

## Inclusive Higher Education Committee

### Recommendations for Reauthorizing Intellectual Disability (ID) provisions in the Higher Education Act

Current Law	Recommended Legislative Changes in Yellow Highlight	Recommendations, Explanations & Rationale
<p><b>(3) Authority</b></p> <p>Notwithstanding any other provision of law unless such provision is enacted with specific reference to this section, the Secretary is authorized to waive any statutory provision applicable to the student financial assistance programs under section <a href="#">1070a</a> of this title, subpart 3 of part A of this subchapter, or part <a href="#">C</a> of subchapter <a href="#">I</a> of chapter <a href="#">34</a> of title <a href="#">42</a> (other than a provision of part E of this subchapter related to such a program), or any institutional eligibility provisions of this subchapter and part <a href="#">C</a> of subchapter <a href="#">I</a> of chapter <a href="#">34</a> of title <a href="#">42</a>, as the Secretary determines necessary to ensure that programs enrolling students with intellectual disabilities otherwise determined to be eligible under this subsection may receive such financial assistance.</p>	<p><b>RETAIN AUTHORITY FOR STUDENTS WITH ID TO RECEIVE FINANCIAL AID</b></p>	<p><b>Recommendation: retain this section that authorizes the Secretary to waive provisions so that students with ID may receive grants and work study jobs.</b></p>
<p><b>(4) Regulations</b></p> <p>Notwithstanding regulations applicable to grant or work assistance awards made under</p>	<p><b>RETAIN</b></p>	<p><b>Recommendation: Retain this section that authorizes the Secretary to promulgate</b></p>

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<p>section <a href="#">1070a</a> of this title, subpart 3 of part A of this subchapter, and part <a href="#">C</a> of subchapter <a href="#">J</a> of chapter <a href="#">34</a> of title <a href="#">42</a> (other than a regulation under part E of this subchapter related to such an award), including with respect to eligible programs, instructional time, credit status, and enrollment status as described in section <a href="#">1088</a> of this title, the Secretary shall promulgate regulations allowing programs enrolling students with intellectual disabilities otherwise determined to be eligible under this subsection to receive such awards.</p>		<p><b>regulations allowing students with ID to receive financial aid.</b></p>
<p><b>(1) Comprehensive transition and postsecondary program for students with intellectual disabilities</b></p> <p>The term “comprehensive transition and postsecondary program for students with intellectual disabilities” means a degree, certificate, or nondegree program that meets each of the following:</p>	<p>“(1) COMPREHENSIVE TRANSITION AND POSTSECONDARY PROGRAM FOR STUDENTS WITH INTELLECTUAL DISABILITIES.—The term ‘comprehensive transition and postsecondary program for students with intellectual disabilities’ means a degree, certificate, or nondegree program that meets each of the following:</p>	<p><b>Recommendation: Include in Committee Report language: The Department of Education must address several issues in the Department approval process for Comprehensive Transition and Postsecondary Programs: transparency, timeliness, improved communication between the Department and applicants, and reviewer training.</b></p> <p><b>Rationale:</b> Serious concerns have been raised about the ED approval process, including long waits for responses &amp; approvals, reviewers’ lack of understanding of students with ID,</p>

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		postsecondary programs for students with ID, and this section of the HEA, etc. There is no requirement in the statute that authorizes an approval process by ED, so a strong recommendation regarding the review process is needed in the committee report.
<p><b>(A)</b> Is offered by an institution of higher education.</p> <p><b>(B)</b> Is designed to support students with intellectual disabilities who are seeking to continue academic, career and technical, and independent living instruction at an institution of higher education in order to prepare for <b>gainful employment</b>.</p>	<p>(A) Is offered by an institution of higher education.</p> <p>(B) Is designed to support students with intellectual disabilities who are seeking to continue academic, career and technical, and independent living instruction at an institution of higher education in order to prepare for <b>competitive integrated employment</b>.</p>	<p><b>Recommendation: change “gainful employment” to “competitive integrated employment” as used in WIOA. The change should be made throughout. The term “gainful employment” should be included in the definitions section, with the definition used in WIOA.</b></p>
<p><b>C) Includes an advising and curriculum structure.</b></p>	<p><b>(C) Includes student advising and a program of study.</b></p>	<p><b>Recommendation: change “curriculum” to “program of study”.</b></p> <p><b>Rationale: Need to clarify a separate academic curriculum is not desired or required. “Course of study” will refer to an individual student’s studies.</b></p>

