

Department of Education

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On

Living with Disabilities in the United States: A Snapshot

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Mr. Chairman and Members of the Subcommittee:

Good afternoon, I am Troy Justesen, the Acting Deputy Assistant Secretary for Special Education and Rehabilitative Services at the Department of Education. Thank you for the opportunity to describe Federal program initiatives affecting the quality of life for U.S. citizens living with disabilities. On February 1, 2001, fewer than two weeks after his administration began, President George W. Bush announced the New Freedom Initiative (NFI). In doing so, the President said: "I am committed to tearing down the remaining barriers to equality that face Americans with disabilities today." The NFI is designed to affect every aspect of the quality of life of individuals with disabilities by increasing access through technology, expanding educational opportunities for youth, integrating Americans with disabilities into the work force, and promoting full access to community life. NFI outlines a comprehensive strategy for full integration of people with disabilities and serves as a set of guiding principles for change. The goals of the NFI reach across the agencies of the Federal government and across America. I

intend to summarize some of the most recent accomplishments in the four major areas under the NFI.

### **Increasing Access Through Technology**

New technologies are providing individuals with greater access to school, work, and community life. In addition to promoting the development of new assistive and universally designed technologies, the New Freedom Initiative helps to put assistive technology into the hands of more individuals with disabilities through policies that reduce barriers associated with cost. The Office of Special Education and Rehabilitative Services (OSERS) administers a loan program to assist individuals with disabilities to purchase assistive technologies under Title III of the Assistive Technology Act of 1998. The program matches state dollars with Federal dollars to create alternative financing mechanisms, such as low interest, long-term loans. OSERS also provided a total of approximately \$40 million in fiscal years 2002 and 2003 to support Rehabilitation Engineering Research Centers to promote research on assistive and universally designed technologies.

The NFI has provided Americans with greater access to work opportunities. President Bush has highlighted the importance of section 508 of the Rehabilitation Act of 1973 for its role in making the world of information technology more readily accessible. Section 508 requires that all electronic and information technology purchased and used by the Federal government be accessible and usable by individuals with disabilities. President Bush is strongly committed to implementing section 508 and, since its inception, significant strides have been made in improving the accessibility of information technology for employees of the largest employer in

the United States, the Federal government. With every new acquisition of information technology, section 508 uses the natural forces of the market to increase the prevalence of accessible information technology tools and resources for both Federal employees and citizens using e-Government resources.

In August 2002, President Bush signed an Executive Memorandum requiring the creation of a cross-agency website to make disability information easily accessible to all Americans. Less than sixty days later, DisabilityInfo.gov was launched. Operated by the Department of Labor's Office of Disability Employment Policy, DisabilityInfo.gov streamlines access to information about Federally sponsored employment, housing, job accommodations, transportation, income support, health care, state and regional assistance programs, technology, emergency preparedness, and other programs relevant to the daily lives of people with disabilities.

### **Expanding Educational Opportunities for Youth**

The President has delivered on his promise in the New Freedom Initiative to increase funding for the Individuals with Disabilities Education Act (IDEA), which requires that all children with disabilities be provided a free appropriate public education. Since FY 2001, the IDEA Part B State Grants program has received an increase of more than \$3.7 billion in annual funding and the President is proposing another \$1 billion increase for FY 2005. In FY 2004, nearly \$10.1 billion are available for this program, which represents an increase of 59 percent since 2001.

In order to improve the educational outcomes for students with disabilities, on October 2, 2001, the President's Commission on Excellence in Special Education was created and charged with collecting information, studying issues related to Federal, state and local programs, and recommending policies for improving the educational performance of students with disabilities. The Commission submitted its final report to the President on July 1, 2002.

In September 2003, the Department of Education and the Department of Health and Human Services funded eight research projects to explore the effectiveness of curriculum interventions or programs in preparing at-risk children for school. These two Departments also formed a partnership to support research to enhance literacy and employment skills of adolescents.

Here at the Department of Education, OSERS collaborates with Department offices on the implementation of the No Child Left Behind Act to improve teacher quality and to include all students in accountability systems. Weekly meetings are held at leadership and staff levels, where the challenges of including students with disabilities are discussed and options for change are considered. Results from those meetings include new regulations and guidance on the inclusion of children with the most significant cognitive disabilities in State accountability systems and additional flexibility in how the highly qualified teacher standards may be met. OSERS is also collaborating with offices across the Department, including the Office of Vocational and Adult Education on the "Preparing America's Future High School Initiative" and the Office of English Language Acquisition on a National Symposium on Learning Disabilities in English Language Learners.

