Investing in Lasting Change:
How States and Districts Can Use Recovery Funds to Support Students With Disabilities

The past year has created learning challenges for students at all levels. Still, our students with disabilities have felt the pandemic's effects in unique ways compared to other students. For decades, America's education system has failed to adequately support students with disabilities to reach their potential. Right now, we have a unique opportunity to address these systematic shortcomings.

In March of 2021, Congress passed a relief package including more than $125 billion in federal aid to schools and districts to respond to the COVID-19 pandemic — $122.8 billion for the Elementary and Secondary School Emergency Relief (ESSER) Fund and $3 billion for the Individuals with Disabilities Education Act (IDEA). Congress and the U.S. Department of Education designed these funds to ensure that states and school districts have significant flexibility in the use of funds, as long as states and districts maintain their investment in education. Specifically, states must continue to invest the same proportion of their annual state spending on education, and states and districts must not decrease per-pupil spending of state or local funds in high-need schools by a proportion that exceeds overall budget reductions.

These funds can be transformative for students with disabilities and other students who have been most impacted by the pandemic, creating lasting change that is accessible, inclusive, and equitable for all students. In this critical moment for states and districts, funds must be invested in the key areas that respond to challenges families and students experienced during COVID-related school disruptions, and ensure that all students succeed in the long-term. These investments should spur meaningful, sustainable change to reduce hardship when the funding expires.

States and districts should focus on four key areas:
1. High-quality, accessible, and inclusive academic instruction
2. Inclusive and culturally responsive social-emotional learning
3. Effective progress monitoring and accurate evaluations for specialized instruction
4. Meaningful family support and engagement

(1) High-Quality, Accessible, and Inclusive Academic Instruction

Due to school closures and lost instructional time, the vast majority of students will finish the 2020–2021 school year behind grade level. First, schools will need to effectively determine how students are performing on grade-level content. Then, restructuring and enriching curriculum in future instruction will be critical in helping students make progress toward grade level and in having a lasting impact on the students' academic trajectory. To do this, states and districts can invest their federal funds in the following ways:

- **Implement high-quality instructional material and curriculum.** Invest in materials and curriculum that use evidence-based approaches to support all learners. States and districts may tailor curriculum procurement policies to ensure that there is evidence of positive impact for all learners, particularly those with disabilities. Also, states, districts, and schools may provide ongoing professional development to educators to maximize their impact, including 1:1 coaching for teachers, which is proven to be more effective than one-time group professional development programs.
- **Offer evidence-based tutoring.** Offer evidence-based tutoring to struggling students. States and districts can create partnerships with community-based organizations or work with nonprofits to establish or expand tutoring programs to provide personalized, evidence-based instructional learning opportunities for students who experience the most significant instructional loss.
- **Offer extended learning time.** Offer extended learning after traditional school hours or during summer breaks to increase instructional time for all or some students most negatively affected by COVID school disruptions. States and districts may achieve this by providing additional compensation to or hiring more educators or support staff, restructuring their school day, or partnering with other community-based organizations.
- **Adopt a universal multi-tiered system of supports (MTSS).** Establish and implement a framework for district- or school-wide MTSS that includes frequent progress monitoring, formative assessments, research-based interventions, and strong professional development. States and districts may hire experts or specialists to support implementation, offer professional development, and provide necessary tools for data collection and assessment.
- **Build capacity to collect and use data to inform instruction.** Invest in the capability of educators to collect and use data to tailor instruction and personalized interventions. States and districts may hire data literacy consultants, offer professional development, and free up educator time to collect and interpret data to inform instruction.
- **Implement Universal Design for Learning.** Embrace Universal Design for Learning (UDL), a framework to improve teaching and learning for all based on how individuals learn best. States and districts may hire consultants to evaluate current practices, content, and curriculum and provide recommendations to support implementation of UDL.
- **Restructure the school day.** Revisit instructional schedules to maximize learning time, provide more time for personalized or supplemental instruction, and align to UDL principles. Districts or schools may choose to build temporary capacity to make a strategic shift, which may include adjusting staffing schedules or partnering with community-based organizations.
- **Implement innovative assessments.** Support the development of assessments that effectively and meaningfully assess, inform, and promote learning. Efforts should ensure that any innovative assessments are accessible and support the learning of all students, including historically marginalized populations. States and districts may partner with consortiums or innovative organizations to develop and test these new assessments.

