

THE ALERT

Published by the Association on Higher Education And Disability

Letter from the Editor: *Emily Singer*



Dear AHEAD Colleagues,

As the new Editor of your ALERT, I look forward to interacting with you to try to get more of our members involved with writing articles for the ALERT and with providing you information from within and from outside our organization to give you the most current and up to date news and happenings within the disability in higher education field. In the next few issues, look for some changes that I believe will help you navigate and find the information that is most important to you quickly and easily. I am always interested in hearing your sugges-

tions on how to make this publication more user friendly and more enticing to read.

I hope everyone is having a good start to the school year and that things are beginning to settle down. It's hard to believe that it is time to start thinking about conference proposals for next year. I am looking forward to bringing you the latest news in our field over the next year and seeing everyone next July in Seattle! It will be here before you know it.

Emily Singer

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Emily Singer, ALERT Editor

Letter from AHEAD President: *Jean Ashmore*

As I begin my two-year term as President of AHEAD, I want to thank Mike Shuttic for his hard work and leadership over the last two years and welcome Scott Lissner back to the Board in the position of President-Elect. Additionally, Katheryne Staeger-Wilson of Missouri State University was selected to fill the appointed three-year Member at Large position on the Board of Directors. And we have new people overseeing and managing our major publications - Emily Singer is taking over as editor of this newsletter, after a very productive term on the Board, and David Parker assumes the editorship of our journal, JPED. Thanks go out to Alvaro Gomez and Jim Martin, respectively, for ably managing these publications over the past few years.

Our recent conference in Denver was a huge success, starting with the Opening Plenary where Irene Bowen gave us an inspiring overview of the ADA, past, present and future (this address will be available for members soon in the event you could not be there). No sooner than we conclude one conference, we begin again with members and staff gearing up for the next summer's event. In 2011 we will meet in Seattle, July 11-16th. The call for proposals has just gone out. The 2011 theme, Sustainable Access through Partnership, highlights that no work done by disability service/resource professionals stands alone or in isolation so put on your thinking caps and talk with colleagues about shared presentation proposals.

One of the main missions of AHEAD is to provide members with professional development. This year has a full and very rich slate of offerings. Some are face-to-face like our Management Institute and then others are phone and web-based to maximize ease of participation. You have already gotten information about the upcoming Tele-Institute on the updated ADA and DOJ regulations. In case you did not see this information, go to <http://www.ahead.org/events-and-workshops/audio-conference/tele-inst>. We are pleased to have both Scott Lissner and Irene Bowen organizing this five part series. Numerous other training opportunities will be available throughout the year. Most recently, the 2010-2011 AHEADtoYOU! Audio series has been announced. If you've not yet reviewed those vital offerings, please visit: <http://www.ahead.org/events-and-workshops/audio-conference>. The first of those events will be on October 21. On a day-to-day basis I encourage you to reach out to your fellow members through the AHEAD listserv which is open only to members. If you're curious about it, just sign up at www.ahead.org under "news and notes."

Over the last few years AHEAD has been active at the national level in the wide ranging discussions about higher education and students with disabilities. An outcome of this vital engagement, a further mission of AHEAD, is that Stephan Hamlin-Smith, our Executive Director, has been appointed to The Advisory Commission on Accessible

Instructional Materials in Postsecondary Education for Students with Disabilities. This Commission was established as a result of the 2008 HEOA's recognition of the profound challenges facing students with disabilities in obtaining accessible instructional materials. The Board of Directors enthusiastically endorses Stephan's appointment and is proud that he has been selected to represent AHEAD over the next year as the Commission evaluates and recommends solutions to this long-standing issue.

Feel free to contact me directly at jean@ahead.org should you have questions, comments or suggestions on the ways in which AHEAD can best contribute to your professional growth and development.

Jean Ashmore , President

Professional Development Opportunities

Take advantage of these upcoming events, conferences, and other opportunities to increase and share your knowledge.

IMPLEMENTING THE “NEW” ADA AND DOJ REGULATIONS

AHEAD is meeting your needs with our Policy Tele-Institute for Higher Education, designed specifically for AHEAD members.

