



# Parent Training & Information

## COMPARISON OF THE LAWS

	<b>IDEA</b>	<b>Section 504</b>	<b>ADA</b>
Type of law	Federal Funding Act	Federal Civil Rights Act	Federal Civil Rights Act
Purpose	Makes sure children with disabilities have educational services that meet their needs and provide FAPE*	Prohibits discrimination due to disability by agencies receiving money from U.S. Department of Education. In elementary and secondary schools, requires FAPE.*	Prohibits discrimination due to disability regardless of federal funding
Evaluation	Individual and comprehensive	Individual, but does not require extensive analysis	None
Disability definition	One or more of 13 specific disabilities	Physical or mental impairment substantially limiting a major life activity** — not considering mitigating measures (ex: medication, wheelchair) — even if episodic or in remission	Same as 504, as well as history of disability or regarded as having a disability
Eligibility	Students birth through 22 years with qualifying disability needing specialized academic instruction in public schools	Any elementary or secondary student with a disability** who needs special services, accommodations, or modifications to access services of the agency. Not limited to learning. Post-secondary students needing academic adjustments.	Any person with a disability
Discrimination protections	All 504/ADA protections	In public school setting, no discrimination allowed against person with disability, history of disability, or regarded as having a disability	No discrimination against person with disability in employment, public services, communication, public accommodations, or transportation
Benefits	Individual Education Plan for specialized academic instruction and related services that provide benefit	Public elementary and secondary students: 504 Plan describes reasonable accommodations and services for equal access (as much as non-disabled students' needs are met). Post-secondary students: academic adjustments and auxiliary aids/services to provide equal access.	Reasonable accommodation
Procedural safeguards	Specific parent rights regarding notice, participation, consent, assessment, access to records, and stay put. Due process mediation and hearings through CA Dept. of Education and Office of Administrative Hearings.	Specific rights regarding consent, assessment, and placement. School districts must establish procedural safeguards regarding notice, access to records, hearings, and reviews. No mediation required. Office for Civil Rights only reviews procedural violations.	Complaints or violations can be filed with Office for Civil Rights and U.S. Dept. of Justice for Title II (related to schools) violations
Discipline	Protections for students beyond 10 days removal. Stay put available.	Protections for students beyond 10 days removal. No stay put available.	Prohibits different treatment due to disability
Funding	Partial funding by federal government	No additional federal funding	No additional federal funding

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