



# **Transition to Adulthood**

## **A Guide for Transition Age Individuals with Disabilities and Their Families**

### **Chapter 2 - Post-Secondary Education**

## Chapter 2: Post-Secondary Education

If you choose to pursue post-secondary education, such as college or vocational school, it is important to understand that it will be a lot different than high school. After you leave high school, the Individuals with Disabilities Education Act (IDEA) no longer applies to you. This means you won't have an Individualized Education Program (IEP) and you won't get all the services and supports your IEP gave you. However, you are still protected by the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (Section 504). You have access to educational opportunities like people without disabilities, and you may be eligible for accommodations that can help you succeed in the educational program you choose.

### **Post-Secondary Education Options**

You have several options when you are choosing the kind of post-secondary education you want. You can choose a four-year college/university, a two-year community college/junior college, or a vocational or technical school (career schools).

### **Types of Programs**

**Four-year college or university:** Most students who graduate from a four-year program at a college or university earn a bachelor's degree. Generally, you earn either a Bachelor of Arts or a Bachelor of Science in a "major" concentration that you choose, such as engineering, English, photography, or geology. However, there are many other kinds of bachelor's degrees and some specialty colleges, such as art school or theater school.

After you get your bachelor's degree, you may want to go to graduate school or a professional school. Graduate degrees include master's degrees and doctoral degrees (Ph.D.). Some professional schools are law school, medical school, and business school. If you plan to go to graduate school, you may want to choose a major in college that relates to your

future program. But your undergraduate major doesn't lock you into one type of career or educational path. Many graduate programs require certain undergraduate classes though, so make sure you find out what those are.

### **Benefits of four-year colleges or universities:**

- They don't prepare you for one specific career – instead, they leave open many options.
- There are many jobs that require a bachelor's degree, or at least prefer to hire candidates who have one.
- They usually have many school-sponsored activities and groups, such as sports teams, drama clubs, LGBT or other identity groups, and volunteer groups. These can provide opportunities to socialize, learn something, and get involved in your community.

**Two-year community college or junior college:** Most students who graduate from a two-year program at a community college or junior college earn an associate's degree. Many students choose to start their post-secondary education in a two-year program and then go on to a four-year program to earn their bachelor's degree. Some reasons to do this include saving money during your first two years of school, raising your grades so you can get into a better four-year college, and staying close to home longer.

Most community colleges and junior colleges have something called "articulation agreements" with four-year colleges and universities. This means that the credits you earn at your two-year program will transfer to your four-year program, so you'll have fewer classes to take once you get there. Before you enroll, make sure to ask about the types of articulation agreements your community college or junior college has. You should also check the transfer policies of schools you might want to transfer into. Otherwise, you might lose the credits from your two-year program and get stuck paying for four more years of school if you want your bachelor's degree.

### **Benefits of two-year community colleges or junior colleges:**

- They are usually much less expensive than four-year programs, especially if you choose a public school.
- They often have more open admissions standards, so they are a good place to start if your high school transcript or test scores aren't as strong as you'd like.
- There are so many community colleges and junior colleges that there is almost certainly one near your home. There are many reasons why you might want to live at home or near home, and you can usually do that with a two-year program.
- They often have flexible schedules, so you can schedule classes around work and other commitments.
- Many two-year programs can prepare you to transfer to a four-year program to earn your bachelor's degree.
- Many two-year programs offer the same certificates and technical or vocational degrees as a career school, but with a better reputation and lower tuition.

**Vocational or technical school:** You have probably seen career schools advertised on television, buses, and billboards. Career schools offer specialized education related to a specific career that you choose. Some examples of the most popular careers at career schools are paralegal, dental assistant, electrician, and auto mechanic. Most students who graduate from a career school earn a certificate or diploma, but some earn an associate's degree or even a bachelor's degree. Many career school programs are only one year long, but some are two years or longer, depending on the type of degree, diploma, or certificate you will earn. Career schools tend to have more hands-on training than community colleges.

**Benefits of vocational or technical schools:**

- They help you get the training you need for your career in a much shorter time than getting a college degree.
- They often provide hands-on training, which some students find more helpful and more interesting than sitting in a classroom.
- You only have to take classes that apply to the career that interests you.
- They tend to have open admissions policies. This means you can

apply even if you don't have a strong high school transcript. For some schools, anyone over 18 can apply, even without a diploma.

