



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

December 11, 2017

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

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

Dear Chairwoman Foxx & Ranking Member Scott:

The undersigned members of the Consortium for Citizens with Disabilities (CCD) Education Task Force write to inform you that we are deeply concerned with the Promoting Real Opportunity, Success, and Prosperity through Education Reform (PROSPER) Act. CCD is the largest coalition of national organizations working together to advocate for Federal public policy that ensures the self-determination, independence, empowerment, integration, and inclusion of children and adults with disabilities in all aspects of society.

We are disappointed that the PROSPER Act reduces access to higher education for underserved students. For example, it overhauls the student financial assistance programs and limits the resources available to them in their pursuit of higher education. Additionally, the legislation eliminates the loan forgiveness for teachers. Many teachers who use this provision teach in low income and high poverty schools where large populations of students with disabilities are educated. Further, it also replaces a critical section of the Higher Education Opportunity Act (HEOA) with a new apprenticeship program, rather than focusing on pathways to allow more students greater access to college degrees.

In particular, the PROSPER Act does little to expand access or improve supports for students with disabilities in higher education. The bill eliminates several programs that are critical to the success of students with disabilities and the educators who instruct them in K-12 and postsecondary programs.

- **The PROSPER Act eliminates programs that support teachers.** The PROSPER Act removes all of Title II from HEOA, which included grants that improve teacher quality and incentivize teachers to serve in high-need areas like special education. In addition, it eliminates the TEACH grants, which provide financial assistance to individuals who choose to pursue careers in public service, including educators and other school professionals. Eliminating these programs will only

exacerbate the special education teacher shortage crisis that 98% of school districts are already facing¹ and limit the services and supports available to students with disabilities.

- **The PROSPER Act does not include the RISE Act.** The PROSPER Act 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 504 plan as evidence of their disability. The RISE Act is a bi-partisan proposal that seeks to help more students with disabilities get in the door of their college's Disability Service Office and seek the accommodations they need to succeed.
- **The PROSPER Act eliminates grants that increase accessibility for students with disabilities on college campuses.** The PROSPER Act 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.
- **The PROSPER Act does not meaningfully include universal design for learning (UDL) in any provisions that address post-secondary instruction or accessibility for students with disabilities.** UDL is critical to ensuring that students with disabilities are provided an equal opportunity to participate in higher education. Any reauthorization of HEA should include opportunities for IHEs to develop campus-wide UDL strategies and for faculty to incorporate UDL as a strategy to improve instruction for students with disabilities.
- **The PROSPER Act includes a Pell Grant provision that may present additional barriers and diminish eligibility for students with disabilities in need of financial aid.** Students with disabilities in higher education may use accommodations that provide greater flexibility with their schedules and course loads to allow them to meet their academic goals. They should not be denied financial aid based on this. Students with disabilities must be eligible for the same types of financial aid, such as Pell Grants, as all other students. Federal law should ensure that students with disabilities are accommodated if they cannot meet requirements due to their disability.

We appreciate the committee's work on this legislation and CCD is encouraged that the PROSPER Act includes four provisions to support students with disabilities:

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

¹ Higher Education Consortium for Special Education. "Shortage of Special Education Expertise Among Teachers and Higher Education Faculty." Available at: <https://specialedshortages.org/wp-content/uploads/2014/03/HECSE-Shortage-Special-Ed-Expertise-Among-Teachers-Faculty.pdf>

- (4) The bill maintains the Transition and Postsecondary Programs for Students with Intellectual Disabilities (TPSID) program which provides grants for individual supports and services for the academic and social inclusion of students with intellectual disabilities in academic courses, extracurricular activities, and other aspects of the institution of higher education's regular postsecondary program.

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

We urge you to reconsider your approach to reauthorizing the Higher Education Act. CCD stands ready to work with Congress to draft a legislative proposal that meets the needs of underserved students – including students with disabilities – and the faculty that serve them. Please feel free to contact the CCD Education Task Force Co-Chairs with any questions or concerns.

Sincerely,

ACCSES

American Dance Therapy Association

American Psychological Association

Association of University Centers on Disabilities

Autism Society of America

Council for Exceptional Children

Council for Learning Disabilities

Council of Administrators of Special Education

Disability Rights Education & Defense Fund

Easterseals

Higher Education Consortium for Special Education

Institute for Educational Leadership

Learning Disabilities Association of America

National Association of Councils on Developmental Disabilities

National Association of School Psychologists

National Association of State Directors of Special Education

National Association of State Head Injury Administrators

National Center for Learning Disabilities

National Disability Rights Network

School Social Work Association of America

Teacher Education Division of the Council for Exceptional Children

The Advocacy Institute

CCD Education Task Force Co-Chairs:

Lindsay E. Jones, National Center for Learning Disabilities • (202) 628.2662 • ljones@nclid.org

Laura Kaloi, Council of Parent Attorneys and Advocates • (571) 447-5005 • laurakaloi@mckeongrp.com

Amanda Lowe, National Disability Rights Network • (202) 408-9514 • amanda.lowe@ndrn.org

Kim Musheno, Autism Society • (301) 657-0881 • kmusheno@autism-society.org