The College Disability Services System: Accommodations and Students’ Responsibilities and Rights

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Note

*Views are my own, not Columbia U’s & I do not represent Columbia here
*Nothing in presentation should be construed as legal or medical
*We = college DS providers generally
*I don’t know everything (don’t let it get around!)

College vocabulary

- Disability services (DS) - the name of the office at a college that coordinates students’ accommodations
- Coordinator – title of students’ liaison at DS who coordinates their accommodations
- Documentation – paperwork that shows students have a disability
- Letter (Email) of Accommodation (LOA/EOA) – message from DS that students transmit to professors to tell them about their approved accommodations
- Family Education Rights Privacy Act (FERPA) – covers colleges and means we can’t talk to parents without students’ permission

College disability services basics

- (Nearly) every college in the country has to provide disability accommodations
- Disability accommodations are free
- May not be a department (e.g. responsibility might be part of a dean’s job)
- No limit on caseload
- Disability services offices coordinate services, don’t provide instruction or coaching
- Schools may have writing, math, tutoring centers/help rooms – staff doesn’t typically have special training

Laws in place

High school
- Individuals with Disabilities Education Act (IDEA)
- Americans with Disabilities Act (ADA)
- Rehabilitation Act of 1973 Section 504 Subpart D (504)

College
- Americans with Disabilities Act (ADA)
- Rehabilitation Act of 1973 Section 504 Subpart E (504)

What this means: 504 plans and IEPs are not valid once students graduate from high school

IDEA’s Purpose

“... to ensure that all children with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs...”

“... to improve educational results for children with disabilities...”

“... to assess, and ensure the effectiveness of, efforts to educate children with disabilities”

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Hamblet – Accommodations, Rights, & Responsibilities
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Purpose of 504

"... to eliminate discrimination on the basis of handicap in any program or activity receiving federal financial assistance..."

Purpose of ADA

"...to address the major areas of discrimination faced day-to-day by people with disabilities..."

Treatment of students - §300.39 Special Education - IDEA

(a) General. (1) Special education means specially designed instruction, at no cost to the parents, to meet the unique needs of a child with a disability

(2) Specially designed instruction means appropriate to the needs of an eligible child under this part, the content, methodology, or delivery of instruction —

(iii) To ensure access of the child to the general curriculum, so that the child can meet the educational standards within the jurisdiction of the public agency that apply to all children.

"Not applicable under 504 Subpart D, though it does say in 104.33 (a) that "implementation of an Individualized Education Program may be a means of meeting the standard established in paragraph (b)(1)""

What K-12 schools have to provide - §300.320 Individualized Education Program - IDEA

...a written statement for each child with a disability that is developed, reviewed, and revised in a meeting in accordance with §§300.320 through 300.344, and that must include—

(i) A statement of the child’s present levels of academic achievement and functional performance, including—

(1) How the child’s disability affects the child’s involvement and progress in the general education curriculum

(2) A statement of measurable annual goals, including academic and functional goals

(b) A description of—

(i) How the child’s progress toward meeting the annual goals described in paragraph (a)(1) of this section will be measured

(ii) Periodic reports on the progress the child is making toward meeting the annual goals

"No requirement for measurement or reports under 504 D"

Treatment of students - college

Section 504 - 104.4

"... No qualified handicapped student shall, on the basis of handicap, be excluded from participation in, or denied the benefits of, or otherwise be subjected to discrimination..."

"...the recipient shall assure itself that the other education program or activity, as a whole, provides an equal opportunity for the participation of qualified handicapped persons."

ADA - Sec. 1218

"No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation..."

What colleges have to provide - colleges

Section 504 E:

"A recipient to which this subpart applies shall make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of handicap, against a qualified handicapped applicant or student."

The ADA:

"afford goods, services, facilities, privileges, advantages, or accommodations to individuals with disabilities..."

BUT...(and this is a big BUT)

504:

"Academic requirements that the recipient can demonstrate are essential to the instruction being pursued by such student or to any directly related licensing requirement will not be regarded as discriminatory within the meaning of this section."

ADA:

"...unless the entity can demonstrate that making such modifications would fundamentally alter the nature of such goods, services, facilities, privileges, advantages, or accommodations."

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Note

Laws use “modifications” loosely
Colleges distinguish between accommodations and modifications

The way colleges view accommodations vs. modifications

- **Accommodation** – support or services that allow students to “fully access” the curriculum or subject matter – does not change content taught or expectation that students will meet performance standard set for all students*

- **Modification** – change to curriculum or material being taught that alters standards or expectations for students with disabilities*


And what is equal opportunity?
Section 504: “... aids, benefits, and services, to be equally effective, are not required to produce the identical result or level of achievement ... but must afford ... equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement...”

