

Options for Tomorrow

Transition planning for the future ...
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Getting to Know More About 504 Plans

Section 504 is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal funds from the U.S. Department of Education (ED). Section 504 provides: "No otherwise qualified individual with a disability in the United States . . . shall solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance"

OCR enforces Section 504 in programs and activities that receive funds from ED. Recipients of these funds include public school districts, institutions of higher education, and other state and local education agencies. The Section 504 regulation requires a school district to provide a "free appropriate public education" (FAPE) to each qualified student with a disability who is in the school district's jurisdiction, regardless of the nature or severity of the disability. FAPE consists of the provision of regular or special education and related aids and services designed to meet the student's individual needs.

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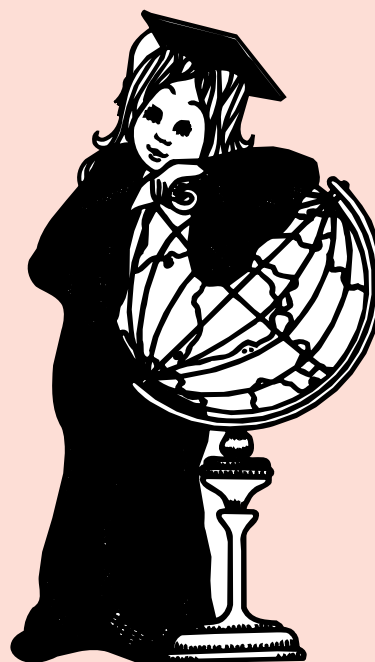
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Questions and Answers about Postsecondary School and 504 Plans

Because both school districts and postsecondary schools must comply with these same laws, you and your parents might believe that postsecondary schools and school districts have the same responsibilities. This is not true; the responsibilities of postsecondary schools are significantly different from those of school districts.

Moreover, you will have responsibilities as a postsecondary student that you do not have as a high school student. OCR strongly encourages you to know your responsibilities and those of postsecondary schools under Section 504 and Title II. Doing so will improve your opportunity to succeed as you enter postsecondary education.

The following questions and answers provide more specific information to help you succeed.



As a student with a disability leaving high school and entering postsecondary education, will I see differences in my rights and how they are addressed?

Yes. Section 504 and Title II protect elementary, secondary and postsecondary students from discrimination. Nevertheless, several of the requirements that apply through high school are different from the requirements that apply beyond high school. For instance, Section 504 requires a school district to provide a free appropriate public education (FAPE) to each child with a disability in the district's jurisdiction. Whatever the disability, a school district must identify an individual's education needs and provide any regular or special education and related aids and services necessary to meet those needs as well as it is meeting the needs of students without disabilities.

Unlike your high school, your postsecondary school is not required to provide FAPE. Rather, your postsecondary school is required to provide appropriate academic adjustments as necessary to ensure that it does not discriminate on the basis of disability. In addition, if your postsecondary school provides housing to nondisabled students, it must provide comparable, convenient and accessible housing to students with disabilities at the same cost.

Other important differences you need to know, even before you arrive at your postsecondary school, are addressed in the remaining questions.

May a postsecondary school deny my admission because I have a disability?

No. If you meet the essential requirements for admission, a postsecondary school may not deny your admission simply because you have a disability.

Do I have to inform a postsecondary school that I have a disability?

No. However, if you want the school to provide an academic adjustment, you must identify yourself as having a disability. Likewise, you should let the school know about your disability if you want to ensure that you are assigned to accessible facilities. In any event, your disclosure of a disability is always voluntary.

What academic adjustments must a postsecondary school provide?

The appropriate academic adjustment must be determined based on your disability and individual needs. Academic adjustments include modifications to academic requirements and auxiliary aids and services, for example, arranging for priority registration; reducing a course load; substituting one course for another; providing notetakers, recording devices, sign language interpreters, extended time for testing and, if telephones are provided in dorm rooms, a TTY in your dorm room; and equipping school computers with screen-reading, voice recognition or other adaptive software or hardware.



In providing an academic adjustment, your postsecondary school is not required to lower or effect substantial modifications to essential requirements. For example, although your school may be required to provide extended testing time, it is not required to change the substantive content of the test. In addition, your postsecondary school does not have to make modifications that would fundamentally alter the nature of a service, program or

activity or would result in undue financial or administrative burdens. Finally, your postsecondary school does not have to provide personal attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature, such as tutoring and typing.

More questions and answers about 504 plans for postsecondary students, visit the OCR website document entitled “Students with Disabilities Preparing for Postsecondary Education: Know Your Rights and Responsibilities” located at: <http://www.ed.gov/about/offices/list/ocr/transition.html>.

