A NUTS AND BOLTS GUIDE TO COLLEGE SUCCESS FOR DEAF AND HARD OF HEARING STUDENTS
The Postsecondary Education Consortium (PEC) is one of four Regional Postsecondary Education Centers for Individuals who are Deaf and Hard of Hearing. The Centers strive to create effective technical assistance for educational institutions providing access and accommodations to these students. Funded through a contract with the U.S. Department of Education, Office of Special Education programs, the PEC serves the southern region of the United States through twelve State Outreach and Technical Assistance Centers.

For further information about technical assistance with serving deaf and hard of hearing individuals, or for materials, please contact us at any of the State Centers, or at the PEC Central Office.

*Book Version - see the back cover for contact information.*

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Introduction
INTRODUCTION

Drop-out Rates for College Students

Students with disabilities who do not find the office for Disability Services or do not use available support services are more likely to drop out of college. As compared to a 47% drop-out rate for students without disabilities, the college drop-out rate for students with hearing impairments is 71%.

Those students with hearing impairments who drop out of college have reported feeling isolated and often do not know how to get the support services necessary for them to succeed. Students who know from the beginning how to find the office for Disability Services, know how to ask for the help they need and know their rights are much better equipped to succeed in college.

Introduction to Disability Services

In 1975, Congress passed a law to protect the education of individuals with any type of disability, called the Education for All Handicapped Children Act of 1975 (P.L. 94-142). Every four years Congress discusses this law, makes some changes, and then votes to pass it again, or reauthorizes it with the new changes (amendments). When it was reauthorized in 1990, it was renamed the Individuals with Disabilities Education Act of 1990, or IDEA.

IDEA has three guarantees, that your education throughout elementary and high school is:

- $ Free - the education is provided by taxpayers, the same as for all children in the country
- $ Appropriate - the education is suitable and meets the needs of each individual student
- $ Public - the education will be provided at a school building owned by a city, county, or state and that teachers will be employed by the city, county or state

Throughout elementary and high school, teachers, your parents, and other adults have been responsible for making sure that you are tested, taught, and given appropriate supports. But once you start college, you now have that responsibility.

After graduation from high school, you are protected by a different set of laws. Whether you go on to college, job training, or work, there are two laws that will continue to protect your rights: Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA). The Rehabilitation Act of 1973 protects your rights while you are in college and job-training programs. ADA protects the rights of other parts of your life.
The Office for Civil Rights in the U.S. Department of Education enforces regulations implementing Section 504 with respect to programs and activities that receive funding from the Department of Education. The Section 504 regulation applies to all recipients of this funding, including colleges, universities, and postsecondary vocational education and adult education programs. Failure by these higher education programs to provide auxiliary aids to students with disabilities that results in a denial of a program benefit is discriminatory and prohibited by Section 504 (U.S. Department of Education, Office for Civil Rights, Washington, D.C. - Revised September 1998).

Title II of ADA prohibits state and local governments from discriminating on the basis of disability. The Department enforces Title II in public colleges, universities, and graduate and professional schools. The requirements regarding the provision of auxiliary aids and services in higher education institutions described in the Section 504 regulation are generally included in the general nondiscrimination provisions of the Title II regulation (U.S. Department of Education, Office for Civil Rights, Washington, D.C. - Revised September 1998).

Section 504 of the Rehabilitation Act of 1973 provides a specific ruling related to a postsecondary school’s obligation to provide auxiliary aids to qualified students who have disabilities:

A recipient of federal funds shall take such steps that are necessary to ensure that no qualified individual with disabilities in the United States . . . shall, solely by reason of his/her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity because of the absence of educational auxiliary aids. (20 USC 794)

Title II regulations state:

A public entity shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy the benefits of, a service, program, or activity conducted by a public entity.

This law applies to all colleges and job-training programs, which receive federal assistance (money from taxpayers). Under this law, you may request that admissions tests (like the SAT) be given with a sign language or oral interpreter. Written instructions may also be requested. Colleges may not ask if you have a disability when you apply for admission to their program. Once you have been accepted by a college or job-training program, you will then be informed of the availability of services and given the name of the person or office responsible for helping you.

While you are in college, you are guaranteed equal opportunity to participate and benefit from classes, programs, and extracurricular activities. However, it is your responsibility to find the disability services office in a timely manner and ask for what you need to succeed. You are now the person in charge, not the teacher or your parents. This is the big difference between IDEA and Section 504.
Aids and services are available to you, including help with registration, interpreters, tape recorders, FM systems, and other assistive devices, dorm modifications, campus and library orientations, and so on. The costs of these aids and services are covered by the college and sometimes also Vocational Rehabilitation; not by you, your parents or guardians. In other words, these aids and services are free to students.

Based on Section 504 of the Rehabilitation Act of 1973 (P.L. 93-113), together with the implementing Regulations of 1977, you must present documentation, such as an audiogram (no more than three (3) years old), which identifies your needs to the program, and the requested accommodation. It is then the responsibility of the postsecondary institution to provide what is needed.

The Americans with Disabilities Act (ADA) of 1990 has further strengthened the provision of support services to student with disabilities and the responsibility that postsecondary institutions have in meeting the needs of students with disabilities who apply for admission and accommodations.

The major difference between the Section 504 ruling and the ADA is that Section 504 only applies to organizations receiving federal funds, while the ADA mandate applies to all establishments, public or private, regardless if they receive any federal substitute. In addition, the ADA provides a more in depth and broader range of liability for any public establishment in ensuring that the same services and goods are made accessible to all people.