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Legal Issues Impacting the Disabled Higher Education Student

David S. Robertson

Middle Tennessee State University

Legal Issues Impacting the Disabled Higher Education Student

Cliché as it may sound, the assertion of justice for all does indeed hold true in the United States of America. All includes all. The purpose of this paper is to narrow “all” down to a single segment of our culture – the disabled student, and most particularly, the disabled student in higher education. Jaeger and Bowman (2002) suggest that we live in a society ruled by law, and these laws are designed to serve and protect all American citizens. Persons with disabilities face many barriers every day of their lives, ranging from physical challenges to employment accommodations to the negative attitudes and stereotypes that people often harbor concerning people with disabilities. According to Jaeger and Bowman, authors of *Disability Matters*, in 2002 when they wrote their book, some fifty-four million Americans (over 550 million worldwide) experienced one or more disabilities, with that figure increasing daily as persons grow older. These numbers include disabled students in higher education where the trend is rising every semester: 6% in 1995, 9% in 2000, and studies in 2003 reported 11.3% of every student identified themselves as disabled (Katsiyannis, 2009).

Overview

Jaeger and Bowman (2002) assert in their book that there are specific pedagogical and legal issues relating to education and students with disabilities. This paper will examine significant legal issues and how they interrelate to students with disabilities. First, key terms will be defined to clarify how handicapped persons actually qualify by law to be considered disabled. A discussion of important federal statutes will follow that have established legal precedence governing disabled student rights. Next, the paper will take a thoughtful look at rights and issues that students with disability face daily on and off a university campus. Then, the research will isolate an interesting case study that gauges faculty awareness of disabled student rights and

issues. Finally, having laid a strong foundation of understanding of terms, significant laws, and relevant issues, the research paper will highlight three important law cases that illustrate different facets of disabled student litigation sourced directly from actual court documents. .

Definitions

“Disability” is legally defined as “a physical or mental impairment that substantially limits one or more major life activities of the individual; a record of such impairment; or being regarded as having such impairment (42 U.S.C. § 12101)” (Kaplin & Lee, 2006, p. 1381).

Federal statutes that will be discussed will explain how discrimination is prohibited by law against disabled persons, or persons who had a disability in the past which no longer exists, or the perception of a disability that does not, in fact, exist (Kaplin & Lee, 2006).

“Impairment” includes contagious diseases (such as asymptomatic or symptomatic HIV), learning disabilities, drug or alcohol addiction (36 C.F.R. § 104). The more common impairments that have required legal intervention to secure access for disabled persons involve the senses of vision and hearing.

The law states that a person with a handicap is “qualified” when “with or without reasonable modification to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, [the individual] meets the essential eligibility requirements for the receipt of services or his participation in programs or activities provided by a public entity (42 W.S.C. § 12131)” (Kaplin & Lee, 2006, p. 1381).

Kaplin and Lee (2006) suggest that “discrimination” is not an inherently evil word. A common dictionary tells us that to discriminate means to sort, to distinguish, or to observe differences. This ability is essential for practical survival in everyday life. However, there is a

form of discrimination that is banned by law and is known as *legally impermissible discrimination* (Jaeger & Bowman, 2002). This occurs when persons who are severely disadvantaged socially, economically, vocationally, and so on are seen as inferior and as a result become marginalized. This type of discrimination is illegal. The next section will demonstrate how these legally defined terms express themselves in key laws that greatly impact students with disabilities.

Creating Equal Educational for Disabled Students

The Judicial Branch of the U.S. government has worked diligently for decades to allow landmark cases to set precedent and spawn new public law to serve disabled Americans.

Following are four noteworthy federal statutes:

Individuals with Disabilities Education Act (IDEA).

In elementary and secondary public education, approximately 14% of students have mental or physical disabilities and are receiving services and federal funding (Webb, Metha, & Jordan, 2010). In 1975, Under President Gerald R. Ford, Congress passed a law called the Education for All Handicapped Children Act (EHA) (PL 94-142). This Act has often been referred to as the Bill of Rights for Handicapped Children. In 1990, The EHA was modified and updated and renamed the Individuals with Disabilities Education Act (IDEA) (42 U.S.C. § 12101 *et seq*). According to Webb et al. (2010), this landmark legislation provided the framework for the delivery of services to infants, toddlers, and children with disabilities, and provided access for their families to receive early intervention services for children ages 3-21. IDEA identified “disabled children” as those with mental retardation, visual or hearing impairments, speech or language impediments, emotional disturbance, autism, traumatic brain injury or special learning disabilities (Webb et al., 2010).

