

The Advocacy INSTITUTE

*A not-for-profit organization dedicated to services and projects that work to
improve the lives of children, youth and adults with disabilities*

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December 11, 2017

The Honorable Virginia Foxx
Chairwoman
Education & Workforce Committee
United States House of Representatives
2262 Rayburn House Office Building
Washington, DC 20515

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

Dear Chairwoman Foxx & Ranking Member Scott:

I write to express concern regarding the Promoting Real Opportunity, Success, and Prosperity through Education Reform (PROSPER) Act (H.R. 4508), a bill to reauthorize the Higher Education Act (HEA). The Committee on Education and the Workforce (Committee) will mark up H.R. 4508 on December 12, 2017.

Our concerns center around the serious lack of support that would be provided to students with disabilities under H.R. 4508. Following substantial improvements for students with disabilities achieved through the Higher Education Opportunity Act (HEOA) in 2008, H.R. 4508 retains few of the HEOA provisions designed to improve the postsecondary recruitment, transition, retention, and completion rates of students with disabilities.

This retreat from efforts to support students with disabilities at the postsecondary level comes at a time when the high school graduation rate of these students has improved dramatically. In fact, recently released graduation data shows that the on-time graduation rate for students with disabilities increased 6 percentage points in the six years from 2010 to 2015—going from 59% to 65%.¹ Students with disabilities are earning a regular high school diploma in four years at a record rate, thanks in large part to enhanced focus driven by efforts like America's Promise and IDEA's State Systemic Improvement Plans. Just as

¹ 4-year Adjusted Cohort Graduation Rate (ACGR) for students with disabilities analysis by The Advocacy Institute <https://www.advocacyinstitute.org/blog/?p=763>

students with disabilities need additional supports and services during their K-12 careers in order to reach the same expectations held for students without disabilities, so too will they need supports and services to be successful in postsecondary education. Sadly, H.R. 4508 provides little that will assist these students.

Specifically, H.R. 4508:

- **Fails to include an essential component of the RISE Act that would require colleges and universities to accept a student's individualized education program (IEP) or Section 504 plan as evidence of their disability.** The RISE Act is a bi-partisan proposal that seeks to help more students with disabilities secure the accommodations they need to succeed without costly and burdensome documentation requirements. We urge the Committee to amend H.R. 4508 by including the provisions in the RISE Act (H.R. 2848).
- **Fails to include key provisions of H.R. 3199,** designed to improve access to higher education for students with disabilities. We urge the Committee to include these provisions in any bill to reauthorize the HEA.
- **Eliminates grant programs that support faculty who work with students with disabilities and provide accessible materials in college.** This will make it more difficult for students with disabilities to secure technology and accessible materials in postsecondary education. Furthermore, it will leave college faculty with fewer resources and less training to support and instruct students with disabilities. We urge the Committee to reinstate the Demonstration Projects to Support Postsecondary Faculty, Staff, and Administrators in Educating Students With Disabilities.
- **Eliminates references to universal design for learning (UDL) in provisions that address post-secondary instruction or accessibility for students with disabilities.** UDL is critical to ensuring that students with disabilities are provided with an equal opportunity to participate in higher education. We urge the Committee to include important references to UDL from the HEOA.

While H.R. 4508 maintains authorization for model comprehensive transition and postsecondary programs for students with intellectual disabilities (TPSID), the bill fails to make needed improvements to better align the programs with the Workforce Innovation and Opportunity Act (WIOA) and improve access to housing on campus. The bill also leaves the Coordinating Center for the transition programs in place as well as the National Technical Assistance Center while removing appropriations and the reservation of funds from the TPSID programs, thereby leaving both entities with inadequate funding to operate effectively.

Without critical changes, we would find ourselves unable to support H.R. 4508.

We appreciate your consideration of these concerns.

Sincerely,



Candace Cortiella
Director