

# Considering College, Post-Secondary Education, Training or Trade School?

## **Facts for Students with a Disability or Chronic Health Care Needs**

Congratulations on choosing to continue your education or training! For high school students with a disability or special health care needs there is a lot to consider when making plans to go to college, to a post-secondary education or training program or to a trade school.

### **WHAT CHANGES AFTER HIGH SCHOOL?**

- The Individuals with Disabilities Education Act (IDEA), which provides for individualized, special education plans, does not apply to post-secondary institutions (colleges, universities, education and training programs, trade schools, etc.). There are no Individualized Education Plans (IEPs) or Committee on Special Education (CSE) meetings after high school.
- There is no requirement that post-secondary institutions provide a "free, appropriate public education." This eliminates the institution's obligation to identify students with disabilities. It places the burden of identifying as a person with a disability on the student, including achieving eligibility for and requesting appropriate accommodations.
- The role of parents/guardians legally changes when a student reaches adulthood (legally at age 18).

### **WHAT LEGAL PROTECTIONS DO EXIST?**

- Most post-secondary institutions are obligated under Title II of the American with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act to ensure that for qualified individuals there is no discrimination on the basis of disability and there is access to all programs, activities and services. These institutions are not required to make modifications or provide accommodations that would create an undue burden on the institution, limit or lower essential requirements, or result in a fundamental alteration of programs, activities and services offered to all.
- The Family Educational Records Privacy Act (FERPA), provides privacy protections at the post-secondary level, even if the student is still a minor. However, under the law, access to information may be granted to parents who document that a student of any age remains a dependent for income tax purposes, or if matters of health and safety are involved, or if a student under the age of 21 commits an alcohol or drug infraction.
- A Plan for Achieving Self-Support (PASS) allows a person with a disability to set aside otherwise countable income and/or resources for a specific period of time in order to achieve a work goal.

## WHAT DOES ALL OF THIS MEAN?

- Students must meet all academic admission, program, and class requirements.
- To access disability related supports and assistance, students must self-disclose and document their disability (at their own cost if necessary).
- Students, not parents, must request and advocate for reasonable accommodations and academic adjustments.
- Colleges are not required to provide personal services to a student. Some institutions and programs may be able to provide these services (often for a fee). This is a crucial issue when comparing the disability-related services available at various colleges, education/training programs and trade schools.
- Students must take responsibility for their own needs related to learning and achieving success.

## WHAT'S NEXT?

- Check out Parent to Parent's tip sheet: "Considering College, Post-Secondary Education, Training or Trade School? Tips for Students with a Disability or Chronic Health Care Needs"

### Additional Resources

Joint Guidance on the Application of FERPA and HIPPA to Student Health Records

<http://www.ed.gov/policy/gen/guid/fpco/doc/ferpa-hippa-guidance.pdf>

Going to College: A Website for Teens with Disabilities <http://www.going-to-college.org/>

Transition: Students with Disabilities Preparing for Post-Secondary Education

[http://www.ccdanet.org/ecp/resources/transition\\_postsec\\_edu/](http://www.ccdanet.org/ecp/resources/transition_postsec_edu/)

For Parents: Help your Young Adult Learn to Access Accommodations after High School

<http://www.pacer.org/parent/php/php-c165.pdf>

Rutgers University - Guide to Disability Laws & College

<http://disabilityservices.rutgers.edu/plans.html>

Auxiliary Aids and Services for Post-Secondary Students with Disabilities

<http://www.ed.gov/about/offices/list/ocr/docs/auxaids.html>

National Collaborative on Workforce and Disability-Disability Disclosure

<http://www.ncwd-youth.info/topic/disability-disclosure>

The Why,When,What,and How of Disclosure in an Academic Setting, After High School

<http://www.dol.gov/odep/pubs/fact/wwwh.htm>

Auxiliary Aids and Services for Postsecondary Students with Disabilities

<http://www.ed.gov/about/offices/list/ocr/docs/auxaids.html>

A Plan for Achieving Self-Support (PASS) <http://www.passplan.org/>