

Disability laws through the Americans with Disabilities Act (ADA) on the post-secondary level are very different from those in K-12 through Individuals with Disabilities Education Act (IDEA). This can cause some confusion for both students and parents. The major difference is the greater level of student responsibility, documentation requirements, and the need to communicate with the access coordinator.

Below are some of the differences between IDEA and the ADA/Rehabilitation Act.

	IDEA	ADA/Rehabilitation Act
Basis	Based on student SUCCESS	Based on student ACCESS
Population Served	Birth to 21/high school graduation	Post high school (or 504 plans in Public Education).
Identification	State or school district has the duty to locate, evaluate, and identify children who are suspected of being in need of special education.	Institution must provide notice of the services and how to obtain them (web, handbook, letter, etc). Student must be the one to disclose disability, provide comprehensive documentation, and request accommodations.
Eligibility	Evaluation of an impairment that falls within one or more of 14 categories that “adversely affects educational performance” to such a degree as to warrant the provision of special education. Eligibility often linked to a student’s potential.	Physical or mental impairment which substantially limits one or more major life activities. Eligibility is based upon comparison to the average person.
Evaluation	School district assesses the student at least every 3 years. A team, including the parent, evaluates and determines eligibility.	Post-secondary institutions have the right to require documentation meeting professional guidelines. The institution evaluates and determines eligibility.
Goal/Purpose	To provide support and services to enable the student to meet the state standards and to maximize potential.	To provide reasonable accommodations to allow access to programs, activities, services, and benefits. No outcome expectations.
Monitoring	School is responsible for ensuring the implementation of the accommodations.	Student is obligated to request specific accommodations each semester, supported by documentation, and has

		the responsibility to identify any implementation issues.
Standards	Schools may be required to modify the curriculum and lower standards.	Students must meet academic and technical standards. The institution need not fundamentally alter the program, curriculum, or lower standards.
Services Offered	Schools provide specially designed instruction to meet the student's individual needs, evaluations, transportation, physical therapy, speech therapy, counseling, nursing services, paraprofessional assistance, etc.	Institution provides reasonable modifications to policies and procedures, and offers services to enable equal access to what the institution provides. No personal services or devices are provided. Some accommodation requests may place "undue burden" on the institution and therefore do not have to be implemented.
Behavioral Supports	School may put a Behavioral Intervention Plan in place and create strategies to support student's behavior.	None specified. Changing the student conduct code is not recognized as reasonable. Students will be held responsible for conduct and academic integrity violations per the institution's code of conduct.
Implementation	School and teachers are responsible for implementing accommodations.	Student is responsible for requesting accommodations, receiving approval, releasing information, and communicating with faculty when accommodations are necessary. Students must provide advance notice to faculty of the need for an accommodation.
Coursework	School may modify curriculum, decrease coursework expectations, or decrease number of assignments, etc.	Students are expected to complete all coursework, meet all requirements, and to attend all classes. Unlimited time to complete assignments or exams is "unreasonable" and will not be granted.