

# Illinois ADA Project Fact Sheet - Education Accommodations

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## **Students With Disabilities: Your Education Rights After High School** (College, Junior College, Technical School, Universities, etc.) **What Do You Need To Know?**

As a person with a physical, mental or sensory disability, your rights (and responsibilities) are different after you finish high school. In schools after high school the student is now responsible for disclosing a disability, requesting any needed accommodations, providing supporting documentation showing the need for these accommodations, and notifying the proper personnel if an accommodation is not working. Knowing your rights and responsibilities will help you with education after high school. Title II of the Americans with Disabilities Act (ADA) prohibits state and local governments from discriminating on the basis of disability. 42 U.S.C. § 12132. Title II is enforced in public colleges and universities. Additionally, Section 504 of the Rehabilitation Act protects your interests as they relate to college or university education. 29 U.S.C. §794.

### **Information Regarding Applying to College**

In order to receive accommodations for entrance exams, you will need to contact the college/university or the entity that administers the exam. You will need to supply documentation of your disability and the need for a change in testing conditions. Federal law requires that they make changes to the testing conditions that are necessary to allow you to participate. However, the law does not require changes that fundamentally alter the examination or create undue financial or administrative burdens. 34 C.F.R. §104.44(a).

In general, post-secondary educational institutions are not allowed to ask you whether you have a disability before their admission decision is made. The institution is permitted to ask whether you can meet the academic and technical standards that are required for admission.

### **Colleges & Universities Are Required to Provide You With:**

- Help for your disability needs: Appropriate “academic adjustments” (accommodations) so that students with disabilities can participate at college or university.
- Equal access to school facilities: Accessible classrooms, libraries, housing, etc.
- Colleges & universities **cannot** deny you admission because of your disability.
- You can be denied admission for other reasons just like any other applicant.

## Academic Adjustments

What is an appropriate academic adjustment? It is different for everyone, and what you may need depends on your disability and individual needs. The school cannot make you pay for providing an academic adjustment. 34 C.F.R. §104.44(a)(2006).

<u>Examples of Academic Adjustments that the Institution is Required to Provide</u>	<u>Examples of Academic Adjustments that the Institution is NOT required to provide</u>
➤ Changes in length of time permitted for completion of degree requirements	➤ Adjustment that would alter or waive essential academic requirements
➤ Substitution of specific courses required for the completion of degree requirements (as long as another course could satisfy the same purpose)	➤ Adjustment that would result in undue financial or administrative burdens given the institution's resources
➤ Adaptation of the manner in which specific courses are conducted	➤ Adjustment that would fundamentally alter the nature of a service, program, or activity
➤ Reduced course load	➤ Change to the substantive content of exams
➤ Extended time on tests	* Provide personal assistance (help with eating, using the bathroom, etc) individually prescribed devices (hearing aids, wheelchairs, etc), or readers for personal use.
➤ Provision of auxiliary aids and services (see chart below)	

If you do not need any help, you **do not** have to tell the college or university that you have a disability. 28 C.F.R. §35.130(b)(7)

**However, you must identify yourself as having a disability and provide the necessary documentation showing the supports you need, if you want—**

- Access to certain equipment or facilities
- Academic help (adjustment) or any accommodations

<u>Examples of Auxiliary Aids that the Institution is Required to Provide</u>	<u>Examples of Auxiliary Aids that the Institution is NOT required to provide</u>
➤ Note-takers	➤ Personal attendants
➤ Readers	➤ Eyeglasses
➤ Recording devices	➤ Readers for personal use or study
➤ Taped texts	➤ Personal tutoring services*
➤ Sign language interpreters	

**You can request help (an adjustment or accommodation) at any time, but it is best to request it as soon as possible and in writing!**

Colleges and universities often have rules to request an accommodation. These rules are usually found in the recruitment materials, student handbook, and are often available on school websites. You can also ask someone who works for the school's admission office. Many schools have staff who will assist students with disabilities.

**IF THE SCHOOL IS DISCRIMINATING AGAINST YOU (Treating You Unfairly), DO NOT WAIT!**

Ask to speak with the person responsible for making sure the college or university follows Section 504 or the ADA (Americans with Disabilities Act), often called the Section 504 Coordinator, ADA Coordinator or Disability Services Coordinator. You can talk to this person about how to handle the problem. Follow up any communication with a letter or email documenting your conversation and keep a copy of this. You can also follow your school's student grievance (complaint) procedures or you may file a complaint against the school with the U.S. Department of Education's Office for Civil Rights (OCR) or file a complaint in court.

To learn more, contact the OCR at:

- Internet homepage: [www.ed.gov/ocr](http://www.ed.gov/ocr)
- Customer Service Team/OCR/U.S. Department of Education/Washington, D.C. 20202-1100
- Phone: 1-800-421-3481 TTY: 1-877-521-2172
- Email: [ocr@ed.gov](mailto:ocr@ed.gov)

**DO YOU HAVE A QUESTION?**

Contact **Equip for Equality's Special Education Clinic:**

**1-866-KIDS-046 (voice) or 1-800-610-2779 (TTY)**

[SpecialEd@equipforequality.org](mailto:SpecialEd@equipforequality.org) ☐ • [www.equipforequality.org](http://www.equipforequality.org)