The Institute coordinators and lead presenters, **Irene Bowen** and **L. Scott Lissner**, have outdone themselves in developing this institute. They start off with “**Transforming Law Into Policy and Practice**,” a two-hour audioconference on Tuesday, October 5, 2010, 2:00 - 4:00 pm ET

This is followed by a four-part series on topics specific to the college setting: **Accessible Design in Facilities; Program Access; the Virtual Environment; and Disability Documentation**.

Full descriptions, logistics, and registration information are available at: <http://www.ahead.org/events-and-workshops/audio-conference/tele-inst>

Because AHEAD believes that sustainable campus accessibility involves partnerships, we strongly encourage you to invite your campus colleagues from Facilities, Administration, Planning, Academic Affairs and others to join you in to this essential training opportunity.

We understand that budgets are tight, so this series of five audioconference events including online presentation support materials and real-time captioning is being offered to AHEAD members below cost at only \$259.00/site for the entire five-part series. Of course you are also welcome to pick and choose sessions - registering only for what you need. **Registration deadline is October 1, 2010.**

AHEAD TO YOU 2010-2011

October 21, 2010 3:00 – 4:30 pm ET
Practices in Disability Resource/Services Management: Records, Retention, Staffing and More

Presenters: Tom Thompson, William Rainey Harper College and Mike Shuttic, Oklahoma State University

November 18, 2010, 3:00 – 4:30 pm ET
Understanding and Advising First-Year Students with Executive Function Disorders
Alicia Brandon, Landmark College Institute for Research

For the complete list and more information, go to: <http://www.ahead.org/events-and-workshops/audio-conference>

PACIFIC RIM INTERNATIONAL CONFERENCE ON DISABILITIES

“Humanity: Advancing Inclusion, Equality and Diversity”

April 18 & 19, 2011 • Honolulu, HI: Hawai‘i Convention Center
2011 Call for Proposals is Now Open

We invite you to submit proposals to the 27th Pacific Rim International Conference on Disabilities. In the tradition of Pac Rim, the 2011 conference will visit familiar themes and explore new directions— Exploration and Innovation. We are truly excited about 2011; we hope you will be too. Continue this extraordinary journey with us as we deepen our commitment to advancing inclusion, equality and diversity. With over 16 topic areas, pre and post conference forums, including the International Forum on the Rights of People with Disabilities, we anticipate a rich dialogue and an exchange of best practices, research, methodology, and advocacy initiatives. With your participation, this can happen. Proposals are being accepted in all formats. Submit yours today.

TWO GREAT TECHNOLOGY CONFERENCES: AHEAD MEMBER DISCOUNTS

Accessing Higher Ground: Accessible media, Web and Technology Conference

The 13th Annual Accessing Higher Ground: Accessible Media, Web and Technology Conference will take place November 15-19, 2010 in Westminster, CO. Accessing Higher Ground focuses on the implementation and benefits of Accessible Media & Assistive Technology in the university, business and public setting.

AHG attracts the leading practitioners and decision makers in the field of campus accessibility and accessible media in all environments. We invite you to exhibit and/or attend this year’s conference.

There is a 10% early registration discount for the main conference until Oct. 1 and AHEAD members are eligible for an additional \$30 discount on registration. Please e-mail the AHEAD office at AHEAD@ahead.org or call 704-947-7779 to be provided with the necessary discount code for your registration. Complete conference details are available at: <http://www.colorado.edu/ATconference/>

Assistive Technology Industry Association: Fall and Winter Conferences

We’re pleased to announce you are eligible for discounted admission to attend both the Assistive Technology Industry Association (ATIA) 2010 Chicago Conference and the ATIA 2011 Orlando Conference. A \$30 per person discount from onsite registration and is available to ATIA Alliance Partner members and affiliates.

To help you take full advantage of this discounted registration program, please use the following Alliance Partner code for either conference registration: APC5 You may register online for ATIA 2010 Chicago today and ATIA 2011 Orlando. You will be prompted enter the AHEAD member coupon code above.

Federal Update

ODEP Releases Making the Move to Managing Your Own Personal Assistance Services (PAS): A Toolkit for Youth Transitioning to Adulthood

The Office of Disability Employment Policy (ODEP), U.S. Department of Labor, through its Youth Technical Assistance Center, recently announced the release of Making the Move to Managing Your Own Personal Assistance Services (PAS): A Toolkit for Youth Transitioning to Adulthood, a guide designed to help transition-age youth with significant disabilities as well as their family and friends navigate the complex world of PAS.

