



April 20, 2020

Mark Allan Schultz
Acting Assistant Secretary
Office of Special Education and Rehabilitative Services
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

RE: Agency Information Collection Activities; Comment Request; IDEA Part B State Performance Plan and Annual Performance Report (Docket No. ED-2020-SCC-0030)

Dear Acting Assistant Secretary Schultz:

On behalf of the American Speech-Language-Hearing Association, I write to comment on the February 19, 2020, *Federal Register* notice on IDEA Part B State Performance Plan (SPP) and Annual Performance Report (APR).

The American Speech-Language-Hearing Association (ASHA) is the national professional, scientific, and credentialing association for 211,000 members and affiliates who are audiologists; speech-language pathologists; speech, language, and hearing scientists; audiology and speech-language pathology support personnel; and students.

Audiologists specialize in preventing and assessing hearing and balance disorders as well as providing audiologic treatment, including hearing aids. Speech-language pathologists (SLPs) identify, assess, and treat speech and language problems, including swallowing disorders. More than half of ASHA members are employed in educational settings. The services provided by ASHA members help ensure students receive a free appropriate public education (FAPE) in the least restrictive environment (LRE).

In accordance with the Individuals with Disabilities Education Act (IDEA), as amended, each state shall report annually to the public on the performance of each local educational agency (LEA) on the targets in the state's performance plan. The state also shall report annually to the Secretary on the performance of the state under the state's performance plan. States and LEAs are required to collect data under IDEA Part B that informs decision-making in many areas at the federal, state, and local levels, as well as the determination of significant disproportionality status.

ASHA provides the following responses to the questions posed in the U.S. Department of Education's (ED's) comment request as it pertains to some current Part B indicators listed in bold below:

Indicator 3 A-F. Participation and performance of children with IEPs on statewide assessments

Question (1) Is this collection necessary to the proper functions of the Department?

Yes. The continued collection of data required under Part B of IDEA is of utmost importance. This data collection helps states to provide equitable opportunities, services, and adequate resources to improve outcomes for children and youth with disabilities. It also provides national

trend information that is used by various stakeholders, including professional associations such as ASHA.

Question (4) How might the Department enhance the quality, utility, and clarity of the information to be collected?

The collection of accurate data is important to inform states and LEAs in their decision-making to improve education outcomes for all children. ASHA supports that ED continues to require reporting of proficiency and improvement rates for all Elementary and Secondary Education Act (ESEA) grades assessed (3-8 and high school) rather than only requiring reporting of proficiency and improvement rates for grades 4, 8, and high school for children with individualized education programs (IEPs).

As students' skills change dramatically over time, allowing such a gap for assessing their proficiency and improvement may lead to a lack of skill acquisition, which may prohibit students with disabilities from being able to access the general education curriculum and reach their full potential. Teachers and specialized instructional support personnel (SISP), including audiologists and SLPs, need to have access to current assessment data to be able to address student needs.

Indicator 5. LRE/Percent of children with IEPs age 5 who are enrolled in kindergarten and age 6 through 21 served

Indicator 6. Preschool LRE/Percent of children with IEPs aged 3, 4, 5 who are enrolled in a preschool program

Question (1) Is this collection necessary to the proper functions of the Department?

Yes. The continued collection of data required under Part B of IDEA is of utmost importance. ASHA supports the disaggregation of data for 5-year-olds enrolled in kindergarten versus 5-year-olds enrolled in preschool programs. This disaggregation informs educators about the type of programs and services received in various education settings.

Indicator 8. Percent of parents with a child receiving special education services who report that schools facilitated parent involvement

Question (1) Is this collection necessary to the proper functions of the Department?

Yes. Using parent involvement samplings to identify underrepresented populations will be useful for states to provide equitable opportunities, and adequate resources and services to improve outcomes for children and youth with disabilities.

Indicator 9. Disproportionate representation of ethnic and racial groups

Indicator 10. Disproportionate representation of ethnic and racial groups in specific disability categories

Question (1) Is this collection necessary to the proper functions of the Department?

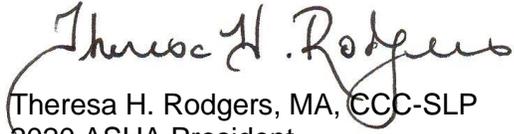
Yes. Disproportionality in special education is an area of concern, particularly in the areas of identification, discipline, and placement. Inappropriate identification often results in disproportionate representation of culturally diverse populations in special education. While race and ethnicity represent important factors for consideration, other demographic factors play a role in influencing educational outcomes. Additional influential factors include socioeconomic status and low incidence disabilities, such as hearing impairments. ASHA commends ED for reviewing data on both underrepresentation and overrepresentation of populations in special education—including racial/ethnic groups, English Language Learners, and students with

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disabilities—to determine the best strategies to remediate the issue of overidentification and subsequent disproportionality.

Thank you for the opportunity to share ASHA's comments and recommendations on the importance of state and LEA data collection on IDEA Part B. If you or your staff have any questions, please contact Catherine D. Clarke, ASHA's director of education policy, at cclarke@asha.org.

Sincerely,



Theresa H. Rodgers, MA, CCC-SLP
2020 ASHA President