



LegisBrief

A QUICK LOOK INTO IMPORTANT ISSUES OF THE DAY

MAR 2017 | VOL. 25, NO. 11

Supporting Higher Education for People with Disabilities

BY KYLE INGRAM

Earning a postsecondary education credential like a degree or certification expands a person's employment choices and is an **important indicator** for future earnings and job security. Workers who do not possess postsecondary credentials are more likely to experience low wages and high unemployment. Increasing demands by employers for a skilled, credentialed workforce will likely worsen these economic outcomes for those without such credentials. By the end of the decade,

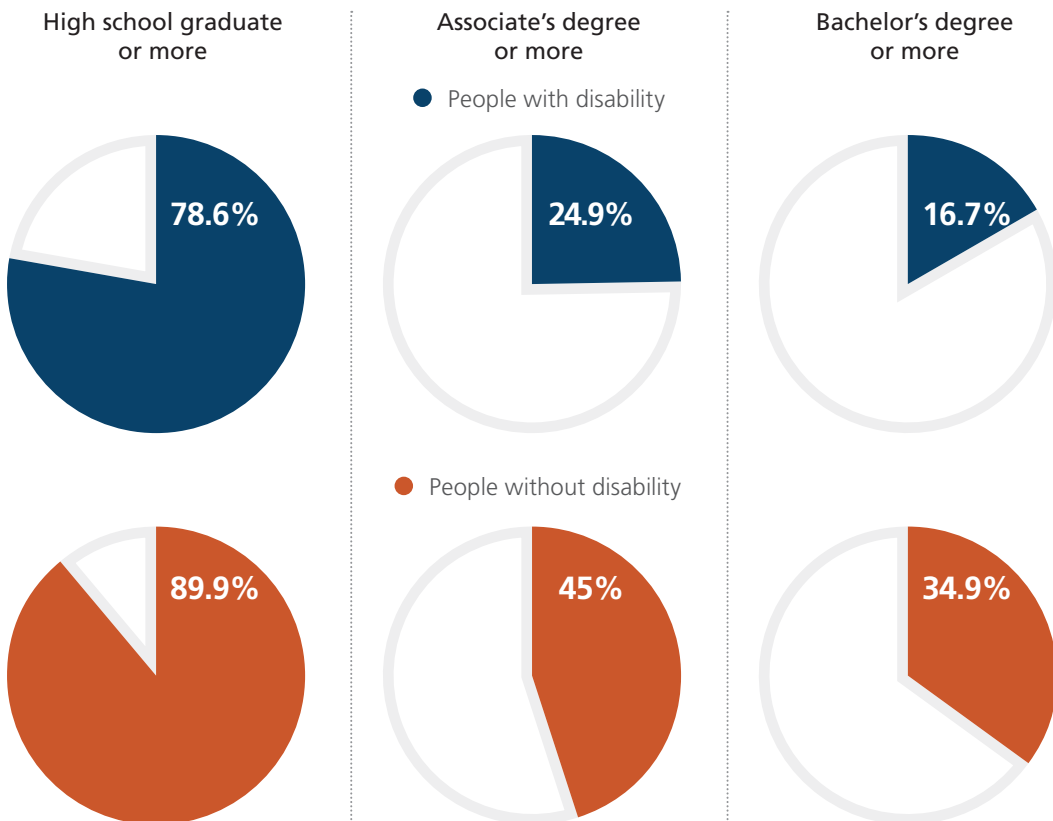
two out of every three job postings will require some form of postsecondary education.

This increased emphasis on a postsecondary educated workforce stands to disproportionately affect people with disabilities. They are **less likely** than their non-disabled peers to earn a diploma or credential beyond high school. Through policies that target financial and programmatic barriers, states and the federal government are supporting increased access to inclusive postsecondary education for people with disabilities. In an inclusive

Additional Resource

[Work Matters: A Framework for States on Workforce Development for People with Disabilities](#), a joint report from NCSL and the Council of State Governments.

