

**Inclusive, transparent, collaborative, voluntary, and verifiable\***

## Universal Design for Learning in ESSA

**Background** -Universal Design for Learning (UDL) is a framework for creating and sustaining educational systems that are responsive to the needs of each learner, including students in the many subgroups that are referenced in the Every Student Succeeds Act (ESSA) such as students with disabilities, English learners, economically disadvantaged students, students from major racial and ethnic groups, gifted and talented students, homeless students, migratory students, and students in foster care. UDL accelerates this process by offering multiple ways of engaging students, representing information and demonstrations of mastery. These are the three core components of UDL. In addition to the ESSA references, UDL is defined in the Higher Education Opportunity Act of 2008 and is a recommended component in the National Education Technology Plans (2010, 2016, 2017) and the 2015 Ed Tech Developer's Guide published by the United States Department of Education.

UDL is referenced in a number of provisions throughout ESSA can be referenced in both state and local education agency ESSA implementation plans as an acknowledgement of and commitment to addressing the diversity inherent in all learners.

### Existing commitments to UDL as a framework for learning

The following 30 states and Washington, DC included UDL in their 2012 ESEA waiver requests:

**Arkansas, Arizona, Connecticut, Delaware, Georgia, Idaho, Illinois, Iowa, Kansas, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Rhode Island, South Dakota, Utah, Virginia, Washington, Wisconsin**

It is important for these states to continue the commitment they made to all learners in their waiver requests by including UDL in their ESSA state plans. It is equally important for the other 20 states to address UDL in their state plans as an evidenced-based strategy to support all students

For more information on UDL implementation see [www.udlcenter.org](http://www.udlcenter.org); <http://udl-irn.org> and [www.cast.org](http://www.cast.org).

\*The UDLCCI is led by three Lead Partner Organizations: CAST, the UDL Implementation and Research Network (UDL-IRN) and the National UDL Task Force. The initiative is presently in Phase I (May, 2016 -- December, 2017) and is actively seeking investments of interest, expertise and commitment to move the agenda forward during this acceleration and incubation period. We are in the process of developing dissemination strategies and opportunities for contributions and involvement, and we anticipate making those available within the coming weeks as aligned with the Initiatives core principles: Inclusivity, transparency, collaboration, volunteerism, and verification. If you would like to be added to the UDLCCI listserv when available, please provide your email address at <http://bit.ly/2hWZ1bM>

# UDL References in ESSA

The following strategies for states to address in both UDL planning and practice are each linked to the sections of ESSA where UDL is referenced. These are preliminary suggested approaches that can be added to or expanded upon. For detail related to the ESSA Section references below see <https://www.congress.gov/bill/114th-congress/senate-bill/1177/text>

## 1. State Plans - Sec. 1111

Suggested Strategies:

- a. Provide incentives to Local Education Agencies (LEAs) plans under ESSA that incorporate UDL. UDL implementation will ensure that investments in school support and improvement activities under ESSA are based on a scientifically-valid framework.
- b. Require UDL be included within all four aspects of the curriculum: Goals, Methods, Materials and Assessments in all school support and improvement plans
- c. Add UDL capacity-building and technical assistance as strategies in the ESSA state plan sections on Supporting Excellent Educators and Supporting All Students, since that will benefit all students in every school. It is important to use UDL BEFORE student academic performance is low enough that the school is identified as needing a support and improvement plan

## 2. Innovative Assessment & Demonstration Authority - Sec. 1204

Suggested Strategies:

- a. Align all assessments with the UDL framework, including innovative assessments developed under the ESSA demonstration authority, to address the required physical, sensory and cognitive accessibility requirements in both Sec.1111 and Sec.1204.
- b. Implement digital assessments that conform to the Web Content Accessibility Guidelines (WCAG2 AA) (see <https://www.w3.org/TR/WCAG20/>) as supported by the Department of Justice in [Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities](#)
- c. Establish a seamless interweaving of instruction and assessment in the classroom where the measurement of student achievement occurs as a part of instruction and where educational practice is based on three core components of UDL to support personalized learning. It is important to ensure that these approaches and measures also work for students participating in alternate assessments.

## 3. Definition of Comprehensive Literacy Instruction in Grant Program - Sec. 2221(b)(1)(J)

Suggested Strategy:

- a. Use standards-aligned literacy development methods and materials across all content areas that include multiple means of engaging students, representing information and flexible opportunities for students to demonstrate mastery and achievement.

## 4. Student Support and Academic Enrichment Grants - Sec. 4104(b)(3)(C)(i)(II)

Suggested Strategy:

- a. Support LEAs to increase access to personalized, rigorous learning experiences supported by technology by providing technical assistance to LEAs. The technical assistance should address using technology, consistent with the principles of UDL, and supporting the learning needs of all students, including students with disabilities and English Learners.