Webb et al. (2010), authors of the college textbook, *Foundations of American Education*, write that the major principles that are included in the IDEA legislation are (1) the right to an appropriate and no-cost education, (2) nondiscriminatory evaluation, (3) Individualized Education Program (IEP), and (4) procedure due process (p. 227). The reason this is so relevant to higher education is that college students often have had to endure their disability(ies) and associated legal ramifications for most or all of their lives and have often traversed through the social services system en route to a university degree.

Individuals with Disabilities Education Improvement Acts of 2004.

IDEA was reauthorized on December 3, 2004 by Congress under President George W. Bush. In a statement affirming the new law, the President stated that the Individuals with Disabilities Education Improvement Act of 2004 "...will help children learn better by promoting accountability for results, enhancing parent involvement, using proven practices and materials, providing more flexibility, and reducing paperwork burdens for teachers, states and local school districts" (NYSE.GOV, 2010, ¶ 1).

Rehabilitation Act of 1973 (PL 93-112).

According to Dr. Tom Smith, author of *The Section 504 Trainer's Manual*, the Civil Rights Movement of the 1960s laid the foundation for the eventual passage of Section 504 of the Americans with Disabilities Act. Section 504 of the Rehabilitation Act is especially meaningful to disabled Americans and worthy of a closer look.

Section 504 (29 U.S.C. § 794).

Briefly, Section 504 of the Act is civil rights legislation for persons who are otherwise qualified who have disabilities designed to prevent any type of discrimination towards them based on their disability (p. I-1). This major legislation affects recipients (individuals or

agencies, such as public schools) who receive federal funding. In summary, Section 504 prohibits unlawful discrimination on the basis of disability by private and public institutions that receive federal grants (Morrissey, 1993). Section 508 of the Rehabilitation Act also provided tremendous relief to disabled students in higher education as well as all handicapped Americans.

Section 508 (29 U.S.C. § 794 (d) § 794d).

In 1998, the Rehabilitation Act was amended by Congress to require government agencies to make their information technology accessible to people with disabilities. Accessibility is of primary importance to individuals with disabilities in our socially networked society. Section 508 was passed to reduce or eliminate barriers in information technology, to make new opportunities available for persons with disabilities, and to encourage creativity to develop new technologies that will help make these goals a reality. The law applies to all federal agencies when they use, procure, and/or develop electronic technology. Under Section 508, government agencies must give a disabled employee (as well as members of the public) equal access to information that is comparable to the access available to others without disabilities (Jaeger, 2008).

American with Disabilities Act of 1990 (42 U.S.C. § 12101 et seq.).

On July 26, 1990, the 101st Congress made the Americans with Disabilities Act of 1990 public law (PL 101-336). The document illustrated lawmakers desire to deal a fatal blow to discrimination in our nation against a person on the basis of their disability. The law essentially said, in explicit terms, that any American citizen may not be discriminated against on the basis of their disability (ADA, 1990). Not surprisingly, ADA and Section 504 are similar but not exactly the same. Table 1 offers a summary of the five major sections of the Act adapted from the ADA document.

Table 1		
<i>Americans With Disabilities Act of 1990 Summary by Title</i>		
Title	Description	Summary
Title I	Employment	ADA states that a covered entity will not discriminate against a qualified individual with a disability.
Title II	Public services	Prohibits disability discrimination by all public entities at the local and state level.
Title III	Public services and accommodations operated by private entities	States no person may be discriminated against on the basis of disability with regards to the full and equal enjoyment of the goods, services, facilities, or accommodations of any place of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation.
Title IV	Telecommunications	This section requires that all telecommunications companies in the U.S. take steps to ensure functionally equivalent services for consumers with disabilities, most particularly those who are deaf or speech or hearing impaired.
Title V	Miscellaneous provisions	States that nothing in the ADA amends, overrides, or cancels anything in Section 504. Further, it prohibits retaliation or coercion to prevent an individual from exercising his or her rights.

Table 1

The Perkins Act.

According to *The Educator's Guide to The Americans with Disabilities Act* (Morrissey, 1993), the ADA provides a legal impetus to expand the scope of vocational education for students with disabilities. Title II of the Perkins Act prohibits discrimination for disabled persons in vocational and rehabilitation education programs.

