



National Association of State Directors of Special Education, Inc.

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February 23, 2018

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

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

Dear Chairman Alexander and Ranking Member Murray:

We write on behalf of the National Association of State Directors of Special Education (NASDSE), the national nonprofit organization that represents the state directors of special education in the states, the District of Columbia, the U.S. Department of Defense Education Agency, the Bureau of Indian Education, the U.S. territories and Freely Associated States.

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.

NASDSE supports the recommendations for reauthorization of the intellectual disability (ID) provisions in the Higher Education Act (HEA) developed by the Inclusive Higher Education Committee (IHEC). The IHEC consists of experts in the fields of intellectual disability, higher education, special education, disability rights and student and family engagement. NASDSE also signed onto and supports the recommendations put forth by the Consortium for Citizens with Disabilities (CCD) Education Taskforce.

In addition to the recommendations put forth by the IHEC and the CCD Education Taskforce, NASDSE would like to offer the following:

- 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:** 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.
- NASDSE has become increasingly alarmed about the shortage of teachers, particularly special education teachers. One of the 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 result in 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. The Higher Education Act plays a critical role in attracting and retaining teachers into the profession, particularly those in high need fields. In relation to addressing the critical teacher shortage we put forth:
 - **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.
- 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.
 - **Recommendation:** Add the provisions of H.R. 3199, Improving Access to Higher Education Act of 2017, to the reauthorized HEA. This bill includes additional UDL grant opportunities, as well as other important provisions to provide students with disabilities a quality higher education.
 - 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 considering [these improvements](#) our feedback and do not hesitate to contact [NASDSE's Director of Government Relations](#), Valerie Williams, [Director of Government Relations](#) at Valerie.Williams@nasdse.org with any questions.

Sincerely,

Theron (Bill) East, Jr.

Bill East
Executive Director