



Twenty-nine national disability and education groups, representing higher education, general education and special education interests, are working together to promote Universal Design for Learning (UDL). This coalition, the National UDL Taskforce, recommended legislative language to incorporate UDL principles into the Higher Education Opportunity Act. We are very pleased that most of our recommendations are now in the Act. In a few provisions there were slight word changes that could result in misinterpretation. The National UDL Task Force therefore requests the following technical corrections to ensure that the provisions are properly understood and implemented.

Please contact Ricki Sabia at rsabia@ndss.org with any questions. For more information on the Taskforce and its membership, please see www.udl4allstudents.com.

1. Section 103(a)24(A)

Current language:

(24) UNIVERSAL DESIGN FOR LEARNING.--The term `universal design for learning' means a scientifically valid framework for guiding educational practice that--

(A) provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged;
and

Proposed Language: added words in bold

24) UNIVERSAL DESIGN FOR LEARNING.--The term `universal design for learning' means a scientifically valid framework for guiding educational practice that--

(A) **in the context of goals, instructional materials, teaching methods and assessments** provides **curricula** flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged;

Rationale:

The educational framework and principles of UDL which are defined in Section 103(24)(A) are designed to be applied to the four components of curriculum: goals, instructional materials, teaching methods and assessments. There is no reference to curricula or its four components in the statutory language.

Potential Impact:

The suggested technical corrections would clarify the definition for the stakeholders, especially the Institutions of Higher Education who will be implementing UDL activities.

2. Section 204(a)(G) Title II Teacher Quality Enhancement

Current Language:

(a) *Eligible Partnership Evaluation.*--Each eligible partnership submitting an application for a grant under this part shall establish, and include in such application, an evaluation plan that includes strong and measurable performance objectives. The plan shall include objectives and measures for increasing—

(G) as applicable, the percentage of teachers trained--

``(i) to integrate technology effectively into curricula and instruction, including technology consistent with the principles of universal design for learning; and

``(ii) to use technology effectively to collect, manage, and analyze data to improve teaching and learning for the purpose of improving student academic achievement.

Proposed Language: deleted “including technology” in (G)(i) and inserted the words in bold

(a) *Eligible Partnership Evaluation.*--Each eligible partnership submitting an application for a grant under this part shall establish, and include in such application, an evaluation plan that includes strong and measurable performance objectives. The plan shall include objectives and measures for increasing—

(G) as applicable the percentage of teachers trained--

``(i) to integrate technology effectively into curricula and instruction, **in a manner** consistent with the principles of universal design for learning; and

``(ii) to use technology effectively to collect, manage, and analyze data to improve teaching and learning for the purpose of improving student academic achievement.

Rationale:

UDL as it relates to teacher preparation and technology focuses on whether teachers are trained to effectively integrate any educational technology into curricula and instruction in a manner consistent with the principles of UDL, not just technology that may be designed specifically for UDL purposes. Teachers are not always in a position to select the technology at their disposal. This language is also more consistent with the language used in Section 205(a)(1)(F) and (b)(1)(K).

Potential impact:

To clarify that the type of technology is not as important as the skills of teacher to effectively integrate any technology that is available to him or her into curricula and instruction in a manner consistent with the principles of UDL.

3. Sections 205(a)(1)(F) and (b)(1)(K) Title II Teacher Quality Enhancement

Current Language:

Section 205(a)(1)(F) USE OF TECHNOLOGY- A description of the activities, including activities consistent with the principles of universal design for learning, that prepare teachers to integrate technology effectively into curricula and instruction, and to use technology effectively to collect, manage, and analyze data in order to improve teaching and learning for the purpose of increasing student academic achievement.

Section 205(b)(1)(K) A description of the activities that prepare teachers to--
` (i) integrate technology effectively into curricula and instruction, including activities consistent with the principles of universal design for learning; and
(ii) use technology effectively to collect, manage, and analyze data to improve teaching and learning for the purpose of increasing student academic achievement.

Proposed Language: Deleted the word “including” and added the words in bold.

Section 205(a)(1)(F) USE OF TECHNOLOGY- A description of the activities, **which shall include** activities consistent with the principles of universal design for learning, that prepare teachers to integrate technology effectively into curricula and instruction, and to use technology effectively to collect, manage, and analyze data in order to improve teaching and learning for the purpose of increasing student academic achievement.

Section 205(b)(1)(K) A description of the activities that prepare teachers to--
` (i) integrate technology effectively into curricula and instruction, **which shall include** activities consistent with the principles of universal design for learning; and
(ii) use technology effectively to collect, manage, and analyze data to improve teaching and learning for the purpose of increasing student academic achievement.

Rationale:

These provisions require certain institutions of higher education (IHEs) and each State to provide report cards on the quality of teacher preparation. The current language states that the report card for each entity must contain a description of activities that prepare

teachers to effectively integrate technology into curricula and instruction, including activities consistent with the principles of universal design for learning. In the context of the other UDL provisions in the Act, it is clear that Congress intended that the IHE and State reports cards *shall include* a description of activities that are consistent with UDL. The term “which shall include” leaves less room for misinterpretation than “including,” which could allow the States and IHE’s to believe there is a choice about what to include in the description.

Potential Impact:

The proposed language simply uses more precise terminology to avoid confusion.

4. Sections 232(a)(2),(b)(2)

Sections 233(1)(B)

Section 772(b)(C)(ii)(v) (Title VI subpart 3)

Current Language:

Each of the provisions listed above contains the term “universal design” instead of “universal design for learning.”

Proposed Language:

Change all these references to read “universal design for learning.”

Rationale:

“Universal design from learning” is used throughout the Higher Education Opportunity Act. “Universal design” was a term commonly used in statutes before universal design for learning was incorporated into this Act and has a narrower definition.

“Universal design” focuses solely on physical access. It comes from the architectural field and is used to refer to physical access in many ways that have nothing to do with learning. The goal is simply to provide products and services that are “usable.” On the other hand, “universal design for learning,” as defined in Section 103(a)(24) provides cognitive as well as physical access to curricula goals, teaching methods, instructional materials and assessment. The goal of “universal design for learning” is the comprehension of the curricula content to improve performance.

Potential Impact:

The proposed language will prevent confusion by using terms consistently throughout the Act. Clearly Congress intended to move beyond universal design to universal design for learning when it added many references to universal design for learning in the reauthorization.