Disabled Student Rights Issues

The National Disabled Students Union web site (NDSU, 2010) includes in their mission statement words from the Declaration of Independence that all [people, included the mentally or physically handicapped] are created equal (Jefferson, 1776). They list issues that students with disabilities have been forced to contend with since public school existed and which often were the catalyst for the establishment of new federal laws. Their list includes:

- No or limited access to resources needed to learn
- Exclusion from open-enrollment schools
- Denied an equal chance in competitive admissions systems
- Inability to obtain needed texts in accessible formats
- Inability to obtain information in a clear and accessible language
- Disabled students are often left out of discussion and debate
- Shut out of physical and social environments nondisabled people treat as “neutral”
- Often forced into programs that do not prepare disabled students for life among equals
- Exclusion from the lives of family, community, and national experiences

The two-volume hardback treatise, *The Law of Higher Education* by Kaplin and Lee (2006), includes much commentary and associated cases involving disability issues and rights. The following list (not exhaustive), gives some examples:

- Affirmative action
- Financial aid
- Grades, credits, and degrees
- Notice and documentation of disabilities
- Reasonable accommodations
- Support services
- Admissions issues
- Athletics issues
- Campus computer network issues
- Employment discrimination
- Disciplinary and grievances issues

In order to expand understanding of the issues disabled students face, it is necessary for the researcher to expand his/her vocabulary even further regarding legal terminology. For example, the researcher of legal issues pertaining to disabled students in higher education needs to be able to comprehend what “otherwise qualified” and “reasonable accommodations” each mean.

Otherwise qualified.

“Otherwise qualified” is very simple to understand. It means that if the disability did not exist, then the only question remaining: “Is the individual (employee, student, etc.) otherwise qualified to do the job or meet the criteria for admission into a program of study?” This important aspect of ADA and other federal law provides a built-in safeguard for educational

institutions and employers from being forced to retain or hire an employee who cannot safely do the job. For example, in *Ohio Civil Rights Commission v. Case Western Reserve University*, 666 N. E.2d 1376 (Ohio 1996), plaintiff Cheryl Fischer became totally blind during her junior year at the school and, with accommodations, actually graduated *cum laude*. However, when Fischer applied for CWR medical school she was denied access due to her blindness and sued on grounds of discrimination. Through a lengthy legal process, the courts determined that while she was indeed “otherwise qualified” in an academic sense, the medical school did not discriminate by refusing admission. The court agreed that her blindness would impede her ability to both learn and practice medicine. As Kaplin and Lee (2006) write, her request for accommodations as a blind medical school student were unreasonable accommodations (pp. 392; 773) as our next section explains.

Reasonable accommodations.

The language of the law states that an accommodation is not reasonable if it poses for the employer an unreasonable or undue hardship (Kaplin & Lee, 2006). Being asked to remove the essential functions of a job description is an example of an unreasonable accommodation. Another would be for a plaintiff to sue for an indefinite leave of absence on the basis of ADA or Section 504 provisions. Still another would be eliminating the job of a nondisabled coworker to accommodate a disabled person - see *Lucas v. W. Grainger, Inc.*, 257 F.3d 1249 (11th Cir. 2001). According to Kaplin and Lee (2006), these serve as examples of unreasonable accommodations.

Reasonable accommodations can appear in a school or work setting as modification of equipment, enabling access (such as a wheelchair ramp or elevator), allowing service animals access, adaptive computer technology, modifying a job description, providing an interpreter or a

trained sign language translator, large print materials, books in audio format, and so forth (Kaplin & Lee, 2006).

The 10 ADA accommodations.

The Americans with Disabilities Acts (ADA) provides well-written and detailed documentation to help architects and construction planners to build or modify structures that are accessible to Americans with disabilities. For example, items that are taken into consideration when blueprinting to meet ADA regulations include accessibility routes, door width, ramps, door handles, wheelchair accessible toilet facilities, and reach ranges (Morrissey, 1993). Regarding colleges and universities, the ADA publication specifies ten areas that these institutions may not discriminate against qualified disabled students:

1. Eligibility criteria
2. Modifications of policies, practices, and procedures
3. Auxiliary aids and services
4. Examinations and courses
5. Removal of barriers in existing facilities
6. Alternatives to barriers in existing facilities
7. Personal devices and services
8. Assistive technology
9. Seating in assembly areas
10. Transportation services (Kaplin & Lee, 2006)

Faculty Awareness of Disability Laws – A Case Study

The research team of Thompson and Bethea (1997) conducted a survey of four hundred faculty members at a teaching and research university. The survey was designed to measure the

knowledge of the faculty of disability laws and court decisions that affect higher education. The survey represented twelve colleges within the university. The results were staggering, and may be representative of other college and universities around the nation.

According to the quantitative analysis of Thompson and Bethea (1997), less than 18% of faculty was familiar with Section 504 of the Rehabilitation Act while 50% were unfamiliar with the details of ADA as it related to disabled students in their classes. The survey indicated that the majority of faculty was only marginally aware of the federal legal provisions for students with disabilities and their right to reasonable accommodations.

