Student Disability Services Parent Packet

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An Open Letter to Parents of Students with Disabilities About to Enter College

Embracing your new role as a parent can be difficult, painful, joyful and exciting all at the same time!
Introduction
A world-tilting event is about to happen. Your young adult is starting college. They might feel they are on a roller coaster -- one minute excited and confident, the next insecure and homesick. Everything may seem completely unfamiliar, both terrifying and wonderful all at once.

University students are responsible for their own actions and decisions--and free to make them. As they leave secondary school to enter a career in higher education, fundamental changes occur with respect to their education as a person with a disability. Any child who attends public schools has, for the most part, a legal entitlement to an education, regardless of a disability. They must also receive their education in the least restrictive environment possible. But they are children, and as such may need guidance and advocacy at times.

In higher education, your student has a civil right to have access to their education if they choose to self-identify with the University (Student Disability Services). The fundamental principle at work is the assumption of integration and that the individual student is responsible for themselves.

We hope this package will help you better understand some of the legal and philosophical changes that occur for students with disabilities upon graduation from high school and entrance into college and provide tips on how best to support and empower your son or daughter to become self-advocates in college.

What are the differences between “entitled” to education and “right to equal access” to education?
Unlike elementary and secondary schools, post-secondary education offers access rather than entitlement to academic programs. In 1975, Congress passed the Education for All Handicapped Children Act. This act, commonly known as Public Law 94-142, provided that any child with a disability was “entitled to a free and appropriate education” in public school systems. Fundamentally, 94-142 and its successors (including the Individuals with Disabilities Education Act of 1990 and IDEA Improvement Act of 1997 and 2004) said that public schools would determine what was most appropriate for your son or daughter’s education. They were then required to provide that education.

At the post-secondary level, Public Law 94-142 and IDEA do not apply, including IEP (Individualized Education Plan/Program) and 504 Plans.

In 1990, Congress passed the Americans with Disabilities Act (ADA), modeled on section 504 of the Rehabilitation Act of 1973. ADA is a civil rights law. It prohibits discrimination on the basis of disability as long as the person is otherwise qualified. In the case of public-funded colleges and universities, ADA affirms the right of a student with a disability to a level playing field.

This means that The University of Toledo (UT) must ensure access to all students who are otherwise qualified. Access means much more than ramps, elevators, and wide parking spaces. It also means access to information and technology. Therefore, UT must make reasonable accommodations/adjustments for students’ disabilities. However, civil rights laws and reasonable accommodations/adjustments are in no way intended to guarantee success. It does mean students can expect an equal opportunity to do the same work as their peers.

Review the DIFFERENCES BETWEEN HIGH SCHOOL AND COLLEGE FOR STUDENTS WITH DISABILITIES in the table on the next page to see the primary differences in student rights and responsibilities between secondary and post-secondary education.
## DIFFERENCES BETWEEN HIGH SCHOOL AND COLLEGE FOR STUDENTS WITH DISABILITIES

<table>
<thead>
<tr>
<th>High School</th>
<th>College</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Law- IDEA</strong></td>
<td><strong>Law- ADA &amp; Section 504 of the Rehabilitation Act</strong></td>
</tr>
<tr>
<td>Education is a right under IDEA and must be provided in an appropriate environment to all individuals. Goal- some degree of Success</td>
<td>Education is not a right. Students must meet disability criteria as defined by the ADA and must be an otherwise qualified student. Goal- provide Access</td>
</tr>
<tr>
<td>School district/teachers are responsible for identifying students with disabilities</td>
<td>Student is responsible to self-identify and self-disclose as a person with a disability</td>
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<tr>
<td>School/family develops an IEP to define educational supports and services that will be provided.</td>
<td><strong>No IEP.</strong> Through an interactive process, the student and the Student Disability Services Accessibility Specialist determine the academic accommodations/adjustments a student will receive. Accommodations/adjustments requested and approved may vary based on the nature of the class.</td>
</tr>
<tr>
<td><strong>Special Education - fundamental alterations to the curriculum are made.</strong> Examples of alterations would include; different courses, or course requirements, modifications of assignments, tests, or test requirements, etc... Services might include ensuring a student takes medication, assisting a student in finding his/her way to the next class, assistance with personal care.</td>
<td><strong>No Special Education - No fundamental alterations to the curriculum are made.</strong> Academic accommodations/adjustments provide access to students with disabilities as defined by ADA. Students must meet the same requirements, standards, and fundamental objectives, with or without accommodations/adjustments, as the other students in the course in order to pass. Students are responsible for managing their personal care and medication needs, as well as time management including knowing where their classes are, how to get to class on time.</td>
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<tr>
<td>School district provides free testing, evaluation, and transportation.</td>
<td>If testing is required, the student is responsible for the cost. The student is responsible for transportation to campus.</td>
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<tr>
<td>Transition planning and timelines exist to clarify students' vision, identify programming choices and coordinate appropriate coursework options</td>
<td>Students along with their college academic advisor will make all coursework selections</td>
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</table>
**Commonly Asked Questions**

