

Comparison of the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act (Section 504), and Title II of The Americans with Disabilities Act (ADA)

Specifics	IDEA	Section 504	Title II of the ADA
Requirements in the Law	Provides a free, appropriate public education (FAPE) in the least restrictive environment (LRE) to students who meet criteria for special education services.	Provides a free, appropriate public education (FAPE). "Appropriate" means a program designed to meet the needs of individual students with disabilities as adequately as education provided to students without disabilities. Students may receive related services or accommodations without a need for special education services.	Extends coverage of Section 504 to employment, public and private education institutions, transportation providers, and telecommunications, regardless of any federal funding. Does not address FAPE.
Definitions in the Law	Thirteen specific disability categories are defined in the law. It covers students experiencing disabilities that require specially designed instruction.	Defines students with disabilities who: <ul style="list-style-type: none"> • Have a physical or mental impairment which substantially limits one or more major life activities; • Have a record of such an impairment; or, • Are regarded as having an impairment. 	Definitions of disability are essentially the same as Section 504 and extends coverage to persons without disabilities who may be related to or associated with a person with a disability; includes HIV status, contagious and non-contagious diseases.
Purpose of the Law	Provides federal funds to states and school districts to assist in meeting the special education needs of students with disabilities.	Eliminates disability discrimination in all programs and activities that receive federal funds.	Broad civil rights law that applies to public entities and protects the rights of individuals with disabilities

			without regard to federal financial assistance.
Who is Covered/Protected	Covers students experiencing disabilities that require special education services ages 3-21 or until graduation.	Protects all persons with a disability from discrimination in educational settings based solely on disability.	Protects all persons with a disability from discrimination in educational settings based solely on disability.
Services Provided	Provides specially designed instruction in addition to services available to all general education students.	Eliminates barriers that would prevent a student from full participation in programs/services offered to the general school population.	Eliminates barriers that would prevent a student from full participation in programs/services offered to the general school population.
Funding	Schools receive federal funding to provide specially designed instruction.	Requires that schools not discriminate based on student's disability and must provide appropriate accommodations, but schools receive no additional financial support beyond basic school funding to provide support services or auxiliary aids.	Requires that schools not discriminate based on student's disability and must provide appropriate accommodations, but schools receive no additional financial support beyond basic school funding to provide support services or auxiliary aids.
District Administrator Responsible	Special Education Director or another appropriate administrator	Section 504 Coordinator as required by law and/or Civil Rights Coordinator	Section 504 Coordinator and/or Civil Rights Coordinator
Service Plan	Individual Family Service Plan (IFSP) or Individual Education Program (IEP) developed with parents, teachers, and other specialists involved.	Section 504 Accommodation Plan developed with members of the 504 team.	Accommodation Plan developed only with college students and Disability Services Coordinator.

Team Composition	IEP team requires parent(s), general education teacher(s), special education teacher or service provider, school system representative, transition services agency representative(s) when appropriate, person(s) who can interpret evaluation results, others with knowledge or special expertise about the student, and the student (as appropriate).	504 team requires someone knowledgeable about the student, someone knowledgeable about the evaluation data, and someone knowledgeable about placement options.	Not specifically addressed in relation to the provision of FAPE.
Evaluation/Documentation	School district is responsible for identifying and evaluating students suspected of having a disability. Evaluations are the school district's responsibility and are performed at no cost to the student or parent. Parents must consent to evaluations and placement decisions.	School district is responsible for identifying and evaluating students suspected of having a disability. Evaluations are the school district's responsibility and are performed at no cost to the student or parent. Parents must consent to evaluations and placement decisions.	Applies to students in college only – students must self-identify as having a disability and must provide documentation of disability. Applies to students in college only- evaluations/documentation of disability are student's responsibility and at their own expense. Applies to students in college only - student has responsibility for advocacy and negotiating accommodations plan.

Independent Educational Evaluations (IEE)	Parent(s) may request an IEE at district expense if the parent disagrees with the evaluation obtained by the school district. A parent is entitled to only one IEE at public expense each time the school district conducts an evaluation with which the parent disagrees.	No provision for IEE's exists in Section 504 regulations. School districts should consider information presented from evaluation reports provided by parents.	IEE's are not addressed.
Placement Decisions	Placement must be in the least restrictive environment (LRE), which is offered on a continuum of services from full-time instruction in regular classes to instruction in hospitals and institutions.	Placement is in a regular classroom with support services to eliminate barriers to access to the educational environment.	Placement decisions are not addressed.
Notice	Requires prior written notice (PWN) to the parent(s) regarding identification, evaluation, reevaluation, and placement. A PWN is provided to the parent(s) before any of these actions by the school district.	Requires notice to the parent or guardian with the respect to identification, evaluation, and placement	Notice requirements are not addressed.
Grievance Procedures	Does not require grievance procedures or a compliance officer.	Requires school districts with more than 15 employees to designate an employee (e.g., 504 Coordinator) to be responsible for assuring	

		district compliance with Section 504 and provide a grievance procedure to parents, students, and employees.	
Due Process	Formal process for resolving special education disputes. It results in an impartial hearing for parent(s) or guardian(s) who disagree with the identification, evaluation, or placement decisions or provision of FAPE for the student.	Formal process for resolving special education disputes. It results in an impartial hearing for parent(s) or guardian(s) who disagree with the identification, evaluation, or placement decisions or provision of FAPE for the student.	Due process is not specifically addressed.
Procedural Safeguards	Legal rights and protections parents and students have during the IEP process. Requires written explanation of parent rights, right to participate in meetings, right to call an IEP meeting, access to view and copy educational records, voluntary parental consent, prior written notice, understandable language, right to an IEE, right to request “stay put,” and dispute resolution options.	Include notice, an opportunity for parents to review relevant records, an impartial hearing with opportunity for participation by the student’s parent(s) or guardian(s), representation by counsel, and a review procedure.	Does not specify procedural safeguards related to special education. It does detail the administrative requirements, complaint procedures, and the consequences for noncompliance, related to both services and employment.

Federal Authority	US Department of Education, Office of Special Education Programs	US Department of Education, Office for Civil Rights	US Department of Education, Office for Civil Rights
State Authority	Oregon Department of Education, Office of Enhancing Student Opportunities	Oregon Department of Education, Office of the Director	Oregon Department of Education, Office of the Director
Local Authority	Local School District	Local School District	Local School District