



# NATIONAL DOWN SYNDROME CONGRESS

## NDSC PUBLIC COMMENTS ON LRE DATA COLLECTION QUESTION

January 27, 2025

Stephanie Valentine

Office of Planning, Evaluation and Policy Development, U.S. Department of Education  
Washington, DC 20002

RE: ED-2024-SCC-0142

Dear Ms. Valentine,

The National Down Syndrome Congress is writing to provide comments to the U.S. Department of Education (ED) collection regarding EDFacts data for the 2025-26, 2026-27, and 2027-28 school years. NDSC is the country's oldest national organization for people with Down syndrome, their families, and the professionals who work with them. NDSC provides information, advocacy and support concerning all aspects of life for individuals with Down syndrome, and we work hard to achieve our vision of a world with equal rights and opportunities for people with Down syndrome.

Our comments relate to Attachment D-Directed Questions, specifically to **#11) Regular Class**.

The Department is proposing to add a question inquiring if the state has a statewide operational definition of "regular class" for the purposes of reporting the IDEA Section 618 Part B Child Count and Educational Environments data, and if so, to provide the definition, and if not, to provide a description of the criteria the LEAs in the State use to determine if children with disabilities receive educational services in the "regular class".

**Comment:** NDSC strongly supports adding this question. The accurate collection of Least Restrictive Environment (LRE) data is critically important to the academic achievement of students with disabilities and this question is an important first step to obtaining accurate and valid LRE data. As Congress has long recognized in IDEA, the regular education class is the best setting for students to be involved in and make progress in the general education curriculum

and to meet the post-school goals of the law. It is the first type of setting that must be considered. The disaggregation of data by disability category is especially important because it shows us which groups of students, including students with an intellectual disability, are educated in regular classes far less often than other students with disabilities, in spite of the fact that research has long shown the academic and other benefits of inclusion for these students.

As noted by ED, states currently differ in how LEAs define “regular class” and in how the data is collected. NDSC and other disability advocacy organizations have raised serious questions for some time about the validity of the educational environments data given evidence that in some cases a “regular class” is considered one with more students with disabilities than students who are not disabled. Further, some states do not have a definition that is used by all LEAs and it is unclear what definition is used. In order to have valid data and know the percentage of students who are truly receiving educational services in a regular class, we need to know how this term is being defined in the field.

**Recommendations:**

- 1.) Add the proposed question to the data collection.
- 2.) When the Department collects the responses from states, the information should be made publicly available to ensure that the public has access to the comprehensive list of definitions used by states.
- 3.) Ultimately, ED should require states and LEAs to use one definition of “regular class”. Specifically, the definition should ensure that “regular class” reflects *a natural proportion of students with disabilities compared to students without disabilities*.

NDSC appreciates this opportunity to comment, and we look forward to an updated and improved EDFacts. If you have any questions, please contact Stephanie Smith Lee, NDSC Policy & Advocacy Co-Director at [Stephani@ndscenter.org](mailto:Stephani@ndscenter.org).