

COMPARISONS OF IDEA and ADA/504

Prepared by Student Disability Services
Kent State University Regional Campuses

	IDEA (Birth to age 21)	ADA and Section 504 of the Rehabilitation Act (Postsecondary Level)
What are the rights guaranteed by law?	<ul style="list-style-type: none"> • Free Appropriate Public Education (FAPE) • Special education and related services for those classified via Child Study Teams (CST) 	<ul style="list-style-type: none"> • Access as an otherwise qualified individual • Reasonable accommodations
Who is covered?	<ul style="list-style-type: none"> • Students birth through age 21 or graduation from high school, whichever comes first, who are CST classified 	<ul style="list-style-type: none"> • Students who are “otherwise qualified” • Students currently abusing substances are not protected under this law.
How are students identified and determined eligible?	<ul style="list-style-type: none"> • The Local Education Agency (LEA) is responsible for the identification, evaluation and cost to determine eligibility. 	<ul style="list-style-type: none"> • The student must self identify and provide recent, appropriate documentation. • The student bears the cost of the evaluation, if recent documentation does not already exist.
How are services determined?	<ul style="list-style-type: none"> • Students must be in need of special education and related services to qualify for services. • Using the results of evaluation, services are individually determined through the IEP process. • IDEA is about success, and modifications to programs and curriculum may be made to encourage success. 	<ul style="list-style-type: none"> • Using documentation provided and after discussion with the student, reasonable accommodations are determined. • Academic adjustments that equalize opportunity for participation are required. • ADA/504 is about access, and accommodations are made for students who are “otherwise qualified”. Fundamental modifications of programs and curriculum are not required.
Are personal services provided at the university?	<ul style="list-style-type: none"> • Students in special education are provided a variety of personal services if indicated in the IEP, e.g. personal care attendants, special transportation, tutors, etc. 	<ul style="list-style-type: none"> • Personal care attendants are not provided by the university and the student would need to arrange/pay for these services on their own. • Regional campuses do not provide transportation for any student. • Tutors available for all students are also available to students with disabilities.

	IDEA	ADA and Section 504 of the Rehabilitation Act
What is the role of the parent?	<ul style="list-style-type: none"> Parents must be included in the decision-making process until a student reaches his/her 18th birthday or later if parents have legal custody of an adult child. Parents have access to student records. 	<ul style="list-style-type: none"> College students 18 or older are adults. Parental consultation is permitted only when authorized by student in writing (see FERPA and HIPPA websites). Parents do not have access to records without student written consent.
What is the role of the student?	<ul style="list-style-type: none"> Teachers, counselors, and/or parents identify students who may need special education services. Teachers, counselors and parents monitor services 	<ul style="list-style-type: none"> Students must self-identify and request accommodations. Students are responsible for informing SDS if there are problems with their accommodations and services.
What is the appeals process?	<ul style="list-style-type: none"> Parents have due process rights under IDEA and individual state law 	<ul style="list-style-type: none"> College students may use the college informal and formal complaint processes as stated in the SDS handbook, by contacting SDS or the university ADA coordinator. Complaints may also be filed through the Office of Civil Rights (OCR) which is part of the United States Department of Education (USDOE).
What types of accommodations require a student to use the services of the SDS office at Kent State University?		<ul style="list-style-type: none"> Accommodations needed to provide access on campus Academic accommodations Accommodations for temporary medical conditions Handicapped or medical parking