The purpose of the survey cited in this case study was to emphasize the need for faculty awareness of laws and recent legal decisions that affect virtually every teacher in America. The American Council on Education indicated that enrollment in the academic school year of 1992-1993 was 800,000 (Facts in Brief, 1995). Obviously that number has increased substantially as the 2010 U.S. Census will doubtless show. Section 504 requires institutions of higher education to make accommodations of policy to ensure students with disabilities have access to an equal educational opportunity (Brinckerhoff, Shaw, & McGuire, 1992). Recent court cases and disability law ruled that university programs must be accessible to disabled students and accommodations need to be specific to the disability (West et al., 1993). In summary, Thompson and Bethea (1997) found that (1) an unprecedented amount of students with disabilities are enrolled in higher education, (2) litigation involves lawsuits with disabled students and compliance issues are also increasing, (3) surveys measuring faculty awareness are extremely rare in the research community on this subject, and (4) university faculty and administrative staff need awareness training in this area (p. 3).

Court Cases of Interest to Students with Disabilities

Case 1 law review: *Wright v. Columbia University*

Citation: 1981 U.S. Dist. LEXIS 14191

Facts: The court relied on Section 504 of the Rehabilitation Act to protect a student's right to play football. The student had been blind in one eye since early childhood and the school refused to allow him to play intercollegiate football. The institution deemed the risk to his good eye was too great to allow him to play and the student filed a lawsuit alleging discrimination.

Issue: The student claimed Section 504 gave him the right to be qualified to participate in college athletics. The university reasoned that the potential risk to the student's remaining good eye posed too great a danger to allow him to play and therefore they considered him "unqualified."

Outcome: A temporary restraining order was issued against the university. A lower court initially agreed that the student was otherwise qualified to play. However, a federal court subsequently sided with the university and determined that the athletics program had the right to not permit the disabled student to play based on potential risk.

Related Cases: *Pahulu v. University of Kansas*, 897 F. Supp. 1387 (D. Kan. 1995); *Knapp v. Northwestern University*, 101 F.3d 473 (7th Cir. 1996).

Research source: (Kaplin & Lee, 2006, p. 1141)

Case 2 law review – *Palotai v. University of Maryland at College Park*

Citation: 2002 U.S. App. LEXIS 12757

Facts: Plaintiff Thomas Palotai was employed as a greenhouse worker that housed plants which were used in teaching and research. Because of the sensitive nature of these

plants, meticulous schedules for their care had to be observed. The plaintiff failed to follow the procedures and in the process of time was reprimanded, suspended, and eventually terminated. Mr. Palotai claimed he had a learning disability that prevented him from performing his duties. His supervisor worked to provide reasonable accommodations in the form of establishing a time frame schedule to perform his duties. The plaintiff still did not fulfill the duties of his job description, disregarded safety rules, and suffered a minor eye injury because of his failure to comply with safety regulations. His eventual termination of employment led to him to sue the university claiming his due ADA process rights were violated.

Issues: Due process claim, grant of summary judgment on plaintiff's ADA claim. (This group of cases illustrates how universities/employers are protected from frivolous claims alleging discrimination based on disability and non-compliance to ADA statutes.)

Outcome: The district court dismissed the due process claim and affirmed the university's right to terminate the employee without any ADA rights being violated.

Related Cases: *Sorensen v. University of Utah Hospital*, 194 F3d 1084 (10th Cir. 1999); *Broussard v. University of California*, 192 F3d 1252 (9th Cir. 1999).

Research source: (Kaplin & Lee, 2006, pp. 426-427)

Case 3 law review: *Nedder v. Rivier College*

Citation: 1995 U.S. Dist. LEXIS 12095

Facts: Mary Nedder, an untenured faculty member at Rivier College, was terminated from her job. She claimed it was an unlawful discharge under New Hampshire law. The plaintiff experienced difficulty walking due to her morbid obesity. She claimed she was disabled and protected under ADA provisions and that she was unlawfully dismissed

because of her disability. Court records showed that her supervisors at the university were critical of her and had made disparaging comments about her being a negative role model to students because of her obesity.

Issues: The former employee sought summary judgment and pleadings with respect to ADA for wrongful termination under New Hampshire law.

Outcome: The courts ruled that while the plaintiff did not qualify as disabled under ADA rulings, nevertheless, the court ordered the university to reinstate the plaintiff to her faculty position and awarded her \$137,500 in compensatory damages. The negative stereotyping and documented comments had tipped the case to her favor in a compensatory award.

Related case: *Cook v. State of Rhode Island*, 10 F.3d 17 (1st Cir. 1993).

