



New Federal Law Promotes Success in Postsecondary Education for Students with Disabilities

By Candace Cortiella

The Higher Education Opportunity Act of 2008 (Public Law 110-315) (HEOA) was passed by the U.S. Congress and signed into law in August 2008. Five years overdue and several years in the making, the newly reauthorized Act will now direct the advancement of postsecondary education for at least the next five years.

The Act authorizes a number of new grant programs, imposes a number of new reporting requirements on institutions, attempts to increase the integrity of student loan programs, simplifies the federal student aid application process, and adds provisions meant to control textbook costs, among just a few of its provisions. The Act also has a number of important provisions intended to improve both access and success for students with disabilities in postsecondary education. This article provides an overview of several new provisions specific to students with disabilities.

[National Center for Information and Technical Support for Postsecondary Students with Disabilities](#)

This new National Center will provide technical assistance and information on best and promising practices to students with disabilities, the families of students with disabilities, as well as entities awarded grants, contracts, or cooperative agreements to improve the postsecondary recruitment, transition, retention, and completion rates of students with disabilities. Student and family assistance will include information for prospective postsecondary students to

use in transition planning while in secondary school; information and technical assistance provided to individualized education program (IEP) teams; research-based supports, services, and accommodations, which are available in postsecondary settings; information on student mentoring and networking opportunities for students with disabilities; and effective recruitment and transition programs at postsecondary educational institutions.

higher education. Grant funds will be made available to institutions of higher education to support the development of programs that provide 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.

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The Center will also maintain a national Web-based database of disability support services information with respect to institutions of higher education, including available information on disability documentation requirements; support services available; links to financial aid; accommodations policies; accessible instructional materials; and other topics relevant to students with disabilities.

[Comprehensive Transition and Postsecondary Programs for Students with Intellectual Disabilities](#)

The Act establishes a new grant program to promote the successful transition of students with intellectual disabilities into

lectual disability" as a student with mental retardation or a cognitive impairment, characterized by significant limitations in intellectual and cognitive functioning; adaptive behavior as expressed in conceptual, social, and practical adaptive skills; and who is currently, or was formerly, eligible for a free appropriate public education under the Individuals with Disabilities Education Act (IDEA).

Programs funded by this grant program must be 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 gainful employment.

Advisory Commission on Accessible Instructional Materials in Postsecondary Education for Students with Disabilities

The Act authorizes a new Commission on Accessible Instructional Materials tasked with conducting a comprehensive study to assess the barriers and systemic issues that interfere with the timely provision of accessible instructional materials and to make recommendations related to the development of a comprehensive approach that can ensure access to these materials in a time-frame comparable to when students without disabilities have standard print textbooks available. The Commission is also to examine the feasibility of a standardized electronic file format, similar to the National Instructional Materials Accessibility Standard (NIMAS) mandated by IDEA 2004. (See *Exceptional Parent*, February 2008, “What You Need to Know About NIMAS.”)

Model Demonstration Programs to Support Improved Access to Postsecondary Instructional Materials for Students with Print Disabilities

In addition to the Commission on Accessible Instructional Materials, the Act also authorizes model demonstration programs designed to encourage the development of systems to improve the availability of accessible format instructional materials for students with print disabilities in a timely manner. The Act defines a “student with a print disability” as a student with a disability, who experiences barriers to accessing instructional material in non-specialized formats.

These model programs are tasked with conducting activities such as supporting the development and implementation of processes and systems in helping to identify and verify the eligibility of students with print disabilities who need materials in specialized formats; in simplifying ways the student request process takes place; in improving coordination between institutions and publishers; in establishing copyright protec-

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tion of electronic textbook files; and in building awareness, outreach, and training activities for faculty, staff, and students related to the acquisition and dissemination of instructional materials in specialized formats.

Demonstration Projects to Support Postsecondary Faculty, Staff, and Administrators in Educating Students with Disabilities

The Act continues and expands upon a grant program to institutions of higher education designed to develop innovative, effective, and efficient teaching methods and strategies, consistent with the principles of universal design for learning, to provide postsecondary faculty, staff, and administrators with the skills and supports necessary to teach and meet the academic and programmatic needs of students with disabilities, in order to improve the retention of such students in, and the completion by such students of, postsecondary education. Demonstration projects can also work to ensure the successful and smooth transition of students with disabilities from secondary school to postsecondary education and the provision of accessible distance education programs or classes that would enhance the access of students with disabilities to postsecondary education, including the use of accessible curricula and electronic communication for instruction and advising.

GAO Study on Postsecondary Education and Students with Disabilities

In addition to these exciting new provisions in the HEOA, the U.S. Congress has directed the Government Accountability Office (GAO)

to conduct a study to:

- Examine the extent and manner in which students with disabilities are applying to, being accepted to, enrolling in, and graduating from different types of institutions of higher education.
- Determine the factors that influence the physical, academic, social, and economic access for students with intellectual, emotional, and physical disabilities in higher education.
- Collect and identify the rates of requests for, and access to, accommodations on college and graduate admissions tests.
- Examine the effectiveness and capacity of disability support service offices in institutions of higher education.
- Determine the extent to which institutions of higher education partner and coordinate services with other programs to assist students with disabilities.
- Examine the program characteristics of institutions of higher education that have been effective in recruiting and graduating students with all types of disabilities.

The findings of this study will help inform the U.S. Department of Education and the Congress as it continues to design and implement legislation and policies to improve postsecondary education success for students with disabilities. •

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