

## **Frequently Asked Questions (FAQs) and other Pertinent Information Model Comprehensive Transition and Postsecondary Program (TPSID)**

Since announcing the availability of grants under the 2010 Transition Programs for Students with Intellectual Disabilities (TPSID), the U.S. Department of Education, Office of Postsecondary Education (OPE), has received questions from those interested in the new program. Additionally, OPE received questions during a recent national technical assistance conference call (July 12, 2010) during which program requirements were discussed. The following are responses to the many questions we have received. For additional information, please consult the TPSID application packet available at <http://www.ed.gov/programs/tpsid>, the Higher Education Opportunity Act (HEOA) statute (<http://www2.ed.gov/policy/highered/leg/hea08/index.html>), and the final regulations, which include clarifying language related to institutional participation in Title IV Federal student aid programs <http://edocket.access.gpo.gov/2009/E9-25373.htm>.

Readers should be aware of the differing application requirements under the TPSID program and the requirements for institutions that are interested in applying to the U.S. Office of Federal Student Aid (FSA), to have their comprehensive transition and postsecondary program deemed eligible to participate in Title IV Federal student aid programs. For more information about the process and requirements related to Federal student aid, please read the electronic announcement posted to the FSA Information for Financial Aid Professionals Web site at <http://www.ifap.ed.gov/ifap/index.jsp>.

### **NOTE TO ALL APPLICANTS:**

**THE INFORMATION BELOW SHOULD BE COUPLED WITH A CAREFUL REVIEW OF THE TPSID APPLICATION PACKAGE AND THE REQUEST FOR PROPOSAL. THE SAME GUIDANCE APPLIES TO APPLICANTS FOR THE TPSID COORDINATING CENTER.**

### **ELIGIBLE APPLICANTS**

All applicants must meet the definition of Institution of Higher Education (IHE) as it is defined in the TPSID application package. Non-profit, private, degree conferring institutions of higher education are allowed to be a part of the consortium of IHEs. This includes two-year colleges and community colleges.

### **Can a UCED be the lead applicant if we apply as a consortium of IHEs?**

The program legislation does not prohibit an IHE who will not have the program at their IHE from serving as the lead applicant.

Experienced and inexperienced applicants must independently decide the role they would like their UCED (University Center for Excellence in Disability) to play with regards to their comprehensive transition programs. All eligible applicants will want to consider a role that is in the overall best interest of their program/project. Applicants that decide to allow an IHE other than the one who will have the comprehensive transition and postsecondary program at their IHE serve as the lead applicant may want to consider how the grant would benefit by having the IHE who is not going to have the comprehensive transition program at their school, serve as the lead applicant.

Additionally, if you decide to make the UCED the lead entity (although it would not be the entity with the comprehensive transition program at your IHE), please be sure to consider whether or not this may (or may not) affect the evaluation of the comprehensive transition program (because all applicants who receive grants under this program will have specific reporting requirements they must meet as a result of accepting a grant under the TPSID program) and/or may (or may not) effect you as the lead entity's ability to ensure that the goals of the program are met.

Also please note that, for the duration of the project, the IHE to whom TPSID funds are obligated will remain the fiscal agent for the project.

**Are proprietary schools (IHEs) eligible to participate in the TPSID program?**

No.

**NUMBER OF GRANT AWARDS**

**How many grants will be awarded to creating a program vs. how many to enhancing a program?**

OPE will not be considering the percentage of projects that will be funded based on where the project is in the development phase. It is expected that there will be a range of approved applications funded-representing the continuum of development. The learning that emanates from these models and the coordinating center will be important in future years to reach out to new programs and encourage their participation in the TPSID program.

**TPSID PROJECT START DATE INFORMATION**

**Can the first year be used as a planning year?**

Effective October 1, 2010, those selected to receive awards under the TPSID program will have access to their grant awards. Additionally, each grantee has reporting requirements that must be met on an annual basis. The reporting period will begin October 1, 2010.

**PAGE LIMITATION INFORMATION**

**TPSID program page limitation information**

Applicants are required to adhere to the page limitation in the Application Narrative Instruction portion of the application. The "Notice Inviting Applications" for new awards for FY 2010, published in the *Federal Register* contains specific information governing page limits for each grant type and formatting instructions. The page limit for the project narrative portion of the application for the FY 2010 TPSID competition is **40** pages.