*not make sure they can meet educational standards, either

Accommodations basics

@ All colleges (community colleges through the Ivy League schools) are required to provide basic disability services and accommodations (exemption only for those that don’t take federal funds and are private and religious)

@ Accommodations free (certain individual help and personal tools may not be free)

Not reasonable

- undue financial or administrative burden
- pose a direct threat to safety of others
- fundamentally alter the nature of a course or program (admission, graduation - math and foreign language, course of study) = no modification to standards*
- personal service (e.g., tutoring) or device (e.g., software)

**this may be why colleges call their adjustments accommodations”

Some Commonly Approved Accommodations
For exams:

- Extended time for exams (not untimed or unlimited time) – 1.5 or 2.0 (150% or 200%)
- Reduced-distraction site (not distraction-free)
- Permission to use laptop with spellchecker for exams* (sub for no penalty for spelling errors)
- Calculator for exams*

* may not be available if spelling or calculation are being measured by the exam

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More Commonly Approved Accommodations

For the classroom:
- Note-taker
- Permission to record
- Permission to use laptop for notetaking
- Priority seating

For studying:
- Class texts in alternative format/text-to-speech software

More Commonly Requested Accommodations

Other
- Priority registration
- Substitution/waivers – ask early

Accommodations that may be more difficult to get
- Extended time to complete papers/projects
- Special tutoring, e.g., with a learning disabilities specialist, one-on-one, or more frequently than other students can have
- Copies of professors’ lecture notes
- PowerPoint sides ahead of class
- Study guides

National Longitudinal Transition Study-2
- 10-year-long study
- Looked at “characteristics, experiences, and outcomes of a nationally representative sample of youth with disabilities”
- Sample – 12,000 students 13 to 16 years old and receiving special education services in grade 7 or above on December 1, 2000
- sponsored by Office of Special Education Programs

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How effective are accommodations?


Responsibilities

Students must register with DS (or other office or person) in order to receive accommodations, even if they said something in their application

Typically, they have to:
• complete a basic form (may also have to meet with someone at DS)
• submit disability documentation

Only need to do this once

Can happen at any time

Rights of Students:

• self-identify or not (accept consequence if grades are disappointing)

• privacy of information

• use of their approved accommodations unless professors can show that they represent a fundamental alteration

??Is there anything you expected to see here that you don’t??

Accommodation request advice

Help students to create a list of desired accommodations they can explain before they graduate

• Students should be able to explain need for each accommodation (support should come from testing and their history)

• Students should ask for whatever they want; they might get everything!

• It’s okay & a good idea to ask for things they haven’t needed; they should be able to explain why they think they will need them in college environment

Additional responsibilities

Each semester (maybe not)

• Ask for letters

• Give letters to professors

• Complete paperwork related to services and accommodations

• Tell coordinator if accommodations aren’t working / professor refuses accommodation (should get advice on this when they register with DS)

What happens when students wait to register?

41 students - data collected in middle of sophomore year

Primary reason for seeking services later - academic failure or ability to participate in activities

GPA end of first semester sophomore year

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<th>GPA</th>
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<td>Later freshman group</td>
<td>3.38</td>
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<tr>
<td>Late group</td>
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Credits earned

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<td>35.8</td>
</tr>
<tr>
<td>Late group</td>
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</tbody>
</table>


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More from Lightner - reasons students delayed seeking services

- Lack of time
- Lack of knowledge - about procedures that needed to be followed, services provided by DSS, their disability
- Establishing identity independent of disability status
- Feeling things were going well/lack of recognition things were not going well
- Concerns about expense and hassle of assessment
- Sense that using accommodations is "cheating"
- Sense of shame


Even more from Lightner - influences on decision to register

Who encouraged them to register?

- Each group - peers, teachers, college/university, student affairs
- Second semester freshman group - 7% said parent, 9% said prof/teacher, 13% said friends
- Last group - majority reported prof/teacher

Told about DS/504 in high school?

- Each group - majority remembered being told about DS
- Second semester freshman group - majority did not recall being told
- First semester sophomore group - half did not recall being told

Learned about their disability status in high school?

- Each group - majority remembered meetings where they learned about nature of disability & impact on college
- Second semester freshman group - half recalled meeting about disability
- First semester sophomore group - only 13% recalled individual meeting about disability

Source: Lightner et al.

