



# **Higher Education Act Reauthorization**

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

**H.R. 4137 and S. 1642**

**February 11, 2008**

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# Introduction

## **HIGHER EDUCATION ACT REAUTHORIZATION: PROPOSALS FOR IMPROVING EDUCATIONAL OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES AND STUDENTS WITH GIFTS AND TALENTS**

The Higher Education Act (HEA) authorizes the federal government's major student-aid programs and other important postsecondary education initiatives. The last comprehensive revision of the HEA was completed in 1998. The current authorization of the Act expired 4 years ago, although Congress has passed intermediate measures to extend HEA funding provisions without actually reauthorizing the entire Act. Over the last two years, congressional consideration of HEA has intensified, 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 HEA's student loan programs.

The 110<sup>th</sup> Congress has expressed its intent to complete reauthorization of the remaining HEA programs before it adjourns in the fall of 2008. Towards this end, the Senate passed its HEA reauthorization bill (S. 1642) in July, 2007. On February 7, 2008 the House passed its HEA bill, the College Opportunity and Affordability Act of 2007 (H.R. 4137). These bills address a wide range of issues including college pricing and cost transparency, increasing access to postsecondary education, federal tax benefits, standards and accountability for higher education in general and for teacher preparation in particular, need analysis, distance education, and teacher quality and quantity.

The House and Senate bills share some of the same recommendations for revising HEA. Notable among them for CEC members is a proposal to support transition programs for students with intellectual disabilities into higher education, and grants to institutions of higher education that would carry out significant reforms in teacher preparation. On balance, however, H.R. 4137 proposes a broader – and undoubtedly more costly - range of new initiatives, including programs, studies and requirements aimed at improving teacher preparation to meet the needs of diverse learners, including students with gifts and talents, and educational opportunities for children and postsecondary age students with disabilities.

CEC is pleased that these bills include measures that are important to and have been actively endorsed by CEC members over the last several years as Congress has worked towards completion of the HEA reauthorization process. Advocacy by the CEC network has been important in securing provisions in these bills that can provide greater access to higher education to students with disabilities, expand support for special education and related-services personnel training, and give priority to training and retention of faculty at institutes of higher education who train special educators. If eventually enacted, the bills' collective proposals for increasing

postsecondary education opportunities and improving the higher education experience for individuals with disabilities will represent a historic step forward.

The House and Senate expect to conference their bills in the coming months. During this time, CEC, along with its grassroots network will actively pursue enactment of these important revisions in the Higher Education Act.

This document summarizes selected House and Senate HEA proposals of special interest to CEC members. Because HR 4137 recommends a more extensive set of proposals than does the Senate bill, the provisions of the House bill are highlighted. Senate agreement with House proposals is indicated. The proposals are 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

## **TEACHER QUALITY ENHANCEMENT**

H.R. 4137 proposes changes in Title II of the Higher Education Act as well as new initiatives to improve the effectiveness of teacher preparation programs and, through them, the achievement of students in elementary and secondary schools. The bill would achieve these improvements through several grant programs to institutions of higher education and states, and through accountability requirements imposed on states and programs preparing teachers. The Senate bill, S. 1642, like the House bill, would revise the Title II centerpiece teacher quality grant program, but would not authorize new grant programs.

## **TEACHER QUALITY PARTNERSHIP GRANTS**

Title II, Part A, Secs. 202-204

H.R. 4137 would revise significantly the Title II Teacher Quality Enhancement Grant Program. It would eliminate the State Grant, Partnership Grant, and Teacher Recruitment Grant programs currently authorized in HEA. In their place, the bill would authorize a new Teacher Quality Partnership Grants Program of competitive grants to eligible partnerships to improve the quality of pre-service preparation of teachers at the undergraduate and graduate levels and of school administrators. Grants for pre-service teacher preparation could also include preparation of early childhood educators who will serve children from birth through pre-kindergarten.

S. 1642 proposes substantially the same revisions to this program for the preparation of teachers, but would not authorize partnership grants for leadership development.

### **Program Purpose**

The purposes of this partnership program are to:

1. Improve student achievement;
2. Improve the quality of the current and future teaching force by improving the preparation of prospective teachers and enhancing professional development activities;
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 pre-baccalaureate partnerships, teacher residency partnerships and/or partnerships for the development of leadership personnel must include:

- a high-need local educational agency;
- a high-need school or a consortium of high-need schools served by the high-need local educational agency or, as applicable, a high-need early childhood education program;
- a partner institution of higher education;
- 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 local educational agency, or a consortium of such local educational agencies, 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; and school or department within the partner institution with comparable expertise in the disciplines of teaching, learning, and child and adolescent development.

## Partnership Grant Activities

Under this program, grants would be awarded to eligible partnerships to carry out a teacher preparation program for bachelor's degree students, a teaching residency program for master's level study, a leadership development program, or a combination of two or more of these programs.

