



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

February 23, 2018

Chairman Lamar Alexander
U.S. Senate
Washington, DC 20510

Ranking Member Patty Murray
U.S. Senate
Washington, DC 20510

RE: Higher Education Act Reauthorization: *Submitted via email*

Dear Chairman Alexander and Ranking Member Murray:

The undersigned members of the Consortium for Citizens with Disabilities (CCD) Education Task Force write to share our principles and recommendations as you consider reauthorization of the Higher Education Act. 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 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.
- 33 percent of working-age people with disabilities participate in the labor force, compared to 77 percent of their peers without disabilities (Employment Policy and Measurement Rehabilitation and Research Training Center, 2015).
- By 2020 65 percent of all U.S. jobs will require some postsecondary education and 90 percent of new jobs in growing industries with high wages will require, at a minimum, some postsecondary education (Georgetown Center on Education and the Workforce, 2013).
- Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (504) protect students with disabilities from discrimination and require institutions of higher education (IHE) to provide reasonable accommodations. However, colleges and universities face challenges in supporting students who are unaware of their rights and responsibilities regarding accommodations and in providing accommodations, including services that involve specialized knowledge. Many faculty and staff are unaware of their legal obligations and how to accommodate students with disabilities (U.S. General Accounting Office, 2009).
- While 94% of students with learning disabilities received accommodations in high school, only 17% received accommodations in post-secondary education and many go without the accommodations and supports they need (National Center for Learning Disabilities, 2014).

Students with disabilities must be thoughtfully and fully included in any policy changes considered for the reauthorization of the Higher Education Act. As the reauthorization of the Elementary and Secondary Education Act (ESEA) demonstrated, the meaningful inclusion of students with disabilities is now the expectation, rather than the exception.

As such, the CCD Education Task Force makes the following recommendations for any consideration of the reauthorization of the Higher Education Act (HEA):

- CCD has become increasingly alarmed about the shortage of teachers, particularly special education teachers, in recent years. One of the all too common responses to the shortage in states has been to lower the standards for entry into the profession. Given the results noted above for students with disabilities, we know that lowering the bar for teachers will not bring us the student outcomes needed in PK-12 for students with disabilities to move successfully into higher education and eventually into the workforce. Teachers need strong preparation in order to learn evidence-based strategies, such as how to provide multi-tiered systems of support, positive behavioral interventions and supports and universal design for learning. These are not skills that are learned on the fly. CCD wants to draw a straight line between student outcomes and teacher preparation.

A recently released report concluded: “Evidence shows that underprepared, out-of-field, and substitute teachers typically depress student achievement and have higher attrition rates...Research has found that special education training significantly improves teachers’ capacity to effectively teach students with special needs.” (Learning Policy Institute, 2017)

In fact, the following are true:

- Special education is the field with the greatest teacher shortage with 48 states and DC reporting shortages.
- Those 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.
- Teacher preparation program enrollment is down 35% in the last 5 years (Learning Policy Institute, 2017).

The Higher Education Act plays a critical role in attracting and retaining teachers into the profession, particularly those in high need fields such as special education. The CCD Education Task Force makes the following recommendations in relation to addressing the critical teacher shortage:

- **Recommendation:** Retain and Strengthen the Teacher Quality Partnership (TQP) grants with a focus on residency preparation, principal preparation and shortage areas such as special education, specialized instructional support personnel; and professional development to ensure skill development in using research-based practices that improve outcomes for all students, including students with disabilities.
 - This critical program requires partnerships between institutions of higher education and K-12 schools and is intended to transform teacher preparation so that it is centered on the practice of teaching and meeting the workforce demands of school districts. Featuring one-year residency programs, TQP targets high need fields (such as special education) and high need schools.
 - All teacher candidates in all fields are prepared to teach students with disabilities as well as English learners.
 - Grantees are expected to maintain the program reforms even after the program ends as they must provide a 100% funding match.

