

## Americans With Disabilities Act (ADA), cont. . .

### POST-SECONDARY EDUCATION AND THE ADA

Colleges, universities and vocational schools that receive federal funds must make their programs accessible to students with disabilities. This will include the great majority of schools, including most private ones. Previously, this was required by Section 504 of the Rehabilitation Act, but it was reinforced by the passage of the Americans with Disabilities Act (ADA).

The purchase of assistive technology for an individual may be necessary to make a post-secondary education program accessible. Computers, for example, can enable students with visual impairments or physical disabilities to take notes and complete assignments for their classes. An individual who is hard of hearing may require an assistive listening device for classes. In many instances, the school may choose to combine resources with another entity, such as the Division of Rehabilitation Services, to obtain the assistive technology that a student needs. The school may insist that these or other agencies are responsible for providing the assistive technology.

#### *Eligibility*

Any individual with a disability who has been accepted into a post-secondary institution is potentially eligible to receive aid in obtaining assistive technology. It is the responsibility of the school to make the program accessible and to provide the student with what she or he needs in order to do so. A student with a disability who feels that he or she is in need of assistive technology in order to adequately participate in the educational process should talk with the particular school's admissions counselor or to a staff member at the Student Disability Services office.

### PIECES OF THE PUZZLE

- Computer-based assistive technology can be of great assistance to students with disabilities and can possibly be obtained through this source.
- The school may defer to another agency to pay for assistive technology, such as the Department of Rehabilitation Services, if the school feels that another agency has an obligation to provide the device. Post-secondary schools cannot supplant services that are the obligation of another entity.
- If the school does purchase assistive technology for a student's use, the school will maintain ownership.

### FOR ADA TECHNICAL ASSISTANCE CONTACT:

Southwest ADA Center  
2323 S. Shepherd, Ste 1000  
Houston, TX 77019  
(713) 520-0232 (V/TTY)  
(800) 949-4232 (ADA Hotline)  
FAX: (713) 520-5785  
<http://www.southwestada.org/>

The Southwest ADA Center's mission is to promote voluntary compliance with the Americans with Disabilities Act (ADA) by providing three core services: technical assistance, training, and materials dissemination.

U.S. Department of Education  
Office for Civil Rights  
Lyndon Baines Johnson Dept. of Education Bldg.  
400 Maryland Ave, SW  
Washington, DC 20202-1100  
(800) 421-3481  
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The U.S. Department of Education's (ED) Office for Civil Rights (OCR) enforces Title II of the ADA and Section 504 of the Rehabilitation Act of 1973. OCR has the responsibility for enforcing Title II with respect to all programs, services, and regulatory activities relating to the operation of public elementary and secondary education systems and public institutions of higher education, vocational education (other than schools of medicine, dentistry, nursing, and other health related schools) and public libraries. ED's Section 504 regulation applies to preschool, elementary, secondary, postsecondary, vocational, and adult education programs and activities, as well as other programs and activities that receive or benefit from federal financial assistance.

Online: Complainants may file a complaint with OCR using OCR's electronic complaint form at the following website: <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>.

For those without current e-mail accounts, Internet access may be freely available from your local public library, and free e-mail accounts are available from several large providers.