**Undergraduate teacher preparation programs** - would be required to include implementation of educational reforms, pre-service clinical experience and interaction, induction programs that provide new teachers with mentoring and support for at least their first 2 years of teaching, support and preparation for early childhood educators, if applicable, and effective mechanisms to recruit qualified individuals to become highly qualified teachers. Among key requirements would be:

- Implementation of reforms, such as:
  - ✓ 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;
  - ✓ Collaboration with departments, programs, or units of a partner institution outside of the teacher preparation program in all academic content areas; and
  - ✓ Induction programs for new teachers.
- Year-long, 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;
- Induction programs for new teachers;
- Mechanisms for teacher recruitment for participating high-need schools in the grant partnership; and
- Literacy training for the development of literacy teachers and coaches who can work with teachers, administrators and students to enhance the reading and writing instruction in high-need partner schools.

**Teaching residency programs** - 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 would 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 residents, once the teaching residents are hired as teachers of record, through an induction program, professional development, and networking opportunities to support the residents through not less than the residents' 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;
- Stipend 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 to the partnership if the teaching resident does not complete the service requirement.

**Partnership grants for the development of leadership program** - would support the preparation of students for careers as superintendents, principals, or other school administrators 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:

- Combining effective pre-service preparation with mentoring by education administrators and an induction program;
- 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 Grant Application Requirements**

Applicants for a Partnership Grant would need to include several components in their applications. Among them are:

- A 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;
- An assessment of the resources available to the eligible partnership and an evaluation plan; and
- A description of how the partnership would:
  - ✓ 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 of 1965;
  - ✓ 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 Elementary and Secondary Education Act of 1965 and the Individuals with Disabilities Education Act (IDEA), and through the National Science Foundation, and 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 partner institutions with teachers and their classrooms in the high-need LEA included in the partnership to provide professional development opportunities;
  - ✓ ensure the preparation of general education teachers and special education teachers to teach students with limited English proficiency;
  - ✓ 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;
  - ✓ design, implement or enhance a yearlong rigorous and enriching pre-service clinical program; and
  - ✓ collect, analyze, and disseminate data on teacher retention.

### **Administrative provisions**

Partnership grants would be awarded for five years, and partnerships would be eligible to receive only one grant during a five year period. However, individual members within a partnership would be eligible to receive another grant during this period by participating in other partnerships with different members. Priority would 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 would be required to provide an amount equal to 100 percent of the amount of the grant in cash

or in kind from non-federal sources. The Secretary would be authorized to waive the matching requirement if it would impose a serious hardship.

### **Accountability and Evaluation**

Partnerships would be required to develop and implement evaluation plans that include strong performance objectives and measures in such areas as increasing student achievement, teacher retention, pass rates on state certification and licensure, and the percentage of highly qualified teachers hired by the high-need LEAs, including the percentage of highly qualified teachers from underrepresented groups and who work within various targeted demographics including high-need areas (e.g., special education, language instruction, educational programs for limited English proficient students, and early childhood education).

### **Authorization of Appropriations**

The House bill would authorize an appropriation of \$300,000,000 for FY 2009 and such sums as necessary for the two 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, some could also be reserved to support other functions that would be carried out under the Part A authority (e.g., state reporting on teacher preparation).

## **PREPARING TEACHERS FOR DIGITAL AGE LEARNERS**

Title II, Part B, Secs. 221-225

H.R. 4137 would authorize a new grant program to improve the technology-related skills of elementary and secondary teachers. S. 1642 does not contain a comparable proposal.

### **Project Activities**

This program would 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. Prepare and 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 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 that enable kindergarten through grade 12 students to develop skills to enter the workforce.

### **Eligible Consortia**

Consortia eligible for awards would include at least one institution of higher education that prepares teachers, at least one State educational agency or local educational agency, a department of education, a college of arts and sciences, and a public or private entity 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 would be awarded for a 3-year project, with one additional renewal year possible, and would constitute no more than 75% of total project costs. At least 10% of the funds awarded would have to be used to evaluate the effectiveness of the project. Awards would be made for either partnership or transformation grants.

For partnership grants, funds would be used to provide teacher candidates with field experiences in educational settings with technology; build the skills of teacher candidates including pedagogical skills; provide professional development in the use of technology; implement strategies for the mentoring of teacher candidates; evaluate teacher candidates; build collaborative learning communities; and evaluate the effectiveness of the project.

For transformation grants, funds would be used to redesign curriculum; foster collaboration between the department, school, or college of education to integrate technology into the teacher

preparation programs as well as transform the teaching and learning process; foster collaboration among faculty to create case studies of technology applications; and other specific uses.

### **Authorization of Appropriations**

The House bill would authorize Congress to appropriate up to \$100 million for FY 2009 and such sums as necessary for each of the two succeeding fiscal years.