Other Resources

Learn more about these organizations

- [Blue Engine](#) is an organization that optimizes the power of team-teaching, and [SPED Strategies](#) helps educational leaders advance outcomes for students with disabilities.
  - [Tutoring: Ensuring Equity & Inclusion for ALL Students](#) highlights strategies and considerations for large-scale tutoring initiatives. (March 2021)
  - [High-Quality Instruction & Materials: Ensuring Equity & Inclusion for ALL students](#) highlights priority areas and recommendations for enabling students with disabilities to be successful during core instruction. (April 2021)
- [CAST](#) is an education research and development organization that created the Universal Design for Learning (UDL) framework and guidelines. CAST offers resources and technical assistance for the implementation of UDL.
  - [UDL Guidelines](#) (2018)
- [National Center on Intensive Intervention](#) is a federally funded technical assistance and research center that works to build capacity of state and local education agencies, universities, practitioners, and other stakeholders to support implementation of intensive intervention in reading, mathematics, and behavior for students with severe and persistent learning and/or behavioral needs.
- [TNTP](#) has resources and toolkits on developing effective teachers, with a goal of ending the injustice of educational inequality.
- [University of Florida's CEEDAR Center](#) is a federally funded technical assistance and research center. CEEDAR, which stands for "Collaboration for Effective Educator Development, Accountability, and Reform," provides teachers and leaders effective opportunities to learn how to improve core and specialized instruction in inclusive settings so that students with disabilities can achieve college and career-ready standards.
  - [Professional Development Course Module](#) on MTSS, UDL, and differentiated instruction
- [UPchieve](#) is a free 1:1 tutoring platform offering homework help. It is available to schools and districts in high-need communities.

Read these reports

- [Promising Practices to Accelerate Learning](#): This report by the National Center for Learning Disabilities (NCLD) explores four models of accelerated instruction and unique considerations for implementing accelerated learning approaches for students with disabilities. (February 2021)
- [9 Recommendations for Inclusive Learning Recovery for Students With Disabilities](#): This resource by NCLD and other disability advocacy organizations describes best practices to ensure that states and districts design learning recovery efforts in ways that include and support students with disabilities. (March 2021)
- [The Rising Tide That Lifts All Boats](#): This report by the Center for Learner Equity provides spending ideas for COVID relief funding. (April 2021)
- [Successful Implementation of Instructional Materials](#): Five case studies from the Center for American Progress. (September 2019)

(2) Inclusive and Culturally Responsive Social-Emotional Learning

The COVID-19 pandemic is disproportionately impacting students from systematically marginalized communities, including students with disabilities, students of color, and students from low-income families. However, the pandemic has not simply impacted students' academic learning and development. It has also had a significant impact on their social and emotional learning and development. The COVID-19 pandemic coincided with a period of nationwide racial reckoning, political unrest, and a great deal of uncertainty and stress for many families. We know from research on the science of learning and development that students must experience belonging, safety, and support in order to learn. To help students emerge from the COVID-19 pandemic stronger and more prepared for life and school, it is essential that educators work to understand, affirm, and leverage the assets of all young people, and especially those of students with disabilities. To do this, states and districts can invest federal funds in the following ways:

- **Invest in high-quality instructional material and curriculum.** School districts can develop content and curriculum that is culturally relevant and competent, that is universally designed, and that embeds social-emotional learning within academic content.
- **Provide high-quality, ongoing professional development.** School districts can invest in district-wide professional development on the importance of knowing students' intersectional identities, their assets, and their needs. This will allow educators to build the relationships and supportive contexts for learning that students with disabilities need and to which they are entitled. These investments should ongoing and build on existing, effective MTSS, PBIS, and/or RTI systems, or seek to create new programs and systems that provide equitable, universal, and targeted supports for students' social, emotional, and academic learning and development.
- **Partner with community mental health organizations.** Cultivate partnerships with community mental health organizations to provide supplemental in-school or out-of-school support or professional development for educators. These services can help students work through trauma experienced during the pandemic and build educators' knowledge and skills.
- **Adopt a universal multi-tiered system of supports (MTSS).** Establish and implement a framework for district- or school-wide MTSS that includes frequent progress monitoring, formative assessments, research-based interventions, and strong professional development to address all areas of student growth, including behavior, social and emotional needs, and absenteeism. States and districts may hire experts or specialists to support implementation, offer professional development, and provide necessary tools for data collection and assessment.
- **Invest in inclusive, restorative, and educative approaches to school discipline practice and policy.** Provide opportunities for trauma-informed approaches to build strong conditions for learning, including ways that a student's disability may or may not be visually apparent or commonly understood, and how disability may impact a student's responsiveness to school discipline.

