



From IDEA to ADA

What the Law Really Says About Assistive Technology

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The Lawyer Made Me Add This

Disclaimer: This presentation provides general information regarding federal and Alabama disability-related laws and is not intended to provide legal advice or establish any legal obligation. The information is non-binding, and legal requirements may vary based on the particular facts, applicable law, and current legal guidance. Participants should consult their legal counsel or other qualified attorney regarding specific questions or situations.

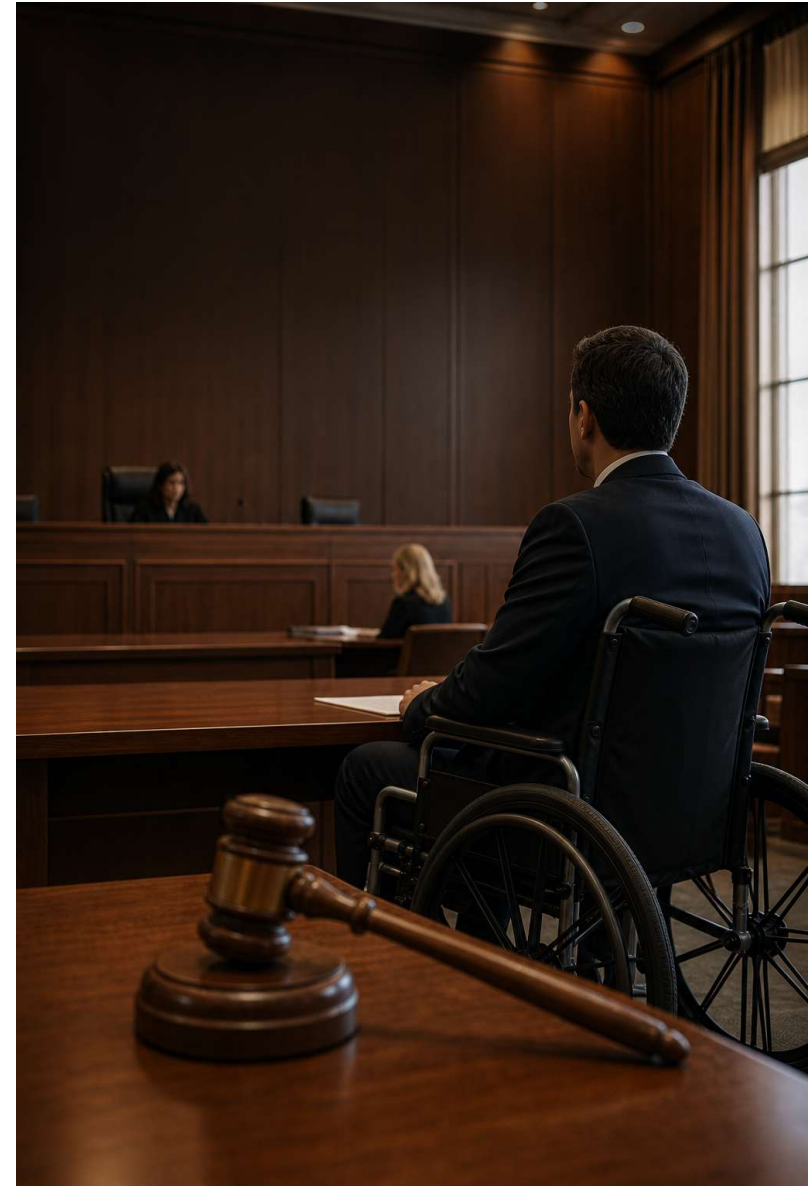


This session is about decisions, not just definitions

Attendees need to know which law governs a situation, what that law requires, and where assistive technology fits into the answer.

We are focusing on three practical areas: education entitlement, equal opportunity access, and accommodation requests.

Topics are covered for IEP teams, disability services, employers, landlords, and community providers.



The AT Law Map: How the Pieces Fit Together

Education and Early Intervention

IDEA (Parts C and B): FAPE, IEP or IFSP, and explicit AT consideration for eligible children.

Section 504 + ADA: Equal opportunity access, auxiliary aids, and accessible digital content in school and postsecondary settings.

Employment and Vocational Rehabilitation

ADA Title I: Reasonable accommodation, including AT and accessible workplace technology.

