

**Comparison of the Individuals with Disabilities Act (IDEA), Section 504 of the Rehabilitation *
Act (Section 504) and the Americans with Disabilities Act (ADA) ***

	IDEA (K-12)	SECTION 504 (K-12 & College)	ADA (College)
Requirements of the law	Provide free appropriate public education in the least restrictive environment	Requires any agency, school or institution receiving federal financial assistance to provide persons with disabilities, to the greatest extent possible, an opportunity to be fully integrated into the mainstream	Extends coverage of Section 504 to employment, public and private educational institutions and other entities, regardless of presence of any federal funding; prohibits discrimination on basis of disability
Who is covered	Every child; concept of zero reject	Same for elementary and high schools <hr/> College Students: Students who are "otherwise qualified"	Students who are "otherwise qualified"
Who is covered	Covers students with educational disabilities that require special education services ages 3 – 21 or until graduation	Protects all persons with disabilities from discrimination in educational setting based solely on disability	Protects all persons with disabilities from discrimination in educational setting based solely on disability
Services provided	Offers educational services that are remedial in addition to services available to all mainstream students	Eliminates barriers that would prevent student from full participation in programs/services offered to general school population	Eliminates barriers that would prevent student from full participation in programs/services offered to general school population
Evaluation and Documentation	School district responsible for identifying and evaluating students with disabilities and covering costs; parents must consent to evaluations and placement decisions	Same for elementary and high schools <hr/> College Students: College has no such responsibility; students must self-identify as having a disability and must provide adequate documentation of disability; if evaluation is needed, expense is student's responsibility; student has responsibility for	College Students: Students must self-identify as having a disability and must provide adequate documentation of disability; if evaluation is needed, expense is student's responsibility; student has responsibility for advocacy, including negotiating accommodations

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IEP/Accommodations	Individual Education Plan (IEP) developed with parents, teachers and other specialists involved with student; provides specially designed instruction and accommodations with success being the goal	Elementary and Secondary Schools (Subpart D of Section 504): 504 Plan developed with parents, teachers, school personnel involved with student <u>College/Postsecondary</u> (Subpart E of Section 504): Accommodations developed with student, Disability Services Coordinator/Director on campus	Accommodations to provide equal access are developed by student, Disability Services Coordinator/Director on campus; substantial modifications to curriculum and lowered standards not required
Classroom Placement	Placement must be in least restrictive environment; may be special classrooms or regular classrooms	Elementary, Secondary and Postsecondary: Placement is in regular classroom with support services provided to eliminate barriers to educational experience	All courses are mainstream with accommodations provided to students who qualify under ADA
Personal Devices (wheelchairs, hearing aids, personal care attendants, etc.)	Provided by school district if determined to be necessary (and included in IEP)	Section 504 does not provide funding for personal devices	Colleges not required to provide personal devices or services
Role of Parents	Parents must be included in decision making	Same for elementary and high schools <u>College Students:</u> Postsecondary students are over 18 and considered adults; by law, university staff cannot speak to parents without written student authorization	Postsecondary students are over 18 and considered adults; by law, university staff cannot speak to parents without written student authorization