- **Support educator and staff social, emotional, and mental health and well-being.** Develop systems and structures that incentivize the retention of special education educators, such as through financial incentives and effective professional support that addresses the social, emotional, and mental health of educators and staff.

Other Resources

Learn more about these organizations
- [The Collaborative for Academic, Social, and Emotional Learning](#) (CASEL) supports states, districts, and schools in ensuring that SEL is a priority in every school nationwide.
- [Turnaround for Children](#) creates resources and strategies for educators, empowering them to drive change toward a more equitable, whole child approach to school.
- [The Learning Policy Institute](#) has resources to help design learning environments to support the whole child.
- [The Science of Learning and Development (SoLD) Alliance](#) aims to make the science of learning and development a deeply understood, widely held, and actionable key driver of equity and excellence in education systems.

Read these reports
- [Exploring Intersectionality: Understanding Student Identity to Promote Equitable Social, Emotional, Cognitive, and Academic Development During and Beyond the COVID-19 Pandemic](#): This report by NCLD highlights the compounding effect on student identities and actions to promote social, emotional, cognitive, and academic development. (November 2020)
- [Social, Emotional, and Academic Development Through an Equity Lens](#): This report by the Education Trust highlights research and policy changes to approach social, emotional, and academic development by addressing adult beliefs and learning environments. (August 2020)
- [How the Science of Learning and Development Can Transform Education](#): This foundational brief from the SoLD Alliance summarizes several initial lessons from the science of learning and development which have significant implications for those working to advance opportunity, equity, learning, and youth development. (2020)

(3) Effective Progress Monitoring and Accurate Evaluations for Specialized Instruction

Special education has been woefully underfunded for decades. Many struggling students have not had access to the special education services they would benefit from. Now, school disruptions related to COVID-19 have complicated the special education evaluation process, making it difficult for schools to provide intensive supports for students with disabilities. Further, COVID-19 may greatly increase the academic, social, emotional, mental, and behavioral challenges facing students, making it difficult to differentiate disability from other types of difficulties as more students struggle to meet grade-level standards in current conditions. These challenges may lead to increased referrals for special education, while at the same time many schools are facing a backlog of evaluations and reevaluations as school closures and virtual environments made evaluations difficult. To address the existing and growing needs of students with and at risk for disabilities, states and districts can invest funds in the following ways:

- **Build capacity and partnerships to increase evaluation capacity.** Increase capacity for districts to conduct comprehensive evaluations for special education to allow for timely and effective assessment. Districts can develop partnerships with private evaluators and colleges or universities, who can help increase the capacity to complete the backlog of evaluations in the short term, and provide professional development and expertise to special educators, school psychologists, and others within the district who will continue conducting evaluations in the long term.
- **Implement universal MTSS.** Increase access to data to drive evaluations by implementing universal MTSS. MTSS can be an essential tool in differentiating a disability from a difficulty in a particular academic, social, emotional, or behavioral area. States and districts can use funds to establish and implement a framework for district- or school-wide MTSS — focusing on both academic and behavioral needs and supports — that includes frequent progress monitoring, research-based interventions, and strong professional development.
- **Build expertise on the intersection between disability and other complex factors.** Cultivate expertise in specialty areas related to the intersection of disability and other factors that can impact evaluations and eligibility for special education, such as instructional loss, stress or trauma, English learner status, poverty, and more. States and districts may hire national experts to provide professional development or guidance on conducting accurate and sensitive special education evaluation for students with intersectional identities.
- **Audit evaluation requirements and special education eligibility criteria.** Assess current evaluation requirements and eligibility criteria that are not dictated by federal law in order to ensure that state or district practices adhere to the most up-to-date research on disability and learning. As necessary, states and districts can work with national experts to align evaluation requirements and eligibility criteria, if necessary.

Other Resources
Learn more about these organizations
- [National Association of School Psychologists](#) (NASP) is a professional association representing more than 25,000 school psychologists and related professionals.

- Council of Administrators of Special Education (CASE) is a professional educational organization for school and district administrators, affiliated with the Council for Exceptional Children (CEC).
- National Association of State Directors of Special Education (NASDSE) is an organization that supports state leaders of special education.

