



Higher Education Opportunity Act Reauthorization

**Summary of Selected Provisions for Individuals
with Exceptionalities and the Professionals who
Work on their Behalf**

P.L. 110-315

August 2008

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Introduction

HIGHER EDUCATION OPPORTUNITY ACT REAUTHORIZATION: PROVISIONS FOR IMPROVING EDUCATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES AND STUDENTS WITH GIFTS AND TALENTS

The Higher Education Opportunity Act (HEOA) authorizes the federal government's major student-aid programs and other important postsecondary education initiatives. The last comprehensive revision of the HEOA was completed in 1998. That authorization of the Act expired five years ago, although in the meantime Congress passed intermediate measures to extend HEOA funding provisions without actually reauthorizing the entire Act. Over the last two years, both houses of Congress intensified efforts to significantly overhaul HEOA, resulting in several initiatives to reauthorize the Act, including enactment of the College Cost Reduction and Access Act (PL 110-84) in September, 2007. That law includes several measures to make postsecondary education more affordable and accessible, including changes in HEOA's student loan programs.

The final chapter in the HEOA reauthorization took place over the last year, starting with Senate passage of its bill (S. 1642) to reauthorize the remaining HEOA programs in July, 2007 with the House taking similar action on its own HEOA reauthorization bill (HR 4137) in February, 2008. With both houses of Congress committed to enacting HEOA amendments before adjournment of the 110th Congress in August, the conference committee worked out differences between the two bills over the last few months, with both houses agreeing on a compromise bill, the Higher Education Opportunity Act, on July 31, 2008 and sending it to the President for his signature.

Congress's attention throughout the HEOA reauthorization has been, in large part, on serious and persistent issues in higher education associated with access, affordability, accountability and quality in postsecondary education. In the end, the final bill – nearly 1200 pages in length – revises some existing programs and authorizes many new grant programs (whose funding is uncertain), increases federal oversight in higher education, and calls for more public reporting by institutions of higher education on many aspects of their operations. Among its provisions, the bill incorporates new requirements for greater transparency in college costs, places maintenance of effort requirements on public postsecondary institutions, simplifies the application for federal student financial aid, restricts conflicts of interests in the federal student loan programs, addresses predatory practices by private lenders, and increases grant aid and other programs to enable more low-income students to attend college.

The reauthorization of HEOA contains numerous provisions that CEC and its members have actively advocated for over the years, including but not limited to:

- Provisions to improve the preparation of teachers and school administrators who work in preschool, elementary and secondary education to better meet the unique learning needs of children with exceptionalities. HEOA takes steps to scaffold the Elementary and Secondary Education Act and the Individuals with Disabilities Act through several grant programs to support the preparation of highly qualified teachers who will work in high-need subjects and areas (including special education), in high-need schools, and who will increase academic achievement of children in K-12 education. These programs authorize grants for institutions of higher education -- working in partnership with high-need school districts and other organizations -- to prepare educators to effectively instruct and meet the specific learning needs of diverse learners, including students with disabilities, students with gifts and talents, and students who are limited English proficient.
- Provisions to increase postsecondary education opportunities for students with disabilities by creating new and sustaining existing programs to increase access, recruitment, retention and completion rates for students with disabilities; identify and promote effective transition practices; increase access to instructional materials, and dissemination of best practices related to postsecondary students with disabilities.
- Provisions to call on teacher preparation programs to better integrate technology into their curricula and instruction consistent with the principles of universal design for learning, and to effectively use technology to collect and analyze data on student performance in order to improve student academic achievement.
- Provisions to provide clinical experiences during pre-service training and induction and mentoring programs for new teachers.
- Provisions to address shortages of faculty to prepare the personnel who will educate the next generation of professionals and paraprofessionals serving children with disabilities. This reauthorization has established grants to institutions of higher education to provide fellowships for individuals pursuing doctoral degrees and intending to subsequently train special educators in institutions of higher education.
- Provisions to support loan forgiveness for borrowers under federal student loan programs who work in a broad range of public service fields, including in the provision of educational, related service and other programs that benefit children and youth with disabilities.

In creating this document, CEC has summarized key provisions within HEOA of special interest to CEC members, and is organized under the following headings:

- Teacher Quality Enhancement

- Accountability in Teacher Education
- Quality Higher Education for Students with Disabilities
- Other Amendments Concerning Education of Students with Disabilities

**HIGHER EDUCATION OPPORTUNITY ACT REAUTHORIZATION
COUNCIL FOR EXCEPTIONAL CHILDREN
EXECUTIVE SUMMARY
IN P.L. 110-315
August 2008**

Teacher Quality Enhancement

GRANT PROGRAM OR MANDATES	TYPE	CEC POSITION
<p>Teacher Quality Partnership Grants</p> <p><i>5-year grants to IHE partnerships to improve the quality of pre-service preparation of teachers at the undergraduate and graduate levels and of school administrators to meet the educational needs of all students, including students with disabilities and students with gifts and talents. Partnerships must include IHE college/dept. of education, IHE school of arts and sciences, high-need LEA, and high-need school(s) in that LEA. Other partners are permissible.</i></p>	Revision	Supports
<p>Preparing Teachers for Digital Age Learners</p> <p><i>3-year grants to consortia to improve the technology-related skills of elementary and secondary teachers in order to (a) improve student learning, assessment and learning management; and (b) help students develop skills to succeed in Higher Education and in the workforce. Consortia must include IHE college/department of education, IHE school of arts and sciences, at least one SEA or LEA, and a private or public entity that can contribute to technology related reforms of teacher preparation programs.</i></p>	New	Supports
<p>Augustus F. Hawkins Centers of Excellence</p> <p><i>Competitive grants to eligible institutions of Higher Education or consortia of institutions for the establishment of centers of excellence in teacher preparation to ensure that current and future teachers are highly qualified. Eligible institutions must have a teacher preparation program and must meet the HEOA criteria as a Hispanic-serving institution, a Tribal college or university, an Alaska Native-serving institution, a predominantly Black institution, and Asian American and Native American Pacific Islander-serving institution, a Native Hawaiian-serving institution, a historically Black college or university, a consortia of such institutions, or one of the above institutions or consortia in partnership with any other IHE.</i></p>	New	Supports
<p>Preparing General Education Teachers to Teach Students with Disabilities</p> <p><i>5-year Teach to Reach grants to partnerships to improve the preparation of general education teacher candidates to ensure that they possess the knowledge and skills necessary to effectively instruct students with disabilities in their classrooms. Partnerships must include one or more IHE departments/programs that prepare general education teachers, an IHE department or program of special education, an IHE department/program that provides degrees in core academic subjects, and a high-need LEA.</i></p>	New	Supports

<p>Adjunct Teacher Corps</p> <p><i>Grants to LEAs or an LEA and a public or private educational organization or business to create opportunities for professionals and others with subject matter expertise in math, science, or critical foreign languages to provide that expertise to secondary school students on an adjunct basis.</i></p>	<p>New</p>	<p>Supports</p>
<p>Graduate Fellowships to Prepare Faculty in High-Need Areas at Colleges of Education</p> <p><i>Grants to institutions of Higher Education and consortia of institutions to support graduate student fellowships for individuals preparing to work as IHE faculty in the preparation of highly qualified elementary and secondary school teachers in high-need areas. High need areas are designated as math and science teachers, special education teachers, and teachers who instruct students who are limited English proficient.</i></p>	<p>New</p>	<p>Supports</p>
<p>Early Childhood Professional Development and Career Task Force</p> <p><i>3-year grants for states to improve the quality of the early childhood education workforce by establishing State Early Childhood Education Professional Development and Career System Task Forces and to support the activities of such task forces.</i></p>	<p>New</p>	<p>Supports</p>

Accountability in Teacher Preparation

GRANT PROGRAM OR MANDATES	TYPE	CEC POSITION
<p>Accountability for Programs that Prepare Teachers</p> <p><i>Revision of current HEOA requirements mandate annual IHE and State report cards on teacher preparation programs and on performance/attainment of students, new data requirements, and a yearly federal report to Congress and the public on teacher qualifications and teacher preparation in the US.</i></p>	<p>Revision</p>	<p>Supports</p>
<p>Teacher Development – Goals and Assurances</p> <p><i>Requires that all IHEs with teacher education programs establish annual quantifiable goals to increase the number of teachers trained in shortages areas, including math, science, special education and instruction of students who have limited English proficiency, and provide specific assurances or risk \$27,500 fine.</i></p>	<p>New</p>	<p>Supports</p>
<p>State Functions Related to Performance of Teacher Preparation Programs</p> <p><i>Requires that States identify low-performing teacher preparation programs and imposes consequences on such programs (e.g., ineligibility of program for future funding for professional development activities awarded by the US Department of Education). Programs subject to requirement include traditional teacher preparation programs as well as alternative routes to State certification and licensure.</i></p>	<p>New</p>	<p>Supports</p>

Quality Higher Education Opportunity for Students with Disabilities

GRANT PROGRAM OR MANDATES	TYPE	CEC Position
<p>Demonstration Projects to Ensure Students with Disabilities Receive a Quality Higher Education</p> <p><i>Provides grants for model demonstration projects to provide technical assistance or professional development for faculty, staff and administrators in institutions of Higher Education in order to provide students with disabilities a quality postsecondary education. Amendments place a new emphasis for these grants on improving the retention of students with disabilities in postsecondary education programs and their rates of program completion, including activities to ensure smooth transition from high school to postsecondary education.</i></p>	Revision	Supports
<p>Transition Programs for Students with Intellectual Disabilities into Higher Education</p> <p><i>Grants to create or expand high-quality, inclusive model comprehensive transition and postsecondary programs for students with intellectual disabilities.</i></p>	New	Supports
<p>Advisory Commission on Accessible Instructional Materials in Postsecondary Education for Students with Disabilities</p> <p><i>Establishes a new advisory commission on accessible instructional materials in postsecondary education for students with disabilities to (a) to assess the barriers, systemic issues, and technical solutions available which may affect or improve the timely delivery and quality of accessible instructional materials for postsecondary students, faculty, and staff with print disabilities, and (b) to make recommendations for development of a comprehensive approach to ensure that postsecondary students with print disabilities can access instructional materials in specialized formats in a timely and cost-effective manner.</i></p>	New	Supports
<p>Model Demonstration Programs to Support Improved Access to Postsecondary Instructional Materials for Students with Print Disabilities</p> <p><i>Grants to encourage the development of systems to improve the development of systems to enhance the quality of postsecondary instructional materials in specialized formats and the timely delivery to postsecondary students, including systems to improve efficiency and reduce duplicative efforts across multiple IHEs.</i></p>	New	Supports
<p>National Technical Assistance Center for Information and Technical Support for Postsecondary Students with Disabilities</p> <p><i>Establishes a national center to provide information and technical assistance on best and promising practices to students with disabilities, their families and IHEs to improve the postsecondary recruitment, retention, and completion success rates of such students.</i></p>	New	Supports
<p>Coordinating Center</p> <p><i>Establishes a coordinating center for IHEs that offer inclusive comprehensive transition and postsecondary programs for students with disabilities.</i></p>	New	Supports

