



## Differences between IDEA IEP's, 504 Plans, and College Accommodations

**IDEA**—The Individuals with Disabilities Education Act is a federal law that governs any special education service or policy for children ages 3 to graduation (or until age 21 if student remains in high school until then). Each IEP (Individualized Education Plan) is developed by an “educational team” for that specific child and stipulates how that child’s education will be individualized in order for the child to learn. The IDEA is stylized so the child has the best opportunity to succeed. The child may be allowed “*modifications*” in the curriculum, the delivery, testing, and in the grading process in order to achieve some success in school. Therefore, a child with an IEP may make an A in a course if he/she completes 70% of coursework, rather than 100%, or the child may be allowed the modification of having one correct answer and one incorrect answer to choose from on a test rather than one correct answer and 3 incorrect answers that the rest of the class has.

**Section 504**—Section 504 of the Rehabilitation Act of 1973 protects individuals from discrimination based on their disabilities. This Act governs any public school or college that accepts any type of federal financial assistance; however, the Act itself provides no funding for the schools or colleges affected by its mandates. The seven-part Act is divided into Sections A-G. Subpart D applies to K-12 schools and Subpart E applies to postsecondary institutions. Subpart E mandates that qualified postsecondary students with disabilities be offered the opportunity to complete a degree with all other non-disabled students.

**The ADA**—The Americans with Disabilities Act of 1990 is a federal civil rights law structured to provide equal opportunities for all people with disabilities. The ADA requires equal access and protects individuals from discrimination based on their disabilities. The ADA trumps all other acts regarding students in the postsecondary world.

### **Differences Explained—**

In High School, a student often has a “504 plan” that suffices for services. Most of the time, the high school does NOT test the student who falls under 504, but offers “*modifications*” to help the student succeed. The special education student, in contrast, MUST be regularly tested and/or reevaluated in order to remain in the special education program. The problem of adequate and comprehensive documentation comes into play when the “504” student goes to college. In most cases, the screening instruments often used for developing a “504” plan are insufficient as documentation for college accommodations. The student goes from an environment that is structured to “ensure student success” to one that is designed to “allow equal access.” The *success* of the student is up to the student in the college setting. The college must ensure *access*, NOT *success*

PROCESS	Kindergarten through High School	College
<i>Identification</i>	Schools responsible for identifying students	Students must self-identify
<i>Documentation</i>	Schools responsible for testing students	Students must pay for their testing, if needed
<i>Services</i>	Schools responsible for any needed services School must provide whatever services will help student succeed in class, testing, and any school-sponsored activity School must provide individualized tutoring	Students must seek out services Student allowed only certain accommodations in college classroom and testing Students must seek out tutoring, if needed, and must pay for it if college does not provide tutoring for non-disabled students. Individualized instruction is not guaranteed
<i>Communication</i>	Schools must communicate with parents at regular intervals re: student's progress	College not allowed to contact parents without student's permission
<i>Accommodation arrangements</i>	School must develop formal plan and it is school's responsibility to track student	Student must ask for and "qualify" for services, and the student is responsible for much of the accommodation process(i.e., providing Accommodation Plan to professors and notifying office of test dates, etc.)
<i>Accommodation Differences</i>	Reduced assignments, (requiring student to submit less work than others))extended time on assignments, grading changes (counting daily work equal with semester tests) test format changes(take away 2 wrong answers and leave one right and one wrong answer) repeated chances to make a passing grade	No reduced assignments; extended time on assignments is very rare; no grading changes, no test format changes other than providing equal access (such as providing extended time or providing a test in large print or Braille); no extra attempts at tests unless promised accommodations were not provided during the first attempt

### **Frequently Asked Questions for College Accommodations**

***Who do I ask for accommodations?*** Every college is required to have an office or an individual responsible for ensuring equal access for students with disabilities. Look in the college handbook, student manual, on the college website, and on class outlines or syllabi to determine the name and number of that individual. If all else fails, ask the Counseling Office or Student Success Center whom you should call for information.

***When should I submit my documentation?***

Students should submit documentation as soon as possible to ensure that expensive or difficult-to-arrange accommodations are ready by the first day of class. For example, if Brailled texts are required, documentation and a list of required books should be submitted *at least* a couple of months prior to these needed services to ensure adequate time to have the textbooks Brailled since many colleges outsource this service and it is a very time-consuming process.

***Is it ever too late to request accommodations?***

Students may submit documentation and provide accommodations at any point during the semester, but any grades already in place or tests taken BEFORE accommodations were granted will not be changed or repeated with accommodations. Not all accommodations can be immediately implemented, and no grades given during the implementation period will be changed.

***Do I have to pay for accommodations at the college?***

Students are not charged for academic accommodations which are determined by the college to be necessary to ensure equal access for a student with disabilities. Students MAY be charged for any additional accommodations not normally provided to *all* students, such as individualized tutoring.

***Do I have to use all of my accommodations in every class?***

No; a student has the right to never mention his/her disability to a professor and to never submit the Accommodation Plan letter to that teacher, or to any teacher, if so desired. However, the student may not make up work or tests with accommodations at a later date if the student chooses not to present the letter at the beginning of the semester. Ideally, a student should present the letter at least one week prior to any test for which accommodations are desired.

***Why is there a difference between the services I received before and those received at Charleston Southern University?***

College accommodations usually differ considerably from high school modifications. Colleges are not required by law to provide modified curriculum, different tests, reduced assignments, or personal assistance of any sort. Accommodations may also differ between colleges. There are many reasons for denial of accommodations received at a previous college:

1. The documentation does not meet the college's guidelines
2. The documentation does not support the requested accommodation.
3. The accommodation would fundamentally alter the activity, course, or program
4. The accommodation is in conflict with the academic policies of the college
5. Providing the accommodation would pose a direct threat to the student or others
6. Providing the accommodation would constitute an undue financial or administrative burden to the college

***Who informs my instructors about my accommodations?***

Students are responsible for presenting their accommodation letters to the instructors. At CSU, students are provided a PDF. File of their approved Accommodation Plan via their official BucMail address. Students may be asked to print out the Accommodation for each professor or may attach the Accommodation Plan via email notification to each professor, each semester. Accommodations typically remain in effect during the student's uninterrupted tenure at the university, unless otherwise specified in the Accommodation Plan. Students are responsible for arranging all tests and tutoring appointments with the appropriate academic center coordinator or representative.

***Can't I request an accommodation directly from my instructor?***

No; instructors have no obligation to provide any accommodations to a student without the Accommodations Plan Letter issued from the Office of Disability Services. All accommodations must be approved by this department before the instructor is obligated to provide any accommodations to a student.

***What if I need help with transportation, medical services, psychological services, or personal hygiene services?***

Colleges are not responsible for providing any services of a personal nature, including transportation (unless transportation is being provided for all students, as in the case of a field trip or athletics). Students must arrange all services themselves, or request assistance from an outside agency.

***What if my Disability requires a waiver of a course in my program?***

Most colleges do not waive essential courses in a student's curriculum. If the course is part of the "Core Curriculum" required by the college's state, the course will most likely NOT be waived. Every college should have a policy in place to evaluate possible course substitutions when a student's disability precludes him/her from being able to successfully complete that course.