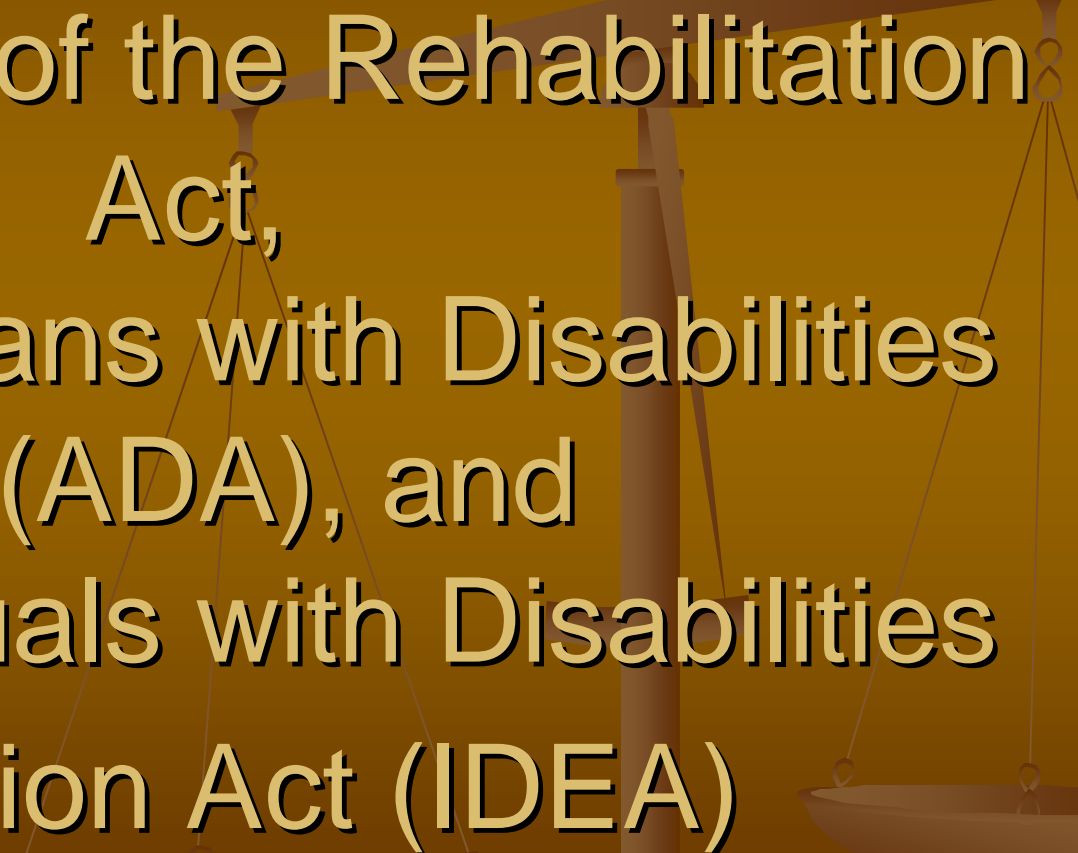
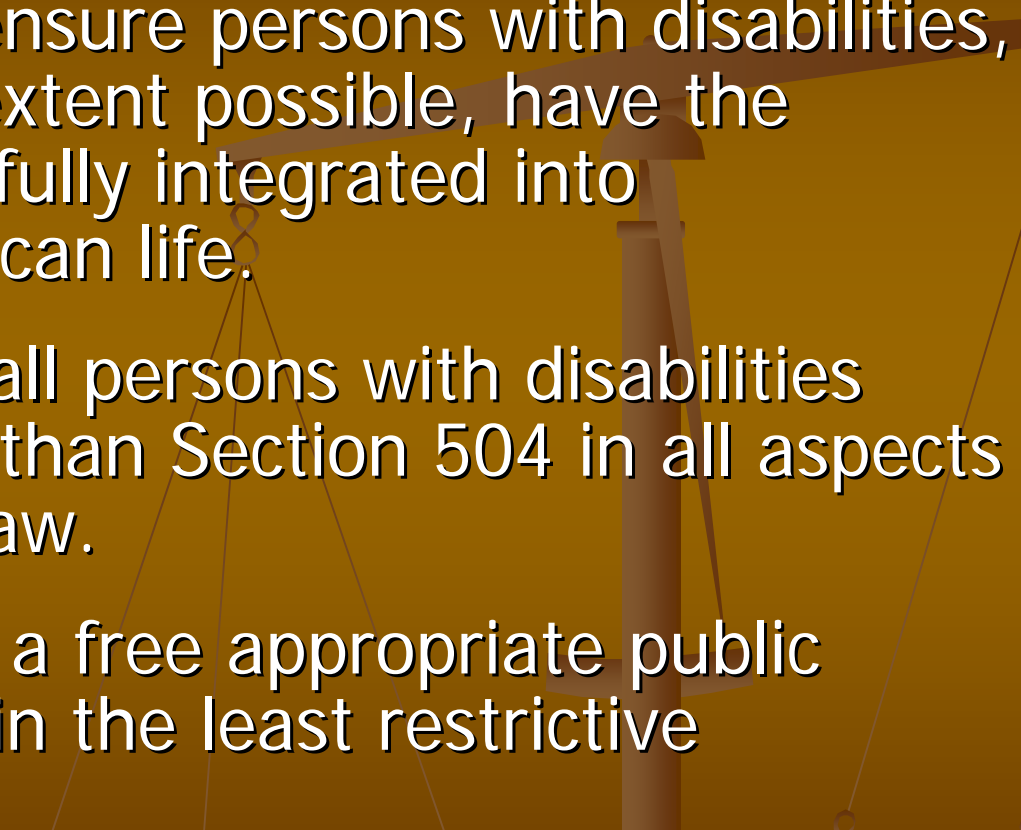