There is no limitation on the number of pages one may download into appendices 1-3 (listed on page 79 of the TPSID application). Optional appendices #4 should be five pages or less.

**File Attachment Information**

File attachment information is located on pages 20-22 of the TPSID application package.

**How many letters of support should one include in their TPSID application?**

There is no limitation on the number of letters of support one may submit with their TPSID application, but applicants are asked to please reasonable when making that determination.

**ON-CAMPUS HOUSING FOR ID STUDENTS PARTICIPATING IN THE TPSID PROGRAM**

The Department recognizes that there are a myriad of possible arrangements that an institution may have for housing facilities for students. Regarding whether a particular student housing facility is an "on-campus" facility, we refer to the current definition of the term "campus" in Section 668.46(a). To clarify, any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.

**TPSID COORDINATING CENTER**

The purpose of the TPSID Coordinating Center, (which is a five-year cooperative agreement) is to establish a coordinating center for institutions of higher education that offer inclusive comprehensive transition and postsecondary programs for students with intellectual disabilities, including institutions funded under the Transition Programs for Students with Intellectual Disabilities (TPSID) Program (<http://www.ed.gov/programs/tpsid>).

An applicant funded to operate the coordinating center will be required to work closely with all comprehensive transition and postsecondary programs, including the TPSID grantees funded under section 767 of the Higher Education Act of 1965, as amended (HEA). The coordinating center will provide technical assistance to IHEs that offer comprehensive transition and postsecondary programs for students with intellectual disabilities, and will work with these programs to evaluate program components and recommend standards for such programs.

The coordinating center is expected to build the knowledge base around evidence-based components of comprehensive transition and postsecondary programs by designing protocols, and collecting, storing, analyzing and reporting on program components and outcomes; providing technical assistance and disseminating information to all comprehensive transition and postsecondary programs, including those funded under the transition programs for students with intellectual disabilities into higher education (TPSID) discretionary grant program (84.407A); and serving as a leader and coordinating communication strategies about comprehensive transition and postsecondary programs.

**USE OF GRANT FUNDS**

There are nine areas ALL TPSID applicants must address as they establish their model comprehensive transition and postsecondary program for students with intellectual disabilities. These areas may be found on pages 26-28 of the TPSID application package.

**Are there expectations on how different dollars (IDEA, vs. grant vs. IHE) are spent?**

IDEA dollars are guided by the needs of the students as determined in the students IEP as appropriate. The use of IDEA dollars must be according to the cost rules of IDEA funding, and always aligned with the needs of students based on the student's individualized education program. There is a 25 percent

matching requirement in the TPSID program. This contribution can be in fiscal contributions, or other in-kind contributions that an institution can offer. The entire TPSID budget is not intended to supplant existing program resources that are being used if the institution already has a comprehensive transition and postsecondary program in place. Rather, the TPSID grant is used to extend the scope, breath, or depth of the existing comprehensive transition and postsecondary program. There is requirement for TPSID grants to build sustainable programs – this can best be accomplished if institutions contribute and support the program early in its development.

### **ALLOWABLE COSTS**

Please refer to EDGAR (Education Department General Administrative Regulations) for information regarding “allowable” costs. You may access EDGAR at <http://www.ed.gov/policy/fund/reg/edgarReg/edgar.html>.

You may also refer to Office of Management and Budget (OMB) circulars for such guidance via the following Web site: <http://www.whitehouse.gov/omb/circulars/>.

The following circulars cited are also utilized to assist in determining allowable costs: A-87 - Cost Principles for State, Local and Indian Tribes; A-21 - Cost Principles for Educational Institutions; and A-122 - Cost Principles for Non-Profit Agencies.

### **BUDGET REQUIREMENT FOR IHEs**

Applicants must clearly describe the contributions of LEA (local education agency) partners to the project, for each budget year.