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<p><b>D)</b> Requires students with intellectual disabilities to participate on not less than a half-time basis as determined by the institution, with such participation focusing on academic components, and occurring through 1 or more of the following activities:</p> <p>(i) Regular enrollment in credit-bearing courses with nondisabled students offered by the institution.</p> <p>(ii) Auditing or participating in courses with nondisabled students offered by the institution for which the student does not receive regular academic credit.</p> <p>(iii) Enrollment in noncredit-bearing, nondegree courses with nondisabled students.</p> <p>(iv) Participation in internships or work-based <b>training in settings with nondisabled individuals.</b></p>	<p>(D) Requires students with intellectual disabilities participate, on at least a half-time basis, as determined by the institution, with such participation focusing on academic <b>and career development</b> components, and occurring through 1 or more of the following activities:</p> <p>(i) Regular enrollment in credit-bearing courses with nondisabled students offered by the institution.</p> <p>(ii) Auditing or participating in courses with nondisabled students offered by the institution.</p> <p>(iii) Enrollment in noncredit-bearing, nondegree courses with nondisabled students, <b>and</b></p> <p>(iv) Participation in internships, apprenticeships or work-based <b>experiences</b> in <b>competitive integrated settings.</b></p>	<p><b>Recommendation: Add “career components to (D) and require participation in both academic courses and employment-related experiences by adding “and”.</b></p> <p><b>Rationale:</b> Current law would inadvertently allow a program that is entirely work-based. This fixes that issue.</p> <p><b>Recommendation: Change “training” to “experiences” and “in settings with nondisabled individuals” to “in competitive integrated settings”.</b></p> <p><b>Rationale:</b> This wording will ensure the original intent of the law, that work-based settings are inclusive, and not, for instance a workshop with a supervisor who is not disabled.</p>

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	<p>Construction clause: nothing in this section is intended to require the work components in (ii) to occur each semester.</p>	<p>Recommendation: the WIOA definition for “competitive integrated settings” from WIOA should be included here or elsewhere</p>
<p><b>(E)</b> Requires students with intellectual disabilities to be socially and academically integrated with non-disabled students to the maximum extent possible.</p>	<p>(E) Requires students with intellectual disabilities to be socially and academically integrated with non-disabled students to the maximum extent possible.”;</p>	
<p><b>(2) Student with an intellectual disability</b></p> <p>The term “student with an intellectual disability” means a student—</p> <p><b>(A)</b> with a cognitive impairment, characterized by significant limitations in—</p> <p>(i) intellectual and cognitive functioning; and</p> <p><b>(ii)</b> adaptive behavior as expressed in conceptual, social, and practical adaptive skills; and</p>	<p><b>(2) Student with an intellectual disability</b></p> <p>The term “student with an intellectual disability” means a student—</p> <p><b>(A)</b> with a cognitive impairment, characterized by significant limitations in—</p> <p>(i) intellectual and cognitive functioning; and</p> <p><b>(ii)</b> adaptive behavior as expressed in conceptual, social, and practical adaptive skills; and</p>	

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<p>(B) who is currently, or was formerly, eligible for a free appropriate public education under the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.].</p>	<p>(B) who is currently, or was formerly, eligible for a free appropriate public education under the Individuals with Disabilities Education Act [20 U.S.C. 1400 et seq.].</p> <p><b>NEW LANGUAGE recommended:</b></p> <p>(C) or, in the case of a student who has not currently or formerly been found eligible for a free appropriate education under the Individuals with Disabilities Education Act, or a student who has not previously been found eligible as a student with an intellectual disability under IDEA, documentation establishing that the student has an intellectual disability, such as—</p> <p>(1) A documented comprehensive and individualized psycho-educational evaluation and diagnosis of an intellectual disability by a psychologist or other qualified professional; or</p> <p>(2) A record of the disability from a local or State educational agency, or government agency, such as the Social Security</p>	<p><b>Recommendation:</b> Add wording in (C) using the language from the HEOA regulations § 668.233 Student eligibility (a)(c) that outlines how a student may be identified as having an intellectual disability.</p> <p><b>Rationale:</b> Despite language in the HEOA 2008 Conference Report, ED’s interpretation is that students who are home-schooled or in private school may not receive financial aid unless they have been found eligible for IDEA services by the public schools.</p> <p><b>Recommendation:</b> add “or a student who has not previously been found eligible as a student with an intellectual disability under IDEA” to address students who may have</p>