## *A Comparison:*

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



# Mission

- *Section 504*: To ensure persons with disabilities, to the maximum extent possible, have the opportunity to be fully integrated into mainstream American life.
  - *ADA*: To provide all persons with disabilities broader coverage than Section 504 in all aspects of discrimination law.
  - *IDEA*: To provide a free appropriate public education (FAPE) in the least restrictive environment.
- 

# Definitions In the Law



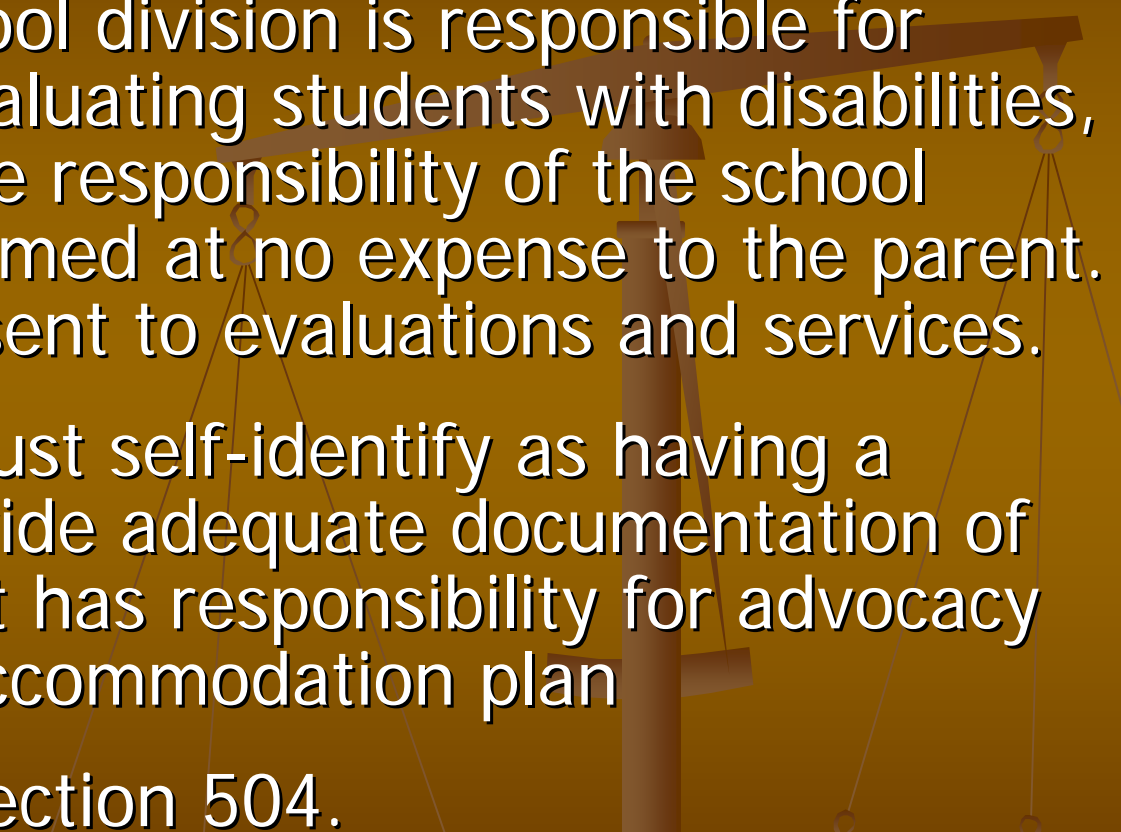
- *Section 504*: Defines persons with disabilities who: have physical or mental impairments which limits one or more major life activity; have a record of such an impairment; or are regarded as having such an impairment.
- *ADA*: Definition of disability is essentially the same as Section 504.
- *IDEA*: Specific disability categories are defined in the law; covers students with educational disabilities that require specialized instruction and related services.

