

IDEA vs. Section 504/ADA

Section 504 and the ADA, which apply to postsecondary education, are very different from the Individuals with Disabilities Education Act (IDEA), which covers grades K-12. This means that some adjustment of the perspectives of students, parents, and instructors is necessary when making the transition from high school to college.

IDEA:

- Every Child is entitled to a Free and Appropriate Public Education (FAPE) in the "least restrictive environment" possible.
- Focused on creation of an Individualized Education Plan (IEP) that will help the student participate in the general curriculum as much as possible
- Requires yearly meetings of general education teachers, special education teachers, and auxiliary service personnel to discuss progress and set goals.
- Classroom teachers receive copy of the IEP and should have a thorough understanding of the disability and the plan.
- There is often pressure on special education and general education teachers to do whatever is necessary to help students move on to the next level.
- Law of Entitlement - Guarantees SUCCESS.

Section 504/ADA:

- Students compete for admission and must be "otherwise qualified" to enter college, without consideration of disability. Students participate in the general curriculum of the college. No continuum of placement exists.
- Few colleges have "plans" for students with disabilities. Most outline accommodations without regard to goals or progress.
- The student is responsible for meeting with disability services and with instructors to discuss needs and concerns.
- Instructors are NOT required nor encouraged to fundamentally alter the content or goals of their courses or the types of tests that are given, though they may be required to make changes that do not affect essential content or goals.
- Instructors receive a brief summary of the disability in an accommodation letter but are not given access to specific diagnostic data unless provided by the student.
- Students with disabilities should be graded by the same standard as other students., regardless of the means through which their responses are provided (on tape, orally, typed rather than handwritten).
- Civil Rights Law - Guarantees ACCESS.