Other HEOA Amendments Concerning the Education of Students with Disabilities

GRANT PROGRAM OR MANDATES	TYPE	CEC Position
<p>Federal Family Education Loans</p> <p><i>Expands eligibility for loan forgiveness to borrowers in a wider range of public service fields in areas of national need, including personnel serving children in school programs such as speech pathologists, school counselors, physical and occupational therapists, and school administrators.</i></p>	Revision	Supports
<p>Federal Direct Student Loans</p> <p><i>Expands jobs in public service fields that qualify borrowers for loan forgiveness to include work in public education, early childhood education including Head Start and State funded pre-kindergarten programs, and public service for individuals with disabilities.</i></p>	Revision	Supports
<p>Federal Perkins Loans</p> <p><i>Clarifies that loan cancellation under this program is available to borrowers who are employed full-time in pre-kindergarten or child care program licensed or regulated by the State; and adds speech pathology provided in Title I schools as a new category of work eligible for loan cancellation.</i></p>	Revision	Supports
<p>Study on Teaching Students with Reading Disabilities</p> <p><i>Authorizes a study to be carried out by the Center for Education of the National Academies on the quality of teacher education programs in training teachers to meet the needs of students with reading and language processing disabilities, including dyslexia.</i></p>	New	Supports

TEACHER QUALITY ENHANCEMENT

H.R. 4137 amends Title II and other provisions of the Higher Education Opportunity Act concerned with the quality and effectiveness of programs that prepare teachers and other personnel who provide educational services to children from preschool through secondary school.

This reauthorization significantly expands grant opportunities for institutions of higher education working in partnership with school districts and other organizations to prepare personnel to work in high-need schools, with special emphasis on preparing personnel to work in high-need subjects, such as math, science, and foreign languages. In return, these amendments require that participants in these grant programs undertake significant reforms designed to ensure that new teachers and other education personnel well prepared to support the development and academic achievement of all children and youth, including students with disabilities and students who are limited English proficient. Evident in these amendments is greater alignment between HEOA and the programs and requirements of the Elementary and Secondary Education Act and the Individuals with Disabilities Education Act.

Notable highlights of these amendments include the following:

- Curricular reforms required that ensure that the preparation of all teachers, including general education teachers, include the development of the skills necessary to identify and differentiate instruction to meet the needs of students with specific learning needs, particularly students with disabilities, students who are limited English proficient, students who are gifted and talented, students with low literacy levels, and, as applicable, children in early childhood education programs.
- Special importance is placed on teachers' ability to understand and apply, for the purpose of improving the academic achievement of all children:
 - empirically-based practice and scientifically valid research related to teaching and learning
 - effective use of technology
 - instructional techniques and strategies consistent with the principles of universal design for learning
 - positive behavioral interventions and support strategies
 - data-driven instruction
- Significant clinical experiences during pre-service training and year-long induction programs for new teachers are highlighted across HEOA's teacher preparation support programs.
- While the emphasis is on the preparation of school personnel, these amendments also recognize the need and authorize financial assistance to prepare at the doctoral level faculty who will work in teacher preparation programs, and to ensure that faculty can prepare teachers and other educators who are equipped to work in high-need schools.
- Notable is the requirement that university colleges of education work in collaboration with schools of arts and sciences in grant programs authorized by these amendments.

TEACHER QUALITY PARTNERSHIP GRANTS

Title II, Part A, Secs. 201-204

The new Teacher Quality Enhancement Grant Program replaces the former Title II Teacher Quality Enhancement Grant Program that has been on the books for over a decade. The new authority eliminates the former State Grant, Partnership Grant, and Teacher Recruitment Grant programs. In their place, the Teacher Quality Partnership Grants Program will offer competitive grants to eligible partnerships to improve the quality of pre-service preparation of teachers at the undergraduate and graduate levels. In addition, partnership grants awarded for undergraduate and/or graduate teacher preparation programs may choose to also use grant funds to support a program for the development of effective school leaders and for a partnership with digital education content developers. Grants for pre-service teacher preparation at both the undergraduate and graduate levels can also incorporate support for early childhood educators who will serve children from birth through pre-kindergarten.

Program Purpose

The purposes of this partnership program are to:

1. Improve student achievement;
2. Improve the quality of prospective and new teachers by improving the preparation of prospective teachers and enhancing professional development activities for new teachers;
3. Hold teacher preparation programs at institutions of higher education accountable for preparing highly qualified teachers; and
4. Recruit highly qualified individuals, including minorities and individuals from other occupations, into the teaching force.

Eligible Applicants for Partnership Grants

A partnership eligible for a grant under this program must include:

- a high-need local educational agency (LEA);
- a high-need school or a consortium of high-need schools served by the high-need LEA or, as applicable, a high-need early childhood education program;
- a partner institution of higher education (IHE);
- a school, department, or program of education within the partner IHE; and
- a school or department of arts and sciences within the partner IHE.

Partnerships may also include the Governor of the State; State educational agency; State board of education; State agency for higher education; a business; a public or private nonprofit educational organization; educational service agency; teacher organization; a high-performing LEA, or a consortium of such LEAs, that can serve as a resource to the partnership; charter school; school or department within the partner institution that focuses on psychology and human development; school or department within the partner institution with comparable expertise in the disciplines of teaching, learning, and child and adolescent development; and entity operating a program that provides alternative routes to State certification of teachers.

Partnership Grant Activities

Grants awarded under this program to eligible partnerships must be used to carry out an undergraduate teacher preparation program, a teaching residency program for master's level study, or a combination of these programs. Grant funds may also be used to carry out a leadership development program.

Undergraduate teacher preparation programs – grant funds are to be used to carry out an effective program for the pre-baccalaureate preparation of teachers. Grant activities must include implementation of educational reforms; pre-service clinical experience and interaction; induction programs; support and training for early childhood educators, if applicable; teacher recruitment; and literacy training. Among key requirements are:

Implementation of reforms – grantees will be held accountable, in general, for preparing:

- New or prospective teachers to be highly qualified (including teachers in rural school districts who may teach multiple subjects, special educators, and teachers of students who are limited English proficient who may teach multiple subjects);
- Such teachers and, as applicable, early childhood educators, to understand empirically-based practice and scientifically valid research related to teaching and learning and the applicability of such practice and research, including through the effective use of technology, instructional techniques, and strategies consistent with the principles of universal design for learning¹, and through positive behavioral interventions and support strategies to improve student achievement;
- As applicable, early childhood educators to be highly competent; and
- Promoting strong teaching skills and, as applicable, techniques for early childhood educators to improve children's cognitive, social, emotional, and physical development.

Among the reforms grantees will be required to plan and implement are:

- Curriculum changes that improve, evaluate and assess how well prospective and new teachers develop teaching skills;
- Using empirically-based practice and valid research on teaching and learning so that teachers have the skills to analyze student academic achievement data and other measures of student learning and use such data and measures to differentiate instruction, to meet the needs of all students, including those with disabilities, with gifts and talents, and who are limited English proficient; and to participate effectively in the IEP process;

¹ *Two definitions are provided in HEA to guide implementation of this requirement here and in other programs discussed later in this document: (1) UNIVERSAL DESIGN - has the meaning given the term in section 3 of the Assistive Technology Act; and (2) UNIVERSAL DESIGN FOR LEARNING- means a scientifically valid framework for guiding educational practice that (a) provides flexibility in the ways information is presented, in the ways students respond or demonstrate knowledge and skills, and in the ways students are engaged; and b reduces barriers in instruction, provides appropriate accommodations, supports, and challenges, and maintains high achievement expectations for all students, including students with disabilities and students who are limited English proficient.*

- Collaboration with departments, programs, or units of a partner institution outside of the teacher preparation program in all academic content areas;
- Sustained, closely supervised clinical experience and interaction to further develop the teaching skills of all prospective teachers/early childhood educators in high-need schools, including mentoring programs which compensate cooperating teachers, and workload credit and compensation for IHE faculty;
- Induction programs for new teachers and, if applicable, mentoring or coaching for new early childhood educators;
- Mechanisms for teacher recruitment to attract qualified individuals to become highly qualified teachers, with an emphasis on recruiting from under-represented populations, for individuals to teach in rural and teacher shortage areas, and for mid-career professionals, former military personnel and recent college graduates; and
- Literacy training to strengthen the literacy teaching skills of prospective and new elementary school and secondary school teachers.

Teaching residency programs – grant funds may be used to support a teaching resident program to prepare teachers at the Master’s level for success in high-need schools in the grant partnership. Grants would enable prospective teachers to work alongside mentor teachers, earn a master's degree and State teacher certification or licensure, and fulfill eligibility requirements to be considered a highly qualified teacher under the Elementary and Secondary Education Act. Key requirements for grantees include:

- Residency program that includes effective pre-service preparation; teacher mentoring; induction as teaching residents enter the classroom as new teachers; and preparation in high-need subjects and areas determined by the LEA in the partnership;
- Admissions goals and priorities aligned with the hiring objectives of the LEA partnering with the program in exchange for a commitment by the agency to hire graduates from the teaching residency program;
- Grouping of teaching residents in cohorts to facilitate professional collaboration among them;
- Support for teaching residents, once they are hired as teachers of record, including an induction program, professional development, and networking opportunities to support the residents through at least the first 2 years of teaching.
- Eligible teacher residents are recent graduates of a 4-year IHE, or a mid-career professional from outside the field of education who has strong content knowledge or record of professional accomplishment. Grantees must establish selection criteria for residents that emphasize strong content knowledge or accomplishment in the field or subject to be taught, and strong verbal and written communication skills, and may include other attributes linked to effective teaching;
- Stipend or salary for teaching residents during the 1-year teaching residency program;
- Service requirement for teaching residents to teach in a high-need field in a high-need school served by the high-need LEA in the eligible partnership for a period of at least 3 years after completing the 1-year teaching residency program, and a requirement for repayment of the stipend/salary to the partnership if the teaching resident does not complete the service requirement. Funds repaid to the partnership may be used to carry out activities consistent with the purposes of the grant. Requirements associated with the service obligation and

repayment must be spelled out in an agreement between the partnership and teaching resident, and may include procedures for granting deferrals, and for pro-rata repayments.