# Scope

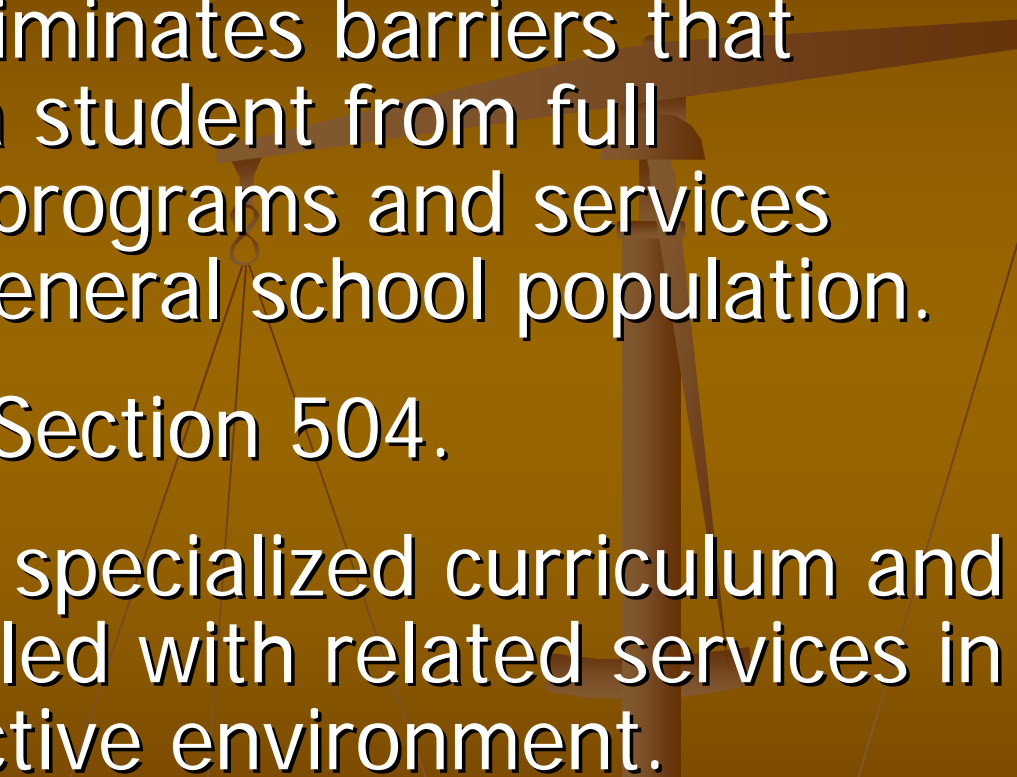


- *Section 504*: Applies to any program or activity that receives federal financial assistance.
- *ADA*: Applies to public or private educational institutions, public or private employment, transportation or accommodation providers, and telecommunications regardless of federal funding.
- *IDEA*: Applies only to public school students ages 3-21 requiring special education and related services due to their disability. Eligibility terminates upon graduation or at end of 21st year of age.