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	<p>Administration or a vocational rehabilitation agency, that identifies the intellectual disability.</p>	<p>been found eligible for IDEA services but not in the ID category.</p> <p><b>Rationale:</b> Although this information is in the HEOA regulations, it is not widely known and there is some confusion about admitting students to CTPs who have autism or another non-ID identification, and who also have ID.</p>
<p><b><i>“Subpart 2—Transition Programs for Students With Intellectual Disabilities Into Higher Education</i></b></p> <p><b><i>“SEC. 766. PURPOSE.</i></b></p> <p><i>“It is the purpose of this subpart to support model demonstration programs that promote the successful transition of students with intellectual disabilities into higher education.</i></p> <p><b><i>“SEC. 767. MODEL COMPREHENSIVE TRANSITION AND POSTSECONDARY PROGRAMS FOR STUDENTS WITH INTELLECTUAL DISABILITIES.</i></b></p>	<p><b><i>Subpart 2-- MODEL INCLUSIVE HIGHER EDUCATION PROGRAMS FOR STUDENTS WITH INTELLECTUAL DISABILITIES.</i></b></p> <p><b><i>“SEC. 766. PURPOSE.</i></b></p> <p><i>“It is the purpose of this subpart to support model demonstration programs that promote the successful transition of students with intellectual disabilities into higher education.</i></p> <p><b><i>“SEC. 767. MODEL INCLUSIVE HIGHER EDUCATION PROGRAMS FOR STUDENTS WITH INTELLECTUAL DISABILITIES.</i></b></p>	<p><b>Recommendation:</b> Change name to “inclusive higher education programs” to highlight focus on inclusion in classes, work experiences, campus life and the community. Will need to be changed throughout.</p>

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<p>“(a) GRANTS AUTHORIZED.—</p> <p>“(1) IN GENERAL.—From amounts appropriated under section</p> <p>769(a), the Secretary shall annually award grants, on a competitive basis, to institutions of higher education (or consortia of institutions of higher education), to enable the institutions or consortia to create or expand high quality, inclusive model comprehensive transition and postsecondary programs for students with intellectual disabilities.</p>	<p>“(a) GRANTS AUTHORIZED.—</p> <p>“(1) IN GENERAL.—From amounts appropriated under section</p> <p>769(a), the Secretary shall annually award grants, on a competitive basis, to institutions of higher education (or consortia of institutions of higher education), to enable the institutions or consortia to create or expand high quality, inclusive higher education programs for students with intellectual disabilities.</p>	
<p>“(2) ADMINISTRATION.—The program under this section shall be administered by the office in the Department that administers other postsecondary education programs.</p>	<p>“(2) ADMINISTRATION—The program under this section shall be administered by the Office of Postsecondary Education in collaboration with the Office of Special Education and Rehabilitation Services.</p>	<p><b>Recommendation: OPE administers in collaboration with OSERS.</b></p> <p><b>Rationale:</b> This change would keep administration in the office that administers other higher education programs, with the benefit of collaboration from the office that has expertise in the education of students with intellectual disabilities and competitive integrated employment.</p>

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	<p><i>Add a new (3) then renumber other sections</i></p> <p><b>“(3) provide grant funds for model inclusive higher education programs to institutions that either currently have an existing program, or agree to create a program, that meets the definition of a “Comprehensive Transition and Postsecondary Education Program for Students with Intellectual Disabilities” in the Act and enrolls students who meet the definition of a “student with an intellectual disability”.</b></p>	<p><b>Recommendation:</b> Add a new section requiring applicants to either meet, or agree to develop a program that meets, the definition of CTP and enroll students who meet the definition of student with ID in the law.</p> <p><b>Rationale:</b> Current law does not specify that model demo (TPSID) applicants meet, or agree to develop a program that meets, the CTP definition and student with ID definition in the law. This is an important technical change to correct an oversight in HEOA.</p>
<p><i>“(3) DURATION OF GRANTS.—A grant under this section shall be awarded for a period of 5 years.</i></p> <p><i>“(b) APPLICATION.—An institution of higher education (or a consortium) desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.</i></p> <p><i>“(c) AWARD BASIS.—In awarding grants under this section, the</i> <i>Secretary shall—</i></p>	<p><i>“(4) DURATION OF GRANTS.—A grant under this section shall be awarded for a period of 5 years.</i></p> <p><i>“(b) APPLICATION.—An institution of higher education (or a consortium) desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.</i></p> <p><i>“(c) AWARD BASIS.—In awarding grants under this section, the</i> <i>Secretary shall—</i></p>	

