

Empowerment

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More and more high school students with disabilities are planning to continue their education in postsecondary schools, including vocational and career schools, two- and four-year colleges, and universities. As a student with a disability, you need to be well informed about your rights and responsibilities as well as the responsibilities that postsecondary schools have toward you. Being well informed will help ensure that you have a full opportunity to enjoy the benefits of the postsecondary education experience without confusion or delay.

The Office of Civil rights (OCR) in the U.S. Department of Education is providing the information in this pamphlet to explain the rights and responsibilities of students with disabilities who are preparing to attend postsecondary schools. This pamphlet also explains the obligations of a postsecondary school to provide academic adjustments, including

auxiliary aids and services, to ensure that the school does not discriminate on the basis of disability.

OCR enforces Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II), which prohibit discrimination on the basis of disability. Practically every school district and postsecondary school in the United States is subject to one or both of these laws, which have similar requirements. You may be familiar with another federal law that applies to the education of students with disabilities—the Individuals with Disabilities Education Act (IDEA). That law is administered by the Office of Special Education Pro-

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grams in the Office of Special Education and Rehabilitative Services in the U.S. Department of Education. The IDEA and its Individualized Education Program (IEP) provisions do not apply to postsecondary schools. This pamphlet does not discuss the IDEA or state and local laws that may apply.

Because both school districts and postsecondary schools must comply with these same laws, you and your parents might believe that postsecondary schools and school districts have the same responsibilities. This is not true; the responsibilities of postsecondary schools are significantly different from those of school districts.

Moreover you will have responsibilities as a postsecondary student that you do not have as a high school student. OCR strongly encourages you to know your responsibilities and those of postsecondary schools under Section 504 and Title II. Doing so will improve your opportunity to succeed as you enter postsecondary education.

The following is a sample of the questions and answers that provide more specific information in the full version of the pamphlet to help you succeed:

As a student with a disability leaving high school and entering postsecondary education, will I see differences in my rights and how they are addressed?

Yes, Section 504 and Title II protect elementary, secondary and postsecondary students from discrimination. Nevertheless, several of the requirements that apply through high school are different from the requirements that apply beyond high school. For instance, Section 504 requires a school district to provide a free appropriate public education (FAPE) to each child with a disability in the school district's jurisdiction. Whatever the disability, a school district must identify an individual's education needs and provide any regular or special education and related aids and services necessary to meet those needs as well as it is meeting the needs of students without disabilities.

Unlike your high school, your postsecondary school is not required to provide FAPE. Rather, your postsecondary school is required to provide appropriate academic adjustments as necessary to ensure that it does not discriminate on the basis of disability. In addition, if your postsecondary school provides housing to nondisabled students, it must provide comparable, convenient and accessible housing to students with disabilities at the same cost.

Other important differences you need to know, even before you arrive at your postsecondary school, are addressed in the remaining questions.

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www.northeastada.org

Listening to Students' Voices: Benefits in the Classroom

The information presented in this article came from a project called Teaching and Learning Together. This project collected feedback from high school students, grades 10-12, on students' perspectives of their experiences and views on school, learning, and learning differences. The project brought students into direct dialogue with pre-service teachers and provided a forum for exchange of ideas about what should shape educational policies and practices. The group of student participants was composed of students from diverse racial and ethnic backgrounds, belonged to various tracks, attended public schools, and included male and female students. These students were recommended by teachers in their schools and all participated with the consent of their parents/guardians.

The article provides a brief review of the ways that educators and researchers define learning and learning differences, most of which are based on assumptions that are accepted about learning and learning differences.

The two commonly embraced views are discussed as *traditional* and *progressive*. The *traditional*, and generally accepted view, defines learning as progress along a "predetermined path toward an end prescribed by a set of fixed standards." As such, educators tend to view differences as "deviance." In this framework differences are documented through IQ tests, tracking, and standardized testing. On the other hand, *progressive* educators view learning as a "process of discovery." In this case, the process begins where the learner is. In this view, differences refer to "variety" in the way students "engage in the process of discovery, analysis, and other individual and collective explorations."

The project lasted 7 years (1995-2002). During this time the students and pre-service teachers discussed various issues, but the topic on which the article was based was *policies for handling learning differences*—inclusion of all students—and *the policies and practices that came about as a result of it, e.g. mainstreaming*. The students' comments reflected both traditional and progressive definitions of learning and learning differences. The responses were grouped into 3 categories:

- **“Reinforcing the Traditional”** students accepting the traditional way of defining learning and learning differences.