Research source: (Kaplin & Lee, 2006, p. 516)

Summary

The purpose in this paper was to examine how the law and students (particularly in higher education) with disabilities relate. Important terms were identified and defined such as “disabled,” “impairment,” “qualified,” and “discrimination.” The research revealed important federal statutes that have set legal precedence that govern disabled student rights. A few landmark rulings were, in particular, noteworthy that became public law: IDEA, The Rehabilitation Act of 1973 (giving particular attention to Sections 4 and 8), and the Americans with Disability Act of 1990. Next, the research looked at disabled students’ rights and issues focusing on two especially relevant terms: “Otherwise qualified” and “reasonable accommodations.” Then, the research provided a glimpse at an interesting case study that attempted to measure faculty awareness of disability law and recent court cases. Finally,

utilizing the powerful search engine of LexisNexis, the research offered a quick tour of three court cases that helped set legal precedence and changed the legal landscape of higher education.

Conclusion

Americans with disabilities have come a long way in recent decades. New technologies, procedures, and medicine have substantially elevated the quality of life of disabled persons living in America. To a large degree, the legal system in the U.S. has paved the way. Outlawing discrimination based on disability, providing ADA protocol that affects access to public (and even many private) facilities, and establishing precedent for handicapped students and employers/employee relations have resulted in a quantum leap forward in a positive direction thanks to the combined efforts of plaintiffs, lawyers, and the courts. While there will always be limits and bias to research as well as the interpretation of the law, the legal system of the United States of America nonetheless provides a wonderful and fair avenue in which “liberty and justice for all” can become more than an ideal, but a practical example to the nations of the world.

Appendix

In preparation for this library research paper assignment, On March 2, 2010, I conducted an interview with Janet Norman, the Assistant Director of Disabled Student Services at Middle Tennessee State University. Ms. Norman serves as a tremendous resource for the university on the subject of the rights of disabled students on a university campus. She provided me with the following list of resources for students who may be interested in further study on the topic of students (and faculty) with disabilities and the laws that serve and protect them. (Please note that this list is presented in single-spaced format for space conservation along with hyperlinks intact for ease of use.) Special thanks and credit is given to Janet Norman for this material.

Disability Resources

[Americans with Disabilities Act](#)

The U.S. Department of Justice's Web site provides everything you ever wanted to know about the Act. Includes settlements from court rulings.

[Captioned Media Program \(CMP\)](#)

The Captioned Media Program provides free-loan, open-captioned videos to deaf and hard of hearing persons. More than 4,000 titles including classic movies, educational videos, and special-interest videos are available. Spanish titles also available. Teachers may use CMP videos and their accompanying lesson guides in the classroom.

[Computer Accommodations Program \(CAP\), University of Minnesota](#)

CAP is a partnership of Academic & Distributed Computing Services and Disability Services at the University of Minnesota. The program exists to assist university students, staff and faculty with disabilities in accessing computers and information through the use of adaptive technology. The Web site also includes useful [guidelines on creating accessible Web sites](#).

[Center for Applied Special Technology \(CAST\)](#)

CAST is a non-profit organization whose mission is to expand educational opportunities for individuals with disabilities through the development and innovative uses of technology. CAST is the creator of the famous "Bobby," a free service provided by CAST to help Web page authors identify and repair significant barriers to access by individuals with disabilities (www.cast.org/bobby/).

[The Center for Special Education Finance \(CSEF\)](#)

CSEF addresses fiscal policy questions related to the delivery and support of special education services throughout the United States. This Web site features links to publications - policy papers, briefs, and a State Analysis Series - and to resources and organizations within and beyond OSEP's Technical Assistance and Dissemination network.

[Day, Residential, and Juvenile Correctional Schools Project \(DRJC\)](#)

The project investigates curriculum, assessment, and accountability practices and policies in correctional educational schools for committed youth and secondary day treatment and residential schools for students with emotional/behavioral disorders.

disAbilityInfo.gov

Web site that provides one-stop online access to resources, services, and information available throughout the Federal government.

[Disability-Related Sites on the World Wide Web](#)

An extensive listing of disability-related resources on the World Wide Web (maintained by The Arc, a national organization on mental retardation).

[Education Policy Reform Research Institute \(EPRRI\)](#)

EPRRI is a federally funded program that is dedicated to increasing our knowledge and understanding of ways that students with disabilities can be fully included in educational accountability measures.

[Educator's Reference Desk](#)

The people who created AskERIC announce a new service and name to access the resources you've come to depend on for over a decade. While the U.S. Department of Education discontinued the AskERIC service, you will still have access to the resources you've come to depend upon. Through The Educator's Reference Desk (<http://www.eduref.org>) you can access AskERIC's 2,000+ lesson plans, 3,000+ links to online education information, and 200+ question archive responses. While the question answer service will no longer be active, The Educator's Reference Desk provides a search interface to the ERIC Database, providing access to over one million bibliographic records on educational research, theory, and practice.

[ERIC - Educational Resources Information Center](#)

In January 2004, the Department of Education began to implement a reengineering plan for ERIC. The new ERIC mission continues the core function of providing a centralized bibliographic database of journal articles and other published and unpublished education materials. It enhances the database by adding free full text and electronic links to commercial sources and by making it easy to use and up to date.