Last notes from Lightner - comments from students

No one used term "learning disability" with some students or told them how it would affect them in college

Thought disclosing in application was enough - no one told some students they have to send information themselves

Take-aways

- Students in charge of initiating process and subsequent paperwork
- Registering for DS - not time consuming & easier with self-knowledge (help them develop this in high school)
- Students not required to register (but here are no "do-overs") - those who do guaranteed right to privacy and appropriate adjustments
- Tell them registering is their "insurance policy" and make sure they know that we value their privacy

??Any questions??

Documentation

- General guidelines
- Specific guidelines
- Summary
- Diagnosis or statement about disability
- Suggest recommendations for accommodation - linked to students' specific weakness

What forms can LD documentation take?

- Some schools will take IEP or 504 plan or Summary of Performance (SOP) document
- Schools that don't accept high school plans or SOPs alone typically look for:
  - Testing for students with LD
  - Forms or letters for students with other disabilities

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What 3 elements are typically required for LD documentation?

1) Aptitude/cognitive ability – typically Wechsler Adult Intelligence Scale-IV (WAIS-IV) or the Wechsler Intelligence Scale for Children (WJSC-V) or Woodcock-Johnson Tests of Cognitive Ability (WJ-IV)

2) Academic achievement – typically Wechsler Individual Achievement Tests – III (WIAT-III) or Woodcock-Johnson Psychoeducational Battery – IV: Tests of Achievement (reading, math, oral and written language)

3) Information processing – addressing the specific areas of short and long-term memory, sequential memory, auditory and visual perception, processing speed, executive functioning, and motor ability.

Typically covered in a WAIS, WISC, or WJ cognitive tests (as long as all tests in the standard battery are administered)

ADHD documentation requirements – all over the map

• Letter from doctor and/or completed by doctor?
• Psycho-educational testing?
• Neuropsychological testing (psycho-educational testing plus additional measures)?

What additional measures?

• Rating scales from student, parents, teachers
• Additional testing of memory
• Testing of executive functioning skills
• Measures to rule out other causes for inattention (e.g., general behavior scale like the BASC or anxiety or depression scales)

Majority of schools won’t require testing, so tell families not to panic but to check on this as they look at schools

Documentation – additional thoughts

• Documentation requirements vary
• Add subjective details to make documentation better by adding subjective details (e.g., did teachers give them extra time to complete tests? did they stay after school for help?)
• Students should check the documentation requirements as they research schools
• Students should call first before paying for new testing – their school may show flexibility!!!
• Low cost testing may be available if needed
• If subs are granted or good grades given in FL or math, ask teacher to write letter
• Make sure students are knowledgeable about their documentation

Summary & Implications

• Differences in laws means students should expect a different system and – possibly – different accommodations
• Students should know that colleges have fewer obligations to students
• That choices made in high school can affect students’ college choices (if they don’t have the required courses)
• Students need to be taught study strategies so that they can function without the supports to which they might currently be accustomed
• High schools must have a place where students can interact with special education teachers to learn and discuss strategies and develop relationship with case manager so that plans reflect their needs and goals

For more information


See Resources page in handouts

Explore my website – www.LDadvisory.com – info for parents & college students, helpful links, free downloads/links to published work & interviews

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Resources

http://www.nsttac.org/
National Secondary Transition Technical Assistance Center

http://www.ed.gov/about/offices/list/ocr/letters/parent-20070316.html
Letter to Parents from the Assistant Secretary of the Office for Civil Rights that discusses changes they will find when their child moves from high school to college

http://www2.ed.gov/about/offices/list/ocr/docs/auxaids.html
Auxiliary Aids and Services for Postsecondary Students with Disabilities - This guide from the US Department of Education answers questions about what kinds of aids and supports colleges are required to provide to students with disabilities

http://www2.ed.gov/about/offices/list/ocr/transition.html
Students with disabilities preparing for postsecondary education: Know your rights and responsibilities - This guide from the U.S. Department of Education offers a basic view of what students should expect from their services, and what they have to do in order to access them.

https://www2.ed.gov/about/offices/list/ocr/transitionguide.html
Transition of Students With Disabilities To Postsecondary Education: A Guide for High School Educators – this guide from U.S. Department of Education answers commonly asked questions teachers have about the postsecondary disability services system

https://www.heath.gwu.edu/awareness-postsecondary-options
The HEATH center at George Washington University, which is a helpful resource for information on transition, provides this great piece on a variety of post-secondary options for students. It also includes a list of questions students can ask themselves to get them thinking about what they really want to do.