



# Legal Rights FAQs



## Are colleges required to provide accommodations to students with IEPs or 504 plans in college?

- » No, colleges have no legal responsibility to identify students with disabilities and students' IEP and 504 plans are not automatically transferable to college.
- » When students with disabilities transition to college, they must self-identify and advocate for accommodations.

## What laws protect students' with disabilities rights to equal access to education in college?

- » Two civil rights statutes protect the rights of students with disabilities in college: the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973 (Section 504). These laws aim to prohibit discrimination on the basis of disability and ensure equal access to education.

## If a student has an IEP or 504 plan in high school, what steps should he or she take to secure accommodations in college?

Students should:

- » Attend educational meetings while still in high school to gain experience self-advocating for services and accommodations.
- » Update their IEP or 504 plan during their senior year in high school. Doing so may serve as documentation of their need for accommodations in college.
- » Contact the Office of Disability Services while moving to their chosen college to discuss educational accommodations that he or she may need in college.

## Can parents secure educational accommodations on the student's behalf?

- » No, it is the student's responsibility to self-identify to the Office of Disability Services, request, and even design accommodations.
- » Under the Family Educational Rights and Privacy Act (FERPA), the right to a student's educational records transfers from parent to student on the student's 18th birthday or when the student enters college. College students may provide written permission to the school to allow their parents to access their education records.

## If parents can obtain access to the student's records, why should students self-advocate for accommodations?

- » Students are in a better position than their parents to identify the accommodations that meet their needs and ensure the college implements the accommodations.
- » Even when parents have access to the student's educational records, FERPA does not require colleges to work with the student's parents, which may lead to delays in securing and implementing educational accommodations.

