



Overview of Selected State Dual Credit Policies, re: Students with Disabilities

Kentucky

“Disability Services: A local school district is responsible for providing accommodations to ensure that the student received FAPE in the dual-credit courses taken through a local college. Ky. OAG 17-021 (Ky.A.G.), 2017 WL 4325410. 2019 – 2020. Memorandum of Agreement for dual credit and dual enrollment courses between Kentucky State University and Conner HS, Hebron, KY.

“Per Federal guidelines, students with an Individual Education Plan will receive documented services when taking Dual Credit courses on the high school campus with a high school instructor. Students taking courses at JCTC will be connected to the Accessibility Resource Center (ARC).” JCPS/JCTC MoU

Minnesota

“The postsecondary institution must inform the student of the support services available at that institution. If the student has an individualized education program (IEP) that provides general education support and accommodations, the postsecondary institution must provide the support services as described in the IEP and the postsecondary institution and the district must negotiate an agreement on the rate to be charged for the services. Nothing may prevent the student from enrolling while the agreement is being developed. If the parties cannot agree on the services, on application of either party, the commissioner of education must resolve the dispute in the same manner the commissioner fixes tuition rates for K-12 special education instruction and services outside a student’s district of residence.”¹

The Minnesota Department of Education has developed a new Policy entitled: Minnesota Department of Education Alternative Eligibility Options Policy for 10th Grade Students with a Disability who Wish to Participate in Career and Technical Education Classes through the Postsecondary Enrollment Options Program. The Policy and written procedures are effective December 8, 2015. Access the policy, procedures, and the Modification Request Form.

Oregon

“The student’s resident school district must provide any required special education and related services to a student participating in the Expanded Options Program. A post-secondary institution that intends to provide special education and related services to a student in the Expanded Options Program must enter into a contract with the student’s resident school district; this contact must include components set forth in statute.”²

“The school district retains the requirement of providing special education and related services to the eligible student with a disability.”

¹ <https://www.ecs.org/dual-concurrent-enrollment-policies/>

² <https://www.ecs.org/dual-concurrent-enrollment-policies/>

340.070 Special education and related services; contract. (1) The resident school district of an eligible student participating in the Expanded Options Program shall be responsible for providing any required special education and related services to the student. A student who requires special education and related services shall be considered, for school purposes, a resident in the school district in which the student's parents or guardians or persons in parental relationship to the student reside, pursuant to ORS 339.133 and 339.134.³

Texas

"Accommodations required by state law or School District policy exceeding those applicable to College, if any, shall be the responsibility of School District. At all times, the Coordinator and the School District will keep each other informed of requests for accommodation and accommodation complaints regarding dual credit students."⁴

Vermont

"Secondary schools must identify and provide necessary support for participating students and continue to provide services for students with disabilities, provide support for a seamless transition to postsecondary enrollment upon graduation."⁵

Notes

"Depending on State law which sets the State's upper age limit of FAPE, the entitlement to FAPE of a student with a disability who has not graduated high school with a regular high school diploma could last until the student's 22nd birthday. IEPs could include transition services in the form of coursework at a community college or other postsecondary institution, provided that the State recognizes the coursework as secondary school education under State law."⁶

"The Office of Special Education Programs has stated in prior policy guidance that, if under State law, attending classes at a postsecondary institution, whether auditing or for credit, is considered secondary school education for students in grade 12 or below and the education provided meets applicable State standards, those services can be designated as transition services on a student's IEP and paid for with IDEA Part B funds, consistent with the student's entitlement to FAPE."⁷

³ https://www.oregonlegislature.gov/bills_laws/ors/ors340.html

⁴ https://www.alamo.edu/uploadedFiles/District/About_Us/VC_Academic_Success/docs/Dual-Credit-School-MOU.pdf

⁵ <https://www.ecs.org/dual-concurrent-enrollment-policies/>

⁶ <https://sites.ed.gov/idea/idea-files/policy-guidance-transition-guide-postsecondary-education-employment-students-youth-disabilities-august-2020/>

⁷ *id*