



# Parent Training & Information

## COMPARISON OF PARENT AND STUDENT RIGHTS IN IDEA AND 504

| Parent/Student Rights   | IDEA  | 504   |
|---|---|---|
| Prior written notice re: identification, evaluation, or placement       | Yes   | No. Notice required but not written, although written is best practice.                               |
| Consent to assessment   | Yes   | Yes, if additional assessment needed beyond available info.   |
| Decision-making team  | Yes- required members, including parent   | Yes — knowledgeable individuals   |
| Written plan  | Yes- IEP* (very specific components required)   | Yes — documentation of evaluation and accommodations/services   |
| FAPE**  | Yes- Special Ed + Related Services  | Yes — Special Ed or regular ed + related services for elementary and secondary public school students |
| Least restrictive environment   | Yes   | Yes   |
| Re-evaluation   | Yes- every three years; parent consent required   | Yes — periodically and before significant placement change; parent notice (not consent) required      |
| Independent evaluations at school expense if disagree with school eval. | Yes   | No  |
| Compliance complaints   | Yes- state complaint process  | Yes — District Compliance Officer or Office for Civil Rights for procedural violations                |
| Due process   | Yes- mediation, resolution sessions, appeals with Office of Administrative Hearings           | Yes — district-level impartial hearings regarding disagreements                                       |
| Discipline protections  | Yes- with stay put; if not manifestation, must receive FAPE** if expelled may require FBA/BIP | Limited — no stay put; if not manifestation, no FAPE** required if expelled; no FBA/ BIP***required   |

\*Individual Education Plan

\*\*Free and Appropriate Public Education

\*\*\*Functional Behavioral Assessment/Behavioral Intervention Plan

The contents of this resource were developed under a grant from the U.S. Department of Education, #H328M200055. However, those contents do not necessarily represent the policy of the U.S. Department of Education, and you should not assume endorsement by the Federal Government.

