

**The Americans with Disabilities Act (ADA)  
versus  
Individuals with Disabilities Education Act (IDEA)**

The Bottom Line...

The ADA and IDEA have different requirements and eligibility standards. A child may be provided services under IDEA that s/he is not entitled to under the ADA. UW-Extension must follow the ADA; it does not have to follow IDEA.

	<b>ADA</b>	<b>IDEA</b>
<b>How are accommodations or services obtained?</b>	The individual with a disability must disclose the disability and request accommodations.	School districts are required to identify students with disabilities, and to develop an IEP (with the parents' and student's input).
<b>Definition of Disability:</b>	<ol style="list-style-type: none"> <li>1. Has a physical or mental impairment that substantially limits one or more life activities; or</li> <li>2. Has a record of such an impairment; or</li> <li>3. Is regarded as having such an impairment.</li> </ol> -Covers individuals regardless of age.	Children ages 3-21 who are determined by a multidisciplinary team to be eligible within one or more of 13 specific categories of disability and who need special education and related services.
<b>Who pays for the accommodations or services?</b>	The employer, business, or public entity.	The school system.
<b>Written requests:</b>	Accommodation requests are not required to be in writing; nor do they have to be submitted in advance of the program if it is obvious that the person has a disability and the accommodation can be provided immediately.	Requires written notification regarding identification, evaluation, and/or placement.
<b>Requirements of the law:</b>	<ol style="list-style-type: none"> <li>1. May not discriminate;</li> <li>2. Provide program access:               <ul style="list-style-type: none"> <li>• Make modifications to policies, practices, or procedures;</li> <li>• Offer auxiliary aids and services.</li> </ul> </li> </ol>	<ol style="list-style-type: none"> <li>1. Provide Free and Appropriate Education (FAPE).</li> <li>2. Special education and related services, including individually designed instruction, modifications, and accommodations based upon an individualized education plan (IEP).</li> </ol>