OPE discretionary grants, and specifically, these comprehensive transition and postsecondary program grants are required to follow the rules of allowable and unallowable expenses directed by EDGAR. The priority does not require that grantees allocate their resources in any particular ways – although, since these are model demonstration grants, when considering the scope of work, reviewers may assess whether TPSID applicants have provided enough resources for evaluation activities, and to the activities specified within the use of funds directions. Reviewers will likely look for sufficient resources dedicated to activities that facilitate the students participation in the academic, social, work experience, and independent living sectors of a higher education setting. Applications will also be examined to determine whether the proposed work for this program is aligned with the intent of the priority. For instance, if an applicant proposed 100 percent of its resources for staff development – it would be unlikely that it could sufficiently meet the other use of funds requirements. An applicant should consider alternate funding sources such as those also within OPE, such as the model demonstrations for faculty (84.333A) or grants funded by the Office of Special Education Programs (OSEP).

### **BUDGET CONSIDERATION LEAs**

Please be sure to carefully consider what is being proposed via the IHEs comprehensive transition and postsecondary program vs. what IDEA (and other pertinent sources) is/are required/willing to pay for.

### **Can applicants budget more than \$4,000 towards the TPSID Coordinating Center?**

Each applicant may determine this on an individual basis.

### **LOCATION OF THE BUDGET NARRATIVE IN THE TPSID APPLICATION**

The budget narrative should be included in the “Project Narrative – Adequacy of Resources” section of the TPSID application. For those interested in including a more detailed budget narrative, you may do so via the Appendix 4 - Optional section of the TPSID application. The 524B budget form is to be included in Sections A&B of the TPSID application. Page 59 of the TPSID application provides instructions for completing the application package.

### **TPSID PROGRAM GPRA PERFORMANCE INDICATORS**

TPSID Government Performance and Results Act (GPRA) performance indicators are located on page 57 of the TPSID application package. All applicants must address them in their submitted applications.

### **TPSID PROGRAM EVALUATION REQUIREMENTS**

Additional evaluation requirements for TPSID program applicants are covered on pages 6, 18, 46-49 of the application package.

Other questions TPSID program applicants were asked to address are:

- \* the types of data that will be collected;
- \* the data collection timeframe, methods, and instruments;
- \* what data analyses and reporting methods will be used;
- \* how the project will use these data to continuously improve their project.

TPSID applicants should note that all TPSID grantees will work closely with the TPSID Coordinating Center funded under Section 777 (b) to develop performance measures more closely aligned with this work. Please also note that there are TWO performance measures located in the TPSID Coordinating Center application package and they are as follows:

- (1) The percentage of recipients that have grants authorized under the TPSID program that meet Department-approved, center-developed standards for necessary program components, reported across each standard; and
- (2) The percentage of students with intellectual disabilities who are enrolled in programs funded under TPSID who complete the programs and obtain a meaningful credential, as defined by the center and approved by the Department.

### **DEFINITION OF AN INSTITUTION OF HIGHER EDUCATION FOR THE PURPOSE OF THE TPSID PROGRAM**

**Institution of Higher Education.** For purposes of this Act, other than Title IV, the term ‘institution of higher education’ means an educational institution in any State that--

- (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate or persons who meet the requirements of Section 484(d)(3);

(2) is legally authorized within such State to provide a program of education beyond secondary education;

(3) provides an educational program for which the institution awards a bachelor's degree or provides not less than a two-year program that is acceptable for full credit toward such a degree or awards a degree that is acceptable for admission to a graduate or professional degree program, subject to review and approval by the Secretary;

(4) is a public or other nonprofit institution; and

(5) is accredited by a nationally recognized accrediting agency or association, or if not so accredited, is an institution that has been granted preaccreditation status by such an agency or association that has been recognized by the Secretary for the granting of preaccreditation status, and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time.

(b) ADDITIONAL INSTITUTIONS INCLUDED.—For purposes of this Act, other than Title IV, the term “institution of higher education” also includes—

(1) any school that provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and that meets the provision of paragraphs (1), (2), (4), and (5) of subsection (a); and

(2) a public or nonprofit private educational institution in any State that, in lieu of the requirements in subsection (a)(1), admits as regular student individuals—

(A) who are beyond the age of compulsory school attendance in the State in which the institution is located; or

(B) who will be dually or concurrently enrolled in the institution and a secondary school. (Section 101. General Definition of an Institution of Higher Education ([http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110\\_cong\\_public\\_laws&docid=f:publ315.110](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_cong_public_laws&docid=f:publ315.110))).

