

## TRANSITION FROM HIGH SCHOOL TO COLLEGE

### Laws: Different Laws apply

IDEA (Individuals with Disabilities Education Act) and Section 504 of the Rehabilitation Act of 1973 are very different, leading to miscommunication between college and high school staff who have studied only the statutes applying to their institution. In high schools, for example, under IDEA, special education program procedures may apply primarily to Learning Disabilities. High school students who are in wheelchairs, may fall under a subpart of Section 504 of the Rehabilitation Act and be referred to as their "504" clients. They will develop IEPs (Individual Education Plans) for these students simply because that is the procedure they have been required to follow under their IDEA mandated program. However, Section 504 does not create a requirement for IEPs in either high school or post-secondary institutions.

The misunderstanding comes from the practice of assuming that the "504 Plan" developed at a high school will be binding on a college or university, since different aspects of Section 504 apply to high schools and colleges.

High School:	Post-Secondary:
--Individuals with Disabilities Education Act (IDEA)	--Section 504 of the Rehabilitation Act of 1973
--Section 504 of the Rehabilitation Act of 1973 (See Subpart D)	--Americans with Disabilities Act
--Americans with Disabilities Act	--Civil Rights Restoration Act
--Civil Rights Restoration Act	

### Differences:

In high school the school has responsibilities which include the following:

- Identify students with disabilities
- Provide assessment of learning Disabilities
- Classify disabilities according to specified diagnostic categories
- Involve parents or guardians in placement decisions
- Provide certain non-academic services
- Place students in programs where they can benefit (in any way) by placement committee with parent participation and approval
- Structure a large part of the student's weekly schedule
- Modify educational programs
- Prepare Individualized Education Plans (IEPs)
- Provide a free and appropriate education
- Provide appropriate services by the school nurse or health service

The post-secondary level institutional role changes as follows:

- Protect a student's right to privacy and confidentiality
- Provide access to programs and services which are offered to persons without disabilities
- Inform students of office location and procedures for requesting accommodations
- Accept and evaluate verifying documentation
- Determine that a mental or physical impairment causes a substantial limitation of a major life activity (see definition of disability) based on student-provided verifying documents
- Determine whether students are otherwise qualified for participation in the program or service, with or without accommodations, and if so, whether a reasonable accommodation is possible
- Make reasonable accommodations for students who meet the above qualifying criteria
- Provide reasonable access to program and service choices equal to those available to the general public
- Make reasonable adjustments in teaching methods which do not alter the essential content of a course or program
- Assure that off-campus and contracted program facilities also comply with Section 504 (Subpart E) and ADA
- Inform students of their rights responsibilities

(Other differences may exist for post-secondary institutions which provide housing programs, health services, psychological counseling services, and extensive international programs.)

In contrast to their K-12 educational experience where many responsibilities were assumed by the school, student responsibilities at the post-secondary level change as follows:

Students have a responsibility to:

- Self identify or disclose their disability to the designated office for disability services.
- Provide verifying documentation to that designated office.
- Obtain assessment and test results and provide them to that office.
- Act as independent adults
- Arrange their own weekly schedules
- Contact their instructors to activate and adopt accommodations for each class.
- Arrange for and obtain their own personal attendants, tutoring and individually fitted or designed assistive technologies.

Post secondary institutions are not required to:

- Reduce or waive any of the essential requirements of a course or program
- Conduct testing and assessment of learning, psychological or medical disabilities
- Provide personal attendants

- Provide personal or private tutors (but tutoring services normally available to persons without disabilities must be accessible to persons with disabilities who are otherwise qualified for those services)
- Prepare "Individual Education Plans" (IEPs)

Remember Privacy Issues: Students in colleges and universities are considered adults, with privacy and confidentiality protections. College staff cannot talk with parents and guardians about a student's academic activities as was typical in K-12.

Eligibility for special education services in high schools is diagnosis driven (i.e., the student must be diagnosed as having one of eleven specified conditions).

Eligibility for reasonable accommodations in post-secondary institutions while also requiring a diagnosis is more importantly driven by the severity of impact on a major life activity. This is why documentation for a post-secondary institution has to provide more information than just a diagnosis. And must address the issue of severity of impact.

Documentation requirements may vary from institution to institution. Each institution has the right to establish its own guidelines for documentation requirements. You will need to speak to each institution you are considering regarding their institutional documentation requirements.

College students must structure and plan their own study time; colleges do not arrange study periods or provide for time to do homework during classes.?

Professors and classes may differ regarding attendance requirement, scheduling assignment due dates and exams. The student must study each professor's syllabus for each class. Attendance may be considered an essential requirement of some courses and therefore not subject to waiver or reduction.

Students with disabilities must take the initiative to identify themselves as a person with a disability. They must take a specific action to request those accommodations for their disabilities and must provide verifying documentation such as psycho-educational test results, medical documents and doctor's statements. The documentation must verify the disability, describe the extent/severity of the impairment and provide information regarding the functional impact of the disability, which supports the need for a specific accommodation.