Leadership Development Programs - partnerships that receive a grant under this program may carry out a school leadership development program. Such leadership development program may be carried out in partnership with an LEA located in a rural area. Grants are to help fund the preparation of students for careers as superintendents, principals, early childhood education program directors, or other school leaders to promote strong administrative skills to support student achievement, improve the school environment and effectively manage schools. Among required elements of these grants would be:

- Promoting strong leadership skills to create and maintain a data-driven, professional learning community within schools; understand how students learn and develop; provide a climate conducive to the professional development of teachers; be able to use data to evaluate teacher instruction and drive teacher and student learning; and involve community stakeholders in order to leverage additional resources to support student learning;
- Combining effective pre-service clinical education with mentoring by education administrators and an induction program for new school leaders;
- Year-long opportunities for enrichment activities, including clinical learning in high-need schools served by the high-need LEA in the partnership, and closely supervised interaction between faculty and new and experienced teachers, principals, and other administrators in high-need schools served by the high-need LEA in the partnership; and
- Mechanisms to recruit qualified individuals to become educational administrators through the activities of the partnership, which may include an emphasis on recruiting underrepresented populations; individuals to serve as superintendents, principals, or other school administrators in rural and geographically isolated communities and shortage areas; and mid-career professionals from other occupations, former military personnel, and recent college graduates with proven records of academic distinction.

Partnership with Digital Education Content Developer – partnerships awarded a grant for undergraduate and/or graduate teacher preparation may also use grant funds to partner with a television public broadcast station or other organization that develops digital educational content in order to improve the quality of teacher preparation programs or to enhance the quality of preservice training for prospective teachers.

Evaluation

Partnership grants will be evaluated by the Secretary of Education who is required to make publicly available a report of the evaluation of each grant.

Partnership Grant Application Requirements

Applicants for a Partnership Grant will be required to include several components in their applications. Among them are:

Eligible Partnership Evaluation Plan (described at Title II, Part A, Sec. 204) – applicants for a partnership grant must include in their application an evaluation plan that includes measurable performance objectives for increasing:

1. Achievement for all prospective new teachers;
2. Teacher retention in the first three years of teacher’s career;
3. Improvement in pass rates and scaled scores for initial State certification or licensure; and
4. Percentage of highly qualified teachers hired by the high-need LEA participating in the partnership who –
 - are members of underrepresented groups;
 - teach high-need academic subject areas (such as reading, math, science, and foreign language);
 - teach in high-need areas (including special education, language instruction education programs for limited English proficient students, and early childhood education);
 - teach in high need schools, disaggregated by elementary and secondary school levels;
 - as applicable, the percentage of early childhood program classes taught by the eligible partnership taught by early childhood educators who are highly competent; and
 - as applicable, the percentage of teachers trained to integrate technology effectively into curricula and instruction, including technology consistent with the principles of universal design for learning, and to use technology effectively to collect, manage, and analyze data to improve teaching and learning in order to improve student academic achievement.

Needs Assessment - of all the partners in the eligible partnership with respect to the preparation, ongoing training, professional development, and retention of general and special education teachers, principals, and, as applicable, early childhood educators;

Description - of the extent to which the program will prepare prospective and new teachers with strong teaching skills, and to understand and use research and data to modify and improve classroom instruction;

Description of How the Partnership Will –

- Engage in activities consistent with State, local, and other education activities that promote teacher quality and student academic achievement;
- Align the teacher preparation program with the State early learning standards for early childhood education programs, as appropriate, and with the relevant domains of early childhood development; and with the student academic achievement standards and academic content standards of the Elementary and Secondary Education Act;
- Prepare prospective and new teachers to use research and data to modify and improve instruction in the classroom;
- Coordinate strategies and activities assisted under the grant with other teacher preparation or professional development programs, including those funded under the ESEA and IDEA, and through the National Science Foundation, and describe how the activities of the partnership

will be consistent with State, local, and other education reform activities that promote student achievement;

- Prepare general education teachers to teach students with disabilities, including training related to participation as a member of individualized education program teams, as defined in IDEA;
- Connect faculty at the partner institution with highly qualified teachers and their classrooms in the high-need LEA included in the partnership to provide professional development opportunities to strengthen the content knowledge and teaching skills of teachers and to train other classroom teachers to implement effective literacy programs;
- Ensure the preparation of general education teachers and special education teachers to teach students with limited English proficiency;
- Design, implement, or enhance a year-long and rigorous teaching preservice clinical program component;
- Support in-service professional development strategies and activities;
- Design and implement an induction program to support all new teachers through not less than the first 2 years of teaching in the further development of the new teachers' teaching skills, including the use of mentors who are trained and compensated by such program for the mentors' work with new teachers; and
- Collect, analyze, and disseminate data on teacher retention to evaluate the effectiveness of the partnership's teacher and educator support system.

With Respect to the Required Induction Program –

- a demonstration that grantee partners will effectively prepare teachers, including providing content expertise and expertise in teaching, as appropriate;
- a demonstration of the capability and commitment to, and the accessibility to and involvement of faculty in, the use of empirically-based practice and scientifically valid research on teaching and learning;
- a description of how the teacher preparation program will design and implement an induction program to support, through at least the first two years of teaching, all new teachers who are prepared by the teacher preparation program in the partnership and who teach in the high-need local educational agency in the partnership, and, to the extent practicable, all new teachers who teach in such high-need local educational agency, in the further development of the new teachers' teaching skills, including the use of mentors who are trained and compensated by the program for the mentors' work with new teachers; and
- a description of how faculty involved in the induction program will be able to substantially participate in an early childhood education program or an elementary school or secondary school classroom setting, as applicable, including release time and receiving workload credit for such participation.

Administrative Provisions

- Partnership grants will be awarded for five years, and partnerships are eligible to receive only one grant during a five year period. However, individual members within a partnership are eligible to receive another grant during this period by participating in other partnerships with different members.

- Priority will be given to applications that include teacher preparation programs with a rigorous selection process and to applicants from broad-based partnerships that include business and community organizations or to partnerships that will ensure an equitable distribution of grants among urban and rural areas.
- Each partnership grantee will be required to match an amount equal to 100 percent of the amount of the grant in cash or in kind from non-federal sources to carry out grant activities. The Secretary is authorized to waive part or all of the matching requirement if it would impose a serious hardship or result in the inability to carry out grant activities. Further, grantees may not use more than 2 percent of funds awarded to administer the grant.

Accountability

If the Secretary determines that a partnership grantee is not making substantial progress in meeting the purposes, goals, objectives and measures of the grant by the end of third year of the grant, then the Secretary is required to cancel the grant and may use any available remaining funds to support other grantees.

Evaluation and Dissemination - The Secretary of Education is required to evaluate the activities carried out under the partnership grant program and report the findings to the authorizing committees of the US Congress. Further, the Secretary is required to disseminate successful practices developed by eligible partnerships, and information regarding practices that were found to be ineffective.

Authorization of Appropriations

An appropriation of \$300,000,000 is authorized for FY 2009 and such sums as necessary for the five succeeding fiscal years for Title II, Part A activities. While the largest share of appropriated funds would be directed to the Teacher Quality Partnership Grants program, the Secretary of Education may also reserve funds to support other activities to be carried out under the Part A authority. See other Part A provisions in the section of this document “Accountability in Teacher Preparation.”

PREPARING TEACHERS FOR DIGITAL AGE LEARNERS

Title II, Part B, Subpart 1, Sec. 231-234

H.R. 4137 authorizes a new grant program to improve the technology-related knowledge and skills of prospective elementary and secondary teachers.

Project Activities

This program will award grants to, or enter into contracts or cooperative agreements with, eligible consortia to pay the Federal share of the costs of projects to:

1. Serve graduate teacher candidates who are prepared to use modern information, communication, and learning tools to--
 - a. improve student learning, assessment, and learning management; and
 - b. help students develop skills to succeed in higher education and to enter the workforce;
2. Strengthen and develop partnerships among the stakeholders in teacher preparation to transform teacher education and ensure technology-rich teaching and learning environments throughout a teacher candidate's pre-service education, including clinical experiences; and
3. Assess the effectiveness of departments, schools, and colleges of education at institutions of higher education in preparing teacher candidates for successful implementation of technology-rich teaching-learning environments, including environments consistent with the principles of universal design for learning, that enable kindergarten through grade 12 students to develop skills to succeed in higher education and to enter the workforce.

Eligible Consortia

Only consortia are eligible for grants under this program. Eligible consortia must include at least one institution of higher education that awards baccalaureate or masters degrees and prepares teachers for initial entry into teaching, at least one State educational agency or local educational agency, a department or college of education, a department or college of arts and sciences, and one or more public or private entities with the capacity to contribute to the technology-related reform of teacher preparation programs.

Awards and Use of Funds

Up to \$2 million in federal funds can be awarded for each 3-year project, with one additional renewal year possible. The federal funds can constitute no more than 75% of total project costs. The non-federal share of the cost of the project may be provided in cash or in kind, including services. At least 10% of the funds awarded must be used to evaluate the effectiveness of the project. In general, grant funds may be awarded for either:

- Partnership grants – to develop long-term partnerships among consortium members that are focused on effective teaching with modern digital tools and content that substantially connect preservice preparation of teachers with high-need schools; or

- Transformation grants – to transform the way departments, schools, and colleges of education teach classroom technology integration, including the principles of universal design, to teacher candidates.

For partnership grants, funds are to be used to provide teacher candidates – early in their training - with field experiences with technology in educational settings; build the skills of teacher candidates to support technology-rich instruction, assessment and learning management in content areas, technology literacy, an understanding of the principles of universal design, and the development of other skills for entering the workforce; provide professional development in the use of technology for teachers and other school personnel; provide professional development of technology pedagogical skills for IHE faculty in education and in arts and sciences; implement strategies for the mentoring of teacher candidates; evaluate teacher candidates during the first years of teaching to assess outcomes of the project; build collaborative learning communities for technology integration within the consortium; and evaluate the effectiveness of the project.

For transformation grants, funds are to be used to redesign curriculum to require collaboration between the department or college of education faculty and the department or college of arts and sciences faculty who teach content or methods courses; collaborate between IHE faculty and LEA academic content specialists to educate pre-service teachers who can integrate technology and pedagogical skills in content areas; collaborate within the IHE across education and arts and science faculties to develop a plan for pre-service and continuing educators that demonstrates effective instructional strategies and applications in the use of digital tools, and to better reach underrepresented pre-service teacher populations with technology applications; integrate technology into teacher preparation programs as well as transform the teaching and learning process; and foster collaboration among faculty to create and disseminate case studies of technology applications in classroom settings; and other specific uses.

Authorization of Appropriations

HR 4137 authorizes funds for this program within an overall authorization for appropriations for all programs under Title II, Part B programs. This authorization for Part B programs calls for such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.

