

U.S. Department of Education, Office of Communications & Outreach, Press Office

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DEPARTMENT OF EDUCATION ISSUES GUIDANCE ON RIGHTS OF STUDENTS WITH DISABILITIES WHEN EDUCATIONAL INSTITUTIONS USE TECHNOLOGY

Today, the U.S. Department of Education's Office for Civil Rights (OCR) issued guidance through Dear Colleague Letters to elementary and secondary schools and institutions of higher education along with a Frequently Asked Questions document on the legal obligation to provide students with disabilities an equal opportunity to enjoy the benefits of technology.

This guidance is a critical step in the Department's ongoing efforts to ensure that students with disabilities receive equal access to the educational benefits and services provided by their schools, colleges and universities. All students, including those with disabilities, must have the tools needed to obtain a world-class education that prepares them for success in college and careers.

Today's guidance provides information to schools about their responsibilities under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act. The guidance supplements a June 2010 letter issued jointly by OCR and the Civil Rights Division of the U.S. Department of Justice. The June letter explains that technological devices must be accessible to students with disabilities, including students who are blind or have low vision, unless the benefits of the technology are provided equally through other means. Today's guidance highlights what educational institutions need to know and take into consideration in order to ensure that students with disabilities enjoy equal access when information and resources are provided through technology.

"Technology can be a critical investment in enhancing educational opportunities for all students," said Russlynn Ali, assistant secretary for civil rights. "The Department is firmly committed to ensuring that schools provide students with disabilities equal access to the benefits of technological advances."

Today's guidance is part of a larger effort by the Department and Obama administration to better serve the needs of people with disabilities. Last month, U.S. Secretary of Education Arne Duncan joined Kareem Dale, associate director for the White House Office of Public Engagement and special assistant to the President for disability policy, for a conference call with stakeholders to talk about some of the Department's efforts. During the call, Duncan discussed the Department's commitment to maintaining accountability in No Child Left Behind for all subgroups, including students with disabilities, and highlighted the Department's proposal to increase funding for students with disabilities in the fiscal year 2012 budget. Ali will also join Dale for a stakeholder conference call where she will discuss today's guidance and address the Department's work to ensure that all schools are fulfilling their responsibilities under the federal disability laws that OCR enforces.

To read the Dear Colleague Letter to elementary and secondary schools, see

<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201105-ese.html>

To read the Dear Colleague Letter to institutions of higher education, see

<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201105-pse.html>

The FAQ is available at

<http://www2.ed.gov/about/offices/list/ocr/docs/dcl-ebook-faq-201105.html>

To read the June 29, 2010 letter, see

<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-20100629.html>