# Parent Rights and Responsibilities Guide

The law changes drastically for individuals with disabilities as soon as they graduate from high school, whether that is at the age of 18, or when they age out at 22. It is important to talk with your child about how their rights and responsibilities will shift when they enter college and beyond. This document will provide an overview of your student’s transition from high school to college from a legal perspective, as well as provide you with things you can discuss with your child to help make their college experience a successful one.

# STUDENT TRANSITION FROM HIGH SCHOOL TO COLLEGE

When your student attended a kindergarten through grade 12 school, the Individuals with Disabilities Act (IDEA) dictated how they received access to accommodations and modifications. When that same student enters college, the Americans with Disabilities Act (ADA) dictates how they receive access to accommodations.

**The chart below outlines the major differences between IDEA and ADA laws as they pertain to your child’s education.**

|  |  |
| --- | --- |
| Individuals with Disabilities Education Act (IDEA) | Americans with Disabilities Act (ADA) |
| The Individuals with Disabilities Education Act (IDEA) is a law that makes a free and appropriate public education available to eligible children with disabilities throughout the nation and ensures special education and related services to those children. | The **Americans with Disabilities Act (ADA)** prohibits discrimination on the basis of disability. It says people with disabilities should have the same opportunities as everyone else to participate in mainstream life. ADA is an “equal opportunity” law for people with disabilities. |
| Young people are entitled to supportive services until they graduate high school or turn 22 (whichever comes first) under IDEA. | People must self-disclose in order to receive supportive services under ADA. |
| IDEA law allows eligible students to request both accommodations and modifications. | ADA law allows people with disabilities to request accommodations only. |
| Eligible students receive services through an IEP or 504 Plan under IDEA law. | People with disabilities receive reasonable accommodations under ADA law. |

# STUDENTs’ AND PARENTS’ ROLES MAY CHANGE IN COLLEGE

**Here are some important things you and your child should discuss when they enter college:**

* Once your child turns 18 and graduates from high school, they are seen as an adult in the eyes of the law and therefore have the right/responsibility to make their own educational decisions.
* You can encourage your child to request accommodations but cannot make the decision for them. To get help, **the student** will have to ask. Your child’s professors and other staff members at the college want to help, but they won’t know what your child needs until your child—not you—asks.
* No one at a post-secondary institution will ask your student if they have a disability or if they need help. Instead, the student must provide documentation to the ACCESS Center and complete an intake form in their student portal to be eligible for accommodations in their classes. It is also the **student’s** responsibility to provide their accommodation letter to each of their professors every semester.
* Students have the right to not disclose their disability if they choose not to. However, if they do not disclose their disability, they are **not** entitled to any accommodations in their classes nor support from the ACCESS Center.
* Accommodations are not retroactive. In other words, if a student fails a test without accommodations from the ACCESS Center but then gets accommodations in place after the fact, the student cannot go back and retake that test.
* Accommodations are in place to help students access the same content as everyone else. No one would deny a person their eyeglasses if they needed them to read. The same goes for accommodations—they are there to help a student access class content.
* There is a difference between accommodations and modifications, and only accommodations are offered in college to eligible students.
* **Accommodations**are supports that help your child access the content in their classes in K-12 and college environments. For example, having access to extended time on exams or a notetaker would be considered an accommodation. Accommodations exist in college if requested and approved. Accommodations are determined on a case-by-case basis during an interactive process.
* **Modifications** are changes to the curriculum or requirements of a course that are given to students in K-12 environments only. For example, in a class where peers must write a five-page research paper, the curriculum is modified and the student is allowed to write a one-page paper. Modifications do not exist in college.
* A special note to parents of former Chicago Public Schools students with disabilities: Your student may be eligible to receive City Colleges of Chicago SUCCESS coaching, which offers monthly supports and possible scholarships for those who participate fully. To sign up to be contacted by a SUCCESS coach, please have your student fill out [**this form**](https://forms.office.com/Pages/ResponsePage.aspx?id=1YBeU6mZyE-oKrrrKU2iNnvp9Yd_uURDjNkNNuWDZFFUREE3ODNPNzdVTUVRM0dNTFJZRFc2RE5BNC4u). For more information, please contact Dani Smith at [**dsmith235@ccc.edu**](mailto:dsmith235@ccc.edu)**.**