**DEFINITION OF A “STUDENT WITH AN INTELLECTUAL DISABILITY” FOR THE PURPOSE OF THE TPSID PROGRAM – THIS DEFINITION WAS DEFINED MORE FULLY IN THE FINAL REGULATIONS WHICH CLARIFIED PROPOSED RULES FOR THE TITLE IV, FEDERAL STUDENT AID PROCESS. TEXT FROM THOSE CLARIFICATIONS IS INCLUDED BELOW.**

**Student with an Intellectual Disability.** The term ‘student with an intellectual disability’ means a student—(A) with mental retardation or a cognitive impairment, characterized by significant limitations in—(i) intellectual and cognitive functioning; and(ii) adaptive behavior as expressed in conceptual, social, and practical adaptive skills; and (B) who is currently, or was formerly, eligible for a free appropriate public education under the Individuals with Disabilities Education Act (20 U.S.C. 1140 Section 760(2) [http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110\\_cong\\_public\\_laws&docid=f:publ315.110.pdf](http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_cong_public_laws&docid=f:publ315.110.pdf)).

Additionally, the Department recognizes that disabilities other than mental retardation, such as certain forms of autism and traumatic brain injury, may be considered intellectual disabilities, under Section 668.233(c), a student with an intellectual disability is eligible to receive Federal Pell, Federal

Supplemental Educational Opportunity Grant, and Federal Work Study program assistance under subpart O of part 668 (Financial Assistance for Students with Intellectual Disabilities) if the institution that offers the eligible comprehensive transition and postsecondary program obtains a record from a local educational agency (LEA) that the student is or was eligible for special education and related services under the IDEA.

Additionally, if that record does not specifically identify the student as having an intellectual disability, the institution must review all documentation obtained, such as a documented comprehensive and individualized psycho-educational evaluation and diagnosis of an intellectual disability by a psychologist or other qualified professional; or a record of the disability from an LEA or State educational agency (SEA), or government agency, such as the Social Security Administration or a vocational rehabilitation agency, that identifies the intellectual disability. Ultimately, the institution determines whether a student meets the definition of a student with an intellectual disability for the purpose of this subpart.

The Department interprets the statute as providing that a student who has not gone through the formal IDEA eligibility process does not meet the definition of a student with an intellectual disability. Specifically, Section 760(2) states that a student with an intellectual disability means a student who “is currently, or was formerly, eligible for a FAPE under the IDEA.” While the Department does not wish to exclude students who have not gone through this process, we do not believe the statutory language permits the Department to make these students eligible. The Department encourages students to obtain an IDEA eligibility determination.

#### **Does the definition of ID include individuals on the ASD?**

The comprehensive transition and postsecondary program is targeted at providing access to postsecondary education to those students who traditionally have been unable to participate in higher education. If a student with ASD has a significant cognitive impairment with significant limitation in cognitive functioning, and limitations in adaptive behavior, and who was formerly or currently eligible for IDEA services, that student does meet the definition of an eligible student.

If a student with ASD does not meet this definition, and their disability does not present any significant intellectual or cognitive functioning or adaptive behavior, the student may be admitted to the institution, and may be considered a student with a disability, and thus entitled to disability support services and/or accommodations consistent with other Federal policy such as Section 504 of the Rehabilitation Act or the American with Disabilities Act.

#### **Is there any additional guidance regarding the definition of “meaningful credential”?**

This is a determination that applicants must make on an individual basis. Applicants seeking additional information in the area of “meaningful credential” will likely uncover such information during their own literature review process and/or may want to consider conferring with other IHEs or similar entities that have existing comprehensive transition and postsecondary programs for students with intellectual disabilities. Additionally, some of the materials referenced on pages 7-9 of the TPSID application package may be of assistance to you as well.

#### **Assessing “Inclusiveness” as it relates to the model comprehensive transition and postsecondary programs applicants are developing for the TPSID program.**

In an amended regulation – “(E) Requires students with intellectual disabilities to be socially and academically integrated with non-disabled students to the maximum extent possible (Section 760, 20 U.S.C. 1140).”

If you are trying to assess the "inclusiveness" of a student's program - IHEs may also want to consider questions like: whether there is any potential least restrictive environment in which the content of the course can be delivered? Whether or not an existing course can be adapted to address the knowledge/content delivered in a segregated setting? Has the program considered all possible less segregated options in which the student can learn the course content, instead of being placed in a segregated class or experience?