Transitioning into adulthood can be awkward for nearly every young person. For transition-age youth with disabilities, issues surrounding managing PAS can be intensified by normal developmental concerns such as striking out on your own and navigating the road into adulthood. Accessing and maintaining long-term supports, such as PAS, has often been a significant barrier to employment youth and adults with disabilities. This new guide assists youth in strengthening some of the most fundamental skills essential for suc-

cessfully managing their own PAS: effective communication, time-management, working with others, and establishing professional relationships. Such skills are key to not only enhancing independence, but also thriving in the workplace and growing professionally. Topics covered include:

- Understanding the differences between job-related and personal PAS;
- Evaluating individual readiness to live independently and manage PAS;
- Establishing goals in transitioning to greater independence;
- Identifying individual PAS needs;
- Considering a service dog;
- Advertising for, interviewing, and hiring personal assistants;
- Covering the costs of PAS;
- Managing and training assistants;
- Handling awkward moments with personal assistants;
- Recognizing abusive situations; and
- Firing personal assistants.

Whether moving from school or a home setting to work, college, or living on their own, transition-age youth and their families or friends would benefit from the information and guidance offered by the toolkit. Sample worksheets, questions, and charts provide readers clear, helpful examples of things to consider along the path to greater independence. And stories from real youth and their families give practical insight and guidance for youth with disabilities who want to manage their own PAS.

For more information or to download a Word or PDF version of the toolkit, please visit the ODEP's Youth Technical Assistance Center, the National Collaborative on Workforce and Disability-Youth at <http://www.ncwd-youth.info/PAS-Toolkit>.

National Council on Disability Applauds New Health Reform Provisions Taking Effect September 23, 2010

WASHINGTON—The National Council on Disability (NCD) today announced the agency's support for six major provisions to the Affordable Care Act that go into effect on September 23. The new provisions include extending coverage for young adults, improving access to preventive care, restricting insurance companies from unfairly rescinding coverage, creating a more fair insurance denial appeals process, eliminating lifetime limits on insurance coverage, and regulating annual limits on insurance coverage.

According to NCD Vice Chair, Linda Wetters, "These reforms will be of significant benefit to people with disabilities and people with chronic health conditions, who have historically experienced some of the most significant disparities in health status,

and inequities in access to health care, and health promotion services, as documented in NCD's September 2009 report, "The Current State of Health Care for People with Disabilities."

"We look forward to the implementation of many more provisions of the Patient Protection and Affordable Care Act, such as the protections against pre-existing condition exclusions, insurance coverage of essential services that will enable people with chronic health conditions to work and live independently, federal standards for accessible medical diagnostic equipment, and movement toward a system of less expensive home and community-based long-term care services instead of unnecessarily placing people into costly institutions," Wetters said.

According to NCD's Vice Chair for Engagement, Ari Ne'eman, "As a result of access barriers, people with disabilities bear a disproportionate burden of poor health compared with the general population, yet use preventive services at a lower rate than people who do not have disabilities. Health care reform has the potential to level the health care playing field for all people with disabilities."

For more information, please contact NCD's Director of Communications, Mark Quigley, at mquigley@ncd.gov or by telephone at 202-272-2004.

Federal Update

Ahead of the ADA Access Curve Part 4

DOJ's New ADA Regulations: It's About Time!

Six steps for the next six months - and beyond

This is the fourth in a series of articles, "AHEAD of the ADA Access Curve," to assist disability service providers, ADA Coordinators, and others in promoting compliance with the Americans with Disabilities Act, section 504, and the Fair Housing Act. This series approaches physical access and related issues as key to the civil rights of individuals with disabilities. It is intended to provide some helpful tools in a time of shifting requirements and shrinking resources.

They're finally "official." The new ADA regulations from the Department of Justice (DOJ) were published on September 15, 2010, in the Federal Register and will be effective on March 15, 2011, with the new accessibility standards becoming binding on March 15, 2012. The regulations apply to state and local governments (including state universities and community colleges), which must follow the regulations for title II of the Act, and public accommodations (including private colleges and universities and proprietary schools), which are subject to title III.

Whether you work in Disability Services, are an ADA or 504 Coordinator, or play another role in higher education, you need to get up to speed quickly. It's also important to let others in your institution know about the changes and to help them prepare for the changes.

