DEPARTMENT OF CORRECTIONS

Policy Number:	**740.020**
Title:	**Post-Secondary Education Standards for Student Accessibility/Accommodations**
Effective Date:	**01/02/25**

PURPOSE: To ensure the standards of accessibility/accommodations are met for all students enrolled in a post-secondary prison education program.

APPLICABILITY: All Minnesota correctional facilities and post-secondary education institutions delivering prison education programs.

DEFINITIONS:

Americans with Disabilities Act (ADA) – see DOC Policy 204.035, "Secondary Education," and DOC Policy 203.250, "Modifications for Incarcerated Persons/Residents with Disabilities."

Individual with a disability – see DOC Policy 203.250, "Modifications for Incarcerated Persons/Residents with Disabilities."

Prison education program (PEP) – an education program that is eligible for Title IV financial aid, to be delivered to individuals under the jurisdiction of the DOC and complying with the requirements of 34 CFR § 668.236.

Reasonable modification – an adjustment or change to a program or process designed to ensure students with disabilities have equal access to educational programming or testing that does not fundamentally alter the nature of the educational program or testing. See also DOC Policy 203.250, "Modifications for Incarcerated Persons/Residents with Disabilities."

PROCEDURES:

A. Disability Rights and the Law

1. All post-secondary education partners must follow the laws regulating disability rights in post-secondary education settings, including Titles II and III of the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act.

2. All post-secondary education partners must:
   a) Provide meaningful access to the educational experience; and
   b) Have a uniform system to address student needs, and to do so in a consistent manner.

B. Modifications in Prison Educational Programming

1. All post-secondary education partners must provide modifications to course materials and/or educational programming for eligible students with disabilities. Modifications may include such examples as:
   a) Changes to a classroom environment or task that permit a student with a disability to participate in the educational process;

b) Changes to course materials or educational programming, including texts, open educational resources, supplemental course materials, assignments, handouts, and tests and/or quizzes;

c) Changes to policies, practices, or procedures;

d) Provision of auxiliary aids and services; and

e) Other adaptations or modifications that enable a student to enjoy the benefits and privileges of the prison education program's courses, services, and activities.

2. Modifications in prison educational programming must be requested through, and provided by, post-secondary education partners in accordance with the policies and procedures of their institution.
   a) If a physical plant modification is requested by a student, the post-secondary partner must immediately bring the request to the attention of the director of post-secondary education.

   b) In the case of a request for physical plant modification, the requesting student should also be directed to follow the procedures in DOC Policy 203.250, "Modifications for Incarcerated Persons/Residents with Disabilities."

3. The director of post-secondary education and the education director at each facility must retain documentation of modifications granted to students by post-secondary education partners.

INTERNAL CONTROLS:

A. The director of post-secondary education and education director at each facility retain the documentation of modifications granted to students by post-secondary education partners.

REFERENCES: Titles II and III of the Americans with Disabilities Act (ADA)
Section 504 of the Rehabilitation Act
34 CFR § 668.236
Policy 203.250, "Modifications for Incarcerated Persons/Residents with Disabilities"
DOC Policy 204.035, "Secondary Education"

REPLACES: All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: None

APPROVALS:
Commissioner of Corrections