- **Recommendation:** Retain and strengthen TEACH Grants to attract more teacher candidates and develop provisions to minimize the conversion from grant to loans.
 - TEACH grants are scholarships for teacher candidates who will serve in high need fields in high need schools. Undergraduates may receive up to \$4000 per year for a total of \$16,000. Master's students may receive \$4000 per year for up to two years. (Note: due to sequestration the maximum was reduced to \$3724 per year.)
 - Any recipient must score in the top 25th percentile on college admissions tests and maintain at least a 3.25 GPA.
 - Recipients must fulfill a service obligation, teaching in a high need field, such as special education, in a high need school for 4 out of 8 years after receiving their degree. If they do not complete their service obligation, the grant reverts to a loan and must be repaid.
- **Recommendation:** Require ED to promote the TEACH grants and actively engage in recruiting teacher candidates, particularly in shortage fields such as special education.
- **Recommendation:** Maintain TEACH grant funding as mandatory funding.
- **Recommendation:** Retain and strengthen Teacher Loan Forgiveness Programs. Loan forgiveness for teachers is critical in addressing the teacher shortage. These underutilized programs should be strengthened and marketed by the Department of Education as a strategy for addressing the shortage and the shrinking pipeline of teachers.
- 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:** 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.
 - 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.
 - **Recommendation:** Maintain the National Technical Assistance Center in Section 777(a) of the Higher Education Opportunity Act.
 - **Recommendation:** Authorize funding to collect (and make available to the public) 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.
 - **Recommendation:** Include a new commission on serving and supporting students with psychiatric disabilities.
 - **Recommendation:** Clarify that, consistent with the ADA and other laws, students should not be penalized for behavior related to a disability where individualized, reasonable accommodations could mitigate this behavior.

- 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:** 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:** 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:** 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.
 - **Recommendation:** Apply accessibility standards to all platforms used by IHEs to deliver instruction in recognition of the increasing availability of web and computer-based instructional delivery and web and computer-based course materials for students.

- 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. Students with disabilities must be 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.
 - **Recommendation:** An updated HEA must retain provisions that allow students with intellectual disabilities to access financial aid.

- 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 and include geographic diversity in HEA programs supporting individuals with intellectual disabilities, such as 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 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.
- All personnel, including special educators, general educators 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 teacher preparation coursework and professional development.
 - **Recommendation:** Require teacher preparation programs to ensure that candidates 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.
 - **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 UDL.
- HEA should ensure that educators, specialized instructional support personnel, and other professionals who work with people with disabilities are provided the financial support to pursue a public service career. These individuals are critical to ensuring that people with disabilities have access to the range of services and supports they need to participate in the workforce and community life.
 - **Recommendation:** Maintain loan forgiveness programs and grants (such as the TEACH grants).

Thank you for seeking input to the reauthorization.

ACCSES

American Association of People with Disabilities
 American Foundation for the Blind
 Arc of the United States
 Association of Assistive Technology Act Programs
 Association of University Centers on Disabilities
 Autistic Self Advocacy Network
 Autism Society
 Center for Public Representation
 Council for Exceptional Children
 Council for Learning Disabilities
 Council of Administrators of Special Education
 Council of Parent Attorneys and Advocates
 Disability Rights Education & Defense Fund
 Division for Early Childhood of the Council for Exceptional Children (DEC)
 Easterseals
 Higher Education Consortium for Special Education
 Learning Disabilities Association of America
 National Association of Councils on Developmental Disabilities
 National Association of State Directors of Special Education (NASDSE)

National Center for Learning Disabilities
National Center for Parent Leadership, Advocacy and Community Empowerment
National Center for Special Education in Charter Schools
National Disability Rights Network
National Down Syndrome Congress
Perkins School for the Blind
School Social Work Association of America
Teacher Education Division of the Council for Exceptional Children
The Advocacy Institute

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.

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