So where do you start?

First, understand what the regulations do, and what they don't do. These are the first major updates to DOJ's regulations from 1991. They are based on changing times, accessibility research, new knowledge, and other factors. For example, since 1991 we have seen. The updates usher in changes responding to advances in technology and ways of communicating, new types of mobility devices such as Segways, and increasing requests for a variety of animals to be considered service animals. They also conform the federal accessibility standards to model accessibility codes. The Standards cover some areas not included in the 1991 ADA Standards (such as play and recreation areas), and add specific provisions beyond the ADA Accessibility Guidelines.

Keep in mind that these regulations do **not** reflect the ADA Amendments Act (ADAAA) of 2009, which reset the definition of "disability." The first rules from the federal agencies under the ADAAA will come from the Equal Employment Opportunity Commission (EEOC). They are expected within a few months and will affect your employment practices. Then it's likely that DOJ will amend its ADA rules to be consistent with those of the EEOC. The future DOJ rules will clarify who has a disability and therefore has rights under the ADA as to services and policies other than those relating to employment.

Second, learn the policy implications of the new regulations, and urge an evaluation of your institution's policies. You have to comply with most new policy provisions by March 15, 2011.

The policies you'll need to revise or create include those about

- *Use of video remote interpreting (VRI) services.* The 2010 rules set standards for ensuring that these are employed effectively.
- *Service animals.* DOJ considers service animals to include only dogs that are trained to perform tasks or work for people with disabilities, including psychiatric disabilities. Emotional support animals are not service animals. In some cases, miniature horses are to be admitted with their handlers. (But other laws or regulations, including ones covering housing or under state or local jurisdiction, may require you to admit other types of animals besides those included in DOJ's regulations.)
- *Automated-attendant phone systems.* If you use these, you must ensure effective real-time communication for

people with disabilities.

- *Ticketing.* New provisions govern the sale of tickets for accessible seating at stadiums and in auditoriums/theaters, the sale of season tickets, and the hold and release of accessible seating.

Third, alert facilities and planning staff to significant dates concerning the new standards and their implications.

The rules impose a "compliance date" (a date when compliance with the new standards is required) of March 12, 2012. Any new construction and alterations that begin on or after that date must comply with the 2010 ADA Standards, those included in or referenced in DOJ's publication of September 15.

The regulations also specify what is required in the transition between now and that date.

Between now and March 15, 2012, private colleges and universities can choose to comply with either the 1991 Standards or the 2010 Standards. But they must be applied on a building-by-building basis. In other words, you cannot choose to apply the 1991 Standards to a particular building for alterations to one part of the building and to apply the 2010 Standards to another part or an alteration at a different time.

Between now and March 15, 2012, public colleges and universities continue to have a choice of complying with the 1991 Standards or the Uniform Federal Accessibility Standards (UFAS) (a choice they have had since 1991) -- or they can comply with the 2010 Standards. Again, application is building by building.

(continued on page 6)

Your institution should decide as soon as possible which standards to follow during the transition. It may be easier to continue to do as you have done, or you may wish to apply the new standards to some buildings, depending on the nature of the building and the alteration. The 2010 Standards are stricter in some instances, and less stringent in others.

The regulation also allows private entities to continue to do “barrier removal” (removal of physical barriers to the extent removal is readily achievable) following the 1991 Standards until March 15, 2012, or to choose the 2010 Standards for that purpose. After that date, the 2010 Standards become the new measure. Completing barrier removal by March 2012 will offer you greater flexibility, then, than waiting until later. After that, you risk having to upgrade according to the 2010 Standards. In the meantime, document your current compliance with the 1991 Standards in “existing” facilities.

Fourth, highlight some of the major changes in the standards for facilities and planning staff.

As part of the 2010 Standards, DOJ has adopted the Access Board’s 2004 ADAAG (ADA Accessibility Guidelines). If your institution follows a state or local code based on the 2003 International Building Code (IBC) and ANSI A117.1-2003, many of these provisions will be familiar. Here are a few examples:

- Controls and operating mechanisms have lower reach limits.
- Where a direct circulation path connects an audience area to a stage, a **direct** accessible route must be provided.
- New or altered work areas must include accessible common use circulation paths within the work areas

In addition, DOJ has supplemented 2004 ADAAG. For example:

- Housing in higher education: residence halls are treated as transient lodging (similar to hotel rooms) and apartments and townhouses occupied year-round are considered residential. Different standards apply to the two categories.
- There are more detailed requirements

about horizontal and vertical dispersal of accessible seating.