- There are so many career schools that there is almost certainly one near your home. Many career schools also offer online or distance-learning programs, meaning you have to go to campus a lot less, or not at all.
- They often have flexible schedules, so you can schedule classes around work and other commitments.
- Good career schools have very high post-graduation employment rates.
- You can always go back to get an associate's or bachelor's degree later, after you have worked for a little while.

### **Risks of vocational or technical schools:**

Be careful when choosing a career school. Since most career schools are for-profit, they tend to cost more than similar programs at other schools. And credits from a career school are less likely to transfer to another school if you decide you want to go on and work toward a four-year degree. Many career schools also have bad reputations and leave students with lots of debt and few job opportunities. Here are some ways to find out whether the career school you're considering is trustworthy and high-quality:

- Ask for information about employment rates and a list of companies that have hired recent graduates.
- Ask for contact information for recent graduates so you can speak with them about the program.
- Ask about hands-on training and the type of services the school has to help you find a job after you graduate.
- Call up companies you might like to work for and ask their opinion of the school.
- Check with the Better Business Bureau (BBB) to see what kinds of complaints have been filed against the school. The BBB monitors and evaluates businesses and organizations and gives people information about fraud. If the BBB accredits a business, it means that business has met certain Standards for Trust that the BBB sets. You can find the BBB's review of the school you're considering at <http://www.bbb.org/us/consumers/>.

- Look at the school's student loan default rates. If a school has a high student loan default rate, it means that a large percentage of its graduates aren't paying back their federal student loans for some reason. It is a good bet that students from this school have trouble finding good jobs. You also may not be able to get federal student loans if you go to a school with a high student loan default rate. Under current rules, if a school's default rate was over 40% in either of the last two years, students there cannot get federal student loans. You can find a school's student loan default rate at - [http://www.nslds.ed.gov/nslds\\_SA/defaultmanagement/search\\_cohort\\_3yr2010.cfm](http://www.nslds.ed.gov/nslds_SA/defaultmanagement/search_cohort_3yr2010.cfm).

**Transition and Post-secondary Programs for Students with Intellectual Disabilities (TPSID):** Several colleges offer programs specifically designed for youth with intellectual disabilities who are transitioning out of high school. These can be degree, certificate, or non-degree programs, and are designed to provide students with intellectual disabilities with the training and supports they need to prepare them for employment. Visit <http://www.thinkcollege.net/for-students> to hear from students about why college might be right for you, and to get advice from current college students. You can also learn more about the TPSIDs around the country and search for one that fits your needs.

Most TPSIDs must be paid for out-of-pocket or through scholarships. However, some TPSIDs apply to the U.S. Department of Education to become approved Comprehensive Transition and Post-secondary (CTP) programs. If a program is an approved CTP program, students may be eligible to receive funding through federal financial aid. For more on federal financial aid, see page 33. A CTP program can be a degree, certificate, or non-degree program, and may be offered by a college or career school. CTP programs offer academic advising and a structured curriculum and require students to participate in inclusive education with students without disabilities for at least half of the program. As of March 1, 2014, there are 30 approved CTP programs across the country. Unfortunately, there is only one CTP program in Pennsylvania at this time (through Arcadia University). For a complete list of approved CTP programs, visit <http://studentaid.ed.gov/eligibility/intellectual-disabilities>.

### **Benefits of TPSIDs:**

- Studies show that individuals with intellectual disabilities who get some kind of post-secondary education are more likely to find competitive employment, require less on-the-job support, and earn more money.
- TPSIDs are designed specifically for students with intellectual disabilities, so they are likely to have more of the supports students need.
- TPSIDs offer students with intellectual disabilities the opportunity to experience college with students both with and without disabilities. This allows students to succeed in an inclusive environment and can increase self-esteem.

## Choosing a School

Post-secondary schools come in all sizes, from a few dozen students to tens of thousands. There are large universities, which offer graduate programs in addition to undergraduate programs, small liberal arts colleges, religious colleges, and many others. Some schools are famous for their sports teams and some don't have any sports teams. So how do you find out what your options are and pick a school?

**The school search:** Your high school's guidance counselor or career office is a good place to start your school search. Another good option is to look through a college guide at the library or bookstore. These days, though, the internet may be the best resource in your school search. Here are a few websites that can help you find the schools that are right for you. Some of the websites listed here require you to sign up for an account before you search, but all of them are free.

