

# RISE Act

## *Respond, Innovate, Support, and Empower Students with Disabilities Act* Legislation introduced by Senator Casey, Senator Hatch, & Senator Cassidy

### SUMMARY

The RISE Act amends the Higher Education Act (HEA) to clarify the documentation an institution of higher education must accept when considering whether an enrolled student has a disability.

Specifically, the RISE Act clarifies that prior documentation used in K-12 education to receive special education or accommodations under the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, and the Americans with Disabilities Act, among other types of documentation, would be sufficient to demonstrate that an individual has a disability in the context of higher education. Typically, students attempting to receive accommodations for a disability must go through a two-step process. The initial step requires verification of a disability, which then leads to an agreement about what reasonable accommodations the school may be able to provide. The bill explicitly outlines acceptable forms of documentation that students may provide to institutions as evidence of a disability. However, reasonable accommodation decisions are still to be made on a case by case basis, as is currently done by schools.

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### CHALLENGES & SOLUTIONS

Students with disabilities are graduating high school and enrolling in college at an all-time high. Preparing every student for college and a career is critically important to supporting a strong economy and prosperous nation. Yet, students with disabilities often face barriers in college that prevent them from truly excelling.

The RISE Act addresses three significant challenges confronting students with disabilities and their families as they prepare for and enroll in postsecondary education:

**Challenge:** **Students with a history of having a disability in their K-12 education may have to undergo new, costly diagnostic testing once in higher education to demonstrate they qualify for disability services in college.** Currently, the majority of schools require testing be ‘recent’ (within as little as six months), despite diagnosis of a lifelong disability or an existing IEP in place from the student’s high school. This has created an unnecessary burden on students with disabilities. This financial and time-consuming burden is unnecessary for the purposes of simply demonstrating an individual has a disability.

**Solution:** The RISE Act clarifies that a past individualized education program (IEP), 504 plan, or documentation from the armed services, as well as other types of documentation commonly held by students with disabilities, will be sufficient to establish a student has a disability in college. However, decisions about accommodations for individual students will continue to be made by the institution of higher education and student.

**Challenge:** **Finding information about disability services programs offered at institutions of higher education (IHEs) can be challenging for students with disabilities, and their families.** Many students with disabilities lack information about how to access the disability services they need in college. Without this information, entry into and completion of college can be challenging.

**Solution:** The RISE Act requires schools to adopt transparent policies regarding disability services and to widely share and disseminate the information to students and families. It also authorizes \$10 million for the National Center for Information and Technical Support for Postsecondary Students with Disabilities, an existing program within HEOA. This Center provides young adults with

disabilities and their families with the relevant information about disability services needed to know how to access available resources and supports.

**Challenge**      **Too often, college faculty do not receive training and support to address the needs of students with disabilities.** More students with disabilities are enrolling in college than ever before, but just 45 percent of students with learning disabilities completed a 4-year degree compared to 53 percent of students without disabilities<sup>1</sup>. To help students with learning disabilities succeed in college, it's important for their professors to have the training and support to understand the different types of disabilities, accommodations and effective teaching strategies.

**Solution:**      As described above, the RISE Act Authorizes \$10 million for the National Center for Information and Technical Support for Postsecondary Students with Disabilities, an existing program within HEA. This Center is charged with supporting disability training for college faculty in addition to providing information to students and families.

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## **ORGANIZATIONS ENDORSING THE RISE ACT**

The National Center for Learning Disabilities · AIM Institute for Learning and Research · American Association of People with Disabilities · American Association of State Colleges and Universities · American Council on Education · Association of American Universities · Association of Public and Land-grant Universities · Association of University Centers on Disability · Autistic Self Advocacy Network · Decoding Dyslexia Network · Eye to Eye · Learning Disabilities Association of America · National Alliance on Mental Illness · National Association of Councils on Developmental Disabilities · National Association of Independent Colleges and Universities · Teacher Education Division of the Council for Exceptional Children · The Council of Parent Attorneys and Advocates

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<sup>1</sup> Cortiella, Candace and Horowitz, Sheldon H. *The State of Learning Disabilities: Facts, Trends, and Emerging Issues*. New York: National Center for Learning Disabilities, 2014