Each applicant must utilize the information provided to shape how they plan to address “inclusiveness” as it relates to the model comprehensive transition and postsecondary programs for students with intellectual disabilities you are in the process of developing or expanding.

**DETERMINING THE MEANING OF “HALF-TIME BASIS.” THE REQUIREMENTS FOR PROGRAM PARTICIPATION IN TITLE IV MAY BE DIFFERENT, THUS, READERS ARE ENCOURAGED TO REVIEW THE FSA PROGRAM REQUIREMENTS AT <http://www.ifap.ed.gov/ifap/index.jsp>.**

In determining the meaning of half-time participation in designing a comprehensive transition and postsecondary program, it may be reasonably based on real hours, credit hours, or a combination of the two. It may be calculated across the span of the program or by term, as long as an institution clearly explains in its application to add an eligible program how this will be determined. Half-time participation may be calculated per semester or across the length of the comprehensive transition and postsecondary program.

Without speaking on behalf of the authors of the TPSID legislation, it is believed not stating an exact number of college credits needed by ID students to successfully complete a model comprehensive transition postsecondary program was done intentionally to enable applicants a bit more flexibility in this area because, each program will be offering different course work/curriculum to its student participants. The amount of time it may take for the students to complete each applicant's respective program, will also vary.

#### **DEFINITION OF COMPREHENSIVE TRANSITION AND POSTSECONDARY PROGRAM**

##### **Comprehensive transition and postsecondary program for students with intellectual disabilities**

(Section 760(1) of the Higher Education Act). The term “comprehensive transition and postsecondary program for students with intellectual disabilities” means a degree, certificate, or nondegree program that meets each of the following:

- (A) Is offered by an institution of higher education.
- (B) 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.
- (C) Includes an advising and curriculum structure.
- (D) Requires students with intellectual disabilities to participate on not less than a half-time basis as determined by the institution, with such participation focusing on academic components, and occurring through one or more of the following activities:

- (i) Regular enrollment in credit-bearing courses with nondisabled students offered by the institution.
  - (ii) Auditing or participating in courses with nondisabled students offered by the institution for which the student does not receive regular academic credit.
  - (iii) Enrollment in noncredit-bearing, nondegree courses with nondisabled students.
  - (iv) Participation in internships or work-based training in settings with nondisabled individuals.
- (E) Requires students with intellectual disabilities to be socially and academically integrated with non-disabled students to the maximum extent possible.

### **TPSID PROGRAM PARTICIPANT INFORMATION**

#### **Can students who have been home schooled and/or who have gone to private school participate in the TPSID program?**

Yes. However, these students must have been or in the future, would have to go through an IDEA eligibility determination process and determined to be an eligible for IDEA services, regardless of whether they actually did receive or will receive services under IDEA.

#### **Age range of the students with intellectual disabilities who are to be served via the TPSID program**

The program legislation does not specify the age range of the students with intellectual disabilities. Applicants' comprehensive transition and postsecondary programs are to serve students with intellectual disabilities or are currently, or were formerly, eligible for a free appropriate public education under the Individuals with Disabilities Education Act (20 U.S.C. 1140 Section 760(2)).

#### **Age limit for ID students who participate in the model comprehensive transition and postsecondary programs for students with intellectual disabilities.**

Although the program legislation does not specify an age limit for the ID students enrolled in the model comprehensive transition and postsecondary programs, however, please keep in mind that individual IHEs may have their own enrollment requirements.

#### **Number of years of the model comprehensive transition and postsecondary program for students with intellectual disabilities being served under the TPSID program**

The program legislation does not specify the number of years that may be considered to be appropriate for a model, however, the application includes the following requirement, "students with intellectual disabilities to participate on not less than a half-time basis, as determined by the institution, with such participation focusing on academic components, and occurring through one or more of the following activities;

Additionally, an amended regulation, (E) requires students with intellectual disabilities to be socially and academically integrated with non-disabled students to the maximum extent possible (section 760, 20 U.S.C. 1140).

#### **May non-traditional/older students with ID participate in the TPSID program?**

The program regulations do not prohibit, non-traditional/older adult ID students from participating in the TPSID program.

