

Center for Children's Advocacy

# Medical-Legal Partnership Project

## Protecting Youth With Disabilities

## Access and Accommodations in College/Post Secondary Programs

Youth with a disability face unique challenges in post-secondary settings. Schools are often not familiar with the educational impact of a medical condition.

The law requires that post-secondary programs provide accommodations to assure that youth who are disabled have the same opportunity as their non-disabled peers.

### The Law

The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 require colleges and post-secondary programs to provide accommodations to students with disabilities. Specific accommodations are based on the particular needs of the student.

### Who is eligible?

To be eligible for legal protection, a student must have a physical or mental impairment that substantially limits a major life activity.

For post secondary education, a qualified student with a disability is one who is able to meet the school's admissions, academic and technical standards either with or without accommodation.

### What is a post secondary accommodation?

An accommodation is an adjustment to the traditional way students access the academic curriculum.

For example, a student who is hearing impaired may need an interpreter. A student who has a learning disability may require assisted technology.

An accommodation can be an adjustment to other aspects of the post secondary/college environment such as housing, parking, transportation or a food plan.

For example, a reasonable modification might be a first floor room for a student with mobility issues, or nutritional information about college food plans.

### Why ask for an accommodation?

A student may be reluctant to ask about accommodations, but the support can be essential to academic success.

### When should planning begin?

Discussion about college and post secondary programs should start in high school. Having sufficient time to plan is essential. Reach out to high school and college staff to obtain the necessary information.

### What accommodations should I ask for?

Review the 504 Plan from high school and think about what the student will need in a new environment. Accommodations should be specific to the student and cover all parts of the educational and residential experience. (continued on reverse)



Sample accommodations could include:

- tutoring
- recording of classes
- remote attendance
- assisted technology,
- extended time for test testing
- online classes
- housing with accommodations (handicap access, proximity to classrooms, dining hall)
- transportation
- priority parking
- access to health care providers
- emergency health care plan

### How does a student get accommodations?

For post secondary education, the burden is on the student to initiate accommodations. Each school should have staff to address this. Contact the school far in advance of the academic year to arrange a meeting.

### What documentation is needed from your health care provider?

The school can require written medical documentation from the health care provider. Documentation could include:

- basic information about student's medical condition
- how symptoms may impact class attendance
- protocol for ongoing treatment
- concerning symptoms
- medical crises



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### What are the obligations of the post secondary program?

Programs must ensure that students with disabilities do not face discrimination. Best practices can include:

- Student Disability Services staff with disability law experience
- established and published guidelines
- in-service training for administration and faculty
- investigation of reports of noncompliance and discrimination

**Post secondary programs may not make inquiries as to whether an applicant has a disability. Post admissions inquiries may be made but only on a confidential basis if a student requires an accommodation.**

### Curriculum and accommodations

*Programs are not required to change the curriculum or academic requirements. There is no legal requirement for post secondary programs to modify academic programming or provide special education services.*

*Programs are required to make academic programming accessible, regardless of the student's disability. For example, even classes with required in-class attendance must provide accommodations so all students can access the curriculum.*