



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

February 7, 2020

Chairman Lamar Alexander  
U.S. Senate  
Washington, DC 20015

Ranking Member Patty Murray  
U.S. Senate  
Washington, DC 20015

RE: Higher Education Act Reauthorization

Dear Chairman Alexander and Ranking Member Murray:

The Consortium for Citizens with Disabilities (CCD) Education Task Force writes to provide recommendations as you consider reauthorization of the Higher Education Act (HEA). This updates our letter dated February 23, 2018. Thank you for the opportunity to provide input in this important process.

A Few Facts:

- Despite significant strides in public policy, people with disabilities remain the poorest, least employed, and least educated minority in America (Senate HELP Committee, 2014). Without the education and training needed to start a job or career, young people with disabilities are trapped in a pattern of perpetual poverty and dependence upon state and federal benefits.
- Youth with intellectual disabilities have the lowest rates of education, work, or preparation for work after high school of all disability groups.
- 30.6 percent of working-age people with disabilities participate in the labor force, compared to 74.8 percent of their peers without disabilities (Employment Policy and Measurement Rehabilitation and Research Training Center, 2020).
- Special education is the field with the greatest teacher shortage with 48 states and DC reporting shortages.
- Teachers need strong preparation in order to learn evidence-based strategies, such as how to provide multi-tiered systems of support (MTSS), positive behavioral interventions and supports (PBIS) and universal design for learning (UDL). Those teachers prepared through alternate pathways with less coursework and student teaching are 25% more likely to leave their schools and the profession than those who are well prepared.

Therefore, students with disabilities, must be thoughtfully and fully included in any policy changes considered for the reauthorization of the Higher Education Act (HEA). It is also essential that teacher and school leader preparation requirements focus on providing high quality instruction and ensure the use of evidence-based practices including MTSS, PBIS, UDL, trauma-informed care and more - so they are prepared to teach and lead in classrooms and schools designed to support all students.

As such, the CCD Education Task Force makes the following recommendations as you work to reauthorize the HEA:

- **Include the Respond, Innovate, Succeed, and Empower (RISE) Act (S.1295/H.R. 2782).** This bipartisan bill:
  - Authorizes increased funding for a technical assistance center that provides students and families information on disability services available in college and how to access them and offers college faculty training and resources on best practices to support students with disabilities;
  - Requires IHEs to accept an Individualized Education Program (IEP), 504 plan, or prior evaluation as documentation of a student’s disability when seeking accommodations in an IHE, preventing students from having to undergo a new, costly and burdensome evaluation that many IHEs require; and
  - Requires IHEs to submit to the Integrated Postsecondary Education Data System (IPEDS) or other federal data collection efforts key data related to their undergraduate students with disabilities.
  
- **Include the Expanding Disability Access to Higher Education Act (S.1176).** This bill provides grants to TRIO programs such as Upward Bound, Education Opportunity Centers, and others to increase recruitment of students with disabilities into these programs and support TRIO-eligible students with disabilities with services designed to meet their needs. It is very important to support first-generation or low-income students with disabilities to prepare for, enroll in, and graduate from institutions of higher education.
  
- **Include the Higher Education Mental Health Act (S. 1204).** This bill:
  - Establishes an Advisory Commission on Serving and Supporting Students with Mental Health Disabilities in Institutions of Higher Education (IHE) to ensure States and IHEs are provided accurate information on the mental health concerns facing students; and
  - Provides detailed recommendations to improve the mental health services available to students and properly treat the rising number of students with mental health issues.
  
- **Improve Access to Information About College Programs and Support for Students:** Parents, families, professionals and students (including high school students) need better access to information about services, supports, legal requirements, and physical, programmatic, and instructional accommodations to help students be successful and graduate from postsecondary education programs. In addition, colleges and universities need technical assistance to effectively understand how to provide services and accommodations to all students with disabilities who enroll in postsecondary programs.
  - **Recommendation:** Maintain the National Technical Assistance Center in Section 777(a) of the Higher Education Opportunity Act.
  - **Recommendation:** Authorize funding to collect (and make publicly available) accurate data about the recruitment, retention, graduation, and employment of students and faculty with disabilities to help postsecondary programs in their ability to serve students with disabilities and to provide middle and high school students, parents, and faculty with information about postsecondary educational options, accessibility, enrollment procedures, supports, and rights and responsibilities.
  
- **Assure Accessibility for Students:** Higher education needs to be physically and programmatically accessible (as well as accessible in its curriculum) to all students. Students with disabilities, including those with intellectual disabilities, should be provided appropriate supports and services to allow them equal opportunity to participate in all aspects of higher education that are available to other students, including integrated classroom experiences, access to faculty who are skilled in instructing students with disabilities, accessible instructional materials, inclusive housing opportunities, accessible campus-sponsored transportation, assistive and other technology, work and career opportunities, flexible leave policies, and access to financial aid.
  - **Recommendation:** The updated HEA should retain the definition of “universal design for learning” included in current law. In addition, post-secondary education programs and their administration, staff and faculty should receive training, support, and technical assistance to ensure programs of