**The U.S. Department of Education's College Navigator** has information about four-year programs, two-year programs, and career schools. You can get more information about different programs here - <http://nces.ed.gov/collegenavigator/>

**Zinch and Cappex** let you search based on standard search topics, such as location, as well as hundreds of interests, such as clubs you belong to,

your hobbies, and classes that interest you. On Cappex, you can use a calculator to find out your chances of getting into the school you choose. You can also link them up to your Facebook account. You can find four-year programs, two- year programs, and career schools. The websites for Zinch and Cappex are below –

<http://www.zinch.com/college/search>

<http://www.cappex.com/>

**College View and The College Board’s Big Future** let you choose a number of features you want to search by, such as diversity and disability services, and rank how important each feature is to you. You can find four-year programs, two-year programs, and career schools.

<http://www.collegeview.com/collegesearch/index.jsp>

<https://bigfuture.collegeboard.org/college-search>

**RWM and The Accrediting Commission of Career Schools and Colleges (ACCSC)** let you search for private career schools by location, subject area, and degree type. ACCSC only lists accredited schools.

<http://www.rwm.org/rwm/>

<http://www.accsc.org/Directory/index.aspx>

**Picking your school:** There are many factors to consider when you decide where to go to school. Try not to get caught up in choosing a school with a famous name. A school’s reputation is one thing to think about, but finding the right fit for you is much more important.

**Academics:** Take a look at the school’s course catalog to see if you are interested in the classes the school offers. Find out if any classes are

required and how much time you have before you need to choose a major. Ask the school about the average size of classes and how much time professors devote to their undergraduate students. See if the school offers any statistics about what students go on to do after they graduate.

**Student life:** Find out what kind of activities and clubs the school has. If you can, visit the school to talk to current students and see if you like the location. If you can't visit, ask the admissions office to give you contact information for some current students who are willing to talk to you. You can also read college guides and search the internet to find out what students say about the school.

**Financial aid:** Look at your financial aid offer and really think about whether you can afford to go to a particular school. If the school is offering loans as part of your financial aid package, consider how much debt you are comfortable taking on. Don't forget to look at any outside scholarships you might be able to get.

**Accreditation:** If a school is accredited, it means that an outside agency has looked over the program and decided that it meets certain standards. Four-year programs, two-year programs, and career schools can all be accredited. It is a good idea to choose a school that is accredited. You need to go to an accredited school to get federal financial aid and many other types of financial aid. And if your school is not accredited, there is a good chance you won't be able to transfer credits to another school. Depending on where you live, you will also need to go to an accredited school to get many jobs or licenses, such as a license to be a lawyer or a psychologist. Most schools will say whether they are accredited, but you should double-check on the Department of Education's accreditation website at - <http://ope.ed.gov/accreditation/Search.aspx>.

## **Paying for School**

Finding money to pay for school can be one of the hardest things about post-secondary education. Almost all students need some kind of financial aid, such as scholarships, grants, and low-interest loans. You can get financial aid from the U.S. federal government, the state where you live, the college you go to, or a nonprofit or private organization. Below is a brief summary of the financial aid that may be available to you. For more

information, talk to your school's financial aid office, or visit the U.S. Department of Education's helpful financial aid website at <http://studentaid.ed.gov/>.

One of the first things you should do when applying to college is fill out the Free Application for Federal Student Aid (FAFSA) to see what kind of financial aid you can get from the U.S. government. Many states, schools, and private organizations also use the FAFSA to help them decide who should get their grants and scholarships. You can fill out the FAFSA at <http://www.fafsa.ed.gov/>. **You should fill out the FAFSA early, because some types of aid are offered on a first come, first served basis.**

The FAFSA is always free. Watch out for websites that try to make you pay for help filling out the FAFSA. There are many free places to get the help you need. Check out the help page on FAFSA's website, and if you still have questions, you can contact the Federal Student Aid Information Center by phone at (800) 433-3243 or (800) 730-8913 (TTY) or by email at [FederalStudentAidCustomerService@ed.gov](mailto:FederalStudentAidCustomerService@ed.gov).

