

## In the News:

# Feds Expand Pell Grants to Students with Intellectual Disabilities

**The Higher Education Opportunity Act (Public Law 110-315) (HEOA) was enacted on August 14, 2008 and will be effective July 1, 2010.**

The Higher Education Opportunity Act (HEOA) (PL 110-315) was enacted on August 14, 2008, reauthorizing the Higher Education Act (HEA) of 1965. This law contains a number of important new provisions that will improve access to post-secondary education for students with intellectual disabilities. Of particular note are several provisions that address financial aid and create a new model demonstration program and coordinating center for students with intellectual disabilities.

Under the HEOA, a “student with an intellectual disability” is one who has a developmental disability or cognitive impairment. HEOA points out that a student who has an intellectual disability and was eligible under the Individuals with Disabilities Education Act (IDEA) meets the definition of a “student with an intellectual disability.”

Key aspects of the statute are that it allows students with intellectual disabilities to:

- Qualify for Pell Grants, Federal Supplemental Education Opportunity Grant (FSEOG), and Federal Work Study under certain circumstances
- Receive support from the Talent Search and Upward Bound programs (section 403);
- Receive supports to prepare for undergraduate programs
- Obtain common financial aid forms in an accessible format of the student’s choice

The law is specific in defining programs that are eligible. The programs must be a comprehensive transition and postsecondary program (a degree, certificate, non-degree, or non-certificate program) that—

- (1) Is offered by a participating institution;
- (2) Is delivered to students physically attending the institution;
- (3) Is designed to support students with intellectual disabilities who are seeking to continue academic, career and technical, and independent living instruction at an institution of higher education in order to prepare for gainful employment;
- (4) Includes an advising and curriculum structure;
- (5) Requires students with intellectual disabilities to have at least one-half of their participation in the program, as determined by the institution, focus on academic components through one or more of the following activities:  
taking credit-bearing courses with students without disabilities;  
auditing or otherwise participating in courses with students without disabilities for which the student does not receive regular academic credit;  
taking non-credit-bearing, non-degree courses with students without disabilities; and participating in internships or work-based training in settings with individuals without disabilities.

The student with Intellectual Disabilities :

- (1) Does not have to be enrolled for the purpose of obtaining a degree or certificate;
- (2) Is not required to have a high school diploma, a recognized equivalent of a high school diploma, or have passed an ability to benefit test; and
- (3) Is making satisfactory progress according to the institution's published standards for students enrolled in its comprehensive transition and postsecondary programs.

In short, it means that students with Intellectual Disabilities can qualify for financial aid to federally approved post-secondary programs in order to access further education and training. Unlike other students with disabilities,

students with ID may use their high school IEP's to document their disability and access accommodations in the higher education program.

For more information on HEOA visit <http://www.thinkcollege.net/for-professionals/higher-education-opportunity-act-of-2008>.