



November 10, 2021

James Kvaal
Under Secretary of Education
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, DC 20202

Re: Guidance for Accommodations for Students with Disabilities in Postsecondary Education Institutions

Dear Under Secretary James Kvaal ,

On behalf of the National Center for Learning Disabilities (NCLD) [Young Adult Leadership Council](#) (YALC), we are writing to request the U.S. Department of Education (ED) issue guidance to institutions of higher education (IHEs) to reduce the burden on students as they transition from preK-12 schooling to postsecondary education. NCLD's YALC harnesses the power and voices of young leaders with the shared goal to improve the lives of the 1 in 5 people with learning disabilities¹ and attention issues (i.e., dyslexia, dyscalculia, nonverbal learning disability, ADHD, specific learning disability). Many of us and our peers face barriers to obtaining necessary accommodations for our disabilities in college and/or completing degrees. We urge ED to issue guidance that requires IHEs to accept the proof of receipt of special education services or accommodations² in preK-12 settings as evidence of a disability when seeking accommodations in postsecondary settings.

Then-Candidate Biden's Commitment to College Students with Disabilities

As a presidential candidate, Joe Biden shared his [Plan for Full Participation and Equality for People With Disabilities](#). Then-candidate Biden pledged to ensure that all students with disabilities have access to educational programs and the support they need to succeed. His statement included a pledge to support postsecondary education for students with disabilities. The campaign plan stated:

¹ For the purpose of this letter, the term learning disability is used. Some members of the Young Adult Leadership Council prefer to identify with the term learning difference or neurodiverse.

² Defined as being eligible through Section 504 of the Rehabilitation Act or through the Individuals with Disabilities Education Act (IDEA).

“In addition, [Biden] will direct the Department of Education to provide guidance to all postsecondary programs to accept the accommodations students with disabilities have used in pre K-12 settings for postsecondary settings.”

Outcomes for Students with Disabilities in College

Many students with disabilities receive accommodations throughout their elementary and secondary education that make it possible for them to succeed academically. Upon transition to postsecondary education, students often face barriers to receiving those same accommodations and receive fewer supports or, in some cases, none at all. Students like us often also must prove, at great expense, the need for the accommodations that have made it possible to be successful students. Data from the National Longitudinal Transition Study-2 shows that 94% of students with learning disabilities received accommodations in high school but only 17% received accommodations in postsecondary education. According to a [report](#) by the National Center for Special Education Research, 43% of those who did not receive accommodations reported that they wished they had. Learning disabilities do not disappear because a student changes education settings. We are concerned about the gaps in receipt of accommodations for students with disabilities between preK-12 and higher education settings. The number of students who receive accommodations at IHEs indicates that the barriers that students with disabilities face in disclosing a disability and obtaining accommodations in postsecondary education are significant and require action by ED.

These barriers can have dramatic impacts on students, with data showing more instances of mental health issues and lower college completion rates between students with disabilities and their peers. [NIH research](#) analyzing data of over 5500 college students who used counseling services on campuses showed that students with disabilities report more anxiety and academic-related distress compared to students without disabilities. Data from the [2011 National Longitudinal Transition Study-2](#) showed that the postsecondary completion rate of young adults with disabilities (38.4%) was lower than that of their peers in the general population (51.2%) .

Costly, Burdensome, and Inconsistent Processes

While the requirements and processes vary between institutions, [most IHEs](#) look for a psycho-educational evaluation that has been completed within the last three years and [do not accept](#) an IEP or 504 plan as sufficient documentation. A student who requests postsecondary accommodations needs documentation that “verifies the existence of a disability and substantial limitations in learning” and students who previously had an IEP or 504 Plan underwent a comprehensive evaluation process under the IDEA or Section 504 of the Rehabilitation Act during their elementary through high school years to qualify for such services.

It is burdensome, stigmatizing, time consuming, and costly for postsecondary students to be required to re-prove that they have a disability in order to receive accommodations and access services that enabled them to succeed during their K-12 education. The cost of a new evaluation for an individual with a learning disability typically ranges between \$500 - \$2500.³ 50% of parents of high school students and 60% of parents of recent high school graduates think the process to get accommodations and support services at the postsecondary level, including necessary documentation, is difficult and unclear.⁴ As young adults, we seek recognition of these inequities and request that IHEs fully adhere to the requirements of the ADA and provide reasonable accommodations in order to create equitable access to postsecondary education and employment opportunities.

