

FROM THE DESK OF

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Department of Education,

Docket ID: ED-2017-OS-0074

Response to Request for Comments under Executive
Order 13777 Regarding Dear Colleague Letter and
Resource Guide on Students with ADHD

Main Comment:

I request that the Dear Colleague Letter and Resource Guide on Students with ADHD (ADHD DCL) issued on July 26, 2016, by the Office for Civil Rights of the United States Department of Education (OCR) be retained as active guidance.

My son was diagnosed with ADHD and other disorders in first grade of his elementary school because of a teacher who recognized the symptoms. Before diagnosis and treatment, my son was unable to listen, focus or follow directions. He would roll himself up in the rugs, and need to leave the room every ten minutes. He was so troubled and discouraged that he would talk about how he wished he wasn't alive, and then I could get a 'good' son instead. Since then, all the teachers and staff at our public school have been very informed of the guidelines of the

504 Plan and have followed the law of Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA). If the teachers and staff had not been educated this way, my son would be in a terrible state and most likely would be in a rehabilitation facility, but thanks to their knowledge on these guidelines of Dear Colleague Letter and Resource Guide on Students with ADHD, my son is doing well and receiving all the help he needs to manage his disability.

ADHD is a significantly impairing disorder. “[T]here is no debate among competent and well-informed health care professionals that ADHD is a valid neurobiological condition that causes significant impairment in those whom it afflicts.”¹⁵

ADHD, particularly when untreated or inadequately treated, can lead to devastating consequences; individuals with ADHD are far more likely than

unaffected individuals to experience school failure, employment problems, car accidents, depression, failed relationships, teen pregnancies, children born out of wedlock, injuries, conduct disorder, antisocial and criminal behavior, and substance abuse.¹⁶

As mentioned above, a longitudinal, population-based study concludes that childhood ADHD is associated with “significantly increased risk” of suicide and that “the cumulative burden of ADHD through the lifespan is considerable, including mortality, social

adversity in the form of criminal behavior, persistence of ADHD into adulthood, and increased rates of other mental health problems.”¹⁷

¹⁵ Practice Parameters for the Assessment and Treatment of Children and Adolescents with Attention-Deficit/Hyperactivity Disorder, *Supra* at 894.

¹⁶

Russell A. Barkley, et al., International Consensus Statement on ADHD, 5:2 *Clinical Child and Family Psychology Review* 89(2002), available at

<http://www.russellbarkley.org/factsheets/Consensus2002.pdf>; Practice Parameters for the Assessment and Treatment of Children and Adolescents with Attention-Deficit/Hyperactivity Disorder, *Supra* at 895-896.

¹⁷

William J. Barbaresi, et al., Mortality, ADHD, and Psychosocial Adversity in Adults With Childhood ADHD: A Prospective Study, 131:4 *Pediatrics* (2013).

The largest longitudinal study to date on the treatment of ADHD, often referred to as the Multimodal Treatment of ADHD Study (MTA Study), found that effective treatment includes medication, various psychotherapies including behavior therapy, education and training, and "a school-based intervention organized and integrated with the school year."

The ADHD DCL (Dear Colleague Letter) was developed with assistance from well-informed experts: This ADHD DCL is sound, helpful, well-informed guidance. This reflects the fact that it was not developed in

secrecy but rather in collaboration with well-informed private citizens, technical experts, and other stakeholders.

ADHD is the leading disorder among children and can have such detrimental effects on the child and his environment. A child with undiagnosed ADHD will be disruptive in class and interrupt study. Without informed teachers, these children are at great risk of failure and become more of a burden in the long run.

Do not rescind The Dear Colleague Letter and Resource Guide. It is a simple and informative guideline that helps so much. Please do not leave the most vulnerable children unassisted and left to suffer with their disability.

Sincerely yours,

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