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<p>“(1) provide for an equitable geographic distribution of such grants;</p> <p>“(2) provide grant funds for <b>model comprehensive transition and postsecondary programs for students with intellectual disabilities</b> that will serve areas that are underserved by programs of this type; and</p> <p>“(3) give preference to applications submitted under subsection (b) that agree to incorporate into the model <b>comprehensive transition and postsecondary program</b> for students with intellectual disabilities carried out under the grant one or more of the following elements:</p> <p>“(A) The formation of a partnership with any relevant agency serving students with intellectual disabilities, such as a vocational rehabilitation agency.</p>	<p>“(1) provide for an equitable geographic distribution of such grants;</p> <p>“(2) provide grant funds for <b>high quality, model inclusive higher education programs for students with intellectual disabilities, hereinafter referred to as inclusive higher education programs,</b> that will serve areas that are underserved by programs of this type; and</p> <p>“(3) give preference to applications submitted under subsection (b) that agree to incorporate into the model <b>inclusive higher education programs</b> for students with intellectual disabilities carried out under the grant one or more of the following elements:</p> <p>“(A) The formation of a partnership with any relevant agency serving students with intellectual disabilities, such as a vocational rehabilitation agency.</p>	
<p>“(B) <b>In the case of an institution of higher education that provides institutionally owned or operated housing for students attending the institution, the integration of students with intellectual disabilities into the housing offered to nondisabled students.</b></p>	<p>“(B) <b>In the case of an institution of higher education that provides institutionally owned or operated housing for students attending the institution, the integration of students with intellectual disabilities into the housing offered to nondisabled students; or to an</b></p>	<p><b>Recommendation: Reword (B) as indicated.</b></p> <p><b>Rationale:</b> Often housing for college students will not be owned or operated directly by the institution. This wording would include housing when the institution does not own or operate the housing, but provides supports</p>

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<p><i>“(C) The involvement of students attending the institution of higher education who are studying special education, general education, vocational rehabilitation, assistive technology, or related fields in the model program.</i></p>	<p><i>institution that provides access to integrated housing by providing supports to students directly or through a partnership with other organizations.</i></p> <p><i>“(C) The involvement of students attending the institution of higher education who are studying special education, general education, vocational rehabilitation, assistive technology, or related fields in the model program.</i></p>	<p>to students directly or through a partnership with other organizations. It would also provide a way for institutions that do not offer housing to other students (such as most community colleges) to provide supports to students with ID in integrated housing.</p>
<p><i>“(d) USE OF FUNDS.—An institution of higher education (or consortium) receiving a grant under this section shall use the grant funds to establish a model comprehensive transition and postsecondary program for students with intellectual disabilities that—</i></p> <p><i>“(1) serves students with intellectual disabilities;</i></p> <p><i>“(2) provides 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;</i></p>	<p><i>“(d) USE OF FUNDS.—An institution of higher education (or consortium) receiving a grant under this section shall use the grant funds to establish an inclusive higher education program for students with intellectual disabilities that—</i></p> <p><i>“(1) serves students with intellectual disabilities;</i></p> <p><i>“(2) provides 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;</i></p>	
<p><i>“(3) with respect to the students with intellectual disabilities</i></p>	<p><i>“(3) with respect to the students with intellectual disabilities</i></p>	<p>.</p>