**Can a post-secondary institution deny my son or daughter admission because of a disability?**
No. If your son or daughter meets the essential requirements for admission, a post-secondary institution may not deny admission simply because of a disability.

**What is meant by an academic adjustment or reasonable accommodations?**
Academic accommodations/adjustments are made in order to level the academic playing field for qualified individuals with disabilities. This means students with disabilities must meet the same essential program requirements, standards, goals, competencies and or critical skills as their peers. Students with disabilities may use academic accommodations/adjustments to assist in meeting academic requirements. As much as possible, accommodations/adjustments are designed to minimize the functional limitations of an individual’s disability. These accommodations/adjustments allow students with disabilities the opportunity to learn by removing barriers that do not compromise academic standards. Examples:

- Students who are D/deaf/Hard-of-Hearing (HOH) may be accommodated in a variety of ways. Speech-to-text transcription or a Sign Language interpreter as an accommodation gives students who are D/deaf/HOH access to the information discussed in the classroom at nearly the same time it is presented.

- Students with learning disabilities may be accommodated in a variety of ways, depending on the nature of their particular type of learning disability.

- Students who are blind may be accommodated by receiving print materials in an alternate format such as accessible electronic text or in Braille.

- Students who are wheelchair users may request that classroom locations be moved if the classroom is not accessible on a ground floor or by an elevator.

The college does not have to make modifications that would fundamentally alter the nature of a service, course, program, or activity or would result in undue financial or administrative burdens. Also, the college does not provide personal care attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature, such as tutoring and typing.

**Who will manage my son or daughter’s educational services?**
Your son or daughter is ultimately responsible for managing his or her own education, understanding functional limitations, and requesting necessary accommodations/adjustments.

All students go through a process of learning about themselves. They develop the skills of self-determination, including confidence to advocate for the things they need in order to thrive and achieve.

Student Disability Services strives to develop and promote this kind of self-knowledge. These self-advocacy skills are critical to students when they leave college and move successfully into their chosen careers.
Student Disability Services is here to support your son or daughter as each grows toward his or her individual potential. Each semester the student’s memo, listing the adjustments/accommodations the student requests (via Student Accessibility Management (SAM)), is sent from the office to each of the student’s faculty. The office can also refer students to campus and community resources, assist with secondary advising and help students navigate through their academic journey.

Each student who has identified himself/herself to the Student Disability Services office as a student with a disability is assigned an Accessibility Specialist. The student may email or schedule appointments to meet with the Accessibility Specialist if he/she encounters any issues or problems regarding the implementation of his/her adjustments/accommodations.

**How has my role as a parent changed?**
At the post-secondary level, both parents and students experience a transition. A parent’s role shifts to a subtle hand of guidance when it comes to the process involved in the student’s education. Encourage the student to take responsibility for academic concerns and limitations. Both the parent(s) and student should acknowledge the disability and the limitations that stem from it. This will allow the student to identify areas in which he/she should consider adjustments/accommodations to level the playing field. It will also make it easier for the student to effectively self-advocate and convey their requests for adjustments/accommodations. Encourage the student to contact Student Disability Services if coaching is needed on how to interact with faculty or others regarding adjustments/accommodations.