Read these reports
- Evaluation for Specific Learning Disabilities: Allowable Methods of Identification & Their Implications: This paper from NCLD provides parents, educators, school professionals, and policymakers with a common language and shared understanding of terms related to data-based problem-solving approaches to improve practice and better serve all students. (2019)
- What a Specific Learning Disability Is Not: Examining Exclusionary Factors: This paper from NCLD explores the exclusionary criteria that exist in federal law to ensure that schools consider the primary cause of learning challenges before a child may be determined eligible for special education due to a specific learning disability. It also describes the implementation challenges related to these factors. (2019)
- Data-Based Problem Solving: Effective Implementation of MTSS, RTI, and PBIS: This paper from NCLD examines the history of the federally permissible methods to determine eligibility for special education due to a specific learning disability. It describes advantages, challenges, and research related to the evaluation frameworks, and highlights selected state practices to demonstrate the variability in eligibility methods across the country. (2019)
- Navigating Special Education Evaluations for Specific Learning Disabilities (SLD) Amid the COVID-19 Pandemic: This resource published by NCLD and NASP highlights recommendations for addressing the challenges associated with evaluations during COVID-19. (2020)
- Comprehensive Assessment and Evaluation of Students with Learning Disabilities: This paper published by the National Joint Committee on Learning Disabilities (NJCLD) informs educators, administrators, and parents about the effective identification of students with learning disabilities, and highlights that inappropriate assessment and evaluation practices may result in inaccurate incidence rates for learning disabilities by failing to distinguish LD from other conditions. (2010)
- The Identification of Specific Learning Disabilities: A Summary of Research on Best Practices: This report by the Texas Center for Learning Disabilities reviews research on the identification of SLD and best practices for SLD identification. (2019)

(4) Meaningful Family Support and Engagement

Families are essential partners in supporting students and improving outcomes. In blended and virtual settings, families played an unprecedented role in supporting their children. During this time, many schools and districts invested more time and resources to equip families and caregivers with information and knowledge to support their students at home. As schools reopen, that engagement must continue. In addition to providing families with tools and resources to help children at home, schools should inform families about how the curriculum and instructional strategies are being adjusted to address instructional loss. States and districts can invest funds in the following ways:

- **Provide families with digital literacy training.** Address both the technical and cultural dimensions of learning that will enable learning to be successful for students with disabilities. States and districts can use funds to ensure that every family has access to the internet and to the devices their children need to access learning virtually. Funds can also be used to ensure that families have the knowledge and skills to navigate the learning platforms used by their child's school and to effectively communicate with their child's educator virtually.
- **Develop a strategy for evidence-based and culturally competent family engagement.** Prioritize and enable proactive, culturally responsive and sensitive, and asset-based family engagement for students with disabilities. States and districts can provide professional development for educators and other professionals on relationship building and meaningful, culturally responsive strategies for family engagement. In addition, states or districts can build capacity and direction by contracting with community-based organizations to support the ability of schools to meaningfully engage with families, particularly where families are non-English speaking or have close ties to their community.
- **Develop a strategy for inclusive communication with families.** Ensure that communication and information to families is accessible to all, including those who speak a language other than English at home, those who do not have reliable access to computers or broadband, and those with limited educational backgrounds. Communications should encourage input from families and should offer pathways for students and families to ask for and receive help from well-trained support personnel. Districts can audit family communication channels with students and their families from across the district to ensure that they are timely, accessible, proactive rather than reactive, and provided at the same time in their home language (not days after they are provided in English). Districts can also use funds to host more frequent events and opportunities for family engagement, including on translation services.
- **Improve family communication platforms.** Invest in platforms to foster strong family-school partnerships. States or districts can hire technology advisors to recommend and implement technology changes to family-school communication platforms to facilitate accessible, culturally responsive, and meaningful communication.

Other Resources

Learn more about these organizations

- [SPAN Parent Advocacy Network](#) is a parent-led nonprofit organization that empowers families as advocates and partners in improving education, health, and mental health outcomes for infants, toddlers, children, and youth. SPAN also serves as a federally funded national technical assistance center to provide information, resources, and support for the almost 90 Parent Training and Information Centers and Community Parent Resource Centers serving families of children with disabilities and also youth/young adults with disabilities across the U.S.
- [National PTA](#) is a national advocacy organization and a resource for families and communities.
- [Learning Heroes](#) provides extensive resources and research to improve parent-school communication.

Read these reports

- [Family Engagement Toolkit](#): This resource from WestEd aims to support districts and schools with practical planning and evaluation tools. (2017)
- [One Size Does Not Fit All](#): This report from the Center for American Progress illustrates the importance of schools communicating different types of information to parents through a variety of communication systems in order to strengthen school-home partnerships and engagement. (February 2020)