Rehabilitation Act / VR: Assistive technology and AT services can support employment goals through VR.

Housing and Community Living

Fair Housing Act: Reasonable accommodations/reasonable modifications and physical modifications such as grab bars, ramps, and widened doors.

ADA Titles II and III: Equal opportunity access and effective communication in public programs and community-based services.

Cross-cutting AT and Accessible Tech

Assistive Technology Act: Provides funds to state AT programs like APTAT for device loans, demos, reuse, and training.

Section 508: Requires accessible electronic and information technology in federal agencies.

Three Laws, Three Different Purposes

Law

Core purpose

Where AT appears

Anchor question

IDEA

Educational entitlement and FAPE

IEP consideration, services, supports, home use when needed

What does the student need to access learning?

Section 504

Civil-rights protection in federally funded programs

Auxiliary aids, accommodations, accessible digital content

Does the person have equal opportunity to participate?

ADA

Broad disability civil-rights law

Reasonable accommodation, effective communication, accessible services

What change is required for equal access?

IDEA Focus

FAPE, IEP process, specially designed instruction in K-12 schools.

504 Focus

Equal access in schools, colleges, and other federally funded settings.

ADA Focus

Broad coverage in employment, public services, public accommodations, & digital access.

IDEA in 60 seconds

Education entitlement law focused on free, appropriate public education.

Applies to eligible children and youth, generally ages 3 to 21, with Part C reaching younger children.

AT must be considered during IEP development.

AT can show up as special education, a related service, or a supplementary aid and service.

In general, students who are homeschooled are not eligible for special education services or an IEP.

Fast takeaway

IDEA is not just about access to a building or website. It is about access to meaningful educational benefit.

AT examples

AAC, text-to-speech, speech-to-text, adapted input, trial devices, and home use when needed for FAPE.

Question to ask

What technology support is necessary for the student to participate, progress, and complete required work?

Section 504 and ADA

Section 504

Civil-rights law for programs and activities that receive federal financial assistance.

Uses a broader disability definition than IDEA eligibility.

Focuses on equal opportunity access, auxiliary aids, accommodations, and accessible program delivery.

ADA Titles I, II, III

Title I addresses employment and reasonable accommodation.

Title II addresses state and local government programs and effective communication.

Title III addresses businesses and nonprofits open to the public, including barrier removal and accessible services.

504 Trigger

Is this person getting equal access in a federally funded setting

ADA Trigger

What accommodation, communication support, or accessible feature is required here?

Assistive Tech Bridge

Translate legal language into concrete tech recommendations and procurement decisions.

Who Pays for AT in K-12

- **K–12 under IDEA**

If the IEP team determines the AT device or service is needed for FAPE, the school district must provide it at no cost to the family.

- **School access under Section 504**

If a 504 team determines AT or another accommodation is needed for equal access, the school is generally responsible for providing it.

- **Necessary for FAPE**

The core question is not “Who usually owns this item?” but “What is necessary to guarantee access to appropriate education for a particular student based on their needs?”

Who Pays for AT in Post Secondary

- **Section 504**

Schools must take the necessary steps so that no qualified student with a disability is excluded or discriminated against because of the absence of auxiliary aids (e.g., AT, readers, interpreters, captioning).

- **ADA Titles II and III**

Public entities and private places of education must furnish appropriate auxiliary aids and services where necessary for equal opportunity and effective communication.

- **Institutions' Responsibility**

Auxiliary aids and services should be provided in a timely manner; students cannot be charged extra for approved accommodations.

They can coordinate with VR or other funding sources, but they cannot make the accommodation conditional on the student securing outside funding first.

Employment: Accommodation Vs Personal Use Item



Legal Terms

Qualified individual, essential functions, reasonable accommodation, undue hardship.



Personal Use Item

Something generally used on and off the job, like ordinary eyeglasses, a hearing aid, or a personal wheelchair.



Accommodation

A change in the work environment, technology, equipment, or process that enables the person to perform essential functions or access fringe benefits or non-essential functions of the job.

Example

An employer may not have to buy ordinary glasses, but may need to provide magnification software, a larger monitor, or accessible software.

Gray Area

A device that looks personal may still be covered if it is specifically configured for the job and tied to essential functions.