- The 20% rule, or “path of travel” rule, now applies to public entities as well as private entities. It imposes additional expenditures for improvements to access to a primary function area and to the restrooms and drinking fountains serving it when such an area is altered.

Fifth, start planning for March 15, 2012, and beyond

Compliance with both the policy and facility accessibility portions of the new regulations will require focused planning, budgeting, and scheduling.

The departments responsible for your facilities should review all those that will be constructed or altered on or after March 15, 2012, for strict compliance with the new Standards. In addition, DOJ urges title III (private) entities to have a barrier removal plan for each building, and to document steps that have already been taken. Logically, the same principle would apply to “program access” measures taken by public entities (ensuring that people don’t face discrimination because of physical barriers). There are “safe harbors” for barrier removal, program access, and alterations in the regulations that can be a bit difficult to understand, and their importance is heightened after the 2012 date. They will be the subject of another article.

If you are a public institution and have updated your self-evaluation recently, it may be adequate to center your policy efforts on the specific policy changes made by DOJ. If not, this is a good time to evaluate all your policies. If you do not have a transition plan that ensures program accessibility and takes into account the **current** uses of your facilities and the impact of the new Standards, this is a good time to lay the groundwork for creating or updating your plan.

If you are a private institution, you should consider the same kinds of updates. Remember that barrier removal is an ongoing obligation; this necessitates that you monitor the ways in which you use your facilities and whether barriers exist.

Sixth, study up and stay alert.

For the basics about the new regulations, see DOJ’s short fact sheets. There is one about the title II regulations at <http://www.ada.gov/anprm2010.htm>, one about the title III regulations at http://www.ada.gov/regs2010/factsheets/title3_factsheet.html, and one about the Standards at http://www.ada.gov/regs2010/factsheets/title3_factsheet.html.

The regulations themselves and the preamble (explanation) are easily found at www.ada.gov, DOJ’s ADA website. Even more details about the Standards are in Appendix B to the title III regulation, also on the website.

Check that site regularly starting around March of 2011, because DOJ will be updating its many technical assistance documents starting then.

Next year DOJ is also expected to propose regulations with significant implications for higher education: ones addressing web site accessibility, and equipment and furniture (including lab stations, exercise equipment, and classroom furniture). The Department took preliminary steps toward regulating these and other areas by issuing four “pre-rules” on July 26. They can be found at <http://www.ada.gov/anprm2010.htm>. No one will be able to remember all the details of the Standards or the specific sections of the regulations that apply to every policy at a college or university. But you should know what resources you have available, and where to turn for answers. The more you know, the better you’ll serve students and others at your campus, and the better equipped you’ll be to guide your institution into a decade of change and opportunity.

This series of articles is provided as a member service by Irene Bowen, J.D., with ADA One, LLC. Until August 2008, Irene was Deputy Chief of DOJ’s Disability Rights Section. She is also former Deputy General Counsel of the Access Board. ADA One provides consulting, training, and alternative dispute resolution services related to the Americans with Disabilities Act and similar laws. You can contact Irene at IreneBowen@ADA-One.com or by phone at 301 879 4542. Her web site is <http://ADA-One.com>. The content in this article is for informational purposes only. It is not and shall not be deemed to be legal advice or a legal opinion. You cannot rely on the content as applicable to a particular circumstance or fact pattern. If you need legal advice about a particular issue and particular facts, you should seek professional legal advice.

Research Opportunities

Council for the Advancement of Standards in Higher Education Research Grant Program 2010

The Council for the Advancement of Standards (CAS) seeks to advance knowledge about the use of standards and self-assessment processes in enhancing programs and services to students and in developing designated student learning and developmental outcomes.

Proposal Focus: Research proposals should address some dimension of the question, "Does the use of standards and/or self assessment processes enhance programs and services contributing to the development of student learning and developmental outcomes?"