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- **“Tension With/In the Traditional”**- students experiencing conflicts between traditional and progressive views of learning and learning differences.
- **“The World Isn’t Tracked”** students embracing progressive values of learning and learning differences.

Reinforcing the Traditional

Students who reinforced the traditional view did not question the definitions behind the existing policies, yet they voiced their concern about the effects the “definition-in-practice” might have on students.

One student in the gifted program spoke in favor of inclusion because he was concerned that “it’s discouraging to students if they are classed into a lower class.” He felt that students placed in lower classes “might be expected to do less and they might have that feeling.” Another student presented a counterargument stating, “it would be a little more discouraging to be in a class with everybody else and not be able to keep up.” These two students offered teachers a glimpse into how “gifted” students feel about the experiences of other students. Their words clearly reflect these students’ acceptance of the traditional view of learning and learning differences.

One student in the special education program agreed with these two students by stating that, “inclusion is just going to push us and push us until we’re not going to be able to take it anymore.” She also felt that “the teacher will have this prejudice against the students who aren’t working to the AP students’ level or ability.” These students speak of labels and how the system’s handling of learning differences affect their own and others’ experiences. Although their comments highlighted how labels may lead to feelings of discouragement, their comments don’t question the assumptions on which the traditional view is based on.

Tension With/In the Traditional

Some students don’t accept the traditional view as is. Some students who experience conflicts with the ways the school system is structured feel that issues are often more complicated than they seem. One 11th grader in the general education track identified the challenge of inclusion as “a product of socialization.” She explained, “We’ve been brought up differently. We’re so competitive. It’s just a whole psychological thing that goes back to kindergarten.” She believes that inclusion may be difficult in a “society whose competitive values have become inscribed in school practices.” Allowing

students to question educational policies and practices allows for the possibility of re-evaluating practices that we often take for granted. One student in the gifted program expressed his worry of being held back if students of various abilities were placed in the same classroom, yet he acknowledged that “helping other students to learn...are good skills to learn and will be needed later in life.” Although this student was concerned with the pressure to excel and the assumption that students can be assigned to different levels of learning reflecting the traditional view, he was also aware that cooperating with people with learning differences was an important skill to acquire for life. Although these students are functioning within a system that is based on the “traditional view,” they are comfortable challenging established definitions.

The World Isn't Tracked

On the other hand, some students embraced more progressive views of learning and learning differences. In such cases, they often did so in reference to the world outside the classroom. These students defined learning more broadly and defined their differences as “desirable, inspiring, and potentially educative resources” rather than as “deviations from the prescribed way,” as found in the more traditional school of thought.

One senior in the general education track discussed her experiences in a classroom where she worked in which differences were accepted and integrated in the classroom rather than made problematic. She talked about a kindergarten class that included a girl with Down syndrome, “...although she stops class sometimes or causes a distraction, the kids don't seem to mind at all. They'll say, 'Come on, Lauren, we're going to do this now,' or 'Come on, Lauren, you can walk with me to the table.'”

Another student, a sophomore who is in the special education program, said, “I think the whole idea [of mainstreaming and inclusion] makes sense because the world isn't tracked...in a company there are lots of different kinds of learners so to separate them out in high school doesn't make sense cause they'll have to be together in the world and work together.” His feeling is that the traditional system fails to prepare students for the “real world.” This student believed that “by putting everyone together in their class, it's like teaching them how to cope in the world.”

Classroom Implications

The educational system will benefit greatly from including students' perspectives about school and schooling. Teachers must find a way to “make a

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difference with, not for, students.” The opinions of students can help teachers rethink learning and learning differences as well as create effective practices. Teachers should learn to listen to and value students’ opinions. One teacher who participated in the project shared, “I don’t think it always occurs to teachers to ask students about their opinions. But I do it as a matter of course in my classroom.”

As the classrooms become more diverse, it is crucial to find ways to construe differences not as problems but as a resource. Students’ voices can help educators make better decisions about how to develop and support classroom activities. Allowing students’ insights and experiences to count will allow for a widening of the notions of learning and increase efficacy in the methods used to handle learning differences.

