

Workforce Education 504 Funding Model (WFE 504/ADAAA) Overview

Under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act (ADA) 1990, federal legislation requires the provision of reasonable accommodations and auxiliary aids/services for adult students with disabilities who are enrolled in postsecondary educational programs. It is the responsibility of prospective and/or enrolled adult students to disclose their disability, provide documentation and request accommodations. The documentation must be from a qualified professional; including a current diagnosis, its impact on their participation in the educational setting, and recommendations for needed accommodations.

Per the federal mandates, the identified accommodations and auxiliary aids/services must be provided without cost to the adult student with disabilities. The postsecondary institution can assist the student in accessing outside agency services. However, should the student choose not to access these outside resources or the agency refuses to provide them, the postsecondary institution is required to provide these unfunded mandated accommodations and auxiliary aids and services.

This funding model is intended to recognize currently unfunded auxiliary aids and services provided by the school for currently enrolled students with disabilities via their Section 504/ADAAA Plan of Accommodations, per federal mandates. It does not recognize those auxiliary aids and services that are provided by an outside agency for a student.

Section 504 of the Rehabilitation Act of 1973:

Key Points

- Prohibits discrimination on the basis of physical or mental disability
- Applies to all recipients of U.S. Department of Education Federal funding
- Failure to provide auxiliary aids to students with disabilities resulting in denial of program benefit is discriminatory and prohibited
- Schools receiving federal financial assistance must provide effective auxiliary aids and services
- Disabled student may not be required to pay part or all costs of aids and services
- An institution may not limit what it spends or refuse to provide because it believes other providers exist or base on available funds
- An institution's obligation can be met by assisting a student in obtaining assistance or reimbursement from an outside agency or charitable organization. However, the institution is still responsible for insuring the provision of the aid.
- An institution is not responsible for providing personal services (i.e. help in bathing, personal care, devices for personal use or study, etc.)

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Title II of the Americans with Disabilities Act (ADA) 1990:

Key Points

- Prohibits states and local governments from discriminating on the basis of disability
- DOE enforces Title II in public schools, colleges, vocational schools, etc.
- A public entity shall furnish appropriate auxiliary aids and services when necessary to a person with disability to participate in, enjoy benefit of a service, program or activity conducted by the public entity
- Schools must provide auxiliary aids and services in a timely manner
- Auxiliary aids do not have to be most sophisticated, but must effectively meet student needs
- Students must have equal access to everything (i.e. library materials available to all students must be accessible to a visually impaired student – either through Braille or a reader)

Presenting Issue:

Postsecondary educational institutions do not receive specialized funding to provide the federally mandated supports and auxiliary aids to enrolled students with disabilities. U.S. Department of Education has emphasized that postsecondary educational institutions can assist the adult student with disabilities in accessing existing resources such as local Vocational Rehabilitation agencies and/or private charitable organizations to obtain funding to pay for their needed auxiliary aids and supports.

The adult student with disabilities must self-disclose and may apply and then become an eligible client of Vocational Rehabilitation (VR) or other agency and or/private charitable organization. If the adult student with disabilities is not a VR client or funding is not available through that agency or another community provider, the postsecondary educational institution becomes the responsible party to fund and provide the adult students with disabilities' accommodations, supports and auxiliary aids as documented on their Workforce Education 504/ADAAA plan.

Workforce Education 504/ADAAA Funding Model:

The Workforce Education 504/ADAAA Funding model for adult students with disabilities allocates funding to postsecondary educational institutions. These funds will only pay for the costs of auxiliary aids and services documented on the

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Workforce Education 504/ADAAA plan that are not provided by an external agency or community provider.

There are three (3) Levels of Support. The level of support will be calculated by staff completing the WFE 504/ADAAA funding matrix based on the Workforce Education 504/ADAAA plan. For each survey period the levels of support will be reported based on the enrolled adult students with disabilities' clock/ credit hour programs.