## **RECRUITING TEACHERS WITH MATH, SCIENCE, OR LANGUAGE MAJORS**

Title II, Part C, Subpart 1, Sec. 241

H.R. 4137, but not the Senate bill, would authorize a new program of competitive grants to institutions of higher education to improve the availability, recruitment, and retention of teachers from among students majoring in math, science, foreign languages, special education, to those teaching English to students who are limited English proficient, or to a combination of students majoring in such subjects. In making grants, priority is to be given to IHEs with programs that:

1. Focus on preparing and retaining teachers in subjects in which there is a shortage of highly qualified teachers and that prepare students to teach in high-need schools; and
2. Include plans to seek matching funds from other governmental and non-governmental sources.

### **Awards/Use of Funds**

Project funds would be used to create and provide new recruitment incentives to encourage individuals to go into teaching, particularly in high-need subject areas. In addition, funds may be used to upgrade curriculum for all teachers related to instructional strategies for teaching reading, the English language, and differentiating instruction to teach students with disabilities. Funds could also be used to integrate faculty from the school of education and the school of arts and sciences, and for other purposes including student scholarships and partnerships with LEAs to ensure the recruitment of highly qualified individuals in high-need subject areas.

### **Authorization of Appropriations**

The House bill would authorize funding for this program as part of a single authorization for all Title II, Part C programs. That authorization (Sec. 240) would authorize such sums as necessary for FY 2009 and for each of the four succeeding years.

# **COMMUNITY COLLEGES AS PARTNERS IN TEACHER EDUCATION GRANTS**

Title II, Part C, Subpart 2, Sec. 251

H.R. 4137 would authorize a new program of competitive grants to assist eligible entities with:

1. Establishing or enhancing teacher education programs at community colleges that--
  - a. include content and pedagogical training; and
  - b. are aligned with 4-year college and university teacher education programs to ensure a seamless transition for students from community colleges to 4-year institutions;
2. Establishing or enhancing post baccalaureate certification programs offered at community colleges;
3. Developing and delivering a rigorous program of study for students interested in a career in teaching; and
4. Developing and delivering professional development for teachers to ensure their continued education and professional growth.

Priority in the awarding of grants would be given to applications that propose to increase the diversification of the teacher workforce, prepare teachers for high-demand subject areas or to teach in high-need schools. The Senate bill does not contain comparable proposals.

## **Eligible Applicants**

An eligible applicant would be a community college, a consortia of community colleges or a statewide community college system that has entered into a partnership with a four-year institution of higher education with a teacher preparation program or a consortia of such institutions, and at least one of the following: the state agency that oversees teacher preparation; one or more local educational agencies; or a professional organization representing teachers.

## **Awards/Use of Funds**

Grant funds may be used to:

1. Develop curriculum for teacher education programs and post baccalaureate certification programs at community colleges;
2. Establish or enhance clinical experiences for students in such teacher education programs and post baccalaureate certification programs;
3. Establish or enhance professional development programs at community colleges that are available for teachers;
4. Develop new associate degree programs focused on teacher preparation;
5. Increase the alignment between community college teacher education programs and 4-year college and university teacher education programs, including articulation agreements, common course numbering, and joint admission programs;
6. Recruit teacher candidates with the goal of diversifying the teacher workforce;

7. Prepare teachers for high-demand subject areas including science, mathematics, technology, special education, critical foreign languages, or the education of limited English proficient individuals;
8. Prepare teachers to teach in high-need schools;
9. Increase coordination between teacher education programs and departments, schools, or colleges of arts and sciences;
10. Encourage teacher education and post baccalaureate programs at times and in formats designed to make these programs more accessible to certain student populations, including mid-career professionals transitioning to teaching;
11. Develop associate's degree and licensure programs with an emphasis on the essential components of reading instruction; and
12. Carry out other activities that aim to ensure that well-qualified individuals enter into the teaching profession.

### **Authorization of Appropriations**

The House bill would authorize funding for this program as part of a single authorization for all Title II, Part C programs. That authorization (Sec. 240) would authorize such sums as necessary for FY 2009 and for the four succeeding years.

# **PREPARING GENERAL EDUCATION TEACHERS TO MORE EFFECTIVELY EDUCATE STUDENTS WITH DISABILITIES**

Title II, Subpart 6, Sec. 291

## **Program Purpose**

H.R. 4137 would authorize 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. No comparable proposal is contained in S. 1642.

## **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, as defined in section 9101 of the Elementary and Secondary Education Act of 1965;
2. A department or program of special education at an institution of higher education; and
3. 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 would be required 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. developing and administering alternate assessments of students with disabilities;
  - 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; and
  - e. 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 year of full-time teaching.

### **Application**

An application for funding under this program would be required to 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 would be awarded for a period of five years. Partnerships receiving a grant under this program would be 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 would 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 at instruction of students with disabilities in general education classrooms, and the systemic impact of the activities carried out by such grant on how each IHE member of the partnership prepares teachers for instruction in elementary and secondary schools. The Secretary of Education would be 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**

Funds for this program would be included in a single appropriation for all Title II, Part C programs, authorized as such sums as necessary for FY 2009 and in each of the four succeeding fiscal years.