[IDEA Practices](#)

Web site to assist teachers, school administrators and related service professionals implement recent changes to the nation's primary special education law, IDEA '97.

[Independent Laboratory Access for the Blind](#)

The Independent Laboratory Access for the Blind (ILAB) seeks to raise the expectations of high school and college students who are blind and visually impaired (VI), as well as educators of these students, with the goal of encouraging them to consider careers in Science, Technology, Engineering, and Mathematics (STEM) professions.

[Institute on Community Integration \(ICI\)](#)

Homepage for ICI, a University Affiliated Program on Developmental Disabilities at the University of Minnesota, which is dedicated to improving community services and social support for persons with developmental disabilities.

[International Center for Disabilities on the Internet](#)

Web site with a wide array of disability resources, including latest news releases and links to international resources.

[Job Accommodation Network \(JAN\)](#)

JAN is an international toll-free consulting service that provides information about job accommodations and the employability of people with disabilities. This Web site includes their Searchable Online Accommodations Resource (SOAR) that allows users to find accommodation information via limitation, job function, product, and vendor.

[The Family Village](#)

A "global community" that integrates information, resources, and communication opportunities on the Internet for persons with cognitive and other disabilities, for their families, and for those that provide them services and support.

[LD OnLine](#)

A comprehensive Web site on learning disabilities for parents, teachers, and other professionals. LD Online is a service of [The Learning Project](#) at [WETA](#), Washington, D.C., in association with [The Coordinated Campaign for Learning Disabilities](#).

[National Center for Blind Youth in Science \(NCBYS\)](#)

The National Center for Blind Youth in Science works to dramatically change the opportunities and resources available to blind youth in Science, Technology, Engineering, and Math (STEM) subjects and careers.

[National Center on Secondary Education and Transition \(NCSET\)](#)

The mission of NCSET is to create opportunities for youth with disabilities to achieve successful futures. The NCSET Web site features Web Topics containing research-based information and resources related to topics in the field; E-News, NCSET's monthly electronic newsletter with national resources including new publications, projects, grant opportunities, scholarships, legislative announcements, and more; the full text of NCSET's publications, transcripts, and Institute proceedings; and a national events calendar.

[National Council on Disabilities \(NCD\)](#)

NCD is an independent federal agency making recommendations to the President and Congress on issues affecting 54 million Americans with disabilities. NCD is composed of 15 members appointed by the President and confirmed by the U.S. Senate. NCD's overall purpose is to promote policies, programs, practices, and procedures that guarantee equal opportunity for all individuals with disabilities

[National Information Center for Children and Youth with Disabilities \(NICHCY\)](#)

On-line resources for NICHCY, the national information and referral center that provides information on disabilities and disability-related issues for families, educators, and other professionals. NICHCY's special focus is children and youth (birth to age 22).

[National Rehabilitation Information Center \(NARIC\)](#)

Homepage for the National Rehabilitation Information Center's library and information center on disability and rehabilitation.

[PACER Center, Parent Advocacy Coalition for Educational Rights](#)

The mission of PACER Center is to expand opportunities and enhance the quality of life of children and young adults with disabilities and their families, based on the concept of parents helping parents.

[Parents Engaged in Education Reform Project \(PEER\): Goals 2000 and Children with Disabilities](#)

On-line information from the PEER Project, which works through and with the network of trainers in the Parent Training and Information (PTI) Centers to reach parents of children with disabilities.

[Special Needs Education Network \(SNE\)](#)

SNE provides Internet services specific to parents, teachers, schools, and other professionals, individuals, groups, and organizations involved in the education of students with special needs. It is a service of the SchoolNet project, a cooperative initiative of Canada's provincial, territorial, and federal governments in collaboration with educators, universities, colleges, and industry.

[Transition Coalition](#)

The Transition Coalition site offers information, support, and linkages to professionals, family members, individuals with disabilities and others interested and involved in the transition from school to adult life.

[Urban Special Education Leadership Collaborative](#)

The Collaborative is a membership organization of special education leaders from the nation's urban school districts.

[Waisman Center, University of Wisconsin - Madison](#)

Homepage for the Waisman Center, a University Affiliated Program on Developmental Disabilities at the University of Wisconsin - Madison, which is dedicated to the advancement of knowledge about human development and developmental disabilities through research and practice.

Federal and Regional Resource Centers

The [Regional Resource and Federal Centers \(RRFC\)](#)

Homepage for the Federal Resource Center (RRFC), a national network of technical assistance projects funded by the U.S. Department of Education's [Office of Special Education Programs \(OSEP\)](#). The beneficiaries of the RRFC's services are children, youth, toddlers, and infants with disabilities, and the families and professionals who are associated with them.