### **Aid from the federal government:**

After you submit the FAFSA, your school will send you a financial aid offer, which may include some combination of grants, loans, and work- study. A large portion of the financial aid offered will probably come from the federal government. Financial aid from the federal government is usually based on need. To get federal financial aid, you need to be enrolled at least half time in a college, university, or career school that participates in federal financial aid. You also need to be making satisfactory progress toward your degree or certificate. Each school decides what it means to be making "satisfactory progress," so ask your school's financial aid office about this.

**Grants:** When you get a grant, you are given money for school that you usually don't have to pay back. Some grants have requirements you need to follow after you get them. In some cases, if you don't follow these requirements, you will have to pay back some or all of your grant money. For more information on federal grants, visit <http://studentaid.ed.gov/types/grants-scholarships>.

**Loans:** When you take out federal loans, the government lets you borrow money that you are expected to pay back later, with interest. This means you will have to pay back more than you borrowed, so you should be careful about how much you take. Your school will decide the maximum amount you can borrow. This number can seem pretty low, so you might be tempted to take out private loans to give you more spending money. But remember, private loans don't have many of the benefits that federal loans have. For more information on federal loans, visit <http://studentaid.ed.gov/types/loans>.

**Loan repayment programs:** Taking on a lot of debt can be scary. The federal government offers two assistance programs to help you handle repaying your loans. These programs won't help you pay for school, but they can save you a lot of money after you graduate.

Anyone with federal loans can qualify for Income-Based Repayment (IBR). If you enroll in IBR, your monthly loan payments will be based on your income. If you earn less than 150% of the federal poverty level, you won't pay any money toward your federal loans. If you earn more, you will pay a small percentage of the money you earn that is above 150% of the federal poverty level. For most people, your total payments will be less than 10% of your income. After 25 years, the federal government will forgive any federal loans you still have, meaning you don't have to pay whatever's left over.

If you are eligible for Public Service Loan Forgiveness (PSLF) the federal government will forgive any federal loans that you have left over after only 10 years. You can use IBR with PLSF to reduce your monthly payments during the 10 years that you have to make payments. You are eligible for PSLF if:

- You work for a nonprofit, tax-exempt 501(c)(3) organization; or
- You work for the federal government or a state, local, or tribal government (this includes the military and public schools and colleges); or
- You serve full-time in the AmeriCorps or Peace Corps.

With IBR, either alone or with PSLF, you are still responsible for paying off any private loans in full.

**Work-Study:** With the Federal Work-Study Program, you work to earn money for school. Although you are paid by your school, the funding comes from the federal government. Since this is a chunk of money that can only go to students participating in Federal Work-Study, it is usually a lot easier to get a Work-Study job than another kind of job. There are on-campus and off-campus Work-Study placements. Off-campus placements will usually be at local nonprofits or other organizations that serve the public interest. Your school will determine which jobs are eligible. The federal government will set a limit on how much you can earn through Work-Study, and your school may set a limit on how many hours you can work each week. You apply for Federal Work-Study through the FAFSA, and your school may have additional application requirements. Check with your school's financial aid office.

### **Aid from your state government:**

**State Grant Agencies:** Each state has a state grant agency that offers different types of financial aid. Below is a description of some financial aid opportunities for residents of Pennsylvania. For more information on these and more state financial aid opportunities, visit the Pennsylvania Higher Education Assistance Agency's (PHEAA) website at <http://www.pheaa.org/>. PHEAA is Pennsylvania's state grant agency. If you don't live in Pennsylvania, you can find your state grant agency at <http://www2.ed.gov/sgt>.

**Pennsylvania State Grant Program:** A Pennsylvania State Grant is money for school that you don't have to pay back. Pennsylvania State Grants are based on need. The amount of money you get will depend on your family's income and the type of post-secondary school you go to. Call PHEAA at (800) 692-7392 to see if your school is eligible for Pennsylvania State Grants. You can apply for a Pennsylvania State Grant by selecting that option on the online FAFSA application, or by completing the separate online application on PHEAA's website. Either way, your application is not complete until you print, sign, and mail in the last page of the application.

To be sure your application will be considered, get it in by May 1<sup>st</sup> of the year you will start post-secondary school. For more information and a list of eligibility requirements, visit PHEAA's funding website at <http://www.pheaa.org/funding-opportunities/index.shtml>.