## **EARLY CHILDHOOD EDUCATION PROFESSIONAL DEVELOPMENT AND CAREER TASK FORCE**

Title II, Part C, Subpart 5, Secs. 281-287

H.R. 4137 would authorize 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 to support the activities of such task forces. The Senate bill does not contain a comparable proposal.

### **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, and administrators; 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, and administrators, 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 family child care program, center-based child care program, State pre-kindergarten program, or school-based program, that—
  - a. provides early childhood education;
  - b. uses developmentally appropriate practices;
  - c. is licensed or regulated by the State; and
  - d. serves children from birth through age 5;
2. A Head Start Program carried out under the Head Start Act;
3. An Early Head Start Program carried out under section 645A of the Head Start Act; or
4. A program authorized under section 619 or part C of the Individuals with Disabilities Education Act.

## State Task Force

State Task Forces may be new entities or may be existing entities designated by the Governor for this purpose. Membership on the task forces must include a representative of a State educational 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, and any other entity or individual the Governor determines appropriate.

## State Task Force Activities

The State Task Force would be required to carry out activities including periodic needs assessments of the demographics of individuals working in early childhood education programs in the state and a review of opportunities for and barriers to high quality professional development and training in early childhood development and learning.

Task forces funded under this program would be required to develop a plan for a comprehensive statewide professional development and career system which would include:

1. Methods of outreach to early childhood education program staff to inform them of opportunities and resources under the state plan;
2. A unified data collection and dissemination system for early childhood training, professional development, and higher education programs;
3. Resources to assist in paying the costs of enrolling in and completing professional development and postsecondary education programs, including payment of up to \$17,500 for 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;
4. Mentoring and coaching programs to support new teachers in and directors of early childhood education programs;
5. Professional development activities and a career lattice for various roles with varying professional qualifications and responsibilities;
6. Articulation agreements between two- and four-year institutions and other mechanisms to transform other training and experience into academic credit;
7. Career development advising with respect to the field of early childhood education; and
8. 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 would 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 would 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 US Secretary of Education, in consultation with the Secretary of Health and Human Services, would be required to submit to the authorizing committees of the US Congress an evaluation of the State reports.

### **Authorization of Appropriations**

The bill would authorize Congress to appropriate such sums as necessary for FY 2009 and for each of the four succeeding fiscal year for the Early Childhood Education Professional Development Career Task Force program (authorized in Part C, Subpart 5) within an overall appropriation to cover all programs authorized by Part C.

## **NATIONAL ACADEMY OF SCIENCES STUDY OF BEST PRACTICES IN TEACHER PREPARATION**

Title II, Sec. 202

H.R. 4137 would authorize the Secretary of Education to contract with the National Academy of Sciences to conduct a 2-year study to develop suggested best practices in teacher preparation for departments, schools, and colleges of education. Such best practices shall include recommendations to improve teaching skills, including skills related to working with diverse populations.

The suggested best practices would be required to reflect the best research into how students learn and on the content-specific methods shown to be effective with students, including examining how children learn. The suggested best practices shall include suggested training for general and special education teachers in working with diverse populations, utilizing the principles of universal design for learning, assessments in the classroom, and classroom management.

In conducting the study, the NAS must collaborate with interested parties in developing the suggested best practices. Parties to be consulted are college presidents; deans of arts and sciences and teacher education programs; teacher preparation faculty; chief State school officers; school superintendents; teacher organizations; outstanding teachers and principals; teacher preparation accrediting organizations; individuals or organizations with expertise in working with diverse populations, including students with disabilities and limited English proficient students; and other organizations with expertise in teacher recruitment and training.

The Senate bill does not contain a similar call for a NAS study of teacher education best practices.

## **ACCOUNTABILITY IN TEACHER PREPARATION**

H.R. 4137 and S. 1642 propose to amend Title II of the Higher Education Act by revising some existing reporting requirements and establishing new requirements in order to increase the accountability of teacher preparation programs for the quality of individuals new to the teaching force and, through them, for the academic performance of students in elementary and secondary schools. Included in these amendments are requirements for program and state report cards on teacher preparation and a proposal to require States to identify and impose consequences on low-performing teacher preparation programs, including traditional programs as well as alternative routes to certification and licensure. These amendments are reflected in three interrelated sections of Title II, described below.

## ACCOUNTABILITY FOR PROGRAMS THAT PREPARE TEACHERS

Title II, Sec. 205

H.R. 4137 amends the accountability provisions first authorized by the 1998 HEA Amendments related to the preparation of teachers. Revisions to these accountability provisions are required, in part, because of changes H.R. 4137 proposes making in the Sec. 201 partnerships grant program. The proposed amendments would require annual IHE and State report cards on teacher preparation programs and performance/attainment of students, and a yearly federal report to Congress and the public on teacher quality in the US. S. 1642 contains substantially the same proposals as the House bill.