Listed below are links to each of the six Regional Resources Centers. Each RRC participates in the NCEO hosted Inclusive Assessment and Accountability Community of Practice, and together we co-host teleconferences, seminars, and training activities each year.

[Northeast Regional Resource Center \(NERRC\)](#)
[Mid-South Regional Resource Center \(MSRRC\)](#)
[Southeast Regional Resource Center \(SERRC\)](#)
[North Central Regional Resource Center \(NCRRC\)](#)
[Mountain Plains Regional Resource Center \(MPRRC\)](#)
[Western Regional Resource Center \(WRRC\)](#)

Education Agencies

[Minnesota Department of Education](#)

Electronic gateway to information and resources provided by the Minnesota Department of Education, including workshop and grant information, graduation standards, district information, career information, and programs and publications.

[Office of Special Education Programs \(OSEP\)](#)

Homepage for OSEP, a component of the Office of Special Education and Rehabilitative Services (OSERS), which is one of the principal components of the U.S. Department of Education. OSEP's mission focuses on the free appropriate public education of children and youth with disabilities from birth through age 21. OSEP's major responsibilities involve administering the provisions and programs of the Individuals with Disabilities Education Act (IDEA).

[U.S. Department of Education](#)

Homepage for the U.S. Department of Education which includes Secretary's Initiatives, Programs and Services, Publications and Products, Links to Other Sites, and Picks o' the Month" - three educational resources that the Department highlights each month.

Education Organizations and Associations

[Academy for Educational Development](#)

Web site for the Academy of Educational Development (AED), an independent, nonprofit service organization committed to addressing human development needs in the United States and throughout the world. In partnership with its clients, AED seeks to meet today's social, economic, and environmental challenges through education and human resource development; to apply state-of-the-art education, training, research, technology, management, behavioral analysis, and social marketing techniques to solve problems; and to improve knowledge and skills throughout the world as the most effective means for stimulating growth, reducing poverty, and promoting democratic and humanitarian ideals.

[American Association of School Administrators \(AASA\)](#)

This web site is a gateway to publications and other electronic resources offered by the AASA, the professional organization for over 16,500 educational leaders across North America and other countries.

[American Educational Research Association \(AERA\)](#)

AERA is an international professional organization with the primary goal of advancing educational research and its practical application. Its more than 22,000 members are educators; administrators; directors of research, testing or evaluation in federal, state and local agencies; counselors; evaluators; graduate students; and behavioral scientists.

[American Federation of Teachers \(AFT\)](#)

Web site for AFT which includes many education-related on-line resources, available to both members and nonmembers of AFT.

[American Speech-Language-Hearing Association \(ASHA\)](#)

ASHA is the not-for-profit professional, scientific, and credentialing association for audiologists, speech-language pathologists, and speech, language, and hearing scientists. The web site provides helpful information to professionals and consumers regarding children and adults with communication disorders.

[Comprehensive Regional Assistance Centers](#)

Entry point to the fifteen Comprehensive Centers (CCs), which are part of an emerging network of organizations providing assistance and information nationwide. Their role is to help states, school districts, and schools in "meeting the needs of children served under the Elementary and Secondary Education Act (ESEA), including children in high-poverty areas, migratory children, immigrant children, children with limited-English proficiency, neglected or delinquent children, homeless children and youth, Indian children, children with disabilities, and, where applicable, Alaska Native children and Native Hawaiian children" (Title XIII of ESEA).

[Council of Chief State School Officers \(CCSSO\)](#)

Web site for CCSSO, a nationwide, nonprofit organization composed of public officials who lead the departments responsible for elementary and secondary education. Site includes policy updates, an on-line version of Chief *NEWS*, and other education information updated daily.

[Council of Great City Schools \(CGCS\)](#)

Web site for CGCS, the organization for the nation's largest urban public school systems, advocating K - 12 education in inner city schools, and governed by superintendents and board of education members from 50 cities around the country. Site includes on-line newsletters, studies, directories, and a search engine.

[Education Commission of the States](#)

Web site for the Education Commission of the States, a national nonprofit organization that helps state leaders improve education for all young people. This site offers information about what's going on throughout the country on a host of current hot issues in education, such as school-to-work policies and programs, various efforts to improve student achievement, school governance,

charter schools, school finance and a number of topics related to the cost and quality of higher education.

[Institute for Responsive Education](#)

Web site for The Institute for Responsive Education, a Boston research-based assistance and advocacy agency promoting the partnership of schools, families, and communities with the ultimate goal of success for all children.