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<p><i>participating in the model program, provides a focus on—</i></p> <p><i>“(A) academic enrichment;</i></p> <p><i>“(B) socialization;</i></p> <p><i>“(C) independent living skills, including self-advocacy skills; and</i></p> <p><i>“(D) integrated work experiences and career skills that lead to <b>gainful employment</b>;</i></p>	<p><i>participating in the model program, provides a focus on—</i></p> <p><i>“(A) academic enrichment;</i></p> <p><i>“(B) socialization;</i></p> <p><i>“(C) independent living skills, including self-advocacy skills; and</i></p> <p><b>D) integrated work experiences and career skills that lead to <b>competitive integrated employment</b>;</b></p>	
	<p>Add a new section (3) then renumber other sections.</p> <p><b>“(3) to the greatest extent possible, provide for an equitable distribution of such grants between 4-year institutions of higher education and 2-year institutions of higher education, including community colleges;</b></p>	<p><b>Recommendation: Reserve half of funding for 2 year IHEs &amp; half to 4 year IHEs to the greatest extent possible.</b> However, the “greatest extent possible” language must be included in order for this recommendation to work. Otherwise enough approvable proposals may not be received in one category or the other.</p>
<p><i>“(4) integrates person-centered planning in the development of the course of study for each student with an intellectual disability participating in the model program;</i></p>	<p><i>“(4) integrates person-centered planning in the development of the course of study for each student with an intellectual disability participating in the model program;</i></p>	

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<p><i>“(5) participates with the coordinating center established under section 777(b) in the evaluation of the model program;</i></p>	<p><i>(5) participates with the coordinating center established under section 777(b) in the evaluation of the model program; including by regularly submitting data on the experiences and outcomes of individual students participating in the program;</i></p>	<p><b>Recommendation: Insert language requiring programs to submit data.</b></p> <p><b>Rationale:</b> The “regularly submitting data” language is needed to require data collection and reporting..</p>
<p><i>“(6) partners with one or more local educational agencies to support students with intellectual disabilities participating in the model program who are still eligible for special education and related services under the Individuals with Disabilities Education Act, including the use of funds available under part 296B of such Act to support the participation of such students in the model program;</i></p>	<p><i>(6) partners with one or more local educational agencies to support students with intellectual disabilities participating in the model program who are still eligible for special education and related services under the Individuals with Disabilities Education Act, including the use of funds available under part 296B of such Act to support the participation of such students in the model program;</i></p>	
<p><i>“(7) plans for the sustainability of the model program after the end of the grant period; and</i></p> <p><i>“(8) creates and offers a meaningful credential for students with intellectual disabilities upon the completion of the model program.</i></p>	<p><i>(7) plans for the sustainability of the model program after the end of the grant period; with a written business plan for revenue and expenditures to be provided to the Department by the end of Year 3</i></p> <p><i>8) offers an existing meaningful credential to students with intellectual disabilities upon completion of the inclusive model program approved by the institution, or, if such a credential is not currently offered, create and offer such a credential</i></p>	<p><b>Recommendation: require an institution, by the end of year three of their grant, to provide a written plan for expenditures and revenue following the 5-year grant period in order to support sustainability.</b></p> <p><b>Recommendation: require the grantee to either have a credential approved by the IHE, or to develop one during the period of the grant.</b></p>

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		<p><b>Rationale:</b> Approval through the institutional process is important in order to have meaningful credentials.</p>
	<p>(9) provides for the collection and transmission of data in accordance with subsection (e).<sup>4</sup></p> <p>(e) DATA COLLECTION AND TRANSMISSION.</p> <p>(1) IN GENERAL.—An institution or consortium receiving a grant under this section shall collect, and transmit to the coordinating center on an annual basis and for each student who is enrolled in the program, student-level information related to the experiences and outcomes of students who participate in the inclusive higher education program for students with intellectual disabilities.</p> <p>(2) LONGITUDINAL DATA.—Each grantee shall collect longitudinal outcome data from former students who participated in the program and transmit such data to the coordinating center on an annual basis. Such longitudinal data shall be collected for every student each year for 5 years after the</p>	<p><b>Recommendation:</b> Include this new section on data collection and submission to clearly indicate requirements.</p>

