



June 20, 2025

Zachary Rogers
U.S. Department of Education
400 Maryland Avenue SW, Room 7W213
Washington, DC 20202

RE: Comments on ED-2025-OS-0020, Proposed Priorities and Definitions US Department of Education

Dear Mr. Rogers,

The Center for Learner Equity (CLE) is a national nonprofit advancing access to high-quality public school choices for students with disabilities. Since 2013, CLE has helped remove systematic barriers that can limit students with disabilities' ability to access school choice. As a leading voice in policy, implementation, research, and advocacy, CLE challenges the status quo by building the capacity of leaders, practitioners, and advocates, driving collaboration, and informing policy and practice to improve access and outcomes for all students with disabilities. We write today to comment on the U.S. Department of Education's (Department) proposal for three priorities and related definitions for use in discretionary grant programs.

To strengthen the priorities and definitions for pending and upcoming discretionary grant programs, CLE references and shares our support for the comments and recommendations made by the Consortium for Citizens with Disabilities Education Task Force (CCD). In short, CCD's recommendations prioritize the needs of students with disabilities in advancing evidence-based literacy; advance public school choice options that increase access and retention of students with disabilities; oppose diverting public funds to private or religious schools that are not required to adhere to the IDEA and other federal education and civil rights statutes; and call on the Department to fully fund IDEA Part D programs and continue essential research activities at the National Center for Special Education (NCSE).

Our comments and recommendations build upon and align with CCD's June 20 letter. CLE offers the following for your consideration:

Proposed Priority 1: Promoting Evidence-Based Literacy

Recommendation: Ensure stakeholders advancing Evidence-Based Literacy are incentivized to invest in high quality instructional materials (HQIM) that are

adaptable for diverse learners, including students with disabilities.

Rationale: CLE supports the Department using its role to lead and advance evidence-based literacy. While states and districts control their choice of curricula and materials used for early literacy/literacy instruction, the Department plays an important role supporting states with adopting and implementing evidence-based literacy approaches, including HQIM. The Department should provide both financial incentive [through discretionary grants] and technical assistance and support to states who may not have sufficient resources to support all districts in training personnel and implementing HQIM in K-12 schools. One particular challenge is adapting and differentiating literacy HQIM for students with disabilities, who are a subgroup that particularly stand to benefit from evidence-based literacy instruction. The Department can help states leverage best practices in implementation efforts, encourage and support their developing expertise within the state and districts and especially promote that the use of HQIM must apply and be used to differentiate instruction that also supports students with disabilities. This is an important illustration of the Department's role and value-add in supporting states with providing quality education to our nation's children.

Proposed Priority 2—Expanding Education Choice

CLE is supportive of the proposed priorities that expand access to high-quality charter public schools that serve diverse learners, including students with disabilities. This includes the language in (a)-(c) of this proposed priority, as well as high-quality public offerings for the types of initiatives included in (g)-(l).

CLE reiterates CCD's recommendations, which clarify that the only form of school choice the disability advocacy community supports is public school choice (via publicly funded charter schools, magnet schools, etc.) because they are required to uphold all requirements of ESEA, IDEA, 504 etc. CLE adds the following:

Recommendation: While not explicitly named in the language of the Proposed Priority, we acknowledge that there is an interest in specialized charter schools. As referenced in our May 2025 brief, "[CRDC 2021-2022 Analysis: Specialized Charter Schools](#)", CLE defines specialized charter schools as, generally, schools that actively choose to specialize in educating one or more of the disabilities identified in IDEA ("specialized charter schools"), or schools that function as specialized for the purpose of enrolling an alternative population of students, of which a significant proportion are students with disabilities ("alternative specialized charter schools").



As the Department considers how best to support education choice for all students, we encourage it to invest in the transparency, monitoring, and accountability mechanisms that can help families, charter school authorizers, and other state and local officials thoughtfully make decisions about these schools and ensure the provision of quality educational opportunities. At the family level, this means ensuring they have all the information needed to understand if a school-- including a specialized charter school-- is right for their student. At the policy level, this means ensuring those local and state decision makers have the data, tools, and knowledge of how these schools operate so they use their governing mechanisms to focus on outcomes and high-quality choice. Please consider us a resource as you consider how to craft policies, guidance, or supports about the role these specialized schools can play in an education choice ecosystem.

Recommendation: Ensure expansion of the Charter School Program (CSP) includes all authorized and required elements [of the ESEA] including state(s) providing technical assistance to charter schools in support of students with disabilities as well as state and district accountability, data collection, and transparency in reporting.

Rationale: CLE appreciates the Department's focus and assurance that CSP expansion includes the requirement for grantees to include students with disabilities in both planning and implementation. To reinforce these essential requirements of current law and to ensure states monitor and support these efforts, CLE further urges the Department to specifically reinforce the need for states to ensure that all recipients will receive ongoing technical assistance and also be required to meet all state and federal accountability requirements, including data collection on key measures, and to report that data in ways that are accessible and transparent to the public, including families.

Recommendation: We do not support the inclusion of proposed language on education savings accounts and recommend eliminating this sections: "(d) Support state or local development or implementation of education savings accounts. "

Rationale: Based on our expertise in maximizing quality school choice for students with disabilities, CLE opposes using federal funds to support the development or implementation of education savings accounts, scholarships, or other voucher-type mechanisms. We do not support providing a potential competitive advantage to states or jurisdictions that have such a program in place. Our position is detailed in our [previous statements](#) and is grounded in [data on private school choice programs](#).



In short:

- There is no evidence that existing private school voucher programs improve student academic outcomes.
- There is evidence that publicly funded private school choice programs offer diminished protections to students with disabilities and their families around enrollment, access to individualized supports, and other important special education guarantees.

Proposed Priority 3—Returning Education to the States

CLE does not share the Department's view that federal education structures have created few educational benefits. CLE supports CCD's recommendations to maintain current federal education statutory requirements, including providing funding in Fiscal Year (FY) 2025 as required under all education statutes, and to discontinue any effort to dismantle the Department and/or move IDEA to another federal agency.

CLE also believes that Priority 3 may have an unintended consequence of stymying local empowerment because it would prioritize state-level applications at the cost of regional or local autonomy and innovation. If Priority 3 were used as a competitive or absolute priority, proposals by local districts, charter schools, or regional service agencies could be effectively excluded from grant competitions, resulting in less flexibility and autonomy for communities.

We welcome the opportunity to discuss these proposals in more detail with the Department of Education. I can be reached at jcoco@centerforlearnerequity.org. Thank you for the opportunity to comment.

Sincerely,

Jennifer Coco
Interim Executive Director