1. Proposals with a specific focus on CAS standards and CAS Self-Assessment-processes are preferred.
2. Proposals may be at the department, division, and institutional or multi-site level.
3. Proposals may study a particular functional area standard.
4. Proposals on any dimension of standards and self-assessment will be considered.
5. Proposals, however, should not be for the individual use of a standard for campus self-assessment as grants are intended for research purposes.
6. Dissertation research will be considered and is encouraged.

Proposal Content: Proposal should be 5-7 pages with a separate one page summary and should include:

1. Name and contact information for the project director
2. Background and related literature
3. Research questions and significance of the proposed study
4. Methods (any appropriate methodology [e.g. case studies, longitudinal designs] will be considered)
5. Time frame (projects must be completed in three years or less)
6. Brief biographies of researchers
7. Budget (no overhead charges may be submitted; funds may not be used for equipment or software, salaries or tuition; proposals should indicate if funds are being sought or are provided by other sources.)

Grant: Typically, grants of up to \$3000 will be considered. More than one grant will be awarded.

Deadline: Proposals must be received by October 15, 2010

Review Process: Proposals should be submitted electronically to CAS President, Dr. Susan R. Komives, Komives@umd.edu. The review committee is comprised of the chair and research committee members who are members of the Board of Directors of CAS.

Agreements by Recipients: Recipients of grants will receive additional information on the dispersal of funds, return of funds in the case on non-completion of a project, annual project reports and accounting, and expectations of dissemination of findings. CAS acknowledges full authorship rights to the project researchers. In general CAS will expect a summary report of findings to post on the CAS website, researcher publication(s), and presentations at appropriate conferences including a possible invitation to the CAS Symposium. CAS support must be acknowledged in all dissemination of findings.

Research on Student Adaptation to College

AHEAD Member, Samantha Herrick, from The Penn State University is conducting an important research study regarding the factors that influence adaptation to college for students with disabilities. Please see her open letter to members in the current

ALERT at: <http://www.ahead.org/membersarea/current-alert#5> to learn more about the study and about how to involve interested students from your campus. We look forward to being informed by her findings.

Initiative's Corner

J.U.S.T. CHANGE INITIATIVE (JCI)

Reframing Disability: Issues of Human Rights

Members of AHEAD's J.U.S.T. Change Initiative (JCI) sponsored an opportunity for AHEAD conference delegates to become human rights champions in the exhibit hall this year.

Conference participants were invited to complete the sentence "Everyone should have the right to ___" on a placard and have their photo taken with their statement. Participants picked an issue of their choice to complete the statement, highlighting areas in which change is required in our society. Issues covered a broad spectrum with some common themes emerging:

- Marriage rights and access to benefits for partners
- Full participation through universally designed environments
- Economic and social equality
- Health and education benefits
- Respect and dignity
- Sustainability
- Freedom of expression and communication

The photos were put into a slide show and shown on Saturday morning as attendees entered into the room for the closing plenary. Thanks to Melanie Thornton and Sharon Downs from Project Pace, University of Arkansas Little Rock, co-sponsoring this project by providing the equipment at the booth and putting the slide show together. JCI members also want to give special thanks to Scott Lissner for reading the slides on Saturday morning during the presentation.

Members of the JCI wish to thank conference delegates for their enthusiasm and support and for championing outstanding human rights issues.

JUST stands for Just Usable, Sustainable Transformational Change. Members of JCI continue to work on behalf of the Association in a variety of ways in order to create higher education communities that value social justice, the disability experience and universally designed environments, and to infuse these philosophical constructs to the greatest extent possible.

History of JCI

AHEAD J.U.S.T. Change Initiative was formerly known as the UD Initiative which began when AHEAD hosted a Think Tank on universal designs in higher education at the Washington, D.C. conference, July of 2002. Participants, using the UD Principles and a Sociopolitical Model of Disability as the conceptual framework, spent a day developing a vision, applying UD principles to information and instruction environments, and exploring roles of DS Providers in building the capacity of campus communities to commit to inclusive design. The participants ended the think tank by developing recommendations for AHEAD; the proceedings were published in a JPED article in 2003. AHEAD's Board of Directors established the "Universal Design Initiative" to continue these efforts in the fall of 2002.

Resource

Scott, S., Loewen, G., Funckes, C., & Kroeger, S. (2003). Implementing universal design in higher education: Moving beyond the built environment. *Journal of Postsecondary Education and Disability*, 16 (2) 78 – 89.