HONORABLE AUGUSTUS F. HAWKINS CENTERS OF EXCELLENCE

Title II, Part B, Subpart 2, Sec. 241-242

This new program – named in honor of the first African-American to represent California in the US Congress - authorizes competitive awards to eligible institutions of higher education or consortia of institutions for the establishment of centers of excellence in teacher preparation. Eligible institutions must have a teacher preparation program and must meet the HEOA criteria as a Hispanic-serving institution, a Tribal college or university, an Alaska Native-serving institution, a predominantly Black institution, and Asian American and Native American Pacific Islander-serving institution, a Native Hawaiian-serving institution, a historically Black college or university, a consortia of such institutions, or one of the above institutions or consortia in partnership with any other IHE. The center of excellence must be located at a minority-serving institution.

Authorized Activities

Grants awarded under this program must be used to ensure that current and future teachers are highly qualified by carrying out one or more of the following activities:

- Implement reforms to ensure that teacher preparation programs are training teachers who are highly qualified, are able to understand scientifically valid research, and are able to use advanced technology effectively in the classroom. Funds may be used to retrain or recruit faculty, and to design or redesign teacher preparation programs;
- Provide sustained and high-quality preservice clinical experience, including mentoring by exemplary teachers; increasing interaction between faculty at IHEs and new and experienced teachers, principals, and other administrators in elementary and secondary schools; and providing support for such interaction;
- Undertake initiatives to promote retention of highly qualified teachers and principals;
- Award scholarships based on financial need to help students pay the costs of education;
- Disseminate information on effective practices for teacher preparation and successful teacher certification and licensure assessment preparation strategies; and
- Activities authorized by the Teacher Quality Partnership Grants program.

Awards

Minimum grants of \$500,000 are authorized for each center of excellence. Grantees may not use more than 2 percent of funds awarded to administer the grant.

Authorization of Appropriations

HR 4137 authorizes funds for this program within an overall authorization for appropriations for all programs under Title II, Part B programs. This authorization for Part B programs calls for such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.

PREPARING GENERAL EDUCATION TEACHERS TO MORE EFFECTIVELY EDUCATE STUDENTS WITH DISABILITIES

Title II, Part B, Subpart 3, Sec. 251

Program Purpose

This new program, entitled Teach to Reach, authorizes competitive grants to eligible partnerships to improve the preparation of general education teacher candidates to ensure that they possess the knowledge and skills necessary to effectively instruct students with disabilities in their classrooms.

Eligible Partnership

For purposes of this program a partnership must include:

1. One or more departments or programs at an institution of higher education (a) that prepare elementary or secondary general education teachers; (b) that have a program of study that leads to an undergraduate degree, a master's degree, or completion of a post-baccalaureate program required for teacher certification; and (c) whose graduates are highly qualified;
2. A department or program of special education at an institution of higher education;
3. A department or program at an IHE that provides degrees in core academic subjects; and
4. A high-need local educational agency.

A partnership may also include a department or program of mathematics, earth or physical science, foreign language, or other departments at the institution that have a role in preparing teachers.

Partnership Activities

Partnerships funded under this program must be used to:

1. Develop or strengthen an undergraduate, post-baccalaureate, or master's teacher preparation program by integrating special education strategies into the general education curriculum and academic content;
2. Provide teacher candidates participating in the program with skills related to:
 - a. response to intervention, positive behavioral supports, differentiated instruction, and data driven instruction;
 - b. universal design for learning;
 - c. determining and utilizing accommodations for instruction and assessments;
 - d. collaborating with special educators, related services providers, and parents, including participation in Individualized Education Program development and implementation; utilizing technology and assistive technology for students with disabilities; and

3. Provide extensive clinical experience for such participants, with mentoring and induction support throughout the program that continues during the first two years of full-time teaching.

Grant funds may also be used to develop and administer alternative assessments of students with disabilities.

Application

An application for funding under this program must include:

1. A self-assessment by the partnership of the existing teacher preparation program at the IHE and needs related to preparing general education teacher candidates to instruct students with disabilities; and
2. An assessment of the existing personnel needs for general education teachers who instruct students with disabilities, performed by the LEA in which most graduates of the teacher preparation program are likely to teach after program completion.

Grant Awards

Grants will be awarded for a period of five years. Partnerships receiving a grant under this program are required to provide at least 25% of the cost of the project from non-Federal funds either in cash or in kind.

Evaluation and Reporting

A partnership funded under this program must conduct and report to the Secretary of Education an evaluation at the end of the grant period to determine the effectiveness of the general education teachers who completed the program in the instruction of students with disabilities in general education classrooms, and the systemic impact of the activities carried out by the grant on how each IHE member of the partnership prepares teachers for instruction in elementary and secondary schools. The Secretary of Education is required to make available to Congress and the public the results of the evaluations and information on best practices related to effective instruction of students with disabilities in general education classrooms.

Authorization of Appropriations

HR 4137 authorizes funds for this program within an overall authorization for appropriations for all programs under Title II, Part B programs. This authorization for Part B programs calls for such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.

ADJUNCT TEACHER CORPS

Title II, Part B, Subpart 4, Sec. 255

The purpose of this new program is to create opportunities for professionals and others with subject matter expertise in math, science, or critical foreign languages to provide that expertise to secondary school students on an adjunct basis.

Eligible Applicants

Eligible entities for awards under this program are:

1. Local education agency; or
2. A partnership of an LEA serving as a fiscal agency and a public or private educational organization or business.

Authorized Activities

Funds may be used to carry out one or both of the following activities:

1. Develop the capacity to identify, recruit, and train individuals with subject matter expertise who are not employed in the elementary or secondary education system to become adjunct content specialists; and/or
2. Provide preservice training and on-going professional development to adjunct content specialists.

Priorities

In awarding grants under this program, priority will be given to applicants that demonstrate in their application a plan to:

1. Serve those schools in the LEA that have a large number or percentage of students performing below grade level in math, science, or critical foreign language courses;
2. Serve LEAs that have a large number or percentage of students from low-income families; and
3. Recruit and train individuals to serve as adjunct content specialists in schools that have an insufficient number of teachers in math, science, or critical foreign languages.

Authorization of Appropriations

HR 4137 authorizes funds for this program within an overall authorization for appropriations for all programs under Title II, Part B programs. This authorization for Part B programs calls for such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.

GRADUATE FELLOWSHIPS TO PREPARE FACULTY IN HIGH-NEED AREAS AT COLLEGES OF EDUCATION

Title II, Part B, Subpart 5, Sec. 258

P.L. 110-315 authorizes a new program of graduate student fellowships for individuals preparing for the professorate in order to prepare individuals to come highly qualified elementary and secondary school teachers in high-need areas. Grants will be awarded to institutions of higher education (IHEs) and consortia of IHEs that offer graduate study leading to a doctoral degree and grants will be by grantees to students as fellowships.

Types of Fellowships

Fellowships can be awarded to students who are preparing for the professorate in order to prepare elementary and secondary school math and science teachers, special education teachers, and teacher who provide instruction for limited English proficient students.

Type of Graduate Study

Fellowships will support individuals pursuing graduate study which leads to a doctoral degree and may include a master's degree as part of such study related to teacher preparation and pedagogy in one of the following areas:

- Science, technology engineering, or mathematics, if the individual has completed a master's degree in mathematics or science and is pursuing a doctoral degree in mathematics, science or education;
- Special education; and
- The instruction of limited English proficient students, including postbaccalaureate study in language instruction educational programs.

Selection of Fellows

- Fellowship awards must be made to individuals who plan to pursue a career in instruction at an IHE that has a teacher preparation program;
- Fellowship awards may be made to an individual only if he or she maintains satisfactory academic progress in and devotes full-time study or research to the pursuit of the degree for which the fellowship support is provided; and
- Fellowship recipients may not be engaged in gainful employment, other than part-time employment related to teaching, research, or a similar activity determined by the grantee to be consistent with and supportive of the individual's progress toward the degree for which the fellowship support is provided.

Amount of Fellowship Awards

Grantees will award stipends to individuals who are provided graduate fellowships under this program. The amount of the stipend must be in an amount equal to the level of support provided by National Science Foundation graduate fellowships, except that the stipend must be adjusted as needed so it does not exceed the fellowship recipient's demonstrated need, as determined by the grantee.

Service Requirement

Teaching Required – students who receive a graduate fellowship and earn a doctoral degree must teach for one year at an IHE that has a teacher preparation program for each year of fellowship support that was provided.

Institutional Obligation – A grantee must provide assurance to the Secretary of Education that it has inquired or and determined the decision of each fellowship recipient to begin employment, within 3 years of receiving a doctoral degree, at an IHE that has a teacher preparation program.

Agreement Required – Students are required to sign an agreement with the Secretary of Education agreeing to pursue a career in instruction at an IHE with a teacher preparation program. This agreement must be signed before first receiving the fellowship and upon the annual renewal of the graduate fellowship award.

Failure to Comply with Work Requirement – If an individual who receives a graduate fellowship fails to comply with the signed agreement, the sum of the amounts of the graduate fellowship awards received will be treated as a Federal Direct Unsubsidized Stafford Loan and will be subject to repayment, together with interest accruing from the date the fellowship award.

Modified Service Requirement – The Secretary may waive or modify the service requirement if compliance by the fellowship recipient is determined to be inequitable or represent a substantial hardship due to permanent and total disability or substantial economic or personal hardship. Rules containing criteria for implementing a modified service requirement will be developed by the Secretary of Education.

Institutional Support for Fellows – A grantee may reserve not more than 10 percent of the grant amount for academic and career transition support for graduate fellowship recipients and for meeting the institutional obligation.

Restriction on Use of Funds – Grantees may not use grant funds for general operational overhead of the institution.

Authorization of Appropriations

HR 4137 authorizes funds for this program within an overall authorization for appropriations for all programs under Title II, Part B programs. This authorization for Part B programs calls for such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.

EARLY CHILDHOOD EDUCATION PROFESSIONAL DEVELOPMENT AND CAREER TASK FORCE

Title VIII, Part I, Sec. 811- 818

H.R. 4137 authorizes a new competitive grant program that awards 3-year grants for states to improve the quality of the early childhood education workforce by establishing State Early Childhood Education Professional Development and Career System Task Forces and supporting the activities of such task forces.

Purpose

The purpose of this program is:

1. To improve the quality of the early childhood education workforce by creating a statewide early childhood education professional development and career task force for early childhood education program staff, directors, administrators, and faculty; and
2. To create (a) a coherent system of core competencies, pathways to qualifications, credentials, degrees, quality assurances, access, and outreach, for early childhood education program staff, directors, administrators and faculty, that is linked to compensation commensurate with experience and qualifications; (b) articulation agreements that enable early childhood education professionals to transition easily among degrees; and (c) compensation initiatives for individuals working in an early childhood education program that reflect the individuals' credentials, degrees, and experience.

Definition of Early Childhood Education Program

An early childhood education program means:

1. A Head Start Program or Early Head Start program carried out under the Head Start Act, including a migrant or seasonal Head Start program or an Indian Head Start program;
2. A State licensed or regulated child care program; or
3. A State pre-kindergarten program or a program authorized under section 619 or part C of the Individuals with Disabilities Education Act that serves children from birth through age six and that addresses the children's cognitive, social, emotional, and physical development.