# Evaluation/Documentation

- *Section 504*: School division is responsible for identifying and evaluating students with disabilities, evaluations are the responsibility of the school system and performed at no expense to the parent. Parents must consent to evaluations and services.
  - *ADA*: Students must self-identify as having a disability and provide adequate documentation of disability. Student has responsibility for advocacy and negotiating accommodation plan
  - *IDEA*: Same as Section 504.
- 

# Service Delivery

- *Section 504*: Eliminates barriers that would prevent a student from full participation in programs and services offered to the general school population.
  - *ADA*: Same as Section 504.
  - *IDEA*: Provides specialized curriculum and instruction coupled with related services in the least restrictive environment.
- 

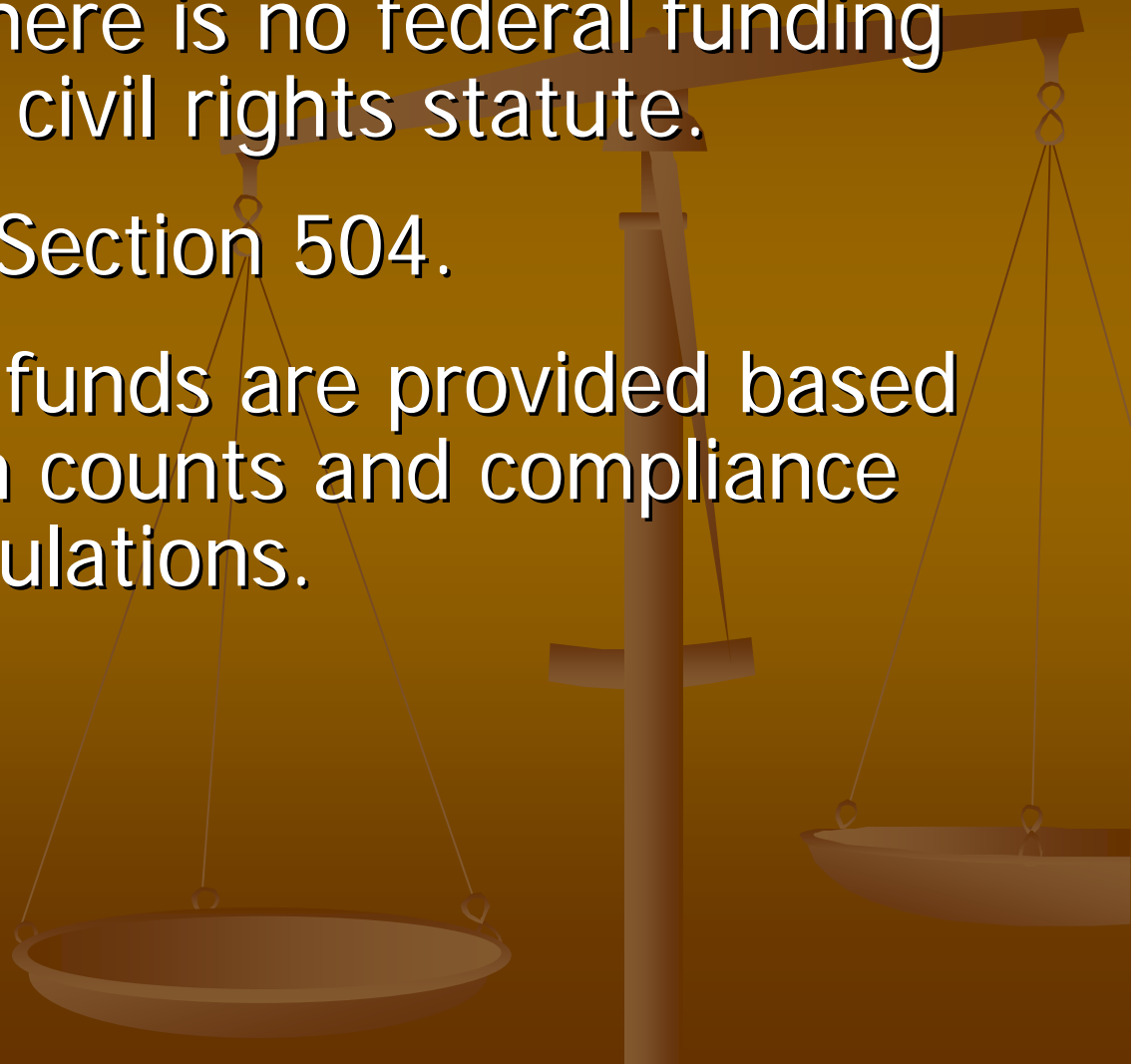
# Implementation Plans



- *Section 504*: 504 Plan to address needed accommodations and services to be developed with parent, teacher, and school personnel involvement.
- *ADA*: Same requirements as Section 504 but typically at collegiate level.
- *IDEA*: Individualized Education Plan developed under very specific regulations in conjunction with parents, teachers and other specialists.

# Funding

- *Section 504