Disability Services

College Disability Accommodation vs. High School Special Education IEP

What are a college's responsibilities to students with disabilities, and how do those responsibilities differ from a high school's responsibilities under special education law (IDEA) for students who had an IEP throughout K-12?

Students who have been served under the Individuals with Disabilities Education Act (IDEA) with an Individualized Education Plan (IEP) while in elementary or secondary school are often unclear about a college's responsibilities to persons with disabilities and the range of services a post-secondary institution is required to provide. Although colleges do have a legal responsibility (under Section 504 of the Rehabilitation Act and the Americans with Disabilities Act and Amendments) to make programs and service accessible to persons with disabilities, the mandated responsibilities that K-12 schools incur under the IDEA do not apply to colleges.

The IDEA is an "entitlement" law intended to guarantee persons with disabilities a free and appropriate primary and secondary education that allows for achievement. Within that educational framework, funding is provided to identify children with significant problems and provide them with services that will facilitate successful learning. Aggressive measures, including the substantial alteration of academic course requirements, are often used to assure the success of students in special education programs.

In contrast, Section 504 and the ADAA are "non-discriminatory" statutes that are based on a civil rights model. They are not entitlement laws. They do not guarantee successful learning or mandate the creation of special programs for persons with disabilities. Instead, Section 504 and the ADAA guarantee that the presence of a disability cannot be used as the basis for denying an otherwise qualified student equal "access" to the same programs, services and facilities available to others. Simply stated, the goal of Section 504 and the ADAA is to remove barriers and to guarantee reasonable accommodations so that persons with disabilities have an opportunity to participate at the level enjoyed by the average person.

(Adapted from Richland College, Dallas Co. Community College District
http://www.richlandcollege.edu/dso/college.php)

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