



Secretary of Education Plays a Vital Role in the Lives of People with Disabilities

A new President will mean a new Secretary of Education. The impact of the Secretary of Education on people with disabilities cannot be understated. From issues involving education to employment, the decisions of the Secretary have a powerful influence on people with disabilities from birth through adulthood. Because the Secretary has such an effect, the National Disability Rights Network (NDRN) wishes to publically share our vision for actions that the incoming Secretary of Education and the Department of Education can take over the coming years to better the lives of all people with disabilities.

NDRN is the national membership association for the nationwide network of congressionally mandated Protection and Advocacy (P&A) and Client Assistance Program (CAP) agencies that advocate on behalf of persons with disabilities in every state, the District of Columbia, Puerto Rico, U.S. territories, and affiliated with the Native American Consortium in the Four Corners region of the Southwest. For over nearly forty years, the P&A / CAP Network has worked to protect the human and civil rights of individuals with disabilities of any age and in any setting. A central part of the work of the P&As and CAPs (nearly 12,000 individual cases in 2014) has been to advocate for opportunities for students with disabilities to receive a quality education with their peers and for individuals with disabilities to receive quality and effective vocational rehabilitation services to prepare them for competitive, integrated employment.

The role of the Secretary of Education is critical in achieving these goals. The Secretary is charged with leading the U.S. Department of Education whose mission is “to serve America’s students – to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access”.

Within the Department of Education is the Office of Special Education and Rehabilitative Services (OSERS) whose mission is, “To provide leadership to achieve full integration and participation in society of people with disabilities by ensuring equal opportunity and access to, and excellence in, education, employment and community living”.

The impact of these two missions is best understood when one considers the data. According to the National Center on Education Statistics, in the 2013-2014 school year there were 50 million elementary and secondary students in the United States, with 6.5 million of those students being students with disabilities receiving education services under the Individuals with Disabilities Education Act (IDEA); about 13% of the student population). These students were receiving an education in 98,271 public elementary

and secondary schools found in 18,194 school districts. Also, in 2013, according to the Annual Disability Statistics Compendium, over 520,000 individuals applied for vocational rehabilitation services.

The following are principles that NDRN believe should guide any Secretary of Education and the Department of Education in providing education and employment services to people with disabilities:

- Education is a civil right in the United States;
- All students receiving education services, including students with disabilities, are general education students first – as such, all students must be held to high standards, be safe from harm, be counted in state accountability systems, and be entitled to protections of all federal and state laws and policies.
- Students receiving services under the IDEA are entitled to an individualized education program designed to meet their unique needs so they will receive a *free, appropriate public education* in the *least restrictive environment with due process*. These rights are the cornerstone of the IDEA and must be maintained and protected.
- All students deserve a high quality education equal to that of their peers, regardless of where they live and are served. This includes children housed in all institutional settings, homeless and migrant children, and those who are medically fragile, among others.
- The Office of Civil Rights (OCR) at the U.S. Department of Education works to, “ensure equal access to education and to promote educational excellence through vigorous enforcement of civil rights in our nation’s schools”. A robust OCR is essential to ensuring the rights of all students, including students with disabilities, receiving education services are protected.
- Under the recently enacted Workforce Investment and Opportunity Act, through amendments to the Rehabilitation Act, vocational rehabilitation (VR) program services are required to maximize the ability of individuals with disabilities, including individuals with the most significant disabilities, to achieve competitive, integrated employment through approaches such as customized employment, supported employment, and other individualized services.

The above principles are important to ensure people with disabilities receive quality education and employment services. NDRN expects that a new Secretary of Education will work to ensure that these principles and beliefs are upheld and followed throughout the work of the U.S. Department of Education. NDRN looks forward to working with the incoming Secretary to ensure that this expectation becomes a reality for the betterment of people with disabilities and, in turn, all society.