

Carol Lyons  
US Department of Education  
400 Maryland Avenue, SW, room 4W203 LBJ  
Washington DC 20202

Dear Ms. Lyons,

On behalf of the Association of University Centers on Disabilities, I thank you for this opportunity to comment on the Notice of Proposed Rulemaking regarding the Investing in Innovation Fund published in the Federal Register on December 14, 2012.

AUCD is a national non-profit organization and network of interdisciplinary programs made up of 67 University Centers for Excellence in Developmental Disabilities funded by the Administration on Intellectual and Developmental Disabilities, 43 Leadership Education in Neurodevelopmental Disabilities programs funded by the Maternal and Child Health Bureau, and 15 Intellectual and Developmental Disability Research Centers funded by the National Institute for Child Health and Development. These programs are located in every state and territory and serve as a bridge between the university and community. The AUCD network partners with individuals with disabilities, their families, and communities to promote policy and practice. We thank you for this opportunity to comment on these important regulations.

Our comments concern the inclusion of students with disabilities into general education and the interests of students with disabilities in innovative solutions like the i3 program. We seek to ensure that students with disabilities have access to highly effective teachers with knowledge of evidence-based methods, particularly universal design for learning (UDL), multi-tiered systems of support, and positive behavioral interventions and supports. Our proposed language below reflects these priorities.

#### Proposed Priority 1—Improving the Effectiveness of Teachers or Principals

Under this proposed priority, we would provide funding to projects that address one or more of the following priority areas:

(b) Developing models for ~~teacher~~ **the preparation of highly effective teachers** that deepen pedagogical knowledge and skills, such as knowledge of instructional practices **consistent with the principles of universal design for learning** or knowledge and skills in classroom management, or that deepen pedagogical content knowledge, that have been demonstrated to improve student achievement **consistent with the principles of universal design for learning, multi-tiered systems of support, and positive behavioral interventions and supports.**

(g) Increasing the equitable distribution of **highly** effective teachers or principals across schools

#### Proposed Priority 2—Improving Low-Performing Schools

Under this proposed priority, we would provide funding to projects that address one or more of the following priority areas:

1100 Wayne Avenue  
Suite 1000  
Silver Spring, MD 20910  
t: 301-588-8252  
f: 301-588-2842  
www.aucd.org

Julie Anne Fodor, PhD  
*President*

Leslie Cohen, JD  
*President-Elect*

A. Anthony Antosh, EdD  
*Past-President*

Daniel B. Crimmins, PhD  
*Past-Past President*

Karen Edwards, MD, MPH  
*Secretary*

Olivia Raynor, PhD  
*Treasurer*

Brent Askvig, PhD  
*Member at Large*

Celia Feinstein, MA  
*Member at Large*

Sandra Friedman, MD  
*Member at Large*

Bruce Keisling, PhD  
*Member at Large*

Harold Kleinert, EdD  
*Member at Large*

Shannon Caldwell  
*Council on Community Advocacy*

Dawn Olson, BS  
*Council on Community Advocacy*

Amy Hewitt, PhD, MSW  
*Council for Interdisciplinary Service*

Kelly Roberts, PhD  
*Council on Research and Evaluation*

Thomas Uno, EdS  
*Multicultural Council*

Amy Sharp, PhD  
*National Community Education Directors Council*

Toby Long, PhD  
*National Training Directors Council*

George S. Jesien, PhD  
*Executive Director*

- (a) Designing whole-school models that incorporate such strategies as providing strong school leadership; **implementing scientifically-based instructional strategies that strengthen the core academic programs of the schools, including universal design for learning, multi-tier systems of support and positive behavioral interventions and supports**; strengthening the instructional program; embedding professional development that provides teachers with frequent feedback to increase the rigor and effectiveness of their instructional practice; redesigning the school day, week, or year; using data to inform instruction and improvement; establishing a school environment that promotes a culture of high expectations **and inclusiveness** and addresses non-academic factors that affect student achievement; and providing ongoing mechanisms for parent and family engagement.
- (b) Changing selected elements of the school's organizational design, such as by differentiating staff roles, changing student groupings **and increasing inclusiveness**, or enhancing instructional time.

#### Other Proposed Requirements Related to Proposed Priority 2

To meet this priority, a project must serve schools among (1) The lowest performing schools in the State on academic performance measures; (2) schools in the State with the largest within-school performance gaps between **one or more** student subgroup(s) described in section 1111(b)(2) of the ESEA **and students not in the subgroup(s) (e.g. gap between students with disabilities and students without disabilities)**; or (3) secondary schools in the State with the lowest graduation rate over a number of years or the largest within-school gaps in graduation rates between **one or more** student subgroup(s) described in section 1111(b)(2) of the ESEA **and students not in the subgroup(s)**.

Proposed Priority 3—Improving Science, Technology, Engineering, and Mathematics (STEM) Education  
Under this proposed priority, we would provide funding to projects that address one or more of the following priority areas:

- (d) Increasing the opportunities for high-quality preparation of, or professional development for, teachers or other educators in STEM subjects, through activities that include building content and pedagogical content knowledge, **including knowledge of strategies such as universal design for learning, to support achievement for all students and to increase access for individuals from groups traditionally underrepresented in STEM, such as minorities, individuals with disabilities and women and girls.**

#### Proposed Priority 4—Improving Academic Outcomes for Students with Disabilities

Under this proposed priority, we would provide funding to projects that address one or more of the following priority areas:

- (a) Coordinating technical assistance across programs that address the needs of infants, toddlers, ~~or~~ preschoolers, **children and youth** with disabilities, in order to ensure the operation of coherent systems of support for those children and their families **from birth through the age they exit from school.**
- (b) Designing and implementing teacher evaluation systems that define and measure effectiveness of special education teachers and related service providers, **including effectiveness at ensuring that students with disabilities participate and make progress in the general education curriculum in general education classrooms.**
- (c) Improving academic outcomes, **on the general education curriculum for the grade in which they are enrolled**, for students with disabilities **in all education settings, especially general education classrooms inclusive settings.**
- (d) Improving postsecondary data collection and tracking of academic and related outcomes for students with disabilities to understand **the indicators for their successful** transition into postsecondary education, **including transition and postsecondary programs for students with intellectual disabilities.** ~~and how their secondary school education prepared them for higher education.~~

**(e) Improving post-school employment data collection and tracking of academic and career related outcomes for students with disabilities to understand the indicators for their successful transition into integrated paid employment.**

**(f) Improving the implementation of school wide initiatives that benefit all students, including students with disabilities, such as universal design for learning, multi-tiered system of supports and positive behavioral interventions and supports.**

~~(e)~~ (g) Other projects addressing pressing needs related to improving academic outcomes for students with disabilities.

#### Proposed Priority 6—Improving Parent and Family Engagement

Under this proposed priority, we would provide funding to projects that address one or more of the following priority areas:

(a) Developing and implementing initiatives that provide training for parents and families to learn skills and strategies that will support their students in improving academic outcomes, **including training for parents and families to support their students with disabilities in participating and making progress in the grade-level general education curriculum in the least restrictive environment.**

#### Proposed Priority 8—Effective Use of Technology

Under this proposed priority, we would provide funding to projects that use technology to address one or more of the following priority areas:

(c) Developing new methods and resources for teacher preparation or professional development that increase a teacher's ability to utilize technology in the classroom, **consistent with the principles of universal design for learning**, to improve student outcomes.

(f) Integrating technology, **consistent with the principles of universal design for learning**, with the implementation of rigorous college- and career-ready standards.

#### Proposed Priority 9—Formalizing and Codifying Effective Practices

Under this proposed priority, we would provide funding to projects that formalize and codify effective practices. An application proposing to address this priority must, as part of its application:

(b) Evaluate different forms of the practice to identify the critical components of the practice that are crucial to its success and sustainability, including the adaptability of critical components to different teaching and learning **environments and to diverse learners.**

(c) Provide a coherent and comprehensive plan for developing materials, training, toolkits, or other supports that other entities would need in order to implement the practice effectively for **all learners** and with fidelity.

### **Proposed Requirements**

3. Eligible Applicants: Entities eligible to apply for i3 grants include either of the following:

(a) An LEA.

(b) A partnership between a nonprofit organization and—

(1) One or more LEAs; or

(2) A consortium of schools.

Statutory Eligibility Requirements:

Except as specifically set forth in the Note about Eligibility for an Eligible Applicant that Includes a Nonprofit Organization that follows, to be eligible for an award, an eligible applicant must—

(a)(1) Have significantly closed the achievement gaps between groups of students described in section 1111(b)(2) of the ESEA (economically disadvantaged students, students from major racial and ethnic groups, students with limited English proficiency, students with disabilities) **and students not in the subgroup (e.g. gap between students with disabilities and students without disabilities);**

### **Proposed Definitions**

Highly effective principal means a principal whose students, overall and for each subgroup as described in section 1111(b)(3)(C)(xiii) of the ESEA (economically disadvantaged students, students from major racial and ethnic groups, migrant students, students with disabilities, students with limited English proficiency, and students of each gender), achieve high rates (e.g., one and one-half grade levels in an academic year) of student growth. Eligible applicants may include multiple measures, provided that principal effectiveness is evaluated, in significant part, based on student growth. Supplemental measures may include, for example, **percentage of students with disabilities educated in general education classrooms for at least 80% of the day**; high school graduation rates; college enrollment rates; evidence of providing supportive teaching and learning conditions, support for ensuring effective instruction across subject areas for a well-rounded education, strong instructional leadership, and positive family and community engagement; or evidence of attracting, developing, and retaining high numbers of effective teachers.

Highly effective teacher means a teacher whose students achieve high rates (e.g., one and one-half grade levels in an academic year) of student growth. Eligible applicants may include multiple measures, provided that teacher effectiveness is evaluated, in significant part, based on student academic growth. Supplemental measures may include, for example, **knowledge and implementation of the principles of universal design for learning, multi-tiered systems of support and positive behavioral interventions and supports**; multiple observation-based assessments of teacher performance, **to include assessment of effectiveness at addressing the needs of diverse learners**; or evidence of leadership roles (which may include mentoring or leading professional learning communities) that increase the effectiveness of other teachers in the school or LEA.

Student achievement means—

(a) For grades and subjects in which assessments are required under ESEA section 1111(b)(3): (1) A student's score on such assessments and may include (2) other measures of student learning, such as those described in paragraph (b), provided they are **evidence-based**, rigorous and comparable **across student subgroups and** schools within an LEA.

(b) For grades and subjects in which assessments are not required under ESEA section 1111(b)(3): Alternative measures of student learning and performance such as student results on pre-tests, end-of-course tests, and objective performance-based assessments; student learning objectives; student performance on English language proficiency assessments; and other measures of student achievement that are **evidence-based**, rigorous and comparable **across student subgroups and** schools within an LEA.

Student growth means the change in student achievement (as defined in this notice) for an individual student between two or more points in time. An applicant may also include other measures that are **evidence-based**, rigorous and comparable **across student subgroups and** classrooms.

Thank you for your consideration.

Sincerely,

Kim Musheno