Applicants who may be considering targeting adult ID students may also want to consider:

IHEs must have written, verifiable documentation that the adult ID students were deemed eligible for IDEA (the students are currently or were formerly, eligible for a free appropriate public education under the Individuals with Disabilities Education Act (20 U.S.C. 1140 Section 760 (2)));

TPSID grant funds cannot be used for direct financial aid and can only be used for TPSID program support and services;

A gentle reminder regarding definition of a student with an intellectual disability:

(A) with mental retardation or a cognitive impairment, characterized by significant limitations in (i) intellectual and cognitive functioning; and  
(ii) adaptive behavior as expressed in conceptual, social, and practical adaptive skills; and

(B) who is currently, or was formerly, eligible for a free appropriate public education under the Individuals with Disabilities Education Act (20 U.S.C. 1140 Section 760(2)).

The final regulations pertinent to Title IV, program participation in financial aid provides additional clarification regarding the institution's responsibility to document a student's disabilities. Additionally, the Department recognizes that disabilities other than mental retardation, such as certain forms of autism and traumatic brain injury, may be considered intellectual disabilities, under Section 668.233(c) , a student with an intellectual disability is eligible to receive Federal Pell, Federal Supplemental Educational Opportunity Grant (FSEOG), and Federal Work Study (FWS) program assistance under subpart O of part 668 (Financial Assistance for Students with Intellectual Disabilities) if the institution that offers the eligible comprehensive transition and postsecondary program obtains a record from a local educational agency (LEA) that the student is or was eligible for special education and related services under the IDEA.

Additionally, if that record does not specifically identify the student as having an intellectual disability, the institution must review all documentation obtained, such as a documented comprehensive and individualized psycho-educational evaluation and diagnosis of an intellectual disability by a psychologist or other qualified professional; or a record of the disability from an LEA or SEA, or government agency, such as the Social Security Administration or a vocational rehabilitation agency, that identifies the intellectual disability. Ultimately, the institution determines whether a student meets the definition of a student with an intellectual disability for the purpose of this subpart.

Other considerations TPSID applicants who are considering targeting non-traditional/older adult ID students may want to keep in mind:

(1) The funding support for these non-traditional/adult ID students since grant funds cannot be used for direct student assistance;

(2) The level of "buy in" you will need to obtain from the IHE administration;

(3) Recruiting efforts for these non-traditional ID students (especially in the event they are to participate in on-campus housing; and

(4) Plans for sustainability of your potentially funded TPSID grant beyond federal funding.

**Dually enrolled students who participate in a model comprehensive transition and postsecondary program via the TPSID program. Information for the below response was in part taken from the final regulations related to Title IV program participation in Federal Student Aid.**

It is the Department's longstanding position that a student with a disability may be dually enrolled in secondary school and a postsecondary institution, although such dual enrollment precludes the student from being eligible for Title IV, HEA aid.

The provisions in section 612(a)(2) of the IDEA and 34 CFR 300.110 require States to ensure that public agencies take steps to ensure that children with disabilities have access to the same program options that are available to nondisabled children in the area served by the agency. This would apply to dual enrollment programs in postsecondary or community-based settings. However, we do not believe that the IDEA, or its implementing regulations, requires public agencies to provide dual enrollment programs in postsecondary or community-based settings for students with disabilities, if such programs are not available to secondary school students without disabilities.

In a State that offers dual enrollment programs to secondary school students, a high school student with an intellectual disability, as defined under Section 668.231(b), who is receiving special education and related services may be dually enrolled in an eligible comprehensive transition and postsecondary program under Section 668.232.

Also, please keep in mind the fact that, if an applicant is awarded a TPSID grant, this does not necessarily indicate that the applicant's program will be deemed eligible to participate in federal student aid programs. All institutions that offer a comprehensive transition and postsecondary program, if they are interested in participating in federal student financial aid programs, and regardless of whether they are a TPSID grantee, must apply to FSA to determine whether this additional program is an eligible program. Similarly, if a comprehensive transition and postsecondary program has already applied to FSA, and their program was determined to be eligible to participate in federal student aid programs, this does not necessarily indicate that the applicant will be successful in procuring a TPSID grant.

Also, in connecting with an appropriate U.S. Department of Education Financial Student Aid employee, applicants who do not know this already may want to receive additional information regarding the interaction between the receipt of Title IV, HEA aid and other benefits that the student may receive, such as Medicaid or vocational rehabilitation funding.

