

THE DIFFERENCES IN LEGAL RIGHTS AND RESPONSIBILITIES IN SECONDARY AND POSTSECONDARY EDUCATION

	K-12 Education	Postsecondary Education	Practical Application
What is the law?	<p>IDEA: Individuals with Disabilities Education Act</p> <p>504: Section 504 of the Rehabilitation Act of 1973</p> <p>ADA: Americans with Disabilities Act of 1990.</p>	<p>504: Section 504 of the Rehabilitation Act of 1973, particular reference to Subpart E</p> <p>ADA: Americans with Disabilities Act of 1990.</p>	<p>Section 504(e) and ADA are not about special education services, they are about nondiscrimination and access for eligible individuals with Disabilities.</p>
What is the intent of the law?			

<p>Who is responsible for identifying And documenting need?</p>	<p>School districts are responsible for identifying and evaluating potential students with disabilities. When such a determination is made, the district plans educational services for classified students at no expense to the family.</p>	<p>Students are responsible for self-identification and for obtaining disability documentation from a professional who is qualified to assess their particular disability; cost of the evaluation must be assumed by the student, not the post-secondary institution.</p>	<p>Just because documentation is sent on behalf of students does not mean the students will receive services without the student coming in to specifically request them.</p>
<p>Who is responsible for initiating service delivery?</p>	<p>School districts are responsible for identifying students with disabilities and providing special education programs and services, including related services, and transition services as delineated in an individualized Education Program.</p>	<p>Students are responsible for notifying the Disability Support Services staff of their disability and of their need for reasonable accommodations. Accommodations (not special education) are provided on a case-by-case, as-needed basis in order for students with disabilities to have equal access to the institution's programs and activities.</p>	<p>Students must request accommodations in a timely manner. Resource rooms are not a typical service in college.</p>
<p>Who is responsible for enforcing the law?</p>	<p>IDEA is an entitlement law, enforced by the Office of Special Education and Rehabilitation Services in the U.S. Department of Education. Local enforcement is the responsibility of the NYS Department of Education Office of Vocational and Educational Services for Individuals with Disabilities (VESID)</p>	<p>504/ADA: are civil rights statues overseen by the Office of the</p>	