WINAHEAD is made up of representatives from 29 institutions. Our members are professionals employed by two- and four-year colleges and universities who work directly with students with disabilities to ensure equal access to higher education. WIN indicates the geographic area we represent: Western Iowa and Nebraska, and AHEAD is our national parent organization, the Association on Higher Education and Disability.

For more information or to request a transition presentation, contact WinAhead at
• winahead1@gmail.com
• http://ahead.org/affiliates/western-iowa-and-nebraska
• http://winahead.wordpress.com

Students with disabilities entering the world of college education may find the experience overwhelming and intimidating. When a student moves from high school to college, reality as he or she knows it is forever altered.

College is Different from High School
For students with a disability, there are three major differences between high school and college.
1. Students must become self-advocates. No longer will someone else see that their needs are addressed.
2. Different laws apply in college than in the public school system.
3. The goals and responsibilities of the public school system are different than those of the college setting.

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3. The goals and responsibilities of the public school system are different than those of the college setting.
**IDEA** lists specific disabilities that bring an individual under its coverage.

**HIGH SCHOOL**

- Individuals With Disabilities Act (IDEA).
- Americans With Disabilities Act (ADA).
- Section 504 of the Rehabilitation Act of 1973 (Subpart D).
- Civil Rights Restoration Act.

**COLLEGE**

- Americans with Disabilities Act (ADA).
- Section 504 of the Rehabilitation Act of 1973 (Subpart E).
- Civil Rights Restoration Act.

**WHICH STUDENTS ARE COVERED?**

**HIGH SCHOOL**

IDEA covers K-12 students for whom a disability has been documented until age 21 or until graduation. IDEA lists specific disabilities that bring an individual under its coverage.

**COLLEGE**

ADA/§504 does not have a specific listing of disabilities or covered age range.

**ADVOCACY**

**HIGH SCHOOL**

The student’s parent serves as the primary advocate.

**COLLEGE**

The student must assume the responsibility for his/her own advocacy.

**LAWS THAT APPLY**

**HIGH SCHOOL**

- Americans With Disabilities Act (ADA).
- Section 504 of the Rehabilitation Act of 1973 (Subpart D).
- Civil Rights Restoration Act.

**COLLEGE**

- Americans with Disabilities Act (ADA).
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**ENFORCEMENT OF LAWS**

**HIGH SCHOOL**

IDEA – a funding law enforced by the U.S. Department of Education (U.S. DOE).

**COLLEGE**

ADA/§504 - A civil rights law enforced by the Office of Civil Rights in the U.S. Department of Justice (U.S. DOJ) and also the Equal Employment Opportunity Commission (EEOC).

**SYSTEM GOALS: MANDATORY VS. VOLUNTARY**

**HIGH SCHOOL**

A student covered by IDEA has a legal entitlement to an education regardless of disability.

**COLLEGE**

An individual has a civil right to have access to the educational programs and services of an institution.

Education must be offered in the least restrictive environment.

Institutions are obligated to provide access to, and opportunity to participate in the programs and services available. To facilitate access, the institution is obligated to provide reasonable accommodations.

Public schools are mandated to provide special/regular education services to ensure that the student has a free, appropriate public education.

A college education is not an entitlement.

The school is to do everything it can to help the individual succeed.

Who is available to help locate services on and/or off campus?

Do other students who have a disability like mine attend here? Is there someone with a disability like mine (or another disability) who would be willing to talk to me about their experience here so I can learn from their experience?

What arrangements do other students make in situations similar to mine?

**WHICH STUDENTS ARE COVERED?**

IDEA – a funding law enforced by the U.S. Department of Education (U.S. DOE).
Postsecondary Responsibilities

Each member of the faculty plays an important role in the implementation of accommodations to students with disabilities. Providing accommodations is NOT negotiable: the way the accommodations are provided may be negotiable, and in keeping with that role...

Faculty have the right to:
- Expect students with disabilities to attend and participate in class.
- Expect that students will adhere to the academic integrity policy.
- Determine the curricula for their courses.
- Determine student progress and assign grades.
- Provide input regarding the accommodations employed in their classrooms.
- Question accommodations that would fundamentally alter the academic standards or compromise the mastery of essential competencies.
- Receive a letter of notification about accommodations a student is entitled to receive.
- Provide timely notification of specific needs.

Faculty have the responsibility to:
- Provide an atmosphere in which all students can learn course material.
- Include a Reasonable Accommodation statement on the syllabus for each course taught.
- Provide accommodations in a fair and timely manner.
- Contact the Disability Services Office with questions or suggestions regarding the appropriateness of an accommodation.
- Grade students based on their performance, without counting off for reasonable accommodation.
- Make academic adjustments in instruction as appropriate.

A student has the right to:
- Not be discriminated or retaliated against because he/she has a disability.
- Participate in and enjoy the educational programs and services offered by the institution the student has chosen to attend.
- An accessible education.
- Appropriate accommodations.
- Have information about his/her disability kept confidential.
- Expect that other units of the College will work cooperatively with the disability services coordinator and the student in providing accommodations and addressing legitimate needs.
- Choose not to register with disability services or request accommodations.