[The National Assessment of Educational Progress \(NAEP\)](#)

Also known as "the Nation's Report Card," NAEP provides continuing assessment of what America's students know and can do in various subject areas.

[National Association of Elementary School Principals \(NAESP\)](#)

Homepage for NAESP, which is dedicated to all Elementary and Middle School Principals. Also the gateway to PRINCIPAL ONLINE which provides information pertaining to education, and a gathering place where principals can exchange information, ideas, and experiences as well as discuss issues that impact education.

[National Association of State Boards of Education \(NASBE\)](#)

Web site for NASBE, an association including members of state boards, state board attorneys, and state board executive secretaries. As the single organization representing state boards nationwide, these members are responsible for the educational interests of more than 50 million students in public schools and more than three million students in post-secondary institutions.

[National Association of State Directors of Special Education \(NASDSE\)](#)

NASDSE Information Services provides access to the National Association of State Directors of Special Education Newsgroups, which requires an annual paid subscription.

[National Association of Secondary School Principals \(NASSP\)](#)

Homepage for NASSP, which is dedicated to "all" leaders in middle level and high school education.

[National Center for Education Statistics \(NCES\)](#)

Statistical information covering the broad field of American education from kindergarten through graduate school. This site includes data from government and private sources, and draws especially on the results of surveys and activities carried out by the National Center for Education Statistics.

[National Center for Research on Evaluation, Standards, and Student Testing \(CRESST\)](#)

On-line publications and resources provided by CRESST, a national center that conducts research on topics related to K-12 educational testing.

[National Education Association](#)

Web site for NEA, America's oldest and largest organization committed to advancing the cause of public education with over 2.2 million members who work at every level of education, from pre-school to university grade programs.

[National Education Goals Panel](#)

The National Education Goals Panel is an independent executive branch agency of the federal government charged with monitoring national and state progress toward the National Education Goals.

[National Network of Regional Educational Laboratories](#)

Links to the ten Regional Educational Laboratories, which are educational research and development organizations supported by contracts with the U.S. Education Department, Office of Educational Research and Improvement (OERI). The Educational Laboratories provide research-based resources and assistance to educators, policymakers, and communities.

[National School Boards Association \(NSBA\)](#)

On-line resources for NSBA, a nationwide advocacy and outreach organization for public school governance.

[RAND Institute on Education and Training](#)

The RAND Institute's mission is to bring accurate data and objective analysis to the national debate on education policy. It is a division within RAND, a nonprofit institute that helps improve policy and decisionmaking through research and analysis.

Education Publications

[The Daily Report Card](#)

Daily publication that "covers the coverage" the media gives the movement toward all six education goals adopted in 1989 by the president and the governors - summarizing that day's published news from all 50 states on local/regional/national stories/columns/editorials affecting education reform - and pointing out what reform isn't getting coverage.

[Education Week](#)

Full text, on-line version of *Education Week*. This site also includes on-line versions of *Teacher Magazine*, the "Daily News," job listings, and other educational resources.

[InsideEducation.net](#)

The Internet version of *Inside Education* magazine. In addition to offering the printed publication online, the site features topic-specific e-portals, Web-exclusive editorial, Q&A interviews with school administrators, online columnists, and education-related resources. Primary audience is district-level school administrators, including superintendents, principals, and curriculum and technology directors.

Other Web Resources

[Family Education Network](#)

Web site for Family Education Network, which provides many on-line resources to families and their children.

[National Center to Improve Practice \(NCIP\)](#)

Homepage for NCIP, which promotes the effective use of technology to enhance educational outcomes for students (preschool to grade 12) with sensory, cognitive, physical, and social/emotional disabilities.

[National Center to Improve the Tools of Educators](#)

Web site for the National Center to Improve the Tools of Educators, which is dedicated to advancing the quality of technology, media, and materials for students with diverse learning needs.

[National Clearinghouse for English Language Acquisition \(NCELA\)](#)

OELA's National Clearinghouse for English Language Acquisition & Language Instruction Educational Programs (NCELA) collects, analyzes, synthesizes and disseminates information about language instruction educational programs for English language learners and related programs.

[School-to-Work Workforce Development Clearinghouse](#)

Web site for the School-to-Work Workforce Development Clearinghouse, which was established to focus on the information needs of the various STW stakeholders in Ohio. This Clearinghouse links with existing internet resources, not duplicating others' resources. Its primary function is to provide high quality information in an efficient and timely manner, ever adapting as the needs of our client-stakeholders change. Though focused on Ohio, the site has relevant information for anyone interested in school-to-work issues and best practices.

[Thomas Legislative Information on the Internet](#)

In the spirit of Thomas Jefferson, the Library of Congress created this Web site that makes Federal legislative information freely available to the Internet public. Information includes text of bills before the legislature, committee information, as well as state and local links

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