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	<p>student graduates from, or otherwise exits, the program.</p> <p>(3) DATA TO BE COLLECTED.—The program-level information and data and student-level information and data to be collected under this sub- section shall include—</p> <p>(A) the number and type of postsecondary education courses taken and completed by the student;</p> <p>B) academic outcomes;</p> <p>(C) competitive, integrated employment outcomes;</p> <p>(D) independent living outcomes; and</p> <p>(E) social outcomes.</p> <p>(4) Authorization for Appropriations for this section. \$25,000 shall be authorized for each former grantee to collect and transmit outcome data for each of five years following the conclusion of the program grant.</p>	<p><b>Recommendation: Authorize \$25,000 a year to each former program to continue to obtain and report outcome data.</b></p> <p><b>Rationale:</b> Outcome data is very important, however, if programs are required to collect and transmit such data after their grant ends, there should be some funding provided to contact alumni and report data.</p>
<p><i>(e) MATCHING REQUIREMENT.—An institution of higher education (or consortium) that receives a grant under this section shall provide matching funds toward</i></p>	<p><i>(e) MATCHING REQUIREMENT.—An institution of higher education (or consortium) that receives a grant under this section shall provide matching funds toward</i></p>	<p>Recommendation: Change 25% matching grant to 10%.</p>

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<p><i>the cost of the <b>model comprehensive transition and postsecondary program</b> for students with intellectual disabilities carried out under the grant. Such matching funds may be provided in cash or in-kind, and shall be in an amount of not less than <b>25 percent</b> of the amount of such costs.</i></p> <p><i>“(f) REPORT.—Not later than five years after the date of the first grant awarded under this section, the Secretary shall prepare and disseminate a report to the authorizing committees and to the public that—</i></p>	<p><i>the cost of <b>the inclusive higher education program</b> for students with intellectual disabilities carried out under the grant. Such matching funds may be provided in cash or in-kind, and shall be in an amount of not less than <b>10 percent</b> of the amount of such costs.</i></p>	<p>Rationale: 25% match is too high, particularly for institutions that are not as wealthy.</p>
<p><i>(1) reviews the activities of the <b>model comprehensive transition and postsecondary programs</b> for students with intellectual disabilities funded under this section; and</i></p> <p><i>(2) provides guidance and recommendations on how effective model programs can be replicated.</i></p>	<p><i>(1) reviews the activities of the <b>Inclusive higher education programs</b> for students with intellectual disabilities funded under this section; and</i></p> <p><i>(2) provides guidance and recommendations on how effective model programs can be replicated.</i></p>	
<p><b>SEC. 768. RULE OF CONSTRUCTION.</b></p> <p>Nothing in this subpart shall be construed to reduce or expand—</p> <p>(1) the obligation of a State or local educational agency to provide a free</p>	<p><b>SEC. 768. RULE OF CONSTRUCTION.</b></p> <p>Nothing in this subpart shall be construed to reduce or expand—</p> <p>(1) the obligation of a State or local educational agency to provide a free</p>	

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<p>appropriate public education, as defined in section 602 of the Individuals with Disabilities Education Act; or</p> <p>(2) eligibility requirements under any Federal, State, or local disability law, including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), or the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.).</p>	<p>appropriate public education, as defined in section 602 of the Individuals with Disabilities Education Act; or</p> <p>(2) eligibility requirements under any Federal, State, or local disability law, including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), or the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.).</p>	
<p><b>SEC. 769. AUTHORIZATION OF APPROPRIATIONS AND RESERVATION.</b></p> <p>(a) AUTHORIZATION OF APPROPRIATIONS</p> <p>There are authorized to be appropriated to carry out this subpart such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.</p>	<p><b>SEC. 769. AUTHORIZATION OF APPROPRIATIONS AND RESERVATION.</b></p> <p><i>“(a) AUTHORIZATION OF APPROPRIATIONS.— There are authorized to be appropriated to carry out this subpart such sums as may be necessary for fiscal year 2018 and each of the five succeeding fiscal years.</i></p>	<p><b>Technical question: is 2018 the correct year, or should it be later?</b></p>
<p>(b) RESERVATION OF FUNDS.—For any fiscal year for which appropriations are made for this subpart, the Secretary shall reserve funds to enter into a cooperative agreement to</p>	<p>(b) RESERVATION OF FUNDS.—For any fiscal year for which appropriations are made for this subpart, <b>the Secretary shall reserve funds to enter into a cooperative agreement to</b></p>	<p><b>Recommendation:</b> Replace the comma after section 777(b) with a period and delete the language that follows in (1) and (2).</p>