Carla Coates' Placard: Everyone should have the right to Respect and Dignity.



Rose Kreston Placard: Everyone should have the right to be accepted for who they are.

Initiative's Corner

Government Relations and Public Policy

This past November AHEAD joined with the International Dyslexia Association, the Learning Disabilities Association of America, the National Center for Learning Disabilities, the New York Branch of the International Dyslexia Association and the Yale Center for Dyslexia & Creativity in commenting on the EEOC's proposed regulations for the revised definition of disability under the ADA Amendments Act. The Public Policy and Government Relations Committee members Linda Nissenbaum, Kelly Herman, Emily Singer and Scott Lissner were joined by Jo Anne Simon at the National Council on Disability's National Summit on Disability Policy, Living, Learning & Earning.

They were able to make connections with advocates from across the country, con-

nect with other disability organizations and share AHEAD's agenda with policy makers. Scott, Emily and Jo Anne had the honor of attending the White House's anniversary celebration. With the 20th anniversary of the ADA serving as a catalyst for reflection and rule making there has been a flurry of legislation and rule making. On July 26, 2010, the Department Of Justice published four advance notices of proposed rule-making (ANPRMs) on Accessibility of Web Information and Services, Equipment and Furniture, Movie Captioning and Video Description and Accessibility of Next Generation 9-1-1.

The Public Policy and Government Relations Committee is drafting Comments for the ANPRMs on web and equipment accessibility for review by the Board. On

September 15th the revised regulations for the ADA's Title II and III were published in the Federal Register. The Public Policy and Government Relations Committee has worked with AHEAD to offer a policy tele-institute to help you facilitate your institution's response to these changes. Finally the Public Policy and Government Relations Committee is looking for members that are interested in working with them on a variety of projects including developing comments on rule making, developing resource materials on public policy, developing position papers on a variety of public policy topics for review and adoption by our members. If you are interested please contact Scott Lissner at Lissner.2@osu.edu

Resources & Announcements

Think College

Think College is an initiative of the Institute for Community Inclusion (ICI) at the University of Massachusetts Boston. ICI has been a leader in the area of postsecondary education for people with intellectual and other developmental disabilities for over ten years. As interest in postsecondary education for people with intellectual or developmental disabilities has expanded, so has the need for research and training in this area. ICI currently has three federal grants designed to conduct research, training, and technical assistance for professionals, families, and students related to postsecondary education for individuals with intellectual and other developmental disabilities. <http://thinkcollege.net/> To read their most current newsletter, go to: http://thinkcollege.net/tc_newsletter09_10.html

Disability.gov

Disability.gov is an award-winning federal Web site that contains disability-related resources on programs, services, laws and regulations to help people with disabilities lead full, independent lives (including benefits, civil rights, community life, education, emergency preparedness, employment, housing, health, technology and transportation). Their mission is to connect people with disabilities, and their family members, veterans, caregivers, employers and service providers, with the resources they need to ensure that EVERYONE can fully participate in the workplace and in their communities.

Resources & Announcements

September 07, 2010

Transitioning from High School to College – Students with Disabilities By Guest Blogger Jean Ashmore, President, Association on Higher Education and Disability (AHEAD)

It's the time of year again when yellow school buses are on the roads, uniforms and school supplies are everywhere, and students and parents alike are excited and anxious about a new school year. Those years when a student switches schools are particularly salient, with much to be learned and encountered in the new school. This is especially true when a young person transitions to college. All college students bring along academic and social experiences and lots of expectations and concerns – none more, in my thinking, than students with disabilities. Let me share some particulars on why college transition may be extra challenging for students with disabilities and give some suggestions to help make this time a success.

One of the greatest factors impacting a move from high school to college for students, who have received special education services during K-12, is that the laws regarding disability assistance differ substantially between primary and secondary educational systems. In providing resources and services for students with disabilities, colleges are guided by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA), both of which focus on non-discrimination and rights of access.

On the other hand, special education in public schools follows the provisions of the Individuals with Disabilities Education Act (IDEA), which mandates what is to be done for students identified with disabilities that adversely impact their education. These differences can result in a student with a disability being disappointed and frustrated in college. At the college level, course requirements are not modified as they sometimes are in high school, homework isn't reduced, tests are not routinely modified and for the most part, professors aren't notified by the college about a student's accommodation needs before classes begin. Note, I use the word "accom-

modations," not modifications.