State Task Force

The Secretary of Education is authorized to award competitive grants to States to enable them to:

1. Establish a State Task Force; and
2. Support activities of the State Task Force.

The Governor of a State that receives a grant under this program must establish or designate an existing entity to serve as the State Early Childhood Education Professional Development and Career Task Force. Membership on the task force must include a representative of a State

agency, an institution of higher education (including an associate or a baccalaureate degree granting institution of higher education), an early childhood education program, a nonprofit early childhood organization, a statewide early childhood workforce scholarship or supplemental initiative, the State Head Start collaboration director, and any other entity or individual the Governor determines appropriate.

State Task Force Activities

The State Task Force is required to:

1. Coordinate and communicate regularly with the State Advisory Council on Early Care and Education or a similar State entity charged with creating a comprehensive system of early care and education;
2. Conduct a review of opportunities for and barriers to high-quality professional development, training and higher education degree programs, including a periodic statewide survey concerning the demographics of individuals working in early childhood education programs in the state; and
3. Develop a plan for a comprehensive statewide professional development and career system for individuals working in early childhood programs or for early childhood providers which may include:
 - Methods of outreach to early childhood education program staff to inform them of opportunities and resources under the statewide plan;
 - Developing a unified data collection and dissemination system for early childhood training, professional development, and higher education programs;
 - Increasing participation of early childhood educators in high-quality training and professional development by assisting in paying the costs of enrolling in and completing such training and professional development course; payments of up to \$17,500 may be made to an individual who completes a postsecondary program in return for working after program completion in an early childhood education program in a low-income area, and who has a family income equal to or less than the annually adjusted national median family income;
 - Developing mentoring and coaching programs to support new teachers in and directors of early childhood education programs;
 - Supporting professional development activities and a career lattice for various roles with varying professional qualifications and responsibilities;
 - Supporting articulation agreements between two- and four-year institutions and other mechanisms to transform other training and experience into academic credit;
 - Providing career development advising;

- Enhancing the capacity and quality of faculty and coursework in postsecondary programs that lead to an associate, baccalaureate, or graduate degree in early childhood education;
- Career development advising with respect to the field of early childhood education; and
- System of quality assurance with respect to the early childhood education professional development and career system, including standards or qualifications for individuals and entities who offer training and professional development in early childhood education.

The State Task Force is be required to hold public hearings and provide an opportunity for public comment on the contents of the state plan, and to meet periodically to review implementation of the plan and propose changes as needed.

Evaluations

Each state receiving a grant will be required to evaluate and report at the end of the grant period on the effectiveness of the activities conducted in achieving state goals and their impact on licensing or regulating requirements for people working the field of early childhood development; on the quality of education, professional development and training offered in the state for early childhood educators; and on compensation and retention of individuals working early education programs. The Secretary of Education, in consultation with the Secretary of Health and Human Services, is required to submit to the authorizing committees of Congress an evaluation of the State reports no later than September 30, 2013.

Authorization of Appropriations

Congress is authorized to appropriate such sums as necessary for fiscal year 2009 and each of the five succeeding fiscal years.

ACCOUNTABILITY IN TEACHER PREPARATION

H.R. 4137 amends Title II of the Higher Education Opportunity Act by establishing new requirements and revising some existing requirements to make his and states in order to increase the accountability of teacher preparation programs for the quality of individuals they train and, through them, for the academic performance of students in elementary and secondary schools.

The amendments to Title II will require teacher preparation programs to set goals and provide assurances for increasing the number of teachers they prepare in designated high-need areas, including mathematics, science, special education, and instruction of limited English proficient students. Institutions of higher education and states are required to develop annual report cards identifying how the programs are performing and on the quality and effectiveness of the teachers moving through those programs. The law also authorizes States to identify and impose consequences on low-performing teacher preparation programs, including traditional programs as well as alternative routes to certification and licensure.

ACCOUNTABILITY FOR PROGRAMS THAT PREPARE TEACHERS

Title II, Part A, Sec. 205

In addition to the significant accountability requirements for grantees under the Teacher Quality Partnership Program, H.R. 4137 amends the HEA accountability provisions related to the preparation of teachers by traditional teacher education programs as well as by programs providing an alternative route to teacher certification and licensure. Annual IHE and State report cards on teacher preparation programs and the performance and academic achievement of prospective teachers are required, as is a yearly federal report to Congress and the public on teacher quality in the US.

ANNUAL REPORT CARD FOR COLLEGES OF EDUCATION

Every institution of higher education in the US that conducts a traditional teacher preparation program or alternative routes to State certification or licensure program and that enrolls students receiving Federal assistance under the Higher Education Opportunity Act (e.g., student aid grants or loans) is required to report specific information each year to the State and to the general public. A fine of up to \$27,500 may be levied by the Secretary of Education on an IHE for failure to provide this information in a timely or accurate manner. The report card must contain:

1. Goals and Assurances – for the most recent years for which information is available:
 - Whether the goals set under the requirements for Sec. 206 *Teacher Development* (see later in this document) have been met;
 - Activities the IHE has implemented to achieve those goals
 - Steps the IHE is taking to improve its performance in meeting those goals; and
 - Activities the IHE has implemented to meet the assurances provided under Sec. 206.

2. Pass Rates And Scaled Scores – For the most recent year for which data are available for students who took the assessments used for teacher certification or licensure by the State in which the program is located and who are enrolled in the traditional teacher preparation program or alternative routes to State certification or licensure program, as well as for those who have taken the assessments and have completed their program during the two year period preceding such year:
 - the percentage of students who have completed 100 percent of the non-clinical course work and have taken the assessment and pass the assessment;
 - the percentage of all such students who passed each such assessment;
 - the percentage of students who have taken such assessment who enrolled in and completed the traditional or alternative programs, as applicable;
 - the average scaled score for all students who took each such assessment;
 - a comparison of the program's pass rates with the average pass rates for programs in the State; and
 - a comparison of the program's average scaled scores with the average scaled scores for programs in the State.

Note: Each State is required by the statute to provide to IHEs the comparison data, listed above, for the State as a whole so that IHEs can report the data required above.

3. Program Information - The criteria for admission into the program, the number of students in the program (disaggregated by race, ethnicity, and gender), the average number of hours of supervised clinical experience required for those in the program, the number of full-time equivalent faculty and students in the supervised clinical experience, and the total number of students who have been certified or licensed as teachers, disaggregated by subject and area of certification or licensure.
4. Statement - In States that require approval or accreditation of teacher preparation programs, a statement of whether the institution's program is approved or accredited, and by whom.
5. Designation as Low-Performing - Whether the program has been designated as low-performing by the State under Sec. 207(a).
6. Use Of Technology - A description of the activities, including those that are consistent with the principles of universal design for learning, that prepare teachers to effectively integrate technology into curricula and instruction, and effectively use technology to collect, manage, and analyze data in order to improve teaching, learning, and decision making for the purpose of increasing student academic achievement.
7. Teacher Training - A description of the activities that prepare general and special education teachers to effectively teach students with disabilities, including training related to participation as a member of individualized education program teams under IDEA, and to effectively teach students who are limited English proficient.

STATE REPORT CARD ON THE QUALITY OF TEACHER PREPARATION

Each State that receives funds under the Higher Education Opportunity Act - in effect, every State - is required to provide to the Secretary a State report card on the quality of teacher preparation in the State, both for traditional teacher preparation programs and for alternative routes to State certification or licensure programs. Among the reporting requirements are:

1. A description of the reliability and validity of the teacher certification and licensure assessments, and any other certification and licensure requirements, used by the State.
2. The standards and criteria that prospective teachers must meet in order to attain initial teacher certification or licensure and to be certified or licensed to teach particular academic subject areas or in particular grades within the State.
3. A description of how the assessments and other licensure requirements align with the State's challenging academic content standards and, as applicable, State early learning standards for early childhood education programs.
4. For each of the assessments used by the State for teacher certification or licensure -

- a. for each institution of higher education located in the State and each entity located in the State that offers an alternative route for teacher certification or licensure, the percentage of students at such institution or entity who have completed 100 percent of the non-clinical course work and taken the assessment who pass such assessment;
 - b. the percentage of all such students at all such institutions taking the assessment who pass such assessment;
 - c. the percentage of students taking an assessment who completed the teacher preparation program after enrolling in the program;
 - d. the average scaled score of individuals participating in a program, or who have completed the program during the two-year period preceding the first year for which the annual State report card is provided, who took each such assessment.
- 5. A description of alternative routes to State certification or licensure in the State (including any such routes operated by entities that are not institutions of higher education), if any, including for each of the assessments used by the State for teacher certification or licensure—
 - a. the percentage of individuals participating in such routes, or who have completed such routes during the 2-year period preceding the date of the determination, who passed each such assessment; and
 - b. the average scaled score of individuals participating in such routes, or who have completed such routes during the two-year period preceding the date of the determination, who took each such assessment.
- 6. A description of the State's criteria for assessing the performance of teacher preparation programs within institutions of higher education in the State. Such criteria shall include indicators of the academic content knowledge and teaching skills of students enrolled in such programs.
- 7. For each teacher preparation program in the State, the criteria for admission into the program, the number of students in the program, disaggregated by race, ethnicity, and gender, the average number of hours of supervised clinical experience required for those in the program, and the number of full-time equivalent faculty, adjunct faculty, and students in supervised clinical experience.
- 8. For the State as a whole, and for each teacher preparation program in the State, the number of teachers prepared, in the aggregate and reported separately by area of certification or licensure; by academic major; and by subject area for which the teacher has been prepared to teach.
- 9. A description of the extent to which teacher preparation programs are helping to address shortages of highly qualified teachers, by area of certification or licensure, subject, and specialty, in the State's public schools.
- 10. A description of the activities that prepare general and special education teachers to effectively teach students with disabilities, including training related to participation as a

member of individualized education program teams, as defined in the Individuals with Disabilities Education Act.

11. A description of the activities that prepare teachers to effectively integrate technology into curricula and instruction, including activities consistent with the principles of universal design for learning, and effectively use technology to collect, manage, and analyze data in order to improve teaching, learning, and decision making for the purpose of increasing student academic achievement.
12. The extent to which teacher education programs prepare teachers, including general and special education teachers, to effectively teach students who are limited English proficient.

FEDERAL REPORT ON TEACHER QUALITY

The Secretary of Education is required to provide Congress each year and make widely available a report card on teacher qualifications and preparation in the US containing the following:

1. A comparison of States' efforts to improve the quality of the current and future teaching force.
2. A comparison of eligible partnerships' efforts to improve the quality of the current and future teaching force. (*NOTE: the term 'partnerships' refers to grantees funded under the Teacher Quality Partnership Grant program*).
3. The national mean and median scaled scores and pass rate on any standardized test that is used in more than one State for teacher certification or licensure.