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<p>establish the coordinating center under section 777(b), in an amount that is—</p> <p>“(1) not less than \$240,000 for any year in which the amount appropriated to carry out this subpart is \$8,000,000 or less; or</p> <p>“(2) equal to 3 percent of the amount appropriated to carry out this subpart for any year in which such amount appropriated is greater than \$8,000,000.</p>	<p>establish the coordinating center under section 777(b).</p>	<p><b>Rationale:</b> The current authorization is woefully insufficient. The current appropriations is greater than the authorized level, at \$11.8 for the TPSID program and \$2 million of that for the NCC.</p>
<p>Subpart 4—National Technical Assistance Center;</p> <p>Coordinating Center</p> <p>SEC. 776. PURPOSE.</p> <p>It is the purpose of this subpart 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, contracts, or cooperative agreements under subpart 1, 2, or 3 to improve the postsecondary recruitment, transition, retention, and completion rates of students with disabilities.</p> <p>SEC. 777. NATIONAL TECHNICAL ASSISTANCE CENTER; COORDINATING CENTER.</p>	<p>Subpart 4—National Technical Assistance Center;</p> <p>Coordinating Center</p> <p>SEC. 776. PURPOSE.</p> <p>It is the purpose of this subpart 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, contracts, or cooperative agreements under subpart 1, 2, or 3 to improve the postsecondary recruitment, transition, retention, and completion rates of students with disabilities.</p> <p>SEC. 777. NATIONAL TECHNICAL ASSISTANCE CENTER; COORDINATING CENTER.</p>	

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<p>(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term ‘eligible entity’ means an entity, or a partnership of entities, that has demonstrated expertise in the fields of—</p> <p>“(A) higher education;</p> <p>“(B) the education of students with intellectual disabilities;</p> <p>“(C) the development of comprehensive transition and postsecondary programs for students with intellectual disabilities; and</p> <p>“(D) evaluation and technical assistance.</p> <p>“(2) IN GENERAL.—From amounts appropriated under section 778, the Secretary shall enter into a cooperative agreement, on a competitive basis, with an eligible entity for the purpose of establishing 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—</p> <p>(A) recommendations related to the development of standards for such programs;</p>	<p>(1) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term ‘eligible entity’ means an entity, or a partnership of entities, that has demonstrated expertise in the fields of—</p> <p>“(A) higher education;</p> <p>“(B) the education of students with intellectual disabilities;</p> <p>“(C) the development of comprehensive transition and postsecondary programs for students with intellectual disabilities; and</p> <p>“(D) evaluation and technical assistance.</p> <p>‘(2) IN GENERAL.—From amounts appropriated under section 778, the Secretary shall enter into a cooperative agreement, on a competitive basis, with an eligible entity for the purpose of establishing 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—</p> <p>(A) recommendations related to the development of standards for such programs;</p>	

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<p>(B) technical assistance for such programs; and</p> <p>(C) evaluations for such programs.</p> <p>(3) ADMINISTRATION.—The program under this subsection shall be administered by the office in the Department that administers other postsecondary education programs.</p> <p>(4) DURATION.—The Secretary shall enter into a cooperative agreement under this subsection for a period of five years.</p> <p>(5) REQUIREMENTS OF COOPERATIVE AGREEMENT.—The eligible entity entering into a cooperative agreement under this subsection shall establish and maintain a coordinating center that shall—</p> <p>(A) serve as the technical assistance entity for all comprehensive transition and postsecondary programs for students with intellectual disabilities;</p>	<p>(B) technical assistance for such programs; and</p> <p>(C) Evaluations for such programs, including systematic collection of data on the experiences and outcomes of individuals with intellectual disabilities.</p> <p>ADMINISTRATION—The program under this section shall be administered by the Office of Postsecondary Education, in collaboration with the Office of Special Education and Rehabilitative Services.</p> <p>(4) DURATION.—The Secretary shall enter into a cooperative agreement under this subsection for a period of five years.</p> <p>(5) REQUIREMENTS OF COOPERATIVE AGREEMENT.—The eligible entity entering into a cooperative agreement under this subsection shall establish and maintain a coordinating center that shall—</p> <p>(A) serve as the technical assistance entity for all comprehensive transition and postsecondary programs for students with intellectual disabilities;</p>	<p><b>(Suggested report language will be offered regarding the roles of each office.)</b></p>