Our Experiences

We know these issues firsthand and wish to share our experiences and the importance of receiving accommodations to our collegiate success.

Josephine Olson:

"Despite having a handful of evaluations on file, THREE DAYS before my freshman year of college, Boston University called and told me that they decided my learning disability evaluations were too old and I could not receive any accommodations until I paid to get retested. College classes are challenging enough and the thought of not being able to accurately show my intelligence in class was devastating and unjust."

Athena Hallberg:

"I was lucky that my family was able to pay for me to be evaluated my senior year of high school so I could receive accommodations in college. For me, my accommodations have been critical to my success especially when taking challenging courses. I don't think I would have been able to succeed at my university, especially when having to take mandatory courses which were part of my college's core requirements, such as foreign language and calculus."

Rachelle Johnson:

"Our leaders say that they want diverse minds in education, but with so many barriers to accommodations, disabled students are kept out of higher education. As a Ph.D. student, I use my accommodations daily in order to access education. With accommodations, I am able to accurately reflect abilities and knowledge rather than the weaknesses that come with Dyslexia like slow reading. With my

³ Source: LDA America. Adult learning disability assessment process. Retrieved from <https://ldaamerica.org/info/adult-learning-disability-assessment-process/>

⁴ Source: NCLD May 2016 survey of over 800 parents on Understood.org merging Issues. New York: National Center for Learning Disabilities, 2014.

accommodations, I am able to thrive in academic settings, but without them I wonder if I would have a degree at all."

Madison Saunders:

"The difference between having accommodations and not having accommodations would scare me enough that I probably wouldn't be here."

Kayla Queen:

"This is about more than graduation rates and being treated justly. Learning disabilities often run through families, so without addressing systemic problems in education issues with poverty, mental health, and criminalization only deepen in our community. Making the needed changes such as accepting IEPs and 504 plans can drastically impact the quality of life of individuals with learning disabilities and their posterity."

Niloofar Tali Kamkar:

"Without accommodations, I wouldn't have graduated as successfully as I did. American society and culture tend to glorify college as the best time of your life, but the catch is: if the college doesn't work with you and your needs, it's more likely to be a more difficult time of your life."

Achieving Equity in College Access: A Civil Rights Imperative for Students with Disabilities

The Biden Administration has also [pledged](#) to expand access to affordable, high quality education beyond high school, including expanding access to community, vocational, and technical colleges. It should also be noted that students with disabilities [enroll in two-year and less than two-year institutions at higher rates than 4-year institutions](#). [Data](#) from the College Board also shows that community colleges serve a larger proportion of adult, minority, first-generation, and students impacted by poverty than 4-year colleges and universities. For these students, the costly, burdensome process to be reevaluated in order to receive accommodations can be an insurmountable barrier to postsecondary education. To accomplish President Biden's goals in making community college accessible and making a post-high school degree attainable for all, it is imperative that this Administration change the process by which students with disabilities can attain accommodations at IHEs that enable them to succeed.

Millions of students with disabilities continue to face barriers to success in postsecondary education. We request that ED issue guidance to urge IHEs to accept proof of receipt of special education services or accommodations in preK-12 settings as documentation of a disability and the need for academic accommodations. As a group of current and recent college students with disabilities, we stand ready to provide additional information to make this requested policy a reality. Please contact Lindsay

Kubatzky (lkubatzky@nclld.org), NCLD's Director of Policy and Advocacy, with any additional questions or to connect with us, the members of the YALC. We welcome any opportunities to discuss this topic further and urge you to consider additional ways that students with disabilities can be supported when enrolling in postsecondary education institutions.

Sincerely,

[NCLD's Young Adult Leadership Council:](#)

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CC:

Michelle Asha Cooper, Acting Assistant Secretary, Office of Postsecondary Education

Nick Lee, Deputy Assistant Secretary, Office of Planning, Evaluation, and Policy Development

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