As the New Freedom Initiative results in better educational opportunities and outcomes for more students with disabilities, it is critical that efforts are undertaken to promote the successful transition of youth to post-secondary school, work, and other goals that will enhance the lives of these individuals. One such effort is a joint effort between the Department of Labor and the Department of Education, in which over \$880,000 was awarded in 2003 to six faith-based and community intermediary organizations to help build the capacity and knowledge of faith-based and community organizations to provide mentoring services to young people with disabilities. Another interagency effort involves work being done through the National Alliance on Secondary Education and Transition to identify evidence-based guideposts as to what all youth, including youth with disabilities, need to transition successfully.

### **Integrating Americans with Disabilities into the Workforce**

In OSERS, the Rehabilitation Services Administration is working with the Social Security Administration on the implementation of the landmark Ticket to Work and Work Incentives Improvement Act. Under the Ticket to Work program, eligible individuals receiving Social Security or Supplemental Security Income benefits due to disability receive a ticket that they may use to obtain vocational rehabilitation services, employment services, or other support services from an employment network or a State vocational rehabilitation agency of their choice. The Ticket to Work program is being rolled out in three phases, the first two of which have already been completed. Over 8 million tickets have been issued throughout the States and the District of Columbia. As of December 2003, the Social Security Administration had awarded 1,150 contracts to public and private entities wishing to serve as employment networks for ticket

holders. In addition, the Rehabilitation Services Administration and the Social Security Administration are developing a Memorandum of Understanding to share data and to better coordinate program administration.

Additionally, the President supports full implementation of the Americans with Disabilities Act (ADA), but recognizes that more needs to be done. Federal agencies, including the Department of Justice and the Equal Employment Opportunity Commission, enforce the ADA through complaint investigations and litigation. The New Freedom Initiative also calls on agencies to develop new, innovative strategies to educate covered employers about the ADA and about the benefits of hiring qualified individuals with disabilities. The Department of Justice created the “ADA Business Connection,” a project to bring about increased compliance with the ADA by fostering a better understanding of ADA requirements among the business community and by increasing dialogue and cooperation between the business community and the disability community. Continuing work between the Department of Justice and the Department of Education has resulted in productive discussions and promising collaborations between the business and disability communities.

### **Promoting Full Access to Community Life**

The Supreme Court’s landmark decision in Olmstead v. L.C. affirmed the right of individuals with disabilities to live in the community rather than in institutions whenever possible. The President recognizes, however, that making the promise of full integration a reality for people with disabilities means not only changing existing practices that favor institutionalization over

community-based treatment, but also providing the affordable housing, transportation, and access to state and local government programs and activities that make community life possible.

As part of his promise in the New Freedom Initiative to swiftly implement the Olmstead decision, the President issued an executive order, which requires coordination among numerous Federal agencies that administer programs affecting access to the community for people with disabilities. On March 25, 2002, nine Federal agencies, including the Department of Education, submitted to the President a report entitled *Delivering on the Promise*. The report summarizes agency activities that support Olmstead's goal of integration, identifies barriers that exist within programs to full implementation of Olmstead, and proposes more than 400 solutions aimed at removing these barriers.

Access to transportation is critical for achieving full integration of individuals with disabilities into the community. People with disabilities need reliable transportation so that they can obtain and keep jobs, access medical care, and participate in all of the activities a community has to offer. The "United We Ride" program is a five-part initiative to assist states and communities in coordinating human service transportation. The Departments of Transportation, Health and Human Services, Labor, and Education are working together to remove barriers at the Federal level, and to provide assessment tools, technical assistance, peer-to-peer sharing opportunities, and modest grants to help states and communities deliver appropriate and cost-effective transportation services for all individuals with disabilities.

On April 29, 2002, the President established the New Freedom Commission on Mental Health. Composed of fifteen members representing providers, payers, administrators, consumers of mental health services, and family members of consumers, the Commission was charged with conducting “a comprehensive study of the United States mental health service delivery system, including public and private sector providers,” and was directed to advise the President on methods of improving the system. In July 2003, the Commission issued its recommendations in a final report entitled *Achieving the Promise, Transforming Mental Health Care in America*. The report identifies barriers to care within the mental health system and examples of community-based care models that have proven successful in coordinating and providing treatment services. While this is certainly not an exhaustive list of programs initiated to improve the quality of life for individuals with disabilities, we at the Department of Education, and specifically OSERS, remain committed to programs, policies, and initiatives that do just that- improve the quality of life from our youngest citizens to our oldest. Our work across the Department and the Federal government, through the ideals of the New Freedom Initiative, are designed to improve outcomes for individuals with disabilities now and into the future.

Mr. Chairman, that concludes my prepared remarks. I will be happy to answer any questions.