In educating students with disabilities, when must a technology center take extra measures to comply with Section 504 of the Rehabilitation Act or Title II of the Americans with Disabilities Act?

Generally, the local school district’s compliance with the IEP requirements of the Individuals with Disabilities Education Act satisfies all requirements the technology center would have concerning that process. The technology center should always ask the local school district to schedule IEP team meetings or, for students on 504 accommodation plans, 504 team meetings. The technology center schedules a team meeting only if the local school district fails or refuses to do so. If this happens, the technology center should take steps to comply with Section 504, including the requirement that its team include people who are knowledgeable about the student; the meaning of the student’s evaluation data and the placement options. The technology center must also provide the student’s parents or the student, if age 18, a copy of his or her rights under Section 504. The technology center must comply with the antidiscrimination requirements of Section 504 and the ADA in all aspects of its educational programs.

Can students who have IEPs earn academic credit toward high school graduation by completing technology center coursework?

According to the Oklahoma Accreditation Standards, students who have IEPs may receive academic credit toward high school graduation for technology center coursework, as long as the following conditions are met:

- State and federal legislation and policies are followed.
- The course is documented on the IEP.
- The specific competencies and/or skills required for the technology center program are documented on the IEP.
- A technology center representative is a full participant in the development of the IEP.
- The student’s progress is monitored by the high school and the IEP team.

Can a technology center limit the enrollment of students with disabilities to certain programs?

No. To comply with federal and state laws and regulations, a technology center must allow individuals with disabilities to enroll in any program. According to the Oklahoma Accreditation Standards, students are enrolled in a technology center based on the following criteria:

- Documented interest.
- Ability to benefit from training.
- Work history.
- IEP provisions.
- Accommodation plans.
- Plans of study developed at the sending school or in cooperation with other agencies.

After considering all of this information, a student’s IEP team may conclude that a certain program is not appropriate for the student. If the student or parents disagree with the decision, they can request mediation or a due process hearing to resolve the issue.
Can a technology center refuse to enroll a student with a disability in a particular program because the student will be unable to master all of the program competencies and/or obtain paid employment in that field?

No. A hearing officer may deem a program appropriate for a student if the student can obtain even slight educational benefit. A technology center can expect to lose any case in which its only arguments against enrollment are that the student will not master all or even most program competencies and will be unable to obtain paid employment in that field.

If personnel from the technology center and the local school district have different opinions concerning the enrollment of a student in the technology center, who resolves the dispute?

The student’s IEP team will initially decide this issue by team consensus. If the CareerTech representative disagrees with the decision, he/she should sign paperwork to document his/her attendance at the meeting and mark disagree in the appropriate box. In addition, during or promptly after the meeting, the CareerTech representative should give the local school district a written statement identifying the points of disagreement. If the team favors placement in a CareerTech program or makes another decision with which the CareerTech program representative disagrees, the technology center must decide what to do:

- Implement the IEP despite disagreeing.
- Request mediation.
- Request a due process hearing to challenge the team’s decision.
- Implement the IEP/504 despite a void IEP that the technology center has no obligation to implement.
- Suggest that the IEP team determines career and technology education enrollment, programming, placement or accommodations at a technology center.
- Dismiss the dispute.

What happens when the local school district fails to notify the technology center that an enrolling student has an identified disability?

Under the Standards for Accreditation of Oklahoma Schools, for a student to be legally enrolled, the technology center must receive a copy of the student’s IEP before he/she arrives on campus. In addition, the technology center instructor must have access to a copy of the student’s IEP before the student receives instruction. When the local school district fails to notify the technology center in a timely manner that a student has a disability, it is not complying with federal and state laws and regulations. The technology center should become aware of the situation and notify the local school district to schedule an IEP team meeting promptly to discuss the student’s enrollment, programming and placement. If the local school district fails to do so, the technology center should document its request in writing and it may take the position that decisions made without its involvement are void and unenforceable.

If the local school district still fails to schedule an IEP team meeting, the technology center should document its request in writing and it may take the position that decisions made without its involvement are void and unenforceable. If the local school district still fails to schedule an IEP team meeting, the technology center should document its request in writing and it may take the position that decisions made without its involvement are void and unenforceable.

What responsibilities does the technology center have for a student’s paid employment in that occupation?

The technology center should offer the same support for all students in the licensure process. It is not required to arrange accommodations, but should give students with disabilities and their parents information about potential accommodations for licensing examinations and a list of resources they can contact for assistance.

Who has the responsibility to pay for support services if a student’s IEP/504 team determines that such support is necessary for the student to participate in a technology center program?

There is no definitive answer to this question. The IEP/504 team should discuss and try to resolve the issue. If it cannot do so or if one person or group disagrees with the consensus of the team, mediation or a due process hearing may be requested to resolve the dispute.

What happens when the local school district fails to invite the technology center representative to attend the IEP team meeting at which the team intends to discuss enrollment, programming, placement or accommodations at a technology center?

The local school district’s failure to invite a technology center representative when the team determines career and technology education enrollment, programming, placement or accommodations can lead to a void IEP that the technology center has no obligation to implement. Technology centers and local school districts should work closely together to establish efficient communication concerning IEP team meetings and the implementation of student IEPs.

What obligations does the technology center have to report student progress toward achieving IEP goals?

Federal and state laws and regulations require local school districts to regularly inform the parents of a child with a disability’s progress toward his or her annual IEP goals as often as parents are informed of their nondisabled children’s progress. The technology center should report student progress via report cards and/or progress reports for students with disabilities in the same manner and with the same frequency it reports progress for nondisabled students. If the technology center serves a student with a disability who has one or more annual IEP goals related to CareerTech, the technology center should discuss with the local school district who will take responsibility for reporting progress and how it will be accomplished.