriculum, teaching methods, instructional materials and assessments consistent with the principles of universal design for learning and assist schools in building their capacity to implement universal design for learning.

Title II

PREPARING, TRAINING AND RECRUITING HIGH QUALITY TEACHERS AND SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL

Applicants for State grants shall provide a description of how the State educational agency will use funds under this part to provide training in the use of teaching methods consistent with the principles of universal design for learning.

GRANTS

GRANTS FOR EDUCATIONAL TECHNOLOGY

Applicants shall provide a description of how the funds will be used for the purchase and use of technology consistent with the principles of universal design for learning.

(2) GRANTS FOR ASSESSMENTS

Applicants shall provide a description of how assessments will be designed consistent with the principles of universal design for learning.

OTHER STATE IMPLEMENTATION GRANTS

Application grants shall include the following:

An implementation plan that describes how the State educational agency will assist eligible entities with using the principles of universal design for learning in all phases of instructional practice, including professional development, curriculum development and selection of instructional materials, and classroom instruction.

The National UDL Task Force appreciates your consideration of these recommendations for legislative language. Questions concerning our recommendations should be directed to Ms. Ricki Sabia at [HYPERLINK "mailto:rsabia@ndss.org"](mailto:rsabia@ndss.org) rsabia@ndss.org.

Sincerely,

American Association of Colleges for Teacher Education
American Association of School Administrators
American Federation of Teachers
American Institutes for Research
American Occupational Therapy Association
American School Counselor Association
American Speech-Language-Hearing Association
Association of Assistive Technology Act Programs
Association of Teacher Educators
Association on Higher Education and Disability
Autism National Committee
Council for Exceptional Children
Easter Seals
Higher Education Consortium for Special Education
Institute for Educational Leadership
Learning Disabilities Association of America
National Association of School Psychologists
National Association of Secondary School Principals
National Association of State Directors of Special Education
National Center for Learning Disabilities
National Disability Rights Network

National Down Syndrome Congress
National Down Syndrome Society
National Education Association
National PTA
National School Boards Association
PACER Center
School Social Work Association of America
The Advocacy Institute
The Arc
Vocational Evaluation Assessment Professionals Association
VSA

List Updated 7/20/11

This definition comes from the Higher Education Opportunity Act, P.L. 110-135.

This definition comes from the Assistive Technology Act of 1998,

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