**DEVELOPING A MODEL COMPREHENSIVE TRANSITION AND POSTSECONDARY PROGRAM FOR STUDENTS WITH INTELLECTUAL DISABILITIES WHO WILL BE SERVED VIA THE TPSID PROGRAM.**

Many of the following questions and responses were taken from the final regulations related to program participation in Title IV Federal student aid.

**The "program" will be so different for each person and the length of it may be different for each person. It may be challenging to determine how to award a certificate since each person may require certain things to feel completed. Please clarify?**

Each applicant will need to determine these factors on an individual basis. Applicants seeking more detailed information will likely uncover such information during the literature review process and/or may want to consider conferring with other IHEs or similar entities that have existing comprehensive transition and postsecondary programs for students with intellectual disabilities. Some of the referenced information provided on pages 7-9 of the TPSID application package may be of assistance to you.

### **The concept of a “program” is different in special education than it is in higher education**

In general, an institution must demonstrate in its application that its comprehensive transition and postsecondary program satisfies the definitional criteria in Sec. 668.231(a). An institution may have one, or more than one, comprehensive transition and postsecondary program. A program may be for only one student or for a group of students, but each program must be approved by the Department. To be clear, the Department will not approve a generalized structure that can later be modified by the institution to be a different program for specific students. That said, once a program is approved, it can be modified slightly for different students. For example, a program approved under Section 668.231 may require a specific number and type of courses, along with other program requirements, but that does not mean that each student in that program will take exactly the same courses. Much like the variation in any student’s curriculum that results from individual choices in elective coursework and required academic areas within a program, individual students enrolled in an approved comprehensive transition and postsecondary program may end up taking some different courses. All such courses must be part of the same approved program or part of a separately approved program.

### **The importance of employment as a desired outcome for students with intellectual disabilities who enroll in eligible comprehensive transition and postsecondary programs.**

Gainful employment is an important outcome for students with intellectual disabilities participating in comprehensive transition and postsecondary programs. In fact, the Department has a long history of providing national leadership for, and administration of, programs that develop and implement comprehensive and coordinated programs of vocational rehabilitation, supported employment and independent living for individuals with disabilities, through services, training and economic opportunities, in order to maximize their employability, independence and integration into the workplace and the community.

The Department believes that the regulations sufficiently ensure that the comprehensive transition and postsecondary programs approved by the Department will focus on ensuring that enrolled students will be prepared for gainful employment. Specifically, in the definition of the term comprehensive transition and postsecondary program in Section 668.231, paragraph (a)(3) provides that the program is one that 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. Under Section 668.232(a), an institution applying to offer a comprehensive transition and postsecondary program as an eligible program under Title IV of the HEA must provide to the Secretary a detailed description of that program, including a description that addresses all of the components of the program, as defined in Section 668.231. Because Section 668.231(a)(3) specifically references that a comprehensive transition and postsecondary program is one that is designed to prepare enrolled students for gainful employment, the detailed description required under Section 668.232(a) must include a description of how the program meets this definitional requirement. We, therefore, believe that the regulations sufficiently ensure that any comprehensive

transition and postsecondary program will focus on the outcome of gainful employment for students participating in these programs.

### **The process for adding a model comprehensive transition and postsecondary program to the list of eligible programs at an institution of higher education**

The process for adding a model comprehensive transition and postsecondary program to the list of eligible programs at an institution of higher education should not pose a large burden on institutions, because it will be part of the same process an institution now uses to notify the Department of any new program it seeks to include as an eligible Title IV, HEA program. As far as the model demonstration and coordinating center, the Department has a current National Institute of Disability and Rehabilitation Research Center evaluating promising practices in this area.

### **State and LEA requirements as they relate to the TPSID program**

Under Section 612(a)(1) of the IDEA and 34 CFR 300.101, each State and its LEAs must make FAPE (free appropriate public education) available to all children with specified disabilities residing in the State, in mandatory age ranges. Under 34 CFR 300.17(c) of the regulations implementing Part B of the IDEA, FAPE includes an appropriate preschool, elementary school, or secondary school education in the State involved. **Under the IDEA, LEAs are not required to provide FAPE in postsecondary education settings.**

In general, Part B, IDEA funds could be used for appropriate education services included in an IEP that are provided outside of a public or private elementary or secondary school though, if, under State law, the education would be considered secondary school education.