A student has the responsibility to:
- Be self-advocate for his/her needs.
- Be independent and in charge of his/her own life.
- Register with DSS.
- Provide current evidence of a disability.
- Discuss accommodation needs with disability services coordinator.
- Provide input regarding the accommodations employed in their classrooms.
- Question accommodations that would fundamentally alter the academic standards or compromise the mastery of essential competencies.
- Communicate with faculty as needed.

Colleges have an obligation under the Americans with Disabilities Act (ADA) to provide qualified students with disabilities access to their programs and services. Institutions also have an obligation to provide reasonable accommodations. HOWEVER, students also have equal, if not greater, responsibilities to be partners with educational institutions in meeting their needs.

The qualified student has the responsibility to:
- Be a self-advocate for his/her needs.
- Be independent and in charge of his/her own life.
- Register with DSS.
- Provide current evidence of a disability.
- Discuss accommodation needs with disability services coordinator.
- Provide input regarding the accommodations employed in their classrooms.
- Question accommodations that would fundamentally alter the academic standards or compromise the mastery of essential competencies.
- Communicate with faculty as needed.

If Internet resources and other technologies are used, then these resources must also be accessible to students with disabilities as they are for other students.
**PRIVACY ISSUES**

**HIGH SCHOOL**
Student has little or no privacy.

- A team of school personnel and the student’s parents are involved in planning the student’s educational and extracurricular program.

**COLLEGE**
The College is obligated to protect a student’s right to privacy and confidentiality.

- The Family Educational Right to Privacy Act (FERPA) does not allow institutions to release information to the parents without permission of the student.
- Students may disclose, to whom and when they choose, information about the disability. Students must “own” their disability in order to enjoy a level playing field.
- Instructors receive information that applies to the accommodations a student needs, but not about the disability itself.

**Transitions**
WinAHEAD

**Some Things to Consider**

- When preparing to go to college or university, students with disabilities may need to decide whether to disclose their disability to staff and faculty of the college.
- When you tell someone something that they don’t already know, you are practicing disclosure. Disclosure is a form of the word “disclose,” which means to open up, to reveal, or to tell.
- The decision to disclose a disability belongs only to the person with the disability. Disclosure is a very personal choice and should be done only after careful thought. If you have a disability, there are no requirements that you disclose your disability to anyone at any time, but in order to receive accommodations at work or in college, you must disclose.

**Definitions**

**The definition of an “individual with a disability” covered by and used in §504 and the ADA:**
- **Is an individual who has a physical or mental impairment that substantially limits one or more major life activities and**
- **Is qualified to be a student (in college, students must also meet the admission criteria and meet or maintain standards and requirements that are required for continued participation in a program of study or for graduation, whether they have a disability or not).**

**The definition of a “reasonable accommodation”**

An accommodation is something provided for the student. It is an adaptation designed to help the student display knowledge around the learning barriers caused by the disability.

- Reasonable accommodations are TOOLS.
- Reasonable accommodations are NOT intended to guarantee success, but to provide access.
- Reasonable accommodations are intended to ensure that a student with a disability has an opportunity to succeed.

**Academic adjustments/auxiliary aids cannot:**

- Result in fundamental alterations to courses or programs.
- Substantially modify program requirements.
- Cause undue administrative or financial burden.

**Purpose of Disability Services**

- Provide services and accommodations to qualified students with disabilities.
- Serve in an advisory and supportive capacity to faculty and staff.
- Provide equal access for individuals with disabilities.
- Assist in and/or facilitate the development of reasonable accommodations for students.

**Confidentiality**

- The specifics and documentation about a student’s disability are confidential and will not be released without written authorization from the student. (The student may choose to disclose information.)
- Any inference about a particular student and the disability is inappropriate.

**EVIDENCE OF DISABILITY**

- Includes a diagnosis of a specific disability.
- States how the disability limits a major life activity.
- Explains how the disability affects the student’s academic performance.
- Suggests educational accommodations appropriate to a college setting.

**The Disability Services Office**

**Responsibilities in a Nutshell**

<table>
<thead>
<tr>
<th>Issue</th>
<th>High School (IDEA)</th>
<th>College (ADA/§504)</th>
</tr>
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<tr>
<td>Identifying students with disabilities.</td>
<td>School System</td>
<td>Student must initiate</td>
</tr>
<tr>
<td>Requesting services.</td>
<td>School and Parent</td>
<td>Student</td>
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<td>Obtaining disability documentation and establishing need for accommodation.</td>
<td>School</td>
<td>Student</td>
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<tr>
<td>Providing accommodations.</td>
<td>School</td>
<td>College</td>
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<tr>
<td>Advocating to obtain services.</td>
<td>Parent and Student</td>
<td>Student</td>
</tr>
<tr>
<td>Deciding what courses to take.</td>
<td>Student and Parent/Educator team</td>
<td>Student</td>
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</tbody>
</table>

**EVIDENCE OF DISABILITY**

- Includes a diagnosis of a specific disability.
- States how the disability limits a major life activity.
- Explains how the disability affects the student’s academic performance.
- Suggests educational accommodations appropriate to a college setting.

