

Office for Accessible Education

A quick comparison of the service differences provided under the Individuals with Disabilities Education Act (IDEA) and the Americans with Disabilities Act (ADA): A reference guide for students, families, and professionals

HIGH SCHOOL	COLLEGE/UNIVERSITY
Applicable Laws	
<ul style="list-style-type: none"> ➤ IDEA ➤ Section 504 	<ul style="list-style-type: none"> ➤ ADA ➤ Section 504
Rights Guaranteed by Law	
<ul style="list-style-type: none"> ➤ Free, appropriate public education (FAPE) 	<ul style="list-style-type: none"> ➤ Required to provide appropriate academic adjustments as necessary to ensure non-discrimination on basis of disability
Students Covered	
<ul style="list-style-type: none"> ➤ Every student; concept of zero reject regardless of ability 	<ul style="list-style-type: none"> ➤ Student who is “otherwise qualified”; must meet stated qualifications of university
Identification and Evaluation	
<ul style="list-style-type: none"> ➤ School district responsible for identifying students with disabilities ➤ IEP and/or 504 Plan developed by team ➤ School district provides evaluation at no cost to student ➤ School district conducts evaluations at prescribed intervals 	<ul style="list-style-type: none"> ➤ Student must self-identify to university’s office of disability services and follow stated policies and procedures <i>if he/she requests academic adjustment(s)</i> ➤ Student must provide appropriate documentation of disability ➤ Student must <i>request</i> specific accommodation(s) ➤ IEP and/or 504 Plan <i>not sufficient</i>; documentation must include testing on which accommodations are based ➤ Student <i>bears cost</i> of evaluation if one required ➤ Student generally not required to be re-evaluated after initial documentation approval unless additional accommodations warrant more documentation

Student Role	
<ul style="list-style-type: none"> ➤ Student identified and supported by parents/teachers ➤ Primary responsibility for accommodations belongs to school 	<ul style="list-style-type: none"> ➤ Student makes decision whether or not to self-identify his/her disability to university ➤ Primary responsibility for accommodations belongs to student
Parent Role	
<ul style="list-style-type: none"> ➤ Parent has access to student's records and participates in accommodation process ➤ Parent must be included in decision-making ➤ Parent advocates for student 	<ul style="list-style-type: none"> ➤ Parent <i>does not</i> have access to disability-related records unless student provides written consent ➤ No parent consultation required ➤ Student advocates for self
Teachers/Professors	
<ul style="list-style-type: none"> ➤ Curriculum modifications and special programs are common ➤ Weekly testing, mid-term, final, and graded assignments ➤ Attendance taken and reported 	<ul style="list-style-type: none"> ➤ Academic adjustments that equalize opportunity for participation <i>are required</i> ➤ Substantial modifications to curriculum and lowering standards <i>are not required</i> ➤ Testing and assignment frequency varies ➤ Student responsible for class attendance
Grades	
<ul style="list-style-type: none"> ➤ May be modified based on level/type of curriculum 	<ul style="list-style-type: none"> ➤ Reflect work completed and submitted by student
Appeals Process	
<ul style="list-style-type: none"> ➤ Right to due process as specified by law 	<ul style="list-style-type: none"> ➤ Initial notice made via university internal grievance procedure ➤ File complaint with USDOE, Office of Civil Rights, if no resolution reached