Developing Classroom Accommodation Plans

Over the past few years schools are providing more accommodations to students with disabilities covered under Section 504 of the Rehabilitation Act of 1973. Here are a few useful tips to help students be more successful in school. These accommodations are especially useful for students with ADHD. Many of these simple accommodations can be used at home too.

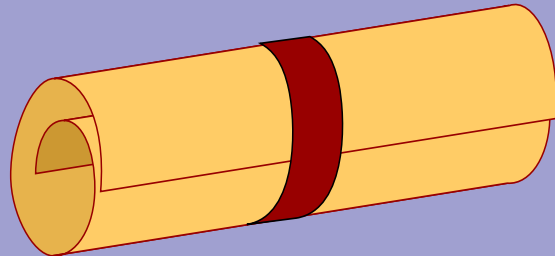
- Provide A Structured Environment
- Post Schedules On The Board
- Post Rules
- Provide Preferential Seating
- Organize Student Work Spaces
- Provide Private Work Spaces
- Repeat And Simplify Directions
- Give Samples And Demonstrations
- Make Eye Contact
- Provide Directions In Written Form
- Use Positive Reinforcement
- Don't Nag!
- Give Positive Verbal And Written Feedback
- Assign Tasks That Can Be Completed
- Allow Extended Time for Assignment Completion
- Use Multi-Sensory Materials
- Be Consistent
- Have A Time Out Spot
- Keep The Lines Of Communication Open Between Parents, Teachers And Students.



In summary, these suggestions will be most successfully administered through the teamwork of educators, students and parents. When a 504 plan is written with interventions and accommodations that work, the student will feel more positive about school and be operating on a “level playing field”.

Preparing for College - Special Attention to Students with Learning Disabilities

For students with learning disabilities, some articles can be very helpful in preparing for transition to college life. Check out the following web documents from LDOnline at: http://www.ldonline.org/ld_indepth/postsecondary/index.html.



IDEA, the Courts, and the Law of Transition - (2001) by James K. McAfee and Christopher Greenawalt. Who is responsible postgraduation? What are the legalities of a transition plan?

Summer Pre-college Programs for Students with Disabilities, HEATH Resource Center, February 2001 - A compiled list of summer pre-college programs that help students with disabilities prepare for their college career and enhance their college performance.

Summary of the 1999-2000 ACT and SAT Modifications, Earl S. Hishinuma, Ph.D., & John S. Fremstad - This comprehensive article outlines the options for students with learning disabilities when taking the ACT and SAT exams and the processes involved in obtaining those options.



Attention Deficit Disorder in College: Faculty and Students, Partners in Education, (2001) From NCLLD, learn the legal rights of the college student with ADD and possible accommodations college can provide.

Section 504: The Law and Its Impact on Postsecondary Education, American Council on Education, October 1996 - A guide to legal implications of Section 504 for postsecondary education.

Other Websites to Watch

Association on Higher Education and Disability

www.ahead.org

The Association on Higher Education and Disability (AHEAD) is an international, multicultural organization of professionals committed to full participation in higher education for persons with disabilities. The Association is a vital resource, promoting excellence through education, communication, and training.

Learning Disabilities Association of America

www.ldanatl.org

The Learning Disabilities Association of America (LDA) is a non-profit grassroots organization whose members are individuals with learning disabilities, their families, and the professionals who work with them. LDA strives to advance the education and general welfare of children and adults with learning disabilities.

National Center for Learning Disabilities

www.LD.org

LD.org strives to be an effective, easy-to-use resource for people seeking authoritative information on learning disabilities.

National Center for the Study of Postsecondary Educational Supports (NCSPES)

www.rrtc.hawaii.edu

The Rehabilitation Research & Training Center is a National Center that envision to move beyond what has and has not worked in the past, towards a new system of educational supports for people with disabilities in the 21st century. It also promotes a model Postsecondary program of the future that must foster high expectations, build self-confidence, and develop an understanding of strengths and weaknesses of all students.

SchwabLearning.org

www.schwablearning.org

This extensive Web site is designed to be a parent's guide to helping students with learning disabilities -- it frequently has very helpful educator articles as well.

Teaching LD

www.teachingld.org

TeachingLD is a service of the Division for Learning Disabilities (DLD) of the Council for Exceptional Children. DLD is the largest international professional organization focused on learning disabilities. The purpose of TeachingLD is to provide trustworthy and up-to-date resources about teaching students with learning disabilities.