### 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 Act (e.g., student aid grants or loans) would be required to report specific information each year to the State and to the general public both for traditional teacher preparation programs and alternative routes to State certification or licensure programs. A fine of up to \$25,000 could be levied on an IHE for failure to provide this information in a timely or accurate manner. The report card would contain:

1. Pass Rates And Scaled Scores – For currently enrolled students (in most recent year for which data are available) as well as for all students who completed their degree or licensure program during the previous 2-year period, the following information would be required for each of the assessments used for teacher certification or licensure by the state:
  - a. the percentage of students who have completed 100 percent of the non-clinical course work and have taken the assessment who pass such assessment;
  - b. the percentage of all such students who passed each such assessment;
  - c. the percentage of students taking an assessment who completed the teacher preparation program after enrolling in the program, which shall be made available widely and publicly by the State;
  - d. the average scaled score for all students who took each such assessment;
  - e. a comparison of the program's pass rates with the average pass rates for programs in the State; and
  - f. a comparison of the program's average scaled scores with the average scaled scores for programs in the State.

*Note: The State would be required by the statute to provide to the IHE the comparison data for the State as a whole.*

2. 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.

3. Statement - In States that require approval or accreditation of teacher preparation programs, a statement of whether the institution's program is so approved or accredited, and by whom.
4. Designation as Low-Performing - Whether the program has been designated as low-performing by the State.
5. Use Of Technology - A description of the activities 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.
6. 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.

## **STATE REPORT CARD ON THE QUALITY OF TEACHER PREPARATION**

Each State that receives funds under the Higher Education Act would be 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 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; and

- c. the percentage of students taking an assessment who completed the teacher preparation program after enrolling in the program, which shall be made available widely and publicly by the State.
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 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; academic major; and 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 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.

## **FEDERAL REPORT ON TEACHER QUALITY**

The Secretary of Education would be 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 the proposed program that would replace the Teacher Quality Partnership Grants 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, Sec. 206

H.R. 4137 would require 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 US Department of Education. The Senate bill would also require IHEs to submit goals and assurances, but would also make an IHE's eligibility to receiving federal student financial aid authorized by Title IV of the HEA, contingent on the submission. In other words, failure to submit the specified goals and assurances would mean no IHE students would be able to receive Title IV grants or loans. The House bill contained a similar provision which was removed prior to passage by the full House.

Under both the House and Senate bills, IHEs would be required to:

1. Set annual quantifiable goals for:
  - a. increasing the number of prospective teachers trained in teacher shortage areas designated by the State education agency, including mathematics, science, special education, and instruction of limited English proficient students; and
  - b. more closely linking the training provided by the institution with the needs of schools and the instructional decisions new teachers face in the classroom.
2. Provide assurance that:
  - a. 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;
  - b. prospective special education teachers receive course work in core academic subjects and receive training in providing instruction in core academic subjects;
  - c. 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
  - d. prospective teachers receive training on how to effectively teach in urban and rural schools, as applicable.
3. Include in the annual report card (Sec. 205) – whether the goals here have been met.

## **STATE FUNCTIONS RELATED TO PERFORMANCE OF TEACHER PREPARATION PROGRAMS**

Title II, Sec. 207

H.R. 4137 would require States to identify low-performing programs of teacher preparation programs and would impose consequences on such programs. The requirements of this section would apply to both traditional teacher preparation programs and alternative routes to State certification and licensure. The Senate bill proposes substantially the same requirements.

1. State Assessment - To receive funds under the Higher Education Act, states must:

- a. Conduct an assessment to identify and assist low-performing programs of teacher preparation; and
- b. Provide 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. Would be ineligible for any funding for professional development activities awarded by the Department;
- b. Would not be permitted to accept or enroll any student who receives aid under title IV in the institution's teacher preparation program; and
- c. Would 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.

# QUALITY HIGHER EDUCATION FOR STUDENTS WITH DISABILITIES

H.R. 4137 proposes several initiatives aimed at assisting students with disabilities to succeed in postsecondary education. If enacted, these proposals would represent the most significant federal effort to date to support the participation of students with disabilities in higher education programs and their successful completion of postsecondary education programs. The Senate bill contains more modest proposals. The House bill 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.
- A new National Center for Information and Technical Support to improve the dissemination of best practices related to working with postsecondary students with disabilities, to provide information to assist students and their families, and to improve the recruitment, retention and completion rates for students with disabilities.
- Funding for a new Model Demonstration Program for Students with Intellectual Disabilities to support student participation and success in postsecondary education, and a coordinating center to assist these programs.
- Model Demonstration Program to Support Improved Access to Postsecondary Instructional Materials in specialized formats for students with print disabilities, and a commission to study the feasibility of national technical standards and methods to improve the efficient distribution of these materials.
- A GAO study of the barriers and opportunities for the full participation of students with disabilities in higher education, including an examination of campus disability support services and the success rates of colleges and universities in recruiting, retaining, and graduating students with disabilities.

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

Title VII, Part D, Sec. 761-765 (current law)

Title VII, Part D, Subpart 1, Sec. 761-765 (proposed bill)

First authorized by the 1998 amendments to the Higher Education Act, this program supports three-year demonstration projects to provide technical assistance or professional development for faculty and administrators in institutions of higher education in order to provide students with disabilities a quality postsecondary education.

