



Disability Support Services

Comparison of IDEA and 504/ADA at the Post Secondary Level

	IDEA Birth – 21	ADA and 504 (as they relate to Post Secondary Education)
<i>What are the rights guaranteed by law?</i>	<ul style="list-style-type: none"> • Free Appropriate Public Education (FAPE) • Special education and related services-for those who are classified via Child Study Teams (CST). 	<ul style="list-style-type: none"> • Access-as an otherwise qualified individual • Reasonable accommodations
<i>Who is covered?</i>	<ul style="list-style-type: none"> • Students birth through 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 who are currently abusing substances <i>are not</i> protected under this law.
<i>How are students identified and determined eligible?</i>	<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 a recent one does not already exist.
<i>How are serviced determined?</i>	<ul style="list-style-type: none"> • Using the results of the evaluation, services are individually determined through the IEP process for those students who are classified. • Students must be in need of special education and related services. 	<ul style="list-style-type: none"> • Using the results of the documentation and discussion with the student, reasonable accommodations are developed. • Academic adjustments that equalize opportunity for participation and provide benefit are required.

<p><i>What is the role of the parent?</i></p>	<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. 	<ul style="list-style-type: none"> • College students who are 18 or over are adults. Parent consultation is permitted only when requested by the student in writing.
<p><i>What is the appeals process?</i></p>	<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 utilize the college grievance procedure and then may file a complaint with the United States Department of Education (USDOE) Office of Civil Rights (OCR) office.
<p><i>What types of accommodations require a student to utilize the services of the DSS office at Seton Hall University?</i></p>		<ul style="list-style-type: none"> • Handicapped or medical parking. • Temporary medical conditions • Housing and Residence Life accommodations. • Dining Hall accommodations. • Academic accommodations. • Any other accommodation needed to provide access on campus.

Note: In order for students to be eligible for any accommodations at Seton Hall University, they **must register** at the Disability Support Services Office. Students **are not** permitted to negotiate directly with faculty or staff.