

Summary of Legal Differences Between Secondary and Post-secondary Education

The following chart outlines major differences between disability-related support and services in secondary education (high school) and postsecondary education (college).

	Secondary Education	Postsecondary Education
Federal Laws	Individuals with Disabilities Education Act (IDEA); Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990 (ADA).	Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act of 1990 (ADA).
Purpose of Legislation	<p>To ensure all eligible students with disabilities have a free appropriate public education (FAPE), including special education and related services.</p> <p>To ensure that no otherwise qualified person with a disability be denied access to, or the benefits of, or be subjected to discrimination by any program or activity provided by any public institution or entity (504/ADA).</p>	<p>To ensure that no otherwise qualified person with a disability be denied access to, or the benefits of, or be subjected to discrimination by any program or activity provided by any public institution or entity (504/ADA).</p>

Documentation	School districts are responsible for providing trained personnel to assess eligibility and provide evaluation at no cost to students. Documentation focuses on determining eligibility for services.	Student is responsible for obtaining documentation from a professional who is qualified to assess their disability. Documentation must include information about specific functional limitations and must demonstrate need for accommodations or modifications.
Identification	Student is identified by the school as needing services. School is primarily responsible for arranging accommodations.	Student must self-identify to Disability Support Services (DSS). Student is responsible for requesting accommodations and notifying DSS if there are issues with implementation of accommodations.
Confidentiality	Parents/guardians have access to student records and are often active participants in the accommodations process.	Student information is protected under the Family Educational Rights and Privacy Act of 1974 (FERPA). If a student would like parents to be more involved, then the student would need to sign a waiver. Student privacy Information

Instruction	<p>Teachers may modify and/or alter the pace or content of curriculum. Schools may need to design special instruction for individual students.</p>	<p>Instructors cannot modify and/or alter the pace or content of curriculum. Reasonable accommodations (not special education) are provided so students with disabilities can access the same courses and learning outcomes as students without disabilities.</p>
Assessments/ Exams	<p>IEPs and 504 plans may include modifications to testing and/or grading. Make-up exams may be available to ensure content mastery.</p>	<p>Modifications to testing and/or grading are not appropriate. Accommodations to ensure equal access (for example, extended time, reduced distraction environment, etc.) are provided when reasonable. Make-up exams are typically not an option but will be handled on a case-by-case basis.</p>

<p>Study Expectations</p>	<p>Teachers may remind students of due dates and responsibilities. Tutoring and study support may be included in an IEP or 504 plan. Studying outside of class may or may not be required.</p> <p>Assimilation/consolidation of information is generally provided by teachers (such as with study guides). Structure is provided by the school and teachers.</p>	<p>Students are expected to read and consult the course syllabus and utilize their own systems for keeping track of due dates/ responsibilities, organizing their time, and initiating and completing schoolwork.</p> <p>Tutoring and academic skills support are not available through DSS, but are available to all students through the Academic Resource Center.</p> <p>Students can expect to study two-to-three (2-3) hours outside of class for each hour spent in class.</p> <p>Students are responsible for assimilating/consolidating information. Students function autonomously. College does not monitor progress as students are expected to ask questions and meet with faculty, if unsure of course progress.</p>
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