A student with an intellectual disability is eligible to receive Federal Pell Grant, FSEOG, and FWS program assistance under Section 668.233 if the student satisfies the general student eligibility requirements under Section 668.32, except for paragraphs (a), (e), and (f) of that section. Section 668.32(b) states that a student is not eligible to receive Federal Pell Grant, FSEOG, or FWS program assistance if he or she is enrolled in elementary or secondary school. In other words, if a student is dually enrolled in a secondary school and an eligible comprehensive transition and postsecondary program, he or she is not eligible for Federal Pell, FSEOG, and FWS program assistance. **Therefore, while an LEA could use Part B, IDEA funds to support a dually enrolled student with a disability's participation in a comprehensive transition and postsecondary program if the services the student received in that program were considered secondary school education under State law and were included in the student's IEP, the student would not be eligible to apply for Federal Pell Grant, FSEOG, and FWS program assistance.**

IDEA's Child Find and Free and Appropriate Public Education (FAPE) in the least restrictive environment requirements apply to all individuals who are still at an age at which they could receive special education services in their state.

If a student with an intellectual disability who is dually enrolled in a comprehensive transition and postsecondary program receives services in that program that are considered secondary education in the State and are included in the student's IEP, **the SEA or LEA must monitor the student's progress toward annual academic and functional goals, because those entities are responsible, under the IDEA, for ensuring that the services identified in the student's IEP are provided.** Additionally, eligible comprehensive transition and postsecondary programs, which operate through institutions, must meet

the program requirements in Section 668.232, including establishing a policy for determining whether a student enrolled in the comprehensive transition and postsecondary program is making satisfactory academic progress. In all cases, the Department encourages the SEA or LEA and the institution offering the comprehensive transition and postsecondary program to enter into a formal agreement of understanding that identifies what the SEA or LEA will provide to the dually-enrolled student, and what the institution will provide to meet the requirements of an eligible comprehensive transition and postsecondary program, and how the student's progress will be assessed. Furthermore, Section 612(a)(12) of the IDEA and its implementing regulations at 34 CFR 300.154 require States to develop and implement interagency agreements or other written mechanisms for interagency coordination to ensure that services necessary to provide FAPE to children with disabilities within the State that are provided or paid for by other public agencies are provided or paid for. These provisions mean that if public agencies of a State operate comprehensive transition and postsecondary programs that dually enroll students who are covered by the IDEA to provide services included in the students' IEPs, the State must ensure that interagency agreements or other written mechanisms meeting these requirements are in place.

### **Vocational rehabilitation participation as it relates to the TPSID program**

Transition planning involves an interdisciplinary effort – including work across special education and vocational rehabilitation (VR). Applicants are encouraged to review literature from both special education and vocational rehabilitation researchers to identify those evidence-based practices that are proven successful in breaking down silos. Applicants are encouraged to invite the participation of VR professionals early in the development and launch of the comprehensive transition and postsecondary program. Provide opportunities for VR professionals to advise or consult to your program and establish ongoing communication mechanisms and dedicated staff to ensure the relationships are sustained. Students who leave the TPSID program and are successful in gainful employment would also be the interest of vocational rehabilitation personnel and would positively affect their closure rate – data that is used to measure the performance of vocational rehabilitation.

### **What type of commitment should applicants receive from vocational rehabilitation? Is a commitment letter needed or a letter of support?**

The TPSID program legislation does not specifically address this. It is likely that applicants who are interested in a concrete commitment with those entities they plan to work in partnership with, will have some sort of written agreement outlining the terms of the commitment so that all pertinent parties will be clear about what is expected of each entity for the timeframe specified in the written agreement.

### **What can be used to meet the TPSID matching requirement?**

Cash and in-kind (personnel, space, equipment) are examples of match. Donated time may be used as cost share because the persons working on a grant are not being paid for the time that they are working.

The TPSID program has an eight percent indirect cost rate cap. Unrecovered indirect costs (IHEs who have negotiated indirect cost rates well above eight percent who may be seeking to utilize the remaining indirect costs that they were unable to utilize because of the eight percent cap) percent of indirect costs that remains MAY NOT be used to meet the match under the TPSID program.

**Please note: The matching requirement can not be met with federal funds.**