**Work-Study:** Pennsylvania has its own State Work-Study Program. To be eligible for State Work-Study, you need to be eligible for a Pennsylvania State Grant and meet a few other requirements. The purpose of State Work-Study is to help you earn money for school through career-related work experience, so Work-Study jobs need to be related in some way to your course of study. To find a job with a PHEAA-approved employer, visit <https://www.pheaa.org/state-work-study/index.cfm>.

You can also find your own job and ask the employer to apply for approval at <http://www.pheaa.org/partner-access/work-study-employers/index.shtml>. Employers benefit from participating in the State Work-Study Program, because PHEAA will pay for part or all of your earnings.

To find out application deadlines and apply for State Work-Study, visit <http://www.pheaa.org/funding-opportunities/work-study-employment/apply.shtml>. If you qualify, PHEAA will offer you a Work-Study award. The amount of your Work-Study award is the maximum amount that PHEAA will pay for. Your employer can pay you more, but anything above your award amount won't be reimbursed by PHEAA.

**Other Pennsylvania grants and scholarships:** Pennsylvania offers several other grants and scholarships, including one for blind or deaf students and one reserved for students aging out of foster care. For details on other grants and scholarships, visit <http://www.pheaa.org/funding-opportunities/index.shtml>.

**Office of Vocational Rehabilitation (OVR):** The Office of Vocational Rehabilitation helps individuals with disabilities reach their employment and education goals. If you work with an OVR, you and your counselor will write an Individualized Plan for Employment (IPE). Your IPE will include a career goal and the services that OVR will provide to help you work toward it. The services you get will be based on your needs. If your IPE includes college as part of your goal, OVR may provide money toward tuition. If you

have special circumstances, such as medical expenses, you can apply for a waiver to receive additional aid. Tuition assistance from OVR is meant as a last resort. You need to use the FAFSA to apply for aid from the federal and state governments first. There are 21 different district offices in Pennsylvania. You can contact the Central Office at (800) 442-6351 or (866) 830-7327 (TTY). You can also find the local OVR that serves your county on the Pennsylvania Department of Labor and Industry's website.

### **Aid from your college or university:**

Your school may offer need-based scholarships, merit-based scholarships, or both. Some scholarships have no requirements, but some require you to do something, such as take specific classes or maintain a certain grade point average. For some, you may even have to promise to work in a certain job after you graduate. If you don't follow the requirements, you might have to pay back your scholarship. For some school-based scholarships, you will have to fill out a separate scholarship application, but for some, you will be considered for a scholarship based on your application for admission. Contact your school's financial aid office to find out what scholarships are available and what you need to do to apply.

### **Aid from nonprofit and private organizations:**

There are thousands of scholarships available through nonprofit and private organizations. Scholarships can come in any amount. They may be only a few hundred dollars, or they may cover all of your tuition and school expenses. Some of these scholarships are based only on financial need. Others are based on numerous criteria, such as your grades, a writing competition, an identity-group you belong to (such as women or African-American students), or your background (such as first-generation college students). Start your scholarship search early – before your last year of high school, if possible. Scholarship deadlines vary and some deadlines may be a whole year before you start post-secondary school.

**Scholarships for students with disabilities:** There are many organizations that offer scholarships that are only for students with disabilities or give preference to students with disabilities. Some of these scholarships are described below, but this is not a complete list. There are

scholarships available based on specific disabilities. You can find these on the internet.

**Incight** offers scholarships of \$500 to \$2,500 to students with disabilities who “have demonstrated outstanding merit in giving back to the community and overcoming obstacles in order to pursue higher education.” Apply online at <http://www.incighteducation.org/scholarship/>.

**The Google Lime Scholarship Program** provides \$10,000 toward tuition for students with disabilities who are pursuing degrees in computer science, computer engineering, or a closely related field. Apply online at <http://www.limeconnect.com/opportunities/page/google-lime-scholarship-program>.

**Mays Mission for the Handicapped** offers scholarships to students with disabilities. For more information, visit <http://www.maysmission.org/schol.html>.

**The American Association on Health and Disability** offers scholarships of up to \$1,000. For more information, visit <http://www.aahd.us/initiatives/scholarship-program/>.

**Finding other scholarships:** There are several great free websites that let you search for scholarships with all different eligibility criteria, including scholarships for students with disabilities. And remember, you should never have to pay to search for scholarships.