In college, accommodations are not modifications. Accommodations aid a student in accessing courses and tests, dormitory living, etc., but success is up to the student. That might sound harsh, but when you really think about it, it's wonderful. This means in college, a student with a disability does the same work as his or her peers, earns grades of the same value, establishes himself or herself as a student heading to a good future rather than a person defined by a disability.

Because a disability may result in functional limitations for a student, the college will provide reasonable accommodations to reduce the impact of those limitations. Let's say a person has a disability resulting in the inability to read print efficiently. Working with the student, the college's disability resource office will explore what the student needs, such as large print, Braille, electronic texts etc. and then will work on providing those accommodations. Notice that the reading material and tests will be the same but the means the student uses to access them may be different. This is not Special Education under IDEA, rather this is at the heart of the Americans with Disabilities Act (ADA) as recently amended – providing access so a person with a disability can learn, work and live a full and productive life.

So if the laws governing college are based on non-discrimination and the provision of access through reasonable accommodations, and the laws covering K-12 Special Education are quite different and provide for things not covered by colleges, such as school buses, personal care attendants and modified curriculums, what's a transitioning student with a disability to do?

First of all, educate yourself about how the differences between high school and college will impact you. Understand your disability and learn to self advocate. If you're not sure about how to be a self advocate, talk to your parents and teachers. Practice giving a brief "info bite" with people you know to develop confidence for when you need to discuss things like accommodations at your university. Don't let others do

this for you – remember the great saying, "not about us without us." Being defined by your interests, personality and accomplishments rather than those "dis" things is where you want to be. I really hope you've chosen your college because of what it offers academically. It's important to know about the college's disability resources, but check those after you know that the school matches your interests.

College can be likened to a job with certain KSAs – knowledge, skills and abilities. Having the right KSAs will make college successful for all students, but especially those with disabilities.

K – knowledge of what disability resources and services are available at the college and how the system works, knowledge of what you need and why and knowledge of your goals.

S – skills with adaptive technology (exposure and training on AT should happen in high school), skills in talking with people about your needs and skills to follow a schedule you develop.

A – ability to work hard to do the academic work, ability to self-advocate and a very important ability, being independent as a college student regardless of the supports or accommodations that you may need.

Although many of these suggestions are geared toward a student who has a disability, I think these words can also be helpful to parents and others inquiring about higher education for students with disabilities. College is the gateway to good careers and lifestyle options that everyone aspires to, but I would venture to say that college is essential for individuals with disabilities, especially those with profound disabilities. Unfortunately, employment statistics of people with disabilities are woefully poor. While a college education will not guarantee solid employment, it definitely will help in that direction.

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Resources & Announcements

In my own experiences as a director at a university disability resource department, I've met some of the most incredible students. Future doctors, engineers, musicians, teachers, lawyers and so many other exciting careers. The challenges for an engineering student who is blind may seem overwhelming to others but to that student, it's business as usual – 'What's the assignment?'; 'How will I do it?'; 'What do I need to get it done?'; 'When am I going to do it considering everything I need to and want to do?'...voila! The work gets done and a well earned grade results. The student who reads books auditorily or who devotes lots of time to reading print just does that to get the job done. For these students, their learning strategies have incorporated functional elements linked to their disabilities. They do not define

them – they are simply the methods these students use to achieve their goals.

There are some great resources about college transition for students with disabilities. The Department of Education's brochure, "Students with Disabilities Preparing for Postsecondary Education: Know Your Rights and Responsibilities" (<http://www2.ed.gov/about/offices/list/ocr/transition.html>) is a good place to start.

My professional association, AHEAD (www.ahead.org), has a number of helpful resources, too. Add a copy of 100 Things Every College Student with a Disability Ought to Know by Johnson and Hines to those KSAs, and the student will be well poised for success. I can't recall if the 100 Things book recommends it, but I'll end this post with "know how to do or get laundry done

(without Mom)!" Here's to a great school year for everyone.

Jean Ashmore is the President of the Association on Higher Education and Disability (AHEAD) and the former director of Disability Support Services at Rice University where she lectured in Education Certification. With backgrounds in rehabilitation and school counseling, Ashmore's career has entailed working with people with disabilities in various settings.