Educational Attainment of People Ages 25 and Older



Source: U.S. Census Bureau 2015

setting, students with disabilities attend classes and engage in college life alongside their peers without disabilities, rather than being segregated into disabilities-only programs.

State Action

States are using a multi-faceted approach to increase postsecondary education access for their citizens with disabilities.

Since 2014, 48 states and the District of Columbia have enacted legislation creating a tax-advantaged savings accounts program, also known as an Achieving a Better Life Experience (ABLE) account, for those with disabilities and their families. These ABLE savings accounts provide people with disabilities with a financial vehicle to save for certain disability-related expenses, including postsecondary education and employment training and support services. Funds held in an ABLE account are exempt from asset limits used to determine eligibility for federal benefits, providing a new avenue for asset-building in households where someone is living with a disability.

Although state ABLE account programs must meet the requirements set out in the authorizing federal law, many states have enhanced their ABLE programs. These enhancements include offering tax deductions on deposits to ABLE accounts and exempting ABLE accounts from state and local means-tested programs. Montana's [ABLE law](#) permits individuals to reduce their state income tax liability by the lesser of their total deposits to an eligible account or \$3,000. In [Maryland](#), people are permitted to deduct all contributions made to an ABLE account from state tax liability up to an annual limit of \$2,500, with the ability to carry over the remaining deduction balance in consecutive tax years. [Wisconsin ABLE legislation](#) does not create a state ABLE account program, but rather allows Wisconsin residents to deduct contributions to an ABLE account opened in another state up to the maximum annual contribution limit of \$14,000. A handful of states, including [Alaska](#), [Maryland](#), [New Jersey](#), [North Carolina](#) and [South Dakota](#), have exempted ABLE account funds from state and local means-tested programs, services and benefits.

States such as Arkansas, Colorado, Minnesota and Florida also are developing innovative postsecondary education opportunities targeted at students with intellectual and developmental disabilities.

Arkansas passed [Building Better Futures](#) and [Building Better Futures High School](#) acts, allowing certain postsecondary institutions to develop an inclusive classroom and work-experience program for high school graduates and students with disabilities that results in a certification. Colorado created a [certificate-granting inclusive higher education pilot program](#) in two four-year state universities and one community college with the specific goal of preparing students with intellectual and developmental disabilities for gainful competitive employment. [Minnesota legislation](#) tasked the state higher education system's Board of Trustees with implementing an inclusive, two-year residential college program for students with intellectual and developmental disabilities with a work-based learning component to prepare participants for employment. The [Florida Postsecondary Comprehensive Transition Program Act](#) allows eligible institutions to develop a comprehensive transition program that results in meaningful credentials for students with intellectual and developmental disabilities, and creates a scholarship program and statewide coordination center.

Federal Action

The [Higher Education Opportunity Act of 2008](#) included language authorizing the creation of comprehensive transition and postsecondary (CTP) programs for students with intellectual and developmental disabilities. Students enrolled in a CTP were also made [eligible for certain kinds of federal financial aid](#). CTP programs are operating in at least 20 states.

The [Stephen Beck, Jr., Achieving a Better Life Experience Act of 2014](#) authorized the creation of state ABLE account programs. A number of bills were introduced during the 114th Congress to [improve the 2014 law](#). While all the improvement bills failed to pass, they are expected to be reintroduced in the 115th Congress.

The [Workforce Innovation and Opportunity Act of 2014](#) included language requiring an increased focus on the period when students with disabilities are transitioning from high school to postsecondary education or employment settings. The law requires state vocational rehabilitation systems to reserve 15 percent of federal funds for pre-employment transition services and to increase coordination with state education systems.

Did You Know?

- Education levels for adults with disabilities lag behind their non-disabled peers, with an 18.2 percentage-point gap in earning a bachelors' degree.
- Nearly [two-thirds of all job openings in 2020](#) will require some form of postsecondary education or training.
- State Vocational Rehabilitation systems have [new responsibilities related to pre-employment transition services](#) for students with disabilities under the Workforce Innovation and Opportunity Act of 2014.

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