

December 11, 2017

The Honorable Virginia Foxx
Chairman
Education & Workforce Committee
2262 Rayburn House Office Building
Washington, DC 20515

The Honorable Bobby Scott
Ranking Member
Education & Workforce Committee
1201 Longworth House Office Building
Washington, DC 20515

Dear Chairwoman Foxx & Ranking Member Scott:

On behalf of the Association of University Centers on Disabilities (AUCD), I write to you concerning the Promoting Real Opportunity, Success, and Prosperity through Education Reform (PROSPER) Act, the bill that will reauthorize the provisions in the Higher Education Act. AUCD works to advance policies, practices, and research that improve the health, education, and social and economic well-being of children and adults with disabilities, their families and their communities through a national network of university centers in every state and territory.

We are especially pleased to see the continuation of the Transition and Postsecondary Programs for Students with Intellectual Disabilities (TPSIDs) and a National Coordinating Center to coordinate and evaluate the TPSIDs and to provide technical assistance to families and institutions of higher education. Since the creation on the TPSIDs in the Higher Education Opportunity Act in 2008, individuals with intellectual disabilities in TPSID programs are experiencing better outcomes in employment and wages, social networks, self-determination, and community living. These programs are effective at helping students with intellectual disabilities find meaningful, competitive employment with increased wages, thus helping individuals who may never have had such opportunities achieve financial stability.

We note three technical changes that need to be addressed in the TPSID section to reflect current practice and interpretation or to align with other statutes:

1. Decouple appropriations for the National Technical Assistance Center (TA Center) and the TPSID/National Coordinating Center (NCC) and delete the language limiting the percentage of funds reserved for the NCC. Currently \$2 million is appropriated for the NCC from the \$11.8 million in TPSID funding. This NCC funding is needed for program evaluation, technical assistance, and dissemination of best practice.

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Andrew J. Imparato, JD
Executive Director

2. Make two technical corrections to the definition of “Comprehensive transition and postsecondary program for students with intellectual disabilities” (CTPs) in 20 USC 1140; Section 760 Definitions.
 - In (B) delete “gainful employment” and insert “competitive integrated employment” - this will align with the Workforce Innovation Opportunity Act.
 - In (D), at the end of (iii), change the period to a comma and add “and” to clarify that CTPs must offer both academic and career development components.
3. Under the TPSID grant section, clarify that IHEs may offer housing to students with ID through supports provided at housing not owned or operated by the IHE, such as through partnerships with other organizations. This will allow more students to learn independent living skills in a natural environment.

We further appreciate the committee’s work on three additional provisions in the PROSPER Act to support students with disabilities:

- (1) The bill includes new, improved data collection on students with disabilities and their postsecondary completion rates that will be publicly shared on the federal College Dashboard;
- (2) The bill includes new IMPACT grants to improve post-secondary access and completion for disadvantaged groups, including students with disabilities;
- (3) The bill maintains the National Technical Assistance Center that provides information to students and families on post-secondary options and supports college faculty in serving students with disabilities.

However, we are extremely disappointed that the PROSPER Act eliminates several programs that are critical to the success of students with disabilities and the educators who instruct them in K-12 and postsecondary programs. Further, does little to expand access to higher education for students with disabilities.

- **The PROSPER Act eliminates Title II of the Higher Education Act.** Authorized under Title II, the Teacher Quality Partnership program represents the only federal investment in transforming teacher preparation. It is targeted to prepare teachers in high need fields, such as special education, and represents a state of the art, highly effective strategy for meeting the workforce needs of school districts. Strong partnerships between higher education and local school districts, featuring one year residency programs, are a proven strategy for recruitment and retention of teachers in high need fields and schools. This program should be expanded to meet the many demands of today’s teaching workforce, not eliminated.
- **The PROSPER Act eliminates the TEACH grants.** These grants provide scholarships to attract teacher candidates in high need fields, such as special education. Through the service obligation requirement, the program ensures that new teachers will remain in the field. Eliminating these programs will only exacerbate the special education teacher shortage crisis that 98% of school districts are already facingⁱ and limit the services and supports available to students with disabilities.
- **The PROSPER Act eliminates loan forgiveness programs for future teachers.** Loan forgiveness for teachers is a critical strategy for both recruitment and retention of teachers. Ending these programs eliminates a much needed incentive for a field that faces critical shortages and a shrinking pipeline of future teachers.
- **The PROSPER Act does not expand access to higher education for students with disabilities.** Proposals, such as the bipartisan Rise Act, which would require colleges and universities to accept a student’s IEP or 504 plan as evidence of their disability, are not included in the PROSPER Act. In addition, limitations on Pell Grants may create additional barriers for students with disabilities. Students with disabilities may

require accommodations and flexibility with their schedules and course loads in order to meet their academic goals.

- **The PROSPER Act does not meaningfully include universal design for learning (UDL) in any provisions that address post-secondary instruction or accessibility for students with disabilities.** UDL is critical to ensuring that students with disabilities are provided an equal opportunity to participate in higher education. Any reauthorization of HEA should include opportunities for IHEs to develop campus-wide UDL strategies and for faculty to incorporate UDL as a strategy to improve instruction for students with disabilities.

Students with disabilities must be thoughtfully and fully included in any policy changes considered for the reauthorization of the Higher Education Act. AUCD stands ready to work with Congress on this important proposal to meet the needs of all students – including students with intellectual and developmental disabilities – and the faculty that serve them. Please feel free to contact Denise Rozell, Director of Policy Innovation at drozell@aucd.org with any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew J. Imparato". The signature is fluid and cursive, with the first name "Andrew" being the most prominent.

Andrew Imparato
Executive Director, AUCD

ⁱ Higher Education Consortium for Special Education. "Shortage of Special Education Expertise Among Teachers and Higher Education Faculty." Available at: <https://specialedshortages.org/wp-content/uploads/2014/03/HECSE-Shortage-Special-Education-Expertise-Among-Teachers-Faculty.pdf>