Who Pays: Employment Under ADA Title I

- **Devices required for work**

Employers must pay for reasonable accommodations needed to perform essential job functions, unless the accommodation would create an undue hardship

- **What's included**

That often includes accessible software, workstation changes, alternative input devices, readers, interpreters, or other job-related AT.

- **Personal use items**

Employers usually do not have to buy personal-use items needed both on and off the job, such as ordinary eyeglasses, wheelchairs, or hearing aids.

- **Undue hardship**

If cost is a concern, employers still must consider effective alternatives and outside funding, such as VR.

Employment Examples

Low-Vision Worker

Personal item: prescription glasses or a basic handheld magnifier.

Likely accommodations: screen reader, magnification software, larger display, accessible apps, lighting changes.



Focus the evaluation on essential tasks: reading, data entry, navigation, communication.

Worker with Mobility Impairment

Personal item: personal wheelchair.

Likely accommodations: adjustable workstation, accessible route, adapted input devices, parking changes, telework options.



Tie each recommendation directly to a barrier and the essential function it supports.

Fair Housing Act Basics for Landlords and Tenants

Reasonable Accommodation

Changes in rules, practices, or policies.
Examples: reserved parking, policy flexibility, permission for disability-related support needs.

Question to ask: what policy change is needed for equal use and enjoyment of the dwelling?

Reasonable Modification

Physical changes to the unit or property.
Examples: grab bars, ramps, widened doorways, lever handles, roll-in showers, door openers.

Question to ask: what structural or built-environment change is needed for access or safety?

Important nuance: private housing often raises a “who pays?” question, while publicly funded housing may trigger additional Section 504 and ADA obligations.

Housing Examples



Bathroom safety

Grab bars, higher toilet seating, roll-in shower features, and layout changes that increase independence.



Getting through the home

Wider doorways, lever handles, thresholds, ramps, and power door options.



Smart-home access

Smart locks, video doorbells, environmental controls, and app-based entry.

Accommodation angle

Explain the functional need, the safety rationale, and the AT or environmental-control solution.

Legal angle

Clarify whether the request is an accommodation, a modification, and which laws apply.

Who Pays: Housing and Community Living

- **Tenant may pay**

Under the Fair Housing Act, which applies to buildings with 4 or more units, tenants often pay for disability-related structural modifications in private housing, such as ramps or grab bars, for buildings built before March 13th, 1991.

- **Landlord may pay**

Under FHA, the landlord is responsible if the building was built after March 13th, 1991. If a housing provider receives federal financial assistance and Section 504 applies, the provider may have to pay unless doing so would be an undue financial and administrative burden or a fundamental alteration

- **Changes in landlord policy**

Policy changes, such as assigned parking or permission to use a smart access tool, often handled as reasonable modifications or accommodations rather than tenant-paid structural changes.

- **HOA policy**

FHA covers most HOA, and requires them to allow reasonable modifications and policy accommodations for PWD to fully use their home



What if the law doesn't
require my school/
employer/landlord to
pay?

Assistive Technology Act

Accessing Potential Through
Assistive Technology

Lending Library, Equipment
Recycling Centers, Alternative
Finance Programs

Rehabilitation Act's VR provisions

VR agencies can fund AT
evaluations, devices, and related
services when they are needed for
an individual's employment
outcome, not just at the job site,
but sometimes in training, college,
or transportation

VR may fund AT and rehab tech as
part of an Individual Plan for
Employment

Different Settings, Different Laws

- **School**

Question: What supports are needed for FAPE and/or instructional access? Applicable Laws: IDEA and Section 504, ADA Title II for public schools (Title III for private schools)

- **Work**

Question: what accommodation enables essential job functions? Applicable Laws: ADA Title I, with VR and APTAT as practical supports.

- **Home and community**

Question: what policy change or physical modification is needed for equal use, safety, and independent living? Applicable Laws: FHA, 504, ADA Title II.

Micro-activity: sort the vignette

Vignette 1

A student can understand grade-level content but cannot independently complete online writing assignments.

What law? What AT?

Vignette 2

An employee needs magnification software, but the employer says glasses are a personal item.

What law? What accommodation?

Vignette 3

A tenant requests grab bars and a smart lock after a change in mobility and safety needs.

What law? Modification or accommodation?

Turn to a neighbor and identify the governing law, the likely access problem, and one reasonable solution.



