



*For people with intellectual  
and developmental disabilities*

The Arc

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Johnny Collett  
Assistant Secretary  
Office of Special Education and Rehabilitative Services  
400 Maryland Ave., S.W.  
Washington, D.C. 20202-7100

RE: Results Driven Accountability. Submitted via email to: [RethinkRDA@ed.gov](mailto:RethinkRDA@ed.gov)

Dear Assistant Secretary Collett:

The Arc welcomes the opportunity to comment on the process of rethinking Results Driven Accountability (RDA). The Arc is the largest national community-based organization advocating for and serving people with intellectual and developmental disabilities (I/DD) and their families with over 650 state and local chapters across the United States. The Arc has worked to promote and protect the human rights of people with I/DD and to actively support their full inclusion and participation in the community throughout their lifetime for more than 60 years.

The Arc greatly appreciates that the Office of Special Education and Rehabilitative Services (OSERS) has developed an accountability system under the Individuals with Disabilities Education Act (IDEA) that shifted from a primary emphasis on compliance to one that focuses on improved results for students with disabilities. However, we are very concerned that the resulting RDA system excludes far too many students with disabilities - in particular those with I/DD - and takes a narrow view of what constitutes a "result," as outlined below.

### **Inclusion/Least Restrictive Environment (LRE)**

Research studies have consistently documented the benefits of inclusion for students with disabilities. Students receiving inclusive special education services on average experience more positive academic, post-secondary, and social outcomes than those receiving segregated special education services. However, while inclusive placements have increased over time, there is little to no change in placement practices for students with I/DD during the past 10 years.<sup>1</sup>

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<sup>1</sup> National Council on Disability. IDEA Series (2018). The Segregation of Students with Disabilities. Available at [https://ncd.gov/sites/default/files/NCD\\_Segregation-SWD\\_508.pdf](https://ncd.gov/sites/default/files/NCD_Segregation-SWD_508.pdf)

The IDEA requires that children with disabilities be educated alongside their peers without disabilities to the maximum extent appropriate. While decisions regarding educational settings are required to be individualized and based on a student's unique needs, other factors including district policies, practices, and leadership play a substantial role in creating inclusive classrooms environments where all students can thrive. This combination of factors explains the great variability seen in the inclusion rates of students with intellectual disability (ID) across states. For instance, only 4.4% of students with ID in Illinois are in the general education classroom at least 80% of the day while the figure in the neighboring state of Iowa is 15 times higher (at 65.7%).<sup>2</sup> It is simply not plausible that this vast discrepancy is explained by differences in students' unique needs. The Arc urges the Department to meaningfully include inclusion/LRE data in the RDA. For example, the RDA matrix could include the percentages of students by disability category who spend 80% or more of the day in the general education classroom as well as those served in separate settings.

## **Performance on Assessments**

General state assessments. The vast majority of students with disabilities participate in state general assessments, with or without accommodations. While participation in such assessments is an important indicator, it has little value if not coupled with student performance on these assessments. Given what is known about proficiency rates of students with disabilities on statewide assessments, the inclusion of such data should be a requirement for any accountability system in order to help close the performance gap. For instance, results from the FFY 2016 State Performance Plan/Annual Performance Report (SPP/APR) for Tennessee show that only 10.9% of students with disabilities in elementary school achieved proficiency in reading and only 13.3% in math.<sup>3</sup>

National Assessment of Educational Progress (NAEP). The RDA results matrix presently only includes performance data from the NAEP. Unfortunately, however, due to its sampling methodology, results for students with disabilities cannot be generalized to the total population of such students<sup>4</sup> and it excludes the approximately 10% of students with disabilities who have "the most significant cognitive disabilities."<sup>5</sup> Further, unlike the state general assessments, the NAEP is not included in accountability systems under the Every Student Succeeds Act (ESSA) and it is not reportable at the school district or school level, greatly limiting its practical value to states, districts, and individual schools.

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<sup>2</sup> Office of Special Education and Rehabilitative Services, Office of Special Education Programs, 39th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act, 2017, Exhibit 68. Available at <https://www2.ed.gov/about/reports/annual/osep/2017/parts-b-c/39th-arc-for-idea.pdf>

<sup>3</sup> State Performance Plan/Annual Performance Report (SPP/APR). Indicator 3C: Proficiency for Students with IEPs FFY 2016 Data. Available at <https://osep.grads360.org/#report/apr/2016B/Indicator3C/CurrentData?state=AL&ispublic=true>

<sup>4</sup> National Center for Education Statistics. Interpreting NAEP Reading Results. Available at [https://nces.ed.gov/nationsreportcard/reading/interpret\\_results.aspx](https://nces.ed.gov/nationsreportcard/reading/interpret_results.aspx)

<sup>5</sup> Individualized Education Program (IEP) teams make the determination of which students have the most significant cognitive disabilities following each state's eligibility criteria. While most of the students who meet the eligibility criteria have a primarily diagnosis of intellectual disability, autism, or multiple disabilities, the process is individualized and not all students with these diagnoses meet the criteria.

Alternate assessments based on alternate achievement standards (AA-AAS). These assessments were developed for accountability purposes to evaluate the performance of students who are unable to participate in general state assessments even with accommodations. Standardized AA-AAS have been developed, replacing more subjective measures such as portfolio analyses and teacher ratings. In fact, two consortia were awarded grants to develop AA-AAS aligned with the Common Core Standards alongside the consortia that were funded to develop general assessments. Unfortunately, the RDA excludes students who take this type of assessment. In the 2014-2015 school year, proficiency rates for students in the AA-AAS were consistently low, ranging between 42.4 and 55% median proficiency rates, depending on subject and grade level,<sup>6</sup> revealing the need to improve performance for students with the most significant cognitive disabilities.

Again, thank you for this opportunity to comment and to share our view that accountability systems related to students served by the IDEA should include all students served under the law and give attention to significant performance gaps between students with disabilities and their peers without disabilities.

Sincerely,



Annie Acosta  
Director of Fiscal and Family Support Policy

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<sup>6</sup> Office of Special Education and Rehabilitative Services, Office of Special Education Programs, 39th Annual Report to Congress on the Implementation of the Individuals with Disabilities Education Act, 2017. Exhibit 35. Available at <https://www2.ed.gov/about/reports/annual/osep/2017/parts-b-c/39th-arc-for-idea.pdf>