H.R. 4137 proposes the following changes and additions to the current program. S. 1642 proposes substantially the same provisions.

### **Authorized Activities**

The bill places a new emphasis for these grants on improving the retention of students with disabilities in postsecondary education programs and their rates of program completion. In addition, the activities authorized under this program would be expanded in an effort to encourage grantees to utilize methods and strategies consistent with the principles of universal design for learning and to engage in new efforts to ensure effective services. New activities that would be permitted under the House bill are:

1. Development of innovative, effective, and efficient teaching methods and strategies to ensure the smooth transition of students with disabilities from high school to postsecondary education.
2. Development of innovative, effective, and efficient teaching methods and strategies to provide faculty and administrators with the ability to provide accessible distance education programs or classes that would enhance access of students with disabilities to higher education, including the use of accessible electronic communication for instruction and advisement.
3. Making postsecondary education more accessible to students with disabilities through the use of accessible instructional materials and curriculum development, consistent with the principles of universal design for learning.

### **Federal Report**

The bill would require the Secretary of Education to prepare and disseminate a report within three years of enactment of the Higher Education Act amendments which reviews the activities of the demonstration projects and provide guidance and recommendations on how successful projects can be replicated by other institutions of higher education.

## **Authorization of Appropriations**

H.R. 4137 would authorize Congress to appropriate up to \$10 million for FY 2009 and such sums as necessary for each of the four succeeding fiscal years.

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

Title VII, proposed new Subpart 2 (Sec. 766)

The House bill proposes establishment of a national center to provide information and technical assistance for students with disabilities to improve the postsecondary recruitment, retention, and completion success rates of such students. A comparable proposal is not included in S. 1642.

## **Responsibilities of the Center**

The proposed center would have four main areas of responsibility:

1. Assistance to Students and Families – providing information and technical assistance to students with disabilities, their families, and disability support personnel to help in planning their postsecondary academic career while they are in middle and high school; on the research-based supports, services and accommodations which are available; on student mentoring and networking opportunities; and on successful 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.
3. Information Collection and Dissemination - building and maintaining a database of disability support services information in institutions of higher education and making the database available to the general public through a website. The information to be provided would include but not be limited to disability documentation requirements, links to financial aid, support services available, accommodations policies, and IHE enrollment and graduation rates for students with disabilities.
4. Professional Standards for Disabilities Support Personnel - consolidating and disseminating information about professional standards in existence for disability support services personnel and offices in institutions of higher education, and convening a panel of experts to create and disseminate professional standards for such personnel and offices.
5. Annual Review and Report – each year the center would prepare a report analyzing the current condition of postsecondary success for students with disabilities. It would include a review of the activities of programs for students with disabilities authorized by the Higher Education Act, IHE enrollment and graduation rates for students with disabilities, guidance on how successful postsecondary supports and services could be widely implemented and how barriers to full participation for students with disabilities in postsecondary education could be reduced, and a description of the activities needed to facilitate substantial improvements.

### **Eligible Applicants for Center Award**

The national center would be awarded to an institution of higher education or a private nonprofit organization with demonstrated expertise in supporting postsecondary students with disabilities; technical knowledge necessary for the accessible dissemination of information; and working with a diverse range of types of institutions of higher education, including community colleges.

The Center would be required to employ disability support personnel with proven expertise in providing training and technical assistance to practitioners. These personnel would provide technical assistance to individual colleges and universities seeking to provide appropriate supports and services to students with disabilities to improve enrollment, retention, and completion rates of such students.

### **Authorization of Appropriations**

Appropriations for this center would be included in the authorization covering all activities authorized under Title VII, Part D, Subpart 2 programs.

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

Title II, Part D, new Subpart 2 (Sec. 766A)

H.R. 4137 but not S. 1642 would establish a new advisory commission on accessible instructional materials in postsecondary education for students with disabilities. Its purpose is two-fold. First, it 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, faculty, and staff with print disabilities. Second, it is to make recommendations related to the development of a comprehensive approach that will ensure that postsecondary students with print disabilities can access instructional materials in specialized formats in a timeframe comparable to the availability of standard instructional materials for students without disabilities.

The Commission would be required to report on its findings and recommendations no later than 24 months after its first meeting, and then to disband within 90 days of submitting its final report.

### **Authorization of Appropriations**

Appropriations for this center would be included in the authorization covering all activities authorized under Title VII, Part D, Subpart 2 programs.

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

Title II, Part D, New Subpart 2 (Sec. 766B)

H.R. 4137, but not the Senate bill, would authorize a new model demonstration grant program to encourage the development of systems to improve the timely delivery and quality of postsecondary instructional materials in specialized formats to students with print disabilities, including systems to improve efficiency and reduce duplicative efforts across multiple institutions of higher education.

