



Northampton Area School District

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To: Special Education Teachers, Guidance Counselors, Administrators, NASD Parents

From: Dr. Steven P. Kachmar, NCSP
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Re: College-Bound Students with Individualized Education Plans

Each year, many Northampton Area Students graduate from the High School with the intention of attending an institution of higher education. Moreover, each year the District receives requests from parents to assist their child in transitioning to a post-secondary educational institution.

Graduation with a regular high school diploma effectively terminates a student's eligibility for special education programs and services as covered by the Individuals with Disabilities Education Improvement Act (IDEIA). Post-secondary institutions are not governed by the IDEIA but rather by Section 504 of the Rehabilitation Act of 1973 and Title II, the Americans with Disabilities Act of 1990, both of which prohibit discrimination on the basis of a disability. While both public school districts and post-secondary institutions must comply with Section 504 and Title II, only public school districts must comply with IDEIA. As such, the responsibilities of post-secondary schools are different from those of school districts.

During a public school experience, students with an IEP qualify for such services based upon an evaluation governed by IDEIA. The requirements of the public school district to perform the evaluation is to honor Child Find requirements, which essentially dictate that each school district must identify practices and procedures that serve to identify students with disabilities. A distinct difference between public schools and post-secondary institutions is that while a student is attending a public school, the public school district is responsible for the evaluation of the disability. This is not the case for Section 504 of Title II, with regard to the responsibility of the post-secondary institution. In the case of a post-secondary institution, there is no responsibility to provide an evaluation. Instead, there is a requirement to consider accommodations resulting from a disability.

Each year, many parents ask the Northampton Area School District to provide for an evaluation while the student is still attending the Northampton Area School District. While the District has an obligation to provide an evaluation to satisfy the Child Find requirement, the United States Department of Education

Office of Special Education and Rehabilitative Services (OSERS) and the United States Department of Education Office of Civil Rights (OCR) state that it is not the requirement of the high school, public school, or post-secondary institution to conduct or pay for a new evaluation to document a disability and need for academic accommodations. Both OSERS and OCR stated in 2002 that it is the responsibility of the individual seeking to attend a post-secondary institution to secure an evaluation that provides documentation of a disability and recommendations for appropriate accommodations.

Each post-secondary institution is responsible for determining acceptable documentation and accommodations, and each post-secondary institution governs its own decision-making and procedural processes. While the requirements for transition planning and the availability of re-evaluation and procedural safeguards under IDEIA are intended to help parents and public schools assist students in transitioning to post-secondary institutions, there is no requirement under IDEIA that public schools must arrange for students with disabilities to be re-evaluated (i.e., psychological evaluation, educational evaluation, or psychoeducational evaluation) to determine their eligibility to be considered students with disabilities in college.

With this being said, it is the intent of the Northampton Area School District to provide clear and convincing evidence and documentation of a student's disability and, more importantly, historically effective accommodations and interventions that may be considered by a post-secondary institution to assist in their process of determining eligibility appropriate accommodations. As such, Northampton Area School District will provide each student who is pursuing a post-secondary education with copies of documentation from evaluations and programming conducted under IDEIA. This documentation may include, but will not necessarily be limited to, the student's most recent Reevaluation Report (RR), Individualized Education Plan (IEP), and Notice of Recommended Educational Placement (NOREP). The provision of such documentation will be provided upon the student's request.

Students and families who are wishing to seek a new evaluation for the purposes of satisfying the specific requirements of a post-secondary institution's disability program may wish to contact one of the independent educational evaluators on the attached list.