The U.S. Department of Labor’s Scholarship Search:  
<http://www.careerinfonet.org/scholarshipsearch/>

FastWeb: <http://www.fastweb.com/>

Scholarships.com: <http://www.scholarships.com/>

## **Legal Rights**

**The Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (Section 504)** prohibit schools from discriminating against students and potential students based on their disability. To be protected by the ADA and Section 504, you need to have a disability and you need to be qualified for the educational program. To be “qualified” means that you meet the essential requirements for getting admitted to the program. You need to have the necessary skills, education, and experience, and be able to fulfill the essential requirements of the program, with or without reasonable accommodations.

### **Which schools are covered?**

Almost all schools, including most vocational and technical schools, are covered by both laws. The ADA covers all public and private colleges, universities, and other educational programs, except colleges and universities controlled by religious organizations.

Section 504 covers any program that receives any federal financial assistance. The assistance can be direct or indirect, including something as simple as accepting students who get federal financial aid. This means that almost all colleges and universities are covered by Section 504, and other educational programs may be as well.

### **What counts as a disability?**

Under the ADA and Section 504, a disability is an impairment that substantially limits one or more major life activities. Major life activities include functional activities such as your ability to care for yourself, see, walk, work, learn, read, or communicate. Major life activities also include major bodily functions, such as the respiratory or immune systems. You are protected by these laws if:

- You currently have such an impairment;
- You have a record of having such an impairment; or
- You are regarded as having such an impairment.

These laws are supposed to make it easy for you to get protections, so many impairments can qualify. You can even qualify if your impairment is

in remission or if it's episodic, such as epilepsy or major depression. Also, you have a disability even if mitigating measures, such as medication or hearing aids, help you to function better. If you only need ordinary eyeglasses or contact lenses, though, your vision impairment is not a disability.

## **Illegal practices**

**Discrimination** includes many different types of action under the ADA and Section 504. If a school does any of the following, the action is illegal. Not every illegal practice is included in this list.

- Denies you admission because you have a disability.
- Excludes you from any class or course of study because you have a disability.
- Excludes you from school-sponsored events and activities because you have a disability.
- Guides you toward more restrictive educational or career options than other students because you have a disability.
- Refuses to allow reasonable accommodations for your disability.
- Charges you for your accommodations.

## **Getting Accommodations**

Both the ADA and Section 504 require schools to make reasonable accommodations if you need them because of your disability.

### **What are reasonable accommodations?**

Reasonable accommodations are changes or adjustments that make it possible for you to be successful in school and access all the services and benefits other students get. Just like in high school, the school needs to make it possible for you to get all these services and benefits in the most integrated setting that is possible and appropriate for you. You and your school should work together to find the right accommodations for you. Some examples of reasonable accommodations are listed below. This is not a complete list and not all of the listed accommodations will be

necessary for all people with disabilities:

- Giving extra time for tests.
- Not lowering your grade for spelling errors on papers and exams.
- Letting you take extra time to complete the degree.
- Providing note-takers, qualified interpreters, or qualified readers.
- Making class materials available in alternative formats, such as Braille or as an audiobook.
- Providing assistive technology for use in your schoolwork.

However, there are also several things your school **doesn't** have to provide:

- Items that you also need in your personal life. For example, personal computers, hearing aids, and personal care aids.
- Accommodations allowing you access to services and benefits other students don't get. For example, providing accessible housing when housing is not available to other students.
- Anything that would fundamentally change the educational program. For example, reducing or eliminating requirements of a class or the program.

You are the expert about your disability, so don't be afraid to tell your school what accommodations would help you the most.

### **How to get Reasonable Accommodations:**

To get a reasonable accommodation, you should talk to your school's disability services office or the ADA or Section 504 coordinator. If your school does not have these services, ask the dean of student affairs or your academic advisor about your school's procedure for requesting accommodations. Ask if your school has documentation requirements for proving that you have a disability and for proving that you need your accommodations because of it. Make your request in writing and keep a copy for yourself so that you have proof of what you asked for and when you asked for it. In your request, you may want to give a reasonable

deadline for the school to respond, such as two weeks. That way, you can assume they have denied your request if they don't respond by the deadline. If your school refuses to make a reasonable accommodation or fails to make one in a reasonable amount of time, you may be able to file a complaint.

For more information on how to file a complaint, **see page 37**.