Recommendations

Progressive educational theorists argue for a need to:

- Recognize and teach to a great variety of learning styles,
- Broaden our definitions of intelligence as they inform learning,
- Critically examine and revise a system that separates and tracks students according to perceived abilities.

Cook-Saher, A. *Listening to Students About Learning Differences*. Teaching Exceptional Children. Vol. 35, No. 4, Mar/Apr 2003.

Disability and the Gender Gap?

Much of the medical research completed in this country has been based on studies using male subjects with the results in terms of diagnosis, treatment, and policy applied to women. Over the past several decades however, it has become apparent that there may be significant differences between males and females in terms of symptoms, treatments, and outcomes for various health related disorders or diseases and that prior assumptions based on single gender research and social norms may need further examination. Heart attack and chronic heart disease, urological, immunological issues, and age-related disorders are among those disorders and diseases that have been identified as differing based on gender.

According to a recent article “Psychosocial Issues of Women with Physical Disabilities,” (2003) authors Nosek and Hughes continue the discussion of gender based differences in terms of disability, women, and rehabilitation. Drawing strong parallels between research in the medical arena

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regarding illness and health, and research in the rehabilitation discipline about disability issues, the authors pull from existing data on females with disabilities and describe a new area of research that is warranted. This emerging discipline examines gender based psychosocial issues that differ between women with and without disabilities and between males and females with disabilities. Results of research in this area may impact rehabilitation practices and policies and serve as a catalyst for our own re-examination of long held attitudes and assumptions in the rehabilitation field about the needs of people with disabilities.

Based on the authors' examination of currently available demographic and health statistics, men experience higher rates of spinal cord injury and brain injury (4 to 1), but women experience higher rates of numerous physically disabling health conditions like lupus (9x greater), fibromyalgia (9x greater), osteoporosis (4x), multiple sclerosis (2-3x), and rheumatoid arthritis (2-3x). They go on to cite National Center for Health Statistics data revealing that women with three or four functional limitations (in comparison with women in general) are less likely to be married, more likely to be living by themselves and in the poverty level, less likely to be employed or to achieve more than a high school education, and

less likely to have private health insurance.

Within the context of their article, the authors describe five significant psychosocial problems that are more prevalent and severe in the population of women with disabilities as opposed to women in general or to men with disabilities. These five issues are depression, stress, self-esteem, social connectedness, and abuse. The complex nature of these issues may be related to societal practices and gender based roles, employment and economic status, biological differences and in general, the double whammy of being female and having a disability. Based on documented rates of physical and mental health problems in women with disabilities who outnumber men with disabilities, and according to Nosek and Hughes, the minimal attempts to test interventions on this population, the conclusions strongly urge more research in this area with an emphasis on examining the *ways* in which men and women differ rather than the *degree* to which they differ.

In order to learn more about this interesting issue, see the full text article: Nosek, M.A., Hughes, R.B. (2003). Psychosocial issues of women with disabilities: The continuing gender debate. *Rehabilitation Counseling Bulletin*. 46:4, 224-233

Upcoming Disability Related Conferences

Conference	Dates	Location
Assistive Technology Industry Association Conference & Exhibition	1/14-17	Lake Buena Vista, FL
20th Annual Pacific Rim Conference on Disabilities	3/29-30	Honolulu, HI
Learning Disabilities Association of America 2004 International Conference	3/17-20	Atlanta, GA
CSUN's 19th Annual International Conference	3/15-20	Los Angeles, CA
Council for Exceptional Children Convention and Expo	4/14-17	New Orleans, LA
Multiple Perspectives on Access, Inclusion, & Disability Annual Conference	4/20-21	Columbus, OH
National Business & Disability Council 26th Annual Conference	TBD	TBD

For more information about these and other upcoming conferences, contact Marguerita Burke at (516) 465-1605 or e-mail mburke@ncds.org.

ABOUT EMPOWERMENT

We are pleased to present this seventh issue of Empowerment, the newsletter that focuses on education, employment, technology, and policy for people with disabilities. Our goal is to empower professionals within the disability field with current information on relevant topics. We accomplish this primarily by summarizing current research articles that are relevant to the disabilities field. If you know of any organizations that might be interested in receiving this newsletter, or if you would like to contribute to future issues, please contact the Research and Evaluation Center. Thank you for your continued feedback and support.

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Empowerment Editor

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