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Hilary Malawer, Assistant General Counsel  
Regulatory Services Div., Office of General Counsel  
U.S. Department of Education  
400 Maryland Avenue, SW, Room 6E231  
Washington, DC 20202

**Docket ID: ED-2017-OS-0074**

Dear Ms. Malawer:

The Learning Disabilities Association of America (LDA) appreciates the opportunity to submit comments regarding the current status of education regulations, including possible repeal, replacement, or modification. LDA – a national volunteer organization representing individuals with learning disabilities, their families, and the professionals who serve them – has worked for more than 40 years to ensure children with specific learning disabilities are properly identified and receive appropriate services to enable them to fully benefit from these educational opportunities, graduate from high school, and meet their postsecondary goals.

Children and youth with learning disabilities benefit from effective implementation of all federal laws governing elementary and secondary education, as well as those addressing postsecondary training and higher education. We are particularly interested in regulations related to the Individuals with Disabilities Education Act (IDEA), which ensures a free appropriate public education (FAPE) in the least restrictive environment (LRE) for all eligible children and youth with learning disabilities.

The IDEA is a complex education law, and the accompanying regulations are comprehensive and closely aligned with the statutory language. Generally acknowledged as a civil rights law, the IDEA provides families the right to participate in the development of a individualized education program (IEP) and due process rights to enforce FAPE, LRE, and other critical provisions of the law. Strong implementation of the IDEA, based on both the statute *and* the regulations, has been critical in helping students with learning and other disabilities to advance academically, increasing high school graduation rates, and providing families with a voice in their children's education.


A broad array of stakeholders provided extensive comments to and engaged intensively with the Department of Education on the current IDEA regulations. The Department chose to promulgate regulations that mirror the law in many instances and clarify particular statutory provisions to assist school districts in implementing the law fairly and appropriately. These regulations also help families to understand what services and supports are available to their children and how those educational tools can be accessed. *LDA believes any changes to these regulations – repeal, replacement, or modification – should not be undertaken without considering the full context of the law. Therefore, LDA does not support changing current IDEA regulations in any manner at this time.*

In addition, students with disabilities are a designated subgroup under the Every Student Succeeds Act (ESSA). We have already seen the repeal of accountability regulations promulgated shortly after the law was passed before these regulations were allowed to go into effect. School districts need clarity and stability as they move forward to implement this new law fully in the next school year. Any further changes at this time will affect longstanding planning by states to effectively transition to ESSA. Therefore, *LDA also recommends no further changes to ESSA regulations at this time.*

LDA is always pleased to serve as a resource to the Department in regard to the education of children and youth with learning disabilities. As you move forward, please feel free to contact Myrna Mandlawitz, LDA Policy Director, [mrmassociates@verizon.net](mailto:mrmassociates@verizon.net), to assist you with this and other Department activities.

Thank you for your careful consideration of these comments.

Sincerely,

A handwritten signature in cursive script that reads "Patricia M. Lillie".

Patricia M. Lillie  
President