**What do you mean you cannot disclose any information to me about my son or daughter's services?**
Once students, whether they are 18 years old or not, enroll in a post-secondary institution, they become the sole guardian of all records maintained by that institution. Under the Family Educational Rights and Privacy Act of 1974, as amended (FERPA), students have the right to access their own records upon written request. The parent or guardian does not share that right. This means that parents do not have legal access to their student’s grades, transcripts, or any information concerning the adjustments/accommodations being provided through Student Disability Services. This information is confidential. However, we understand that students may wish to share educational information with parents or others. Students wishing to grant access to their educational records to parents/guardians or others must give written permission. The only time a student’s record may be disclosed without written consent would be to comply with a subpoena or in an emergency situation where the health and safety of the student or another individual is threatened.

**Can I request academic accommodations/adjustments on behalf of my son or daughter?**
No.

It is the student’s responsibility to request academic accommodations/adjustments, to adhere to the institution’s accommodation procedures and to actively participate in the process. The demands of parents do not obligate institutions to act if students fail to satisfy that responsibility (See Brown Mackie College, No. 03-04-2084 (OCR 12/10/2004) and Texas Southern University, No. 06-02-2078 (OCR 12/06/2002).
Further, even when the student gives written consent, the institution is not required to disclose the information. It is permitted to do so (see Family Policy Compliance Office (FPCO) April 11, 2007 responses to inquiries regarding Clemson University and Lincoln University). It is appropriate for institutions to insist that the individual who is enrolled, i.e., the student, be the frontline in these matters. Additionally, assertions by parents that their son or daughter cannot take responsibility for managing the accommodation process raises issues regarding the qualified status of the student (Brown Mackie College, supra).

**How does a student request accommodations for a semester?**
Students must register for classes and request the accommodations/adjustments that they wish to use in each class each semester. Remember, the student is responsible for requesting accommodations/adjustments they determine are needed in a given course. Student Disability Services will assume a student has chosen not to use accommodations/adjustments if they are not requested per office processes through SAM.

**How does a student know office policies and procedures?**
During the intake process for students who have identified themselves to the Student Disability Services office as students with disabilities, office policies and procedures are discussed with the student. The student is also shown how to request accommodations/adjustments in SAM and made aware of additional campus/community resources. The student is also encouraged to review the Student Disability Services Student Handbook which provides a comprehensive guide to the use of Student Disability Services accommodations/adjustments. Additionally, the student is made aware of online SAM tutorials available on our Student Disability Services website.

Embracing your new role as a parent can be difficult, painful, joyful and exciting all at the same time!
Remember you are not alone. Below is an adapted version of a letter from a parent like you who shares her thoughts about sending her daughter off to college.

*An Open Letter to Parents of Students with Disabilities About to Enter College*

Dear Parents,

I have been working in the area of students with disabilities at the college level for more than 30 years, but that is not why I am writing to you today. I am writing as a parent, and thus as someone who shares all your current anxieties. My daughter, who graduated from high school in early June, will be going away to college this Fall. She has Cerebral Palsy, uses a wheelchair, and has limited speech capabilities, so you can be assured that I have been very involved in the educational programming and planning she has received during her years in the public school system. I wanted to be involved, but I also needed to be involved since, by law, the school could not do anything for, to, or with my daughter regarding her disability without my permission. I sat through countless IEP meetings over the years, I was insistent on certain issues of
academic support when I needed to be, and I agonized over everything from teacher selection to her successful social integration with classmates. And now, as I prepare to pack her up and take her off to college in the Fall, I recognize that this role has ended for me – and the word “anxious” doesn’t even begin to describe my feelings.

If you are worried that your child with a disability will have a difficult time making a successful transition to college without your involvement... then you are probably right to be worried. Very few children with disabilities can succeed at the college level. On the other hand, students with disabilities survive and thrive on college campuses across the country. If you still think of your son or daughter as your “child,” and they still are comfortable in accepting that role, it is time to take a careful look at where you have come from and what lies before you. As parents, it is time for us to step back and allow/encourage/gently nudge our SWD’s (Students with Disabilities) to assume significant independent responsibility for their own lives, both academically and personally.

As you and your SWD prepare to visit campus for that initial meeting with a disability service provider at the college, you would do well to think about what can be accomplished at this initial meeting, what needs to be said – and who is going to say it!!! As I approach that same milestone with my daughter, I find myself a little panicky, realizing that there are things about her disability and how it impacts on her functioning that I know and that the disability services provider needs to know, and that I may not have many chances to say. There is no doubt that I can explain those things more fully than my daughter can explain them (or even understands them!). And it doesn’t matter. Much as I hate it, I know that SHE has to be the one to convey all this crucial information (not me!), for a number of reasons.