- instruction, curricula, and support services are developed according to the principles of universal design for learning.
- **Recommendation:** HEA should include provisions that require services, including but not limited to housing, websites, and athletic facilities, to be universally designed and accessible to students with disabilities, requires that institutions understand their legal obligation to provide reasonable accommodations.
  - **Recommendation:** HEA should require IHE programs to expand the list of accommodations available to students so that they address the diverse needs and diverse types of disabilities and mental health needs.
- **Student Access to Accessible Materials and Assistive Technology:** In recognition of the increasing availability of web and computer-based instructional delivery and web and computer-based course materials, accessibility standards consistent with all federal laws (e.g. Sec. 508 and the Americans with Disabilities Act) should be applied to all platforms used by institutions of higher education to deliver instruction including in the use of print and digital materials. Additionally, students must have full access to the assistive technology needed to access educational materials and related assessments.
  - **Financial Aid/Student Loans:** Students with disabilities, and professionals who work with children and adults with disabilities must be taken into consideration as our federal government tackles the important issue of affordability and access to higher education.
    - **Recommendation:** Ensure students with disabilities are eligible for all types of financial aid and programs to create greater access for first generation college students as all other students. Federal law should ensure that students with disabilities are accommodated if they cannot meet credit-hour requirements per semester. The law must entitle them to certain student financial aid options, such as Pell Grants, if they cannot meet the requirement due to their disability. For example, an applicant to a teacher preparation program who otherwise meets qualifications for a scholarship should not be disqualified because he/she requires an accommodation of additional time to complete coursework.
  - **Access for Students with intellectual disabilities:** Postsecondary programs for students with intellectual disabilities that focus on academic enrichment, socialization, independent living and employment are critical to the postsecondary success of students and must be expanded and geographically distributed across all states. In fact, since the creation of Transition and Postsecondary Programs for Students with Intellectual Disabilities (TPSID) program in 2008, this program has had a positive impact on student rates of employment and wages, social networks, self-determination skills, and community living.
    - **Recommendation:** Expand the HEA programs supporting individuals with intellectual disabilities, - the Model Comprehensive Transition and Postsecondary Programs (TPSIDs) and the TPSID National Coordinating Center.
    - **Recommendation:** Change the Title of Sec. 766 Model Comprehensive Transition and Postsecondary Programs and references therein to “Inclusive Higher Education Programs for Students with Intellectual Disabilities.”
    - **Recommendation:** Require programs to integrate work experiences and career skills that lead to competitive integrated employment.
    - **Recommendation:** Require TPSID programs to collect longitudinal outcome data for enrolled students. Recommendation: change “curriculum” to “program of study” to clarify that a separate curriculum is not desired or required.
    - **Recommendation:** Delete “gainful employment” and insert “competitive integrated employment” in definition of comprehensive transition program in order to continue current practice that students in comprehensive transition programs are not subject to “gainful employment”
  - **Personnel Preparation:** All personnel, including special educators, general educators, school leaders and specialized instructional support personnel (such as school counselors, speech language pathologists, school psychologists and others), need to have skills required to be effective with students

with disabilities at all grade levels. Administrators, such as superintendents, principals and curriculum coordinators, lead instructional efforts that should always include students with disabilities.

- **Recommendation:** Incorporate Universal Design for Learning (UDL) into all teacher and school leader preparation coursework and professional development.
  - **Recommendation:** Require teacher candidates to complete their preparation prior to serving as the teacher of record and qualify for full state certification upon program completion.
  - **Recommendation:** Require that individuals who complete teacher preparation programs receiving funds via HEA demonstrate content knowledge and skill in instructing diverse learners, including students with disabilities.
  - **Recommendations:** Reauthorize the Teacher Quality Partnership (TQP) Grants to strengthen and expand the focus on residency preparation, principal preparation and shortage areas such as special education, specialized instructional support personnel. Professional development supported through the HEA should ensure skill development in using research-based practices that improve outcomes for all students, including students with disabilities. This program is targeted to high need field and high need schools and is much needed to increase the pipeline of special educators.
  - **Recommendation:** Include provisions that require the administration, staff and faculty of postsecondary program to receive training, support, and technical assistance to ensure programs of instruction, curricula, and support services are developed according to the principles of universal design for learning.
  - **Recommendation:** Include programs in Part B of Title II, particularly the Well-Rounded Teaching Grants and the Graduate Fellowships to Prepare Faculty in High-Need Areas at Colleges of Education. Both of these programs will be an important contribution to addressing the shortages noted above.
- **Student Civil Rights:** Students must be assured their civil rights will be upheld in higher education settings.
    - **Recommendation:** Clarify that, consistent with the Americans with Disabilities Act and other laws, students should not be penalized for behavior related to a disability where individualized, reasonable accommodations could mitigate this behavior.

We appreciate the opportunity to share updated recommendations with you to reauthorize the HEA. Please let us know if we can provide additional information.

#### **CCD Education Taskforce Co-Chairs**

**Annie Acosta**, The Arc of the United States PH: 202-783-2229 Email: [acosta@thearc.org](mailto:acosta@thearc.org)

**Laura Kaloi**, Council of Parent Attorneys and Advocates, National Center for Special Education in Charter Schools PH: 202-210-1494 Email: [lkaloi@stridepolicy.com](mailto:lkaloi@stridepolicy.com)

**Amanda Lowe**, National Disability Rights Network PH: 202.403.8335 Email: [amanda.lowe@ndrn.org](mailto:amanda.lowe@ndrn.org)

**Kim Musheno**, Autism Society PH: 301-657-0881 ext. 9020 Email: [kmusheno@autism-society.org](mailto:kmusheno@autism-society.org)

**Meghan Whittaker**, National Center for Learning Disabilities PH: 202-808-2512 Email [mwhittaker@nclld.org](mailto:mwhittaker@nclld.org)

*CCD is the largest coalition of national disability organizations and the CCD Education Task Force advocates for Federal public policy that ensures the self- determination, independence, empowerment, integration, and inclusion of children and adults with disabilities in all aspects of society. The CCD Education Task Force sees these principles as critical elements in a society that recognizes and respects the dignity and worth of all its members.*