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<p>(B) provide technical assistance regarding the development, evaluation, and continuous improvement of such programs;</p> <p>(C) 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;</p>	<p>(B) provide technical assistance regarding the development, evaluation, and continuous improvement of such programs;</p> <p>(C) 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;</p> <p><b>(D) Evaluate participant progress by creating and maintaining a database of student-level information and data related to the experiences and outcomes of youth who participate in each inclusive higher education program that receives a grant under this subpart. The program and student-level information and data that the coordinating center will collect and maintain in the database shall include the information described in section 912(e)(3).</b></p> <p><b>(2) Creating and maintaining a mechanism for continuing to collect outcome information from students who participated in inclusive higher education programs that were developed in previous grant award cycles.</b></p>	<p><b>Recommendation: add a new section (D) on data collection and renumber subsequent sections.</b></p> <p><b>Technical question: correct citation?</b></p>

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<p>(D) 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;</p> <p>(E) develop recommendations for the necessary components of such programs, such as—</p> <p>(i) academic, vocational, social, and independent living skills;</p> <p>(ii) evaluation of student progress;</p> <p>(iii) program administration and evaluation;</p> <p>(iv) student eligibility; and</p> <p>(v) 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, as the case may be;</p> <p>(F) analyze possible funding streams for such programs and provide recommendations regarding the funding streams;</p> <p>(G) develop model memoranda of agreement for use between or among institutions of</p>	<p>(E) assist recipients of a grant under this subpart in efforts to award a meaningful credential and to seek institution of higher education approval for any newly developed credentials.</p> <p>(E) develop recommendations for the necessary components of such programs, such as—</p> <p>(i) academic, vocational, social, and independent living skills;</p> <p>(ii) evaluation of student progress;</p> <p>(iii) program administration and evaluation;</p> <p>(iv) student eligibility; and</p> <p>(v) 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, as the case may be;</p> <p>(F) analyze possible funding streams for such programs and provide recommendations regarding the funding streams;</p> <p>(G) develop model memoranda of agreement for use between or among institutions of</p>	

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<p>higher education and State and local agencies providing funding for such programs;</p> <p>(H) 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;</p> <p>(I) host a meeting of all recipients of grants under subpart 2 not less often than once each year; and</p> <p>(J) convene a workgroup to <b>develop and recommend</b> model criteria, standards, and components of such programs as described in subparagraph (E), that are appropriate for the development of accreditation standards, which workgroup shall include—</p> <p>(i) an expert in higher education;</p> <p>(ii) an expert in special education;</p> <p>(iii) a disability organization that represents students with intellectual disabilities;</p>	<p>higher education and State and local agencies providing funding for such programs;</p> <p>(H) 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;</p> <p>(I) host a meeting of all recipients of grants under subpart 2 not less often than once each year; and</p> <p><b>Divide (J) into (A) and a new section (B) below as follows:</b></p> <p>(J) (A) convene a workgroup to <b>continue the development of and recommendations for</b> model criteria, standards, and components of such programs as described in subparagraph (E), that are appropriate for the development of accreditation standards, which workgroup shall include—</p> <p>(i) an expert in higher education;</p> <p>(ii) an expert in special education;</p>	<p><b>Recommendation: Insert language to update Accreditation Workgroup responsibilities.</b></p> <p><b>Rationale:</b> During the first 5-year grant, an Accreditation Workgroup completed a report recommending model accreditation standards. This language addresses the next stage of this important work.</p>



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<p>Institutional Quality and Integrity on the recommendations of the workgroup described in paragraph (5)(J).</p> <p>SEC. 778. AUTHORIZATION OF APPROPRIATIONS.</p> <p>There are authorized to be appropriated to carry out this subpart such sums as may be necessary for fiscal year 2009 and each of the five succeeding fiscal years.”.</p>	<p>the National Advisory Committee on Institutional Quality and Integrity on the recommendations of the workgroup described in paragraph (5)(J).</p> <p>SEC. 778. AUTHORIZATION OF APPROPRIATIONS.</p> <p>There are authorized to be appropriated to carry out this subpart such sums as may be necessary for fiscal year 2018 and each of the five succeeding fiscal years.”</p>	<p><b>Technical drafting question: Is 2018 the correct year?</b></p>