A qualifying disability is a physical or mental impairment that substantially limits one or more of the major life activities of a student, or having a record of such an impairment, or being regarded as having such an impairment.

**Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.**

**The term “qualified individual with a disability” means: “An individual with a disability who, with or without reasonable modifications, meets the essential eligibility requirements (e.g., any academic and/or technical standards required for admission or participation in the educational program or activity) for the receipt of services or the participation in programs or activities provided by a public entity.”**

An accommodation is an adaptation, designed to help the student display knowledge around the learning barriers caused by the disability.

**The Disability Services Office**

**Purpose of Disability Services**

- Provide services and accommodations to qualified students with disabilities.
- Serve in an advisory and supportive capacity to faculty and staff.
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- The specifics and documentation about a student’s disability are confidential and will not be released without written authorization from the student. (The student may choose to disclose information.)
- Any inference about a particular student and the disability is inappropriate.
Should I Disclose My Disability?

- When preparing to go to college or university, students with disabilities may need to decide whether to disclose their disability to staff and faculty of the college.
- When you disclose, you are intentionally releasing personal information about yourself for a specific purpose. Some personal information, such as identification numbers, financial records, or health information, may be important to keep private. It is important to keep in mind that your decision to disclose is personal and should be done only after careful thought. If you have a disability, there are no requirements that you disclose your disability to anyone at any time, but in order to receive accommodations at work or in college, you must disclose.
- The decision to disclose a disability belongs only to the person with the disability. Disclosure is a very personal choice and should be done only after careful thought. If you have a disability, there are no requirements that you disclose your disability to anyone at any time, but in order to receive accommodations at work or in college, you must disclose.

Some Things to Consider

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Definitions

The definition of an “individual with a disability” covered by and used in §504 and the ADA:

- An individual who has a physical or mental impairment that substantially limits one or more major life activities and
- Has been provided with reasonable accommodations for students.

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An accommodation is something provided for the student. It is an adaptation designed to help the student display knowledge around the learning barriers caused by the disability.

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### Student Responsibilities

Colleges have an obligation under the Americans with Disabilities Act (ADA) to provide qualified students with disabilities access to their programs and services. Institutions also have an obligation to provide reasonable accommodations. HOWEVER, students also have equal, if not greater, responsibilities to be partners with educational institutions in meeting their needs.

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- Be a self-advocate for his/her needs
- Be independent and in charge of his/her own life
  - Register with DSS.
  - Provide current evidence of a disability.
  - Discuss accommodation needs with disability services coordinator.
  - Give accommodation letter to professors.
  - Communicate with faculty as needed.

**A student has the right to:**
- Not be discriminated or retaliated against because he/she has a disability.
- Participate in and enjoy the educational programs and services offered by the institution the student has chosen to attend.
- An accessible education.
- Appropriate accommodations.
- Have information about his/her disability kept confidential.
- Expect that the college will work cooperatively with the disability services office and the student in providing accommodations and addressing legitimate needs.
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Each member of the faculty plays an important role in the implementation of accommodations to students with disabilities. Providing accommodations is NOT negotiable: the way the accommodations are provided may be negotiable, and in keeping with that role...

**Faculty have the right to:**
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### System Goals: Mandatory vs. Voluntary

**High School**: A student covered by IDEA has a legal entitlement to an education regardless of disability. Education must be offered in the least restrictive environment. Public schools are mandated to provide special/regular education services to ensure that the student succeeds.

**College**: An individual has a civil right to have access to the educational programs and services of an institution. Institutions are obligated to provide access to, and opportunity to participate in the programs and services available. To facilitate access, the institution is obligated to provide reasonable accommodations. A college education is a voluntary opportunity; it also includes costs (e.g. tuition, fees, room, board, etc.).

### LAWS THAT APPLY

**High School**:
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### Transition Resources on the Internet

- **Going to College**: [http://www.going-to-college.org/overview/index.html](http://www.going-to-college.org/overview/index.html)
- **We Connect Now**: [http://weconnectnow.wordpress.com/](http://weconnectnow.wordpress.com/)
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This publication compares the differences between high school and college settings and looks at the information students, parents and teachers must know for students to be successful in their educational college experience.

Statement of Intent
WinAhead member institutions desire to create an accessible community where individuals with disabilities have an equal opportunity to pursue their educational goals, limited only by their abilities, not their disabilities.

Each institution is committed to:
1. Providing direct, reasonable accommodations and support services for individuals with disabilities.
2. Encouraging self-determination, independence and personal responsibility for students with disabilities.
3. Providing resources, advocacy, collaborative services, and information to their various constituencies.
4. Promoting an open and welcoming environment around campus for individuals with disabilities.
5. Informing and educating institutional communities about disability-related laws, rules, regulations, and policies.

In college, students are expected to exercise greater self-determination and to be more independent than in high school. For many students and their parents, this change can be threatening and confusing.

For students with disabilities entering the world of college education may find the experience overwhelming and intimidating. When a student moves from high school to college, reality as he or she knows it is forever altered.

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