Key takeaways

1

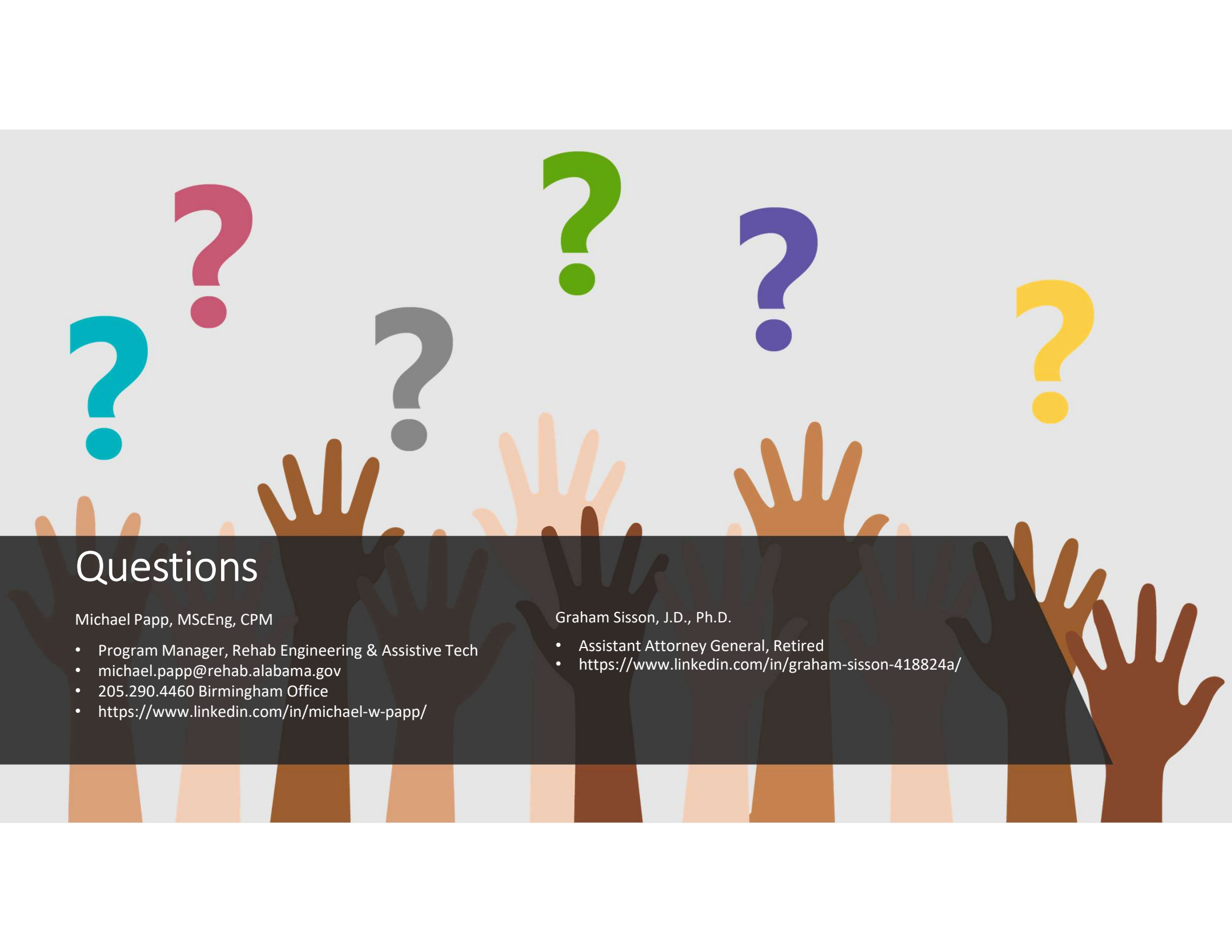
Lead with the correct legal framework before choosing a technology solution.

2

Document functional barriers, tasks, and the specific change the person needs.

3

Show how AT, accessibility, and physical environmental modifications support school, work, and independent living.

The background of the slide features a light gray field with several large, colorful question marks in shades of blue, pink, green, purple, and yellow. Below these, a series of stylized hands in various skin tones (brown, tan, black) are raised, creating a sense of a crowd or audience. A dark gray horizontal band is positioned across the middle of the slide, containing the title and contact information.

Questions

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