TEACHER DEVELOPMENT

Title II, Part A, Sec. 206

H.R. 4137 requires that every institution of higher education in the US that conducts a traditional teacher preparation program (including programs offering ongoing professional development) or alternative routes to state certification or licensure program and that enrolls students receiving Title IV financial assistance set and report annual goals and provide certain assurances to the Department of Education.

IHEs are required to:

1. Set annual quantifiable goals for increasing the number of prospective teachers trained in teacher shortage areas designated by the Secretary of Education or the State education agency, including mathematics, science, special education, and instruction of limited English proficient students; and
2. Provide assurance that:
 - training provided to prospective teachers responds to the identified needs of the local educational agencies or States where the institution's graduates are likely to teach, based on past hiring and recruitment trends;
 - training provided is closely linked with the needs of schools and the instructional decisions new teachers face in the classroom;
 - prospective special education teachers receive course work in core academic subjects and receive training in providing instruction in core academic subjects;
 - general education teachers receive training in providing instruction to diverse populations, including children with disabilities, limited English proficient students, and children from low-income families; and
 - prospective teachers receive training on how to effectively teach in urban and rural schools, as applicable.
3. Include in the annual institutional report card (Sec. 205) – whether the goals set here have been met.

STATE FUNCTIONS RELATED TO PERFORMANCE OF TEACHER PREPARATION PROGRAMS

Title II, Part A, Sec. 207

H.R. 4137 requires that States conduct an assessment to identify low-performing teacher preparation programs and that it impose consequences and assistance, as necessary, to improve performance. The requirements apply to both traditional teacher preparation programs and alternative routes to State certification and licensure programs.

1. State Assessment - States must:

- a. Conduct an assessment to identify and assist low-performing programs of teacher preparation; and
- b. Provide the Secretary of Education an annual list of low-performing programs, including those at-risk of being placed on that list.

Levels of performance would be determined solely by the State and may include criteria based on information such as progress in meeting the goals of:

- a. Increasing the percentage of highly qualified teachers in the State, including increasing professional development opportunities;
- b. Improving student achievement for all students; and
- c. Raising the standards for entry into the teaching profession.

2. Termination of Eligibility – Any program of teacher preparation whose State approval has been withdrawn or whose state financial support has been terminated due to low performance:

- a. Is ineligible for any funding for professional development activities awarded by the US Department of Education;
- b. May not be permitted to accept or enroll any student who receives aid under title IV in the institution's teacher preparation program;
- c. Must provide transitional support, including remedial services, if necessary, for students enrolled at the institution at the time of termination of financial support or withdrawal of approval; and
- d. Will be reinstated upon demonstration of improved performance, as determined by the State.

3. Negotiated Rulemaking – If the Secretary develops any regulations concerning ‘termination of eligibility’ the proposed regulations must be developed through a negotiated rulemaking process which is to include representatives of States, IHEs, and educational and student organizations.

QUALITY HIGHER EDUCATION FOR STUDENTS WITH DISABILITIES

P.L. 110-315 enacts the most significant federal effort to date to assist students with disabilities access, participate and succeed in postsecondary education programs. Through a combination of grant programs, studies and technical assistance and coordinating centers, the Higher Education Opportunity Act will support the efforts of institutions of higher education to improve transition, support and instructional services, services and instruction for students with disabilities, including students with intellectual disabilities. P.L. 110-315 calls for:

- Reauthorizing the Programs to Ensure Students with Disabilities Receive a Quality Higher Education, including new activities for the development of effective transition practices, improved distance learning strategies, and improvements in the overall accessibility of higher education.
- New authority and funding for Transition Programs for Students with Intellectual Disabilities are authorized to support student participation and success in postsecondary education and preparation for employment, as well as for a coordinating center to assist new and exiting programs serving students with intellectual disabilities.
- A new Advisory Commission on Accessible Instructional Materials in Postsecondary Education for Students with Disabilities is to study and develop recommendations related to instructional materials for students with print disabilities in postsecondary education, focusing on the barriers, systemic issues and technical solutions that affect or may improve the timely delivery of such materials.
- A new Model Demonstration Program to Support Improved Access to Postsecondary Instructional Materials in specialized formats for students with print disabilities is authorized partnerships involving an institution of higher education and another entity with expertise related to serving the target population and the technical requirements for doing so.
- A new National Center for Information and Technical Support for Postsecondary Students with Disabilities to improve the dissemination of best practices related to working with postsecondary students with disabilities, to provide information to assist students and their families select and access appropriate postsecondary educational opportunities, and to improve the recruitment, retention and completion rates for students with disabilities.

DEMONSTRATION PROJECTS TO ENSURE STUDENTS WITH DISABILITIES RECEIVE A QUALITY HIGHER EDUCATION

Title VII, Part D, Sec. 760-765

First authorized by the 1998 amendments to the Higher Education Opportunity Act, this program supports model demonstration projects to provide technical assistance or professional development for faculty, staff and administrators in institutions of higher education in order to provide students with disabilities a quality postsecondary education. P.L. 110-315 revises some aspects of this program. Following is an overview of the program with the HEOA Amendments' changes and additions highlighted.

Under this program, competitive 3-year grants, cooperative agreements or contracts are to be awarded to institutions of higher education to support model demonstration projects. At least two of the awards are to be made to IHEs whose projects serve students with learning disabilities.

Authorized Activities

Grantees are required to carry out one or more of the following activities:

1. Teaching Methods and Strategies- development of innovative, effective, and efficient teaching methods and strategies, consistent with the principles of universal design for learning, to provide postsecondary faculty, staff, and administrators with the skills and supports necessary to teach and meet the academic and programmatic needs of students with disabilities, in order to improve the retention of such students in, and the completion by such students of, postsecondary education. Methods and strategies may include in-service training, professional development, customized and general technical assistance, workshops, summer institutes, distance learning, and training in the use of assistive and educational technology.
2. Effective Transition Practices- development of innovative and effective teaching methods and strategies to provide postsecondary faculty, staff, and administrators with the skill and supports necessary to ensure the successful and smooth transition of students with disabilities from secondary school to postsecondary education. This activity option was added by P.L. 110-315.
3. Synthesizing Research and Information- synthesis of research and other information related to the provision of postsecondary educational services to students with disabilities, including data on the impact of a postsecondary education on subsequent employment of students with disabilities. Such research, information, and data shall be made publicly available and accessible.
4. Distance Learning- development of innovative and effective teaching methods and strategies to provide postsecondary faculty, staff, and administrators with the ability to provide accessible distance education programs or classes that would enhance the access of students with disabilities to postsecondary education, including the use of accessible curricula and electronic communication for instruction and advising. This activity option was added by P.L. 110-315.

5. Disability Career Pathways-under this newly authorized activity, grantees would provide information, training, and technical assistance to secondary and postsecondary faculty, staff, and administrators with respect to disability-related fields that would enable these IHE personnel administrators to:
 - encourage interest and participation in such fields, among students with disabilities and other students;
 - enhance awareness and understanding of such fields among students with disabilities and other students;
 - provide educational opportunities in such fields for students with disabilities and other students;
 - teach practical skills related to such fields to students with disabilities and other students; and
 - offer work-based opportunities in such fields to students with disabilities and other students.

The training and support offering students credit-bearing postsecondary-level coursework, and career and educational counseling.

6. Professional Development and Training Sessions - The conduct of professional development and training sessions for postsecondary faculty, staff, and administrators from other institutions of higher education to enable such individuals to meet the educational needs of students with disabilities.
7. Accessibility of Education - Making postsecondary education more accessible to students with disabilities through curriculum development, consistent with the principles of universal design for learning.

Mandatory Evaluation and Dissemination

An IHE receiving an award is required to evaluate and disseminate to other institutions of higher education, the information obtained through the activities carried out by their projects.

Reports

Not later than one year after the date of enactment of the Higher Education Opportunity Act, the Secretary is to submit to the authorizing committees, and make available to the public, an interim report on all demonstration projects awarded grants under this part in fiscal years 1999 through 2008, including a review of the activities and program performance of these demonstration projects. In addition, not later than three years after the date of the first award of a grant under this program, the Secretary is to submit a subsequent report that reviews the activities and program performance of the demonstration projects; and provides guidance and recommendations on how effective projects can be replicated. This reporting required was authorized by P.L. 110-315.

Authorization of Appropriations

Such sums as may be necessary are authorized to be appropriated for this program for FY 2009 and for each for the five succeeding fiscal years.

TRANSITION PROGRAMS FOR STUDENTS WITH INTELLECTUAL DISABILITIES INTO HIGHER EDUCATION

Title VII, Part D, Subpart 2, Sec. 766 and 768

P.L. 110-315 authorizes a new program of model demonstration projects to promote the successful transition of students with intellectual disabilities into higher education. Competitive grants will be awarded to institutions of higher education or consortia of IHEs to enable them to create or expand high quality, inclusive comprehensive transition and postsecondary programs for students with intellectual disabilities. This program will be administered in the US Department of Education by the Office of Postsecondary Education.

Use of Funds by Model Programs

Funds are to be used to establish a model comprehensive transition and postsecondary program for students with intellectual disabilities that--

1. Provides individual supports and services for the academic and social inclusion of such students in academic courses, extracurricular activities, and other aspects of the institutions' regular postsecondary program;
2. Provides a focus on academic enrichment; socialization; independent living, including self-advocacy skills; and integrated work experiences and career skills that lead to gainful employment;
3. Integrates person-centered planning in the development of the course of study for each student participating in the model program;
4. Participates with the coordinating center (see description below) in the evaluation of the model program;
5. Partners with one or more LEAs to support the participation of students with intellectual disabilities in the model program who are still eligible for special education and related services under IDEA, including regarding the use of funds available under IDEA part B;
6. Plans for the sustainability of the model program after the end of the grant period; and
7. Creates and offers a meaningful credential for students with intellectual disabilities upon the completion of the model program.

Preference in Awarding of Grants for Model Programs

Preference is to be given to applicants:

1. That will serve areas that are underserved by programs of this type; or
2. Agreeing to incorporate one or more of the following elements into the model programs carried out under the grant:
 - a. formation of a partnership with any relevant agency serving students with intellectual disabilities, such as a vocational rehabilitation agency;
 - b. in the case of an applicant that provides institutionally owned or operated housing for students attending the institution, the integration of students with intellectual disabilities into housing offered to nondisabled students; or

- c. the involvement of students attending the applicant institution who are studying special education, general education, vocational rehabilitation, assistive technology, or related fields in the model program.

Definition of Eligible Students

For the purpose of this program, the bill defines a student with an intellectual disability to be a student:

1. With mental retardation or a cognitive impairment, characterized by (a) significant limitations in intellectual and cognitive functioning, and (b) adaptive behavior as expressed in conceptual, social, and practical adaptive skills; and
2. Who is currently, or was formerly, eligible for a free appropriate public education under IDEA.