First, colleges and universities provide services and support to SWD under very different laws than those that governed services in the K-12 system. As a parent, I have no rights under Section 504/ADA in speaking for my SWD who is in college. (If you aren’t sure what “Section 504/ADA” means in this context, perhaps the disability service provider you meet with will have gathered some information that helps explain the differences between settings, both legally and practically. Two of my favorite websites for learning more are at: http://www2.ed.gov/about/offices/list/ocr/transition.html and http://www.heath.gwu.edu/). The services and support available to SWD are sometimes very different than what was provided in high school, and the college is under no obligation to continue the services given in high school or to adhere to the recommendations of an outside diagnostician. The college will make its own determination of what services and support to offer, based on the documentation of disability and their interview with your SWD. There are no IEP’s in college, there is no place to sign off with my parental approval. Indeed, the college doesn’t legally have to care whether I am satisfied or not. My daughter is responsible for her own destiny now.
More importantly, this is your SWD’s first chance to convey that information all by himself/herself. Don’t spoil that opportunity, and don’t interfere. Remember, while you and your SWD are learning more about the campus, the resources, and the people who will be there to help when needed, the disability service provider is learning more about your son/daughter, as well. You want their first impression to be one that is positive and reassuring. The service provider is anxious to find out whether your SWD is mature enough to handle the responsibilities and independence of college life. Here are some specific suggestions for helping your SWD to shine in this newly focused spotlight:

- **DON’T** be insulted if you are not invited to sit in on the initial meeting between your SWD and the disability services folks. Most institutions have found that it is helpful for them to speak directly (and alone!) to the student in order to get a feel for how knowledgeable and confident s/he is in sharing information about past services, what works and doesn’t work, and what accommodations they hope to have at the college level.
- **DO** take some time preparing your son/daughter in advance on the issues that you think need to be discussed - the things that you would say if you had the chance. Make a list of the topics you would bring up, explain why you think each is important, and make sure your SWD has the list in hand when s/he goes into the interview. Rehearse with your son/daughter, if they will let you. If they are typical teens and aren’t comfortable sitting through that kind of rehearsal, settle for making them sit and listen while you demonstrate how you would approach certain subjects. For example, “I think you should tell them about how the teachers arranged for extra time for you on tests when you were in high school. I’d probably say, ‘In high school, I was allowed extra time for tests in English because it takes me a long time to put my thoughts in writing, but I never needed it in Math.’” Your SWD may not acknowledge the strategies you share, but you may be surprised to hear those words come out of his/her mouth at the interview!
- If you did not get a chance to do this before the initial intake interview, it is not too late. Work through the process above; see if there are any questions or information your son/daughter wishes he/she had shared. If so encourage your son/daughter to schedule a second follow-up appointment.
- **DO** prompt your son/daughter to speak up and share important points as the interview progresses.

An old adage maintains:

There are only two things a parent can give to a child...
One is roots. The other is wings.

It is time for our kids to solo. That is a scary thought for us, as parents, and it is sure to be scary for them, too. That’s OK. This is what we have all been working towards for a long time. Remember, your son/daughter will call, email, or text if they need you. They know what you can
do for them, but now it is time for them to go it alone. Take a deep breath, cross your fingers, wish them well - and walk away. All will be well!

Best of luck,

Adapted from a letter from Jane Jarrow
Proud (and Terrified) Mom

Conclusion
Student Disability Services understands that this is a challenging time for both you and your student. All parents/guardians and students have these feelings, parents/guardians of and children with disabilities usually face even greater changes than other families, but you are not alone!

• About 11% of students at the post-secondary level have a disability.
• Student Disability Services is here to work with faculty and staff to coordinate academic access for your student.
• Thousands of young adults with disabilities graduate fulfilling their dream of becoming teachers, engineers, doctors, lawyers, artists...

We hope this handbook has been helpful in preparing you for some of the changes you may encounter as your child transitions into college!

You may want to visit the UT Parents and Family website http://www.utoledo.edu/parent/ as well as the Student Disability Services parent website