Once your school approves your request for accommodations, you and your disability services office should work together to figure out the best accommodations for you. Accommodations may be different for different courses. You will get an accommodation letter to show to your teachers or professors. The letter will state that you have a disability and explain the accommodations you need, but it does not need to say what your disability is. You are responsible for meeting with your teachers and professors to discuss the accommodations you need and the best way to put them in place.

### **Documentation:**

Getting accommodations in post-secondary school is a lot different than in elementary, middle, and high school. Under the IDEA, your school had to evaluate you to figure out if you needed special education services and what services you needed. Under the ADA and Section 504, you have to ask for accommodations, and your school may ask to see documentation. Documentation requirements vary from school to school, but you are the one responsible for getting it and for getting any evaluations you need. In addition to any standard health evaluations, you may want to get an assistive technology evaluation to see what types of assistive technology could help you. If you don't already have a medical professional to do your evaluations, you may be able to get your evaluations through your school's student health services. Ask your school whether this is an option.

Under the ADA and Section 504, you are considered to have a disability based on your functional impairments, not on your diagnosis. This means that it is not enough to tell your school, "I have ADHD." Whoever provides your documentation should write a letter that includes the following

information: (1) the individual's credentials and qualifications for evaluating your specific disability and needs; (2) a description of any testing and evaluations you have had; (3) your diagnosis and how you meet that diagnosis; (4) how your disability substantially limits one or more major life activities; and (5) the accommodations that you need. The letter should be as specific as possible.

### **Admissions exams:**

Many schools require you to take a standardized test, such as the SAT, ACT, or TOEFL, as part of your application process. You are entitled to reasonable accommodations while taking your test. Because these tests are usually given by organizations other than your school, you need to contact the organization that gives the test you are taking. Make sure to do this long before test day! Some organizations have strict rules and deadlines for requesting accommodations. When the testing organization reports your score to your schools, they may note that you took the test under "nonstandard" conditions. They cannot specify why or what the conditions were, and schools cannot give different weight to your test scores. They must treat them the same as any test score from a student who did not use accommodations.

### **Disclosing Your Disability**

You have the right to decide how much information you want to disclose about your disability and whether you even want to disclose that you have a disability. Whether you are applying to a school or are already a student, schools may not ask if you have a disability, what your disability is, or if you will need accommodations. However, schools may ask you to voluntarily disclose that you have a disability in their application materials. This information can only be used for affirmative action purposes. Many schools use affirmative action to make sure that they have a diverse student body. You are not required to answer this question.

### **Deciding to disclose:**

When you have a hidden disability, it can be tough to decide if you should tell people. It is your decision, but you need to disclose your disability if you want protections under the anti-discrimination laws. If you don't tell your school that you have a disability, you can't get reasonable accommodations. However, even if you choose not to disclose, you are protected from discrimination if the school acts because someone thinks you have a disability.

Even if you tell your school about your disability, you don't need to tell your classmates or any professors or teachers if you don't need accommodations. It's okay to keep your disability private if it makes you more comfortable. But remember that even though you can't control what people think about your disability, you have the right to be protected from discrimination and harassment.

### **When to disclose:**

You should tell someone about your disability as soon as you realize that you need an accommodation. If you already know that you will need accommodations, you should meet with your school's disability services office as soon as possible after you are accepted. Getting the proper documentation together can take a while and some accommodations may take time to put in place. But you can ask for accommodations at any time. Some people like to start classes and see how they do without accommodations before asking for any. But don't wait until you are already having problems to tell someone you need an accommodation.

### **Filing a Complaint**

Two agencies enforce the ADA and Section 504: the Department of Justice (DOJ) and the Office for Civil Rights of the U.S. Department of Education (OCR). If you think a school has discriminated against you because of your disability, including denying a reasonable accommodation, you can file a complaint. Where you file your complaint depends on the type of educational program. But don't worry about making a mistake – if you send the complaint to the wrong place, it will be forwarded to the right agency. The ADA and Section 504 prohibit retaliation, such as expulsion

from the program, for filing a complaint.

It is a good idea to start by filing an internal grievance or appeal with the school. You don't have to do this before filing a complaint with the DOJ or OCR, but it might help your problem get resolved more quickly. The DOJ and OCR may also ask you to do this before they investigate your claim. Every school has its own procedures for filing a grievance or appeal. Ask your school's disability services office or dean of student affairs what the procedure is at your school.