Grant Award for Model Programs

Grants will be awarded for a period of 5 years, with federal funds paying for up to 75% of project costs. A grantee's contribution of not less than 25% of project costs may be provided in cash or in kind.

Rule of Construction

The legal authority for this program does not reduce or expand (a) the obligation of a State or LEA to provide a free appropriate public education, or (b) eligibility requirements under any Federal, State or local disability law.

Authorization of Appropriations

Such sums as necessary are authorized to be appropriated for this program for FY 2009 and each of the five succeeding fiscal years.

ADVISORY COMMISSION ON ACCESSIBLE INSTRUCTIONAL MATERIALS IN POSTSECONDARY EDUCATION FOR STUDENTS WITH DISABILITIES

Title VII, Part D, Subpart 3, Sec 771-772

H.R. 4137 establishes a new advisory commission on accessible instructional materials in postsecondary education for students with print disabilities.

The Commission's charge is to conduct a comprehensive study and develop recommendations related to instructional materials for students with print disabilities in postsecondary education. First, the Commission is to assess the barriers, systemic issues, and technical solutions available which may affect or improve the timely delivery and quality of accessible instructional materials for postsecondary students with print disabilities, as well as the effective use of such materials by faculty and staff. Second, the Commission is to make recommendations related to the development of a comprehensive approach to improve the opportunities for postsecondary students with print disabilities to access instructional materials in specialized formats in a timeframe comparable to the availability of standard instructional materials for students without disabilities.

The Commission is to develop recommendations to:

- inform Federal regulations and legislation;
- support the model demonstration programs to support improved access to postsecondary instructional materials for students with print disabilities (described below);
- identify best practices in systems for collecting, maintaining, processing and disseminating materials in specialized formats at costs comparable to instructional materials for nondisabled postsecondary students;
- improve the effective use of such materials by faculty and staff, while complying with applicable copyright law; and
- modify the definitions of instructional materials, authorized entities, and eligible students, as such terms are used in Federal law, for the purpose of improving services to students with disabilities.

The Commission's recommendations are to consider:

- the feasibility and technical parameters of establishing standardized electronic file formats, such as the National Instructional Materials Accessibility Standard defined in IDEA, to be provided to publishers of instructional materials, IHEs, and eligible students;
- the feasibility of establishing a national clearinghouse, repository, or file-sharing network for electronic files in specialized formats and files used in producing instructional materials in specialized formats, and a list of possible entities qualified to administer such clearinghouse, repository, or network;
- the feasibility of establishing market-based solutions involving collaborations among publishers of instructional materials, producers of materials in specialized formats, and institutions of higher education;

- solutions utilizing universal design; and
- solutions for low-incidence, high-cost requests for instructional materials in specialized formats.

Report and Dissemination

The Commission is to submit a report to the Secretary and the authorizing committees, no later than one year after the Commission's first meeting, detailing the findings and recommendations of its study. Information about the issues that are subject of the study is to be disseminated through the National Technical Assistance Center (see below) and by other means determined by the Commission.

Commission Membership

The Secretary is to appoint no more than 19 members to the Advisory Commission representing the following:

- The Office of Postsecondary Education of the Department
- The Office of Special Education and Rehabilitative Services of the Department
- The Office for Civil Rights of the Department
- The Library of Congress National Digital Information and Infrastructure Preservation Program Copyright Working Group
- The Association on Higher Education and Disability
- The Association of American Publishers
- The Association of American University Presses
- The National Council on Disability
- Recording for the Blind and Dyslexic
- National organizations representing individuals with visual impairments
- National organizations representing individuals with learning disabilities

Additional members of the commission are to include two representatives from each of the following:

- Staff from institutions of higher education with demonstrated experience teaching or supporting students with print disabilities, including representatives from both two-year and four-year institutions of higher education of different sizes.
- Producers of accessible materials, publishing software, and supporting technologies in specialized formats, such as Braille, audio or synthesized speech, and digital media.
- Individuals with visual impairments, including not less than one currently enrolled postsecondary student.
- Individuals with dyslexia or other learning disabilities related to reading, including not less than one currently enrolled postsecondary student.

Members of the Commission are to be appointed not later than 60 days after the Commission is established. The Chair and Vice Chair are to be selected from among Commission members. The Commission is to meet at the call of the Chairperson, with the first meeting to take place not

later than 60 days after appointment of Commission members. The Commission will terminate 90 days after submitting its report.

Authorization of Appropriations

The authorization for appropriations for the Commission is included in the authorization for appropriations for Model Demonstration Programs to Support Improved Access to Postsecondary Instructional Materials for Students with Print Disabilities (described below). For both the Advisory Commission on Accessible Instructional Materials and Model Demonstration Projects, such sums as may be necessary are authorized to be appropriated for FY 2009 and for each of the five succeeding fiscal years. For the first fiscal year in which funds are appropriated, priority for allocating funding is to be given to the Advisory Commission on Accessible Instructional Materials.

MODEL DEMONSTRATION PROGRAMS TO SUPPORT IMPROVED ACCESS TO POSTSECONDARY INSTRUCTIONAL MATERIALS FOR STUDENTS WITH PRINT DISABILITIES

Title VII, Part D, Subpart 3, Sec 773-775

H.R. 4137 authorizes a new model demonstration grant program to encourage the development of systems to improve the quality of postsecondary instructional materials in specialized formats and such materials' timely delivery to postsecondary students with print disabilities, including systems to improve efficiency and reduce duplicative efforts across multiple institutions of higher education.

Eligible Applicants

At least one grant or contract will be awarded on a competitive basis to an eligible partnership comprised of:

- an institution of higher education with demonstrated expertise in meeting the needs of students with print disabilities, including the retention of such students in, and such students' completion of, postsecondary education; and
- a public or private entity, other than an institution of higher education, with--
 - ✓ demonstrated expertise in developing accessible instructional materials in specialized formats for postsecondary students with print disabilities; and
 - ✓ the technical development expertise necessary for the efficient dissemination of such materials, including procedures to protect against copyright infringement with respect to the creation, use, and distribution of instructional materials in specialized formats.

The partnership may also include representatives of the publishing industry.

Required Activities

The following activities are required by model demonstration projects for the development and implementation of:

1. Processes and systems to help identify and verify eligibility of postsecondary students with print disabilities in need of instructional materials in specialized formats.
2. Procedures and systems to facilitate and simplify request methods for accessible instructional materials in specialized formats from eligible students which may include a single point-of-entry system.
3. Procedures and systems to coordinate between institutions of higher education, publishers of instructional materials, and entities that produce materials in specialized formats to efficiently facilitate requests for such materials, the responses to such requests, and the delivery of such materials.

4. Delivery systems that ensure the timely provision of instructional materials in specialized formats to eligible students, which may include electronic file distribution.
5. Systems to reduce duplicative conversions and improve sharing of the same instructional materials for multiple eligible students at different institutions of higher education.
6. Procedures to protect against copyright infringement in the creation, use, and distribution of instructional materials while maintaining accessibility for students with print disabilities, which may include digital technologies such as watermarking, fingerprinting, and other emerging approaches.
7. Awareness, outreach, and training activities for faculty, staff, and students related to the acquisition and dissemination of instructional materials in specialized formats and instructional materials utilizing universal design.
8. Recommendations on how effective procedures and systems may be disseminated and implemented on a national basis.

Authorized Approaches

Funds awarded under this program may be used to support the development and implementation of:

1. Approaches for the provision of instructional materials in specialized formats limited to those used in smaller categories of postsecondary courses, such as introductory, first-, and second-year courses.
2. Approaches supporting a unified search for instructional materials in specialized formats across multiple databases or lists of available materials.
3. Market-based approaches for making these instructional materials directly available to eligible students at prices comparable to standard instructional materials.

Model Expansion

On the basis of the reports and any evaluations of the projects funded, the Secretary may expand the program to additional grant or contract recipients that use other programmatic approaches and serve different geographic regions if the model projects already funded are effective in improving the timely delivery and quality of materials in specialized formats, and provide adequate protections against copyright infringement.

Report to Congress

The Secretary of Education is required to submit a report to the authorizing committees not later than three years after the date the first grant or contract is awarded that includes a summary of activities implemented, including data on the number of students served and the number of requests for instructional materials made and delivered; the number of grants and contracts and

the amount of funds awarded; a summary of the purposes of which the awards were made and an evaluation of the progress made under each award, and an evaluation of the effectiveness of projects funded.

Authorization of Appropriations

In general for both the Advisory Commission on Accessible Instructional Materials and Model Demonstration Projects, such sums as may be necessary are authorized to be appropriated for FY 2009 and for each of the five succeeding fiscal years. For the first fiscal year in which funds are appropriated, priority for allocating funding is to be given to the Advisory Commission on Accessible Instructional Materials.

NATIONAL TECHNICAL ASSISTANCE CENTER FOR INFORMATION AND TECHNICAL SUPPORT FOR POSTSECONDARY STUDENTS WITH DISABILITIES

Title VII, Part D, Subpart 4, Sec. 776-777(a)

A national center is authorized to provide technical assistance and information on best and promising practices to students with disabilities, the families of students with disabilities and entities awarded grants or contracts under the three programs described in the preceding pages to improve the postsecondary recruitment, transition, retention and completion rates of students with disabilities.

Responsibilities of the Center

The National Center, to be administered by the Office of Postsecondary Education in the US Department of Education, is to provide:

1. Assistance to Students and Families – providing information and technical assistance to students with disabilities, their families, and IEP teams to help in planning their postsecondary academic career while they are in secondary school; on the research-based supports, services and accommodations which are available in postsecondary and other settings, including services provided by other agencies such as vocational rehabilitation; on student mentoring and networking opportunities; and on effective recruitment and transition programs in postsecondary institutions.
2. Assistance to Institutions of Higher Education - providing information and technical assistance to faculty, staff, and administrators of IHEs to improve the services provided to, the accommodations for, the retention rates of, and the completion rates of, students with disabilities in higher education settings, which may include:
 - collection and dissemination of best and promising practices and materials for accommodating and supporting students with disabilities, including practices and materials supported by the grants, contracts, or cooperative agreements authorized under the three programs described on the preceding pages (Title VII, Part D, Subparts 1, 2, and 3);
 - development and provision of training modules for higher education faculty on exemplary practices for accommodating and supporting postsecondary students with disabilities across academic fields, which may include universal design for learning and practices supported by the grants, contracts, or cooperative agreements authorized under subparts 1, 2, and 3; and
 - development of technology-based tutorials for higher education faculty and staff, including new faculty and graduate students, on best and promising practices related to support and retention of students with disabilities in postsecondary education.
3. Information Collection and Dissemination – building, maintaining, and updating a database of disability support services information in institutions of higher education, or for expanding and updating an existing database. The database is to be made available to the general public

through a disability-accessible website. The database and website is to include information on disability documentation requirements, links to financial aid, support services available, accommodations policies, accessible instructional materials, other topics relevant to students with disabilities, and the analysis of the condition of postsecondary success for students with disabilities (see below).

