

## Differences in Secondary & Post-Secondary Education for Students with Disabilities

	Secondary Education	Post-Secondary Education
<b>What is the law?</b>	IDEA (Individuals with Disabilities Education Act)	Sec. 504 of the Rehabilitation Act of 1973; ADA (Americans with Disabilities Act of 1990), ADAAA (Americans with Disabilities Act Amendments Act of 2008)
<b>What is the intent of the law?</b>	Free appropriate education for all students with disabilities in the least restrictive environment.	Ensure that no otherwise qualified person is discriminated against in federally funded programs.
<b>Who is covered under the law?</b>	All infants, children and youth requiring special education until age 21 or graduation from high school.	All qualified persons who meet entry criteria of the college and can document a disability as defined by ADA.
<b>What is a disability?</b>	IDEA provides a list of disabilities and includes specific learning disability.	Any physical or mental impairment that substantially limits one or more major life activities.
<b>Who is responsible for identifying and documenting need?</b>	School districts are responsible for identifying, evaluating students, and planning educational programs.	Students are responsible for self-identifying to the college and providing documentation of their disability.
<b>Who is responsible for initiating service delivery?</b>	School districts are responsible for providing special instruction, individualized instruction plans, and/or accommodations.	Students are responsible for requesting disability services and/or accommodations. These are provided at no cost to the individual or family.
<b>What related services are mandated?</b>	School districts must provide rehabilitation counseling, medical services, personal aides, social work and other services as needed in the school day.	College provide physical, academic, and program access. Related services of a personal nature are the responsibility of the individual or family.
<b>What about self-advocacy?</b>	The parent or guardian is the primary advocate.	Students are expected to be their own advocates.
<b>Who is responsible for enforcing the law?</b>	IDEA is basically a funding statute, enforced by the Office of Special Education and Rehabilitation Services in the U.S. Department of Education.	ADA/504 are civil right statutes, enforced by the Office for Civil Rights (OCR), the Department of Justice, and the Equal Employment Opportunity Commission (EEOC)