Both the ADA and Section 504 also allow you to file a lawsuit in federal court. You do not need to file a complaint before you file a lawsuit, and you can file a lawsuit even if the DOJ or OCR decides that there was no discrimination and dismisses your complaint. You must file your lawsuit within two years of the date of discrimination.

**OCR** enforces Title II of the ADA and Section 504 of the Rehabilitation Act. If the school is a state or local government entity, such as a state school or a local community college, you are protected by Title II of the ADA. If the school gets federal financial assistance, you are covered by Section 504 of the Rehabilitation Act. You have 180 days from the date the discrimination happens to file a complaint with OCR.

To file a complaint with OCR, you can file online at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>. If you don't want to use the electronic complaint form, you can file your complaint with the OCR office for the state your school is in. To find your state office, go to <http://wdcrobcop01.ed.gov/CFAPPS/OCR/contactus.cfm> or contact OCR's National Headquarters.

You can reach the National Headquarters by phone, fax, or email. OCR encourages communication by fax and email when possible.

Phone: (800) 421-3481 (voice) or (877) 521-2172 (TDD)

Fax: (202) 453-6012

Email: [OCR@ed.gov](mailto:OCR@ed.gov)

To file a complaint in Pennsylvania, contact OCR's office in Philadelphia.

Phone: (215) 656-8541 (voice) or (877) 521-2172 (TDD)

Fax: (215) 656-8605

Email: [OCR.Philadelphia@ed.gov](mailto:OCR.Philadelphia@ed.gov)

Address:

Office for Civil Rights

U.S. Department of Education

The Wanamaker Building

100 Penn Square East, Suite 515

Philadelphia, PA 19107

**DOJ** enforces Title III of the ADA. If the school is a private school, you are protected by Title III of the ADA. You have 180 days from the date the discrimination happened to file a complaint with DOJ.

To file a complaint with DOJ, mail, fax, or email a letter to the DOJ's Civil Rights Division. Your letter should include: (1) your full name and contact information; (2) the name of the school that discriminated against you; (3) a description of what happened, including dates and names of individuals involved; and (4) any other relevant information. Include copies of relevant documents and keep the originals for yourself. Send your complaint to:

Fax: (202) 307-1197

Email: [ADA.complaint@usdoj.gov](mailto:ADA.complaint@usdoj.gov)

Address:

U.S. Department of Justice

950 Pennsylvania Avenue, NW Civil Rights Division

Disability Rights – NYAVE

Washington, D.C. 20530

If you need help filing your complaint, call the DOJ's ADA Information line at (800) 514-0301 (voice) or (800) 514-0383 (TTY).

The laws governing your rights in post-secondary education can get complicated, but it's important to remember that there are laws protecting you and that you have resources to ensure that you get those protections. The information in this guide is meant to give you a brief overview of your

post-secondary education rights. If you still have questions or need help understanding how the laws apply to a particular situation, contact Disability Rights Pennsylvania at (800) 692-7443 (voice) or (877) 375-7139 (TDD) for assistance.

## **Contact Information**

If you need more information or need help, please contact Disability Rights Pennsylvania (DRP) at 800-692-7443 (voice) or 877-375-7139 (TDD). The email address is: [intake@disabilityrightspa.org](mailto:intake@disabilityrightspa.org).

The mission of Disability Rights Pennsylvania is to advance, protect, and advocate for the human, civil, and legal rights of Pennsylvanians with disabilities. Due to our limited resources, Disability Rights Pennsylvania cannot provide individual services to every person with advocacy and legal issues. Disability Rights Pennsylvania prioritizes cases that have the potential to result in widespread, systemic changes to benefit persons with disabilities. While we cannot provide assistance to everyone, we do seek to provide every individual with information and referral options.

**IMPORTANT: This publication is for general informational purposes only. This publication is not intended, nor should be construed, to create an attorney-client relationship between Disability Rights Pennsylvania and any person. Nothing in this publication should be considered to be legal advice.**

**PLEASE NOTE: For information in alternative formats or a language other than English, contact Disability Rights Pennsylvania at 800-692-7443, Ext. 400, TDD: 877-375-7139 or [intake@disabilityrightspa.org](mailto:intake@disabilityrightspa.org).**