At least one grant or cooperative agreement would be made to a partnership of two or more eligible entities which include an IHE and a public or private organization with expertise in the creation of accessible instructional materials in specialized formats for postsecondary students with print disabilities. A partnership may also include one or more publishers of instructional materials. After three years, the Secretary would be authorized to expand the demonstration program to additional grantees reflecting regional and programmatic partnerships if evaluation of the initial models warrants, and subject to public review and comment and the recommendation of the Advisory Commission on Accessible Instructional Materials in Postsecondary Education for Students with Disabilities

## **Required Activities**

The following activities would be 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.
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 encourage reduction of duplicative conversions of the same instructional materials for multiple eligible students at different institutions of higher education when such conversions may be shared.
6. Procedures to protect against copyright infringement in the creation, use, and distribution of instructional materials while maintaining accessibility for students with print disabilities.

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. Evaluation of the effectiveness of the programs under this section.
9. Guidance on how successful procedures and systems described in paragraphs (1) through (7) could be disseminated and implemented on a national basis.

### **Other Authorized Activities**

The House bill would permit, but not require, the Secretary of Education to support the development of:

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

### **Report to Congress**

The Secretary of Education would be required to report information to Congress each year on each of the grants awarded under this program, including a summary of activities implemented, the number of students served and the number of requests for instructional materials made, and an evaluation of the effectiveness of projects funded.

### **Authorization of Appropriations**

H.R. 4137 would authorize Congress to appropriate such sums as necessary to carry out all programs authorized under Subpart 2 for FY 2009 and each of the four succeeding fiscal years. This authorization covers appropriations for the national technical assistance center for information and support for postsecondary students with disabilities (Sec. 766), the advisory commission on accessible instructional materials (Sec. 7666A), and the model demonstration programs for accessible instructional materials (Sec. 766B).

# NATIONAL STUDY ON HIGHER EDUCATION ACCESS AND SUCCESS FOR STUDENTS WITH DISABILITIES

Title VII, Part F, Sec. 710

H.R. 4137 would direct the General Accountability Office (GAO) to conduct a study of the barriers to, and opportunities for, the full participation of students with disabilities in institutions of higher education. A comparable proposal is not included in S. 1642. Specifically, the study proposed by the House is to examine:

1. Student Preparation, Participation, and Completion - the extent to which, and manner in which, students with disabilities are prepared to participate in postsecondary education upon enrollment; are applying to different types of institutions of higher education; are accepted into different types of institutions of higher education; are enrolling in and attending different types of institutions of higher education; are utilizing financial aid programs; and are completing programs of study at different types of institutions of higher education.
2. Accessibility - factors that influence the accessibility of higher education for students with different disabilities, including physical access, communication and outreach in accessible formats; availability of accessible instructional materials in a timely manner; financial factors, and eligibility for and ability to access adequate support services.
3. Disability Support Services - the effectiveness and capacity of disability support services in helping to recruit, retain, and support students with disabilities to complete their programs of study, and the role of disability support services relative to other departments in institutions of higher education.
4. Higher Education Coordination with Other Programs - the extent to which institutions of higher education provide assistance to students with disabilities to coordinate with, and receive services from, other support programs that may be available to students, including services provided by local educational agencies, vocational rehabilitation agencies, Social Security, Medicaid, and other Federal, State, and local programs
5. Promising Practices - in institutions of higher education that have been effective in recruiting and graduating students with disabilities, the factors that may contribute to such effectiveness, including program characteristics, faculty and staff preparation, and accommodations and supports provided.

The GAO study would be completed within two years after enactment of the Higher Education Act amendments.

## **TRANSITION PROGRAMS FOR STUDENTS WITH INTELLECTUAL DISABILITIES INTO HIGHER EDUCATION AND COORDINATING CENTER**

Title VII, Subpart 3, Secs. 769 and 770

The House bill would authorize a new program to create or expand high-quality, inclusive model comprehensive transition and postsecondary programs for students with intellectual disabilities. Competitive grants would be made to institutions of higher education or consortia of such institutions (Sec. 769). Similar provisions are also included in S. 1642.

The bill would also authorize a coordinating center for technical assistance, evaluation, and development of accreditation standards for institutions of higher education that offer inclusive model comprehensive transition and postsecondary programs for students with intellectual disabilities (Sec. 770). The Senate bill contains comparable provisions.

### **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 with an intellectual disability participating in the model program;
4. 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 utilization of funds available under IDEA part B for such students;
5. Plans for the sustainability of the model program after the end of the grant period; and
6. 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. Located in a State that does not already have a comprehensive transition and postsecondary program for students with intellectual disabilities; or
2. Agreeing to incorporate one or more of the following elements into the model programs carried out under the grant:

- a. 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 such housing.
- 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 carried out under the grant.

### **Definition of Eligible Students**

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

1. An individual with an intellectual disability whose mental retardation or other significant cognitive impairment substantially impacts the individual's intellectual and cognitive functioning; and
2. A student eligible for assistance under IDEA who has completed secondary school; or an individual who was but is no longer eligible for assistance under IDEA because the individual has exceeded the maximum age for which the State provides a free appropriate public education.

