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Submitted via Regulations.gov

Ross Santy
Chief Data Officer
Office of Planning, Evaluation and Policy Development
U.S Department of Education
400 Maryland Ave SW
Washington, DC 20202

RE: ED-2025-SCC-0481; Agency Information Collection Activities; Comment Request; Annual State Application Under Part B of the Individuals with Disabilities Act as Amended in 2004

Dear Mr. Santy:

On behalf of the more than 3 million members of the National Education Association (NEA), including classroom teachers, related service providers, and specialists who support and teach the 7.5 million students with disabilities, we submit the following response to the Department of Education's request for comments on the proposed changes to the Annual State Application Under Part B of the Individuals with Disabilities Act as Amended in 2004 published in the Federal Register on August 22, 2025. These students, who are served under the Individuals with Disabilities Education Act (IDEA), rely on the supports and advocacy of their educators, families, and communities to ensure they have equitable access to services, opportunities, and outcomes.

We strongly urge the Department to not remove the Significant Disproportionality data collection under IDEA Section 618(d) and 34 CFR 300.646 and 300.647 from Section V of the Annual State Application under Part B of the IDEA, as proposed.

The Importance of Data Transparency

Educators rely on publicly accessible data to fulfill their professional and ethical responsibility to ensure that every student with a disability receives the services, supports, and opportunities they are entitled to under the law. As mandated by IDEA Section 618(d), states are required to collect and examine data to determine whether significant disproportionality based on race and ethnicity is occurring in identification, placement, or discipline. This data collection is not optional; it is a federal

statutory requirement that helps educators and administrators ensure fair and appropriate access to special education services. Although states and school districts will still be required to collect this data under IDEA, removing the central repository undermines transparency and will make it more difficult for educators, families, and other stakeholders to access this vital information.

Impact on Identifying Disproportionality and Bias

Accurate, consistent, and publicly accessible data empowers educators to identify patterns of disproportionality that may indicate bias or inequity in local practices. Without this publicly accessible information, teachers, Education Support Professionals (ESPs), and Specialized Instructional Support Personnel (SISPs) would lose one of their most important tools for recognizing when certain groups of students are being misidentified, inappropriately placed, or disciplined at disproportionate rates. The lack of central data collection would leave State Educational Agencies (SEAs) and educators without the standardized measures necessary to detect and address these disparities, leading to inconsistent monitoring and uneven enforcement across states.

Using Data to Inform Instruction and Professional Development

Educators use disaggregated data to improve their teaching, tailor interventions, and advocate for the resources their students need. When this data is publicly accessible, it allows educators to spot trends indicating whether supports are effective and whether instructional or behavioral strategies need adjustment. Data-driven reflection is central to effective teaching and critical to achieving equitable student outcomes. The findings from this data also guide professional learning, helping educators recognize and address systemic issues in referrals, placements, and behavioral supports. This process fosters collaboration between schools, districts, and states, ensuring that practices are aligned with evidence-based strategies that better serve students.

Furthermore, preserving this data collection is essential for maintaining longitudinal datasets that educators, researchers, and policymakers rely on to evaluate instructional practice and shape policy. The absence of such data would create gaps in the evidence base, hindering efforts to improve IDEA implementation and educational practices over time.

Ensuring Public Trust and Accountability

Most importantly, the data collected under IDEA Section 618(d) ensures transparency and fosters public trust. Educators, families, and advocacy organizations use this information to assess how well states are meeting their obligations to students with disabilities. Without this data, there would be diminished public visibility into how schools identify and serve students with disabilities, weakening confidence in IDEA accountability and limiting educators' ability to advocate for systemic improvements. This data is also critical for addressing longstanding racial and ethnic disparities in special education. Research has shown that students of color are disproportionately identified for certain disability categories, such as emotional disturbance, while being underrepresented in others,

including autism and speech or language impairments.¹ These inequities persist across the country and must be addressed to ensure all students receive the support and services they deserve.

Conclusion

The NEA remains steadfast in its commitment to challenging systemic disparities and advancing equity for all students with disabilities. Ensuring that the Significant Disproportionality data collection remains in place is crucial for identifying and addressing these disparities, thereby fostering a more equitable education system for students with disabilities across the nation.

For these reasons outlined above, we strongly urge the Department to uphold the Significant Disproportionality data collection requirements as part of the Annual State Application under IDEA Part B. Maintaining this statutory requirement is vital to empowering educators to meet their students' needs, uphold IDEA's core purpose, and ensuring every child receives the fair and appropriate education they are entitled to. Failure to preserve this data collection would create gaps in both practice and policy that could have far-reaching consequences for the students who rely on these protections.

The NEA respectfully submits these recommendations for consideration. Please do not hesitate to contact me or Brittany Patrick at BPatrick@nea.org, should you have any questions.

Sincerely,



Daaiyah Bilal-Threats
Senior Director, Education Policy and Implementation Center
National Education Association

¹ <https://nces.ed.gov/use-work/resource-library/report/compendium/condition-education-2020?pubid=2020144>