4. Disability Support Services – working with organizations and individuals with expertise related to postsecondary disability support services to evaluate, improve, and disseminate information related to the delivery of high quality support services in postsecondary institutions.
5. Review and Report – not later than three years after establishment of the National Center and every two years thereafter, prepare and disseminate a report analyzing the current condition of postsecondary success for students with disabilities. It is to include a review of the activities of programs for students with disabilities authorized by the Higher Education Opportunity Act, IHE enrollment and graduation rates for students with disabilities from publicly reported data, recommendations on how effective postsecondary supports and services may be widely implemented and how barriers to full participation for students with disabilities in postsecondary education could be reduced, and a description of the effective strategies for improving the success of students with disabilities in postsecondary education.

Eligible Applicants for Center Award

The National Center is to be awarded to an institution of higher education, a nonprofit, or partnership of two or more such entities with demonstrated expertise in supporting postsecondary students with disabilities; technical knowledge necessary for the dissemination of information in accessible formats; working with a diverse range of types of institutions of higher education, including community colleges; and the subjects supported by the grants and contracts authorized under Subparts 1,2 and 3. The National Center is required to employ personnel with expertise and experience in providing training and technical assistance to practitioners.

Authorization for Appropriations

Such sums as necessary are authorized to be appropriated for FY 2009 and each of the five succeeding fiscal years to support both the National Center described above and the Coordinating Center, described in the next section.

COORDINATING CENTER

Title VII, Part D, Subpart 4, Sec. 777(b)-778

P.L. 110-315 authorizes the establishment of a coordinating center for institutions of higher education that offer inclusive comprehensive transition and postsecondary programs for students with intellectual disabilities, including institutions participating in grants authorized under subpart 2, to provide –

- recommendations related to the development of standards for such programs;
- technical assistance for such programs; and
- evaluations of such programs.

Activities of the Coordinating Center

The coordinating center, to be awarded as a cooperative agreement, is to conduct activities including the following:

- serve as the technical assistance entity for all comprehensive transition and postsecondary programs for students with intellectual disabilities;
- provide technical assistance regarding the development, evaluation, and continuous improvement of such programs;
- develop an evaluation protocol for such programs that includes qualitative and quantitative methodologies for measuring student outcomes and program strengths in the areas of academic enrichment, socialization, independent living, and competitive or supported employment;
- assist recipients of grants under subpart 2 in efforts to award a meaningful credential to students with intellectual disabilities upon the completion of such programs, which credential shall take into consideration unique State factors;
- develop recommendations for the necessary components of such programs, such as--
 - ✓ academic, vocational, social, and independent living skills;
 - ✓ evaluation of student progress;
 - ✓ program administration and evaluation;
 - ✓ student eligibility; and
 - ✓ issues regarding the equivalency of a student's participation in such programs to semester, trimester, quarter, credit, or clock hours at an institution of higher education.
- analyze possible funding streams for such programs and provide recommendations regarding the funding streams;
- develop model memoranda of agreement for use between or among institutions of higher education and State and local agencies providing funding for such programs;
- develop mechanisms for regular communication, outreach and dissemination of information about comprehensive transition and postsecondary programs for students with intellectual disabilities under subpart 2 between or among such programs and to families and prospective students; and

- convene a workgroup to develop and recommend model criteria, standards, and components of such programs that are appropriate for the development of accreditation standards.

Report

Not later than five years after the date of the establishment of the coordinating center, it is to report to the Secretary, the authorizing committees, and the National Advisory Committee on Institutional Quality and Integrity on the recommendations of the workgroup.

Authorization for Appropriations

Such sums as necessary are authorized to be appropriated for FY 2009 and each of the five succeeding fiscal years to support both the Coordinating Center described above and the National Technical Assistance Center for Information and Technical Support for Postsecondary Students with Disabilities, described in the previous section.

OTHER HEOA AMENDMENTS CONCERNING EDUCATION OF STUDENTS WITH DISABILITIES

In an effort to encourage borrowers under the Title IV student financial assistance programs of the Higher Education Opportunity Act to pursue employment in public service jobs, schools and other areas of national need, P.L. 110-315 revises the loan forgiveness and cancellation provisions in several Title IV programs, including the Federal Family Education Loans, the Federal Direct Student Loans and the Federal Perkins Loans. These provisions will make it possible for a wider range of borrowers to reduce the amount of their student loans by working in certain high priority fields.

Another provision in the new law of interest to special education is the authority for a study to be conducted by the Center for Education of the National Academies on the quality of teacher education programs to prepare teachers to meet the needs of students with reading and language processing disabilities, including dyslexia.

FEDERAL FAMILY EDUCATION LOANS

Title IV, Part B, Sec. 430-31

Prior to its recent reauthorization, the Higher Education Opportunity Act (20 U.S.C. 1078-11) authorized loan forgiveness under this program for teachers and child care providers. P.L. 110-315 expands eligibility for loan forgiveness to borrowers in a wider range of public service fields in areas of national need, many of which are related to the needs of children with disabilities as well as to other children. In addition, the law clarifies that teachers and other employees of educational service agencies working in designated areas of national need are eligible for loan forgiveness in the same manner as such employees of school districts. Among the borrowers eligible for loan forgiveness now are:

1. Early Childhood Educators – employed in an eligible preschool program or early childhood education program in a low-income community and who is directly involved in the care, development, and education of infants, toddlers or young children age 5 and under.
2. Foreign Language Specialists – with an undergraduate or advanced degree in a critical foreign language and employed in an elementary or secondary school as a teacher of a critical foreign language.
3. Highly Qualified Teachers Serving Students Who are Limited English Proficient – employed in a high-need school or is from an underrepresented population in the teaching profession.
4. Speech-Language Pathologists – employed in an eligible preschool program or in an elementary or secondary school and who have at least a graduate degree in speech-language pathology or in communication sciences and disorders.
5. School Counselors – employed in a high-need school.
6. Physical Therapists and Occupational Therapists – who provide services to children, adolescents, or veterans.
7. Superintendents, Principals, and Other Administrators – employed in an LEA, including an educational service agency.
8. Mental Health Professionals – who have at least a master’s degree in social work, psychology, or psychiatry and who are providing mental health services to children, adolescents, or veterans.

Borrowers in these categories would be eligible for annual forgiveness of up to \$2000 for each of five years, up to a total of \$10,000.

Further, P.L. 110-315 now authorizes loan forgiveness under this program of up to \$40,000 for civil legal assistance attorneys in order to encourage attorneys to enter and maintain employment in this field. Loan forgiveness will be available to attorneys in full-time employment with protection and advocacy systems of client assistance programs that handle civil matters and

receive funding under such statutes as the Developmental Disabilities Assistance and Bill of Rights Act of 2000, Section 112 or 509 of the Rehabilitation Act of 1973, the Protection and Advocacy for Individuals with Mental Illness Act, and the Assistive Technology Act of 1998. This amendment to the HEOA adds a new Sec. 428L (20 U.S.C. 1071 et seq.).

FEDERAL DIRECT STUDENT LOANS

Title IV, Part B, Sec 451

P.L. 110-315 amends a recent provision that was added to Title IV of the Higher Education Opportunity Act authorizing loan forgiveness under federal direct student loan programs for specific public service jobs. The direct student loan programs include the Federal Direct Stafford Loan, Federal Direct PLUS Loan, or Federal Direct Unsubsidized Stafford Loan, and Federal Direct Consolidation Loan program. The public service category of employment eligible for loan forgiveness, recently authorized with the enactment of the College Cost Reduction and Access Act (P.L. 110-31584) in 2007, is amended to include more categories of work in which borrowers are eligible for loan forgiveness, including work in:

1. Government
2. Public health
3. Public education
4. Social work in a public or family service agency
5. Public interest law services, including legal advocacy on behalf of low-income communities at a non-profit organization
6. Early childhood education, including regulated childcare, Head Start, and State funded pre-kindergarten programs
7. Public service for individuals with disabilities

In addition, the HEOA amendments clarify that teachers employed by an educational service agency are eligible for teacher loan forgiveness.

FEDERAL PERKINS LOANS

Title IV, Part B, Sec. 465

P.L. 110-315 amends the description of a category of public service relevant to children with disabilities and other special needs for which borrowers under the Perkins Loan program can qualify for loan cancellation. Two categories of interest are the following:

- The Higher Education Opportunity Act had previously authorized loan cancellation for several categories of public service, including for borrowers employed full-time in a Head Start program. With this amendment, loan cancellation under the Perkins loan program will now also be available to individuals employed full-time in a pre-kindergarten or child care program that is licensed or regulated by the State.
- A new category of public service for which borrowers can secure loan forgiveness is for work as a full-time speech language pathologist with a master's degree working exclusively with Title I schools.

Sec. 465 of the Amendments also clarifies that borrowers working full-time in an educational service district qualify for loan forgiveness under the Perkins program in the same manner as teachers employed by school districts.

STUDY ON TEACHING STUDENTS WITH READING DISABILITIES

Title XI, Sec. 1116

The Secretary of Education is to enter into an agreement with the Center for Education of the National Academies for a scientifically-based study of the quality of teacher education programs.

The purpose of the study is to:

1. Determine if teachers are adequately prepared to meet the needs of students with reading and language processing disabilities, including dyslexia; and
2. Determine the extent to which teacher education programs are based on the essential components of reading instruction and scientifically valid research.

Components – the study is to be designed to provide statistically reliable information on:

1. The number, type of courses, and credit hours required to meet the requirements of reading degree programs of teacher education programs; and
2. The extent to which the content of the reading degree programs is based on –
 - the essential components of reading instruction and scientifically valid research, including phonemic awareness, phonics, fluency, vocabulary, and comprehension; and
 - early intervention strategies based on scientific evidence concerning challenges to the development of language processing capacity, including dyslexia, and the extent to which such strategies are effective in preventing reading failure before it occurs.

Interim and Final Reports – the director of the Center for Education is to submit to the authorizing committees and the Secretary an interim report one year after the agreement for the study is established and a final report summarizing the findings, conclusions, and recommendations the study not later than two years after establishment of the agreement for the study.

Task Force to be Established – after submission of the final report, the Secretary is to establish a task force to make policy recommendations to the Secretary regarding the findings of the report. Members of the task force are to include chief State school officers, State reading consultants, master teachers, national reading experts, and researchers with expertise in relevant fields. The task force is to hold public hearings to provide an opportunity for public comment on its policy recommendations.

For further information, please contact Policy and Advocacy Services, Council for Exceptional Children at pubpol@cec.sped.org