### **Grant Award for Model Programs**

Grants would be awarded for a period of 5 years, with federal funds paying for up to 75% of project costs. A grantee's 25% contribution may be provided in cash or in kind.

### **Coordinating Center**

A coordinating center will be established through a five-year cooperative agreement to provide technical assistance, conduct evaluations, and develop accreditation standards for institutions of higher education that offer inclusive model comprehensive transition and postsecondary programs for students with intellectual disabilities. In addition to providing technical assistance to funded projects, the center would develop an evaluation protocol to be used by funded programs, assist grantees in efforts to award a meaningful credential to students with intellectual disabilities, develop model criteria, standards and procedures to be used in accrediting such program, and analyze possible funding streams for such programs and provide recommendations regarding funding streams.

Eligible applicants for the coordinating center would be an entity, or a partnership of entities, that has demonstrated expertise in the fields of higher education, students with intellectual disabilities, the development of comprehensive transition and postsecondary programs for students with intellectual disabilities, evaluation, and technical assistance.

### **Authorization of Appropriations**

The bill would authorize Congress to appropriate such sums as may be necessary for FY 2009 and for each of the 4 succeeding years.

## **OTHER HEA AMENDMENTS CONCERNING EDUCATION OF STUDENTS WITH DISABILITIES**

H.R. 4137 proposes several other amendments to the Higher Education Act that related to the development and education of students with disabilities. These amendments address individuals preparing through graduate study to work in special education and related fields and individuals with federal student loans who would become eligible for loan forgiveness under various federal loan programs.

## **GRADUATE ASSISTANCE IN AREAS OF NATIONAL NEED**

Title VII, Sec. 702

This long-standing HEA program provides fellowships, through academic departments and programs of IHEs, to assist graduate students with excellent academic records who demonstrate financial need and plan to pursue the highest degree available in their course of study in a field designated as an area of national need. Over the years, the GAANN program has been a particular support for graduate students in the fields of science and engineering, but has not been a source of support for graduate study in education. These grants are intended to sustain and increase the number of highly trained individuals who pursue careers in university teaching and research.

The House but not the Senate bill would require a new priority to be placed in this program for the preparation of faculty to prepare teachers in high-need subject areas.

### **Proposed Amendments**

Because of the shortages of special education and other faculty in institutions of higher education, H.R. 4137 proposes to prioritize grants for the preparation of education faculty who will train elementary and secondary teachers in high need subject areas.

1. The House bill would require the US Department of Education to establish a priority for grants in order to prepare individuals for the professoriate who will train highly qualified elementary and secondary mathematics and science teachers, special education teachers, and teachers who provide instruction for limited English proficient individuals. Such grants would be required to offer program assistance and graduate fellowships for:

- post-baccalaureate study related to teacher preparation and pedagogy in mathematics and science for students who have completed a master's degree or are pursuing a doctorate of philosophy in mathematics or science;
- post-baccalaureate study related to teacher preparation and pedagogy in special education and English language acquisition and academic proficiency for limited English proficient individuals; and
- support of dissertation research in the fields of mathematics, science, special education, or second language pedagogy and second language acquisition.

2. A further amendment would require that an application from a department, program, or unit in education or teacher preparation include assurances that the applicant will collaborate with relevant IHE departments, programs, or units in all content areas to ensure a successful combination of training in both teaching and content.

## FEDERAL FAMILY EDUCATION LOANS

Title IV, Sec. 425

The House bill would add a new category of service for which student loans provided under the Federal Family Education Loan program could be forgiven. S. 1642 does not contain a similar proposal.

The Higher Education Act currently authorizes loan forgiveness under this program for teachers and child care providers. H.R. 4137 would expand eligibility for loan forgiveness to borrowers in a wider range of public service fields. The categories of borrowers who would become eligible for loan forgiveness for work performed in areas of national need related to children with disabilities or other children include:

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. 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.

## **FEDERAL DIRECT STUDENT LOANS**

Title IV, Sec 452

H.R. 4137 but not the Senate bill would amend a recent provision added to Title IV of the Higher Education Act authorizing loan forgiveness under federal direct student loan programs for specific public service jobs. The direct student loan programs include a Federal Direct Stafford Loan, Federal Direct PLUS Loan, or Federal Direct Unsubsidized Stafford Loan, or a Federal Direct Consolidation Loan. The recently enacted public service category, authorized by the College Cost Reduction and Access Act (PL 110-84) in 2007, would be amended by H.R. 4137 and include among a longer list of borrowers eligible for loan forgiveness the following jobs 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

## **FEDERAL PERKINS LOANS**

Title IV, Sec. 465

HR 4136 and S. 1642 would amend 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.

Currently the Higher Education Act authorizes loan cancellation for several categories of public service. One of those categories authorized loan cancellation for borrowers who were employed full-time in a Head Start program.

The House and Senate bills propose expanding this category to include individuals employed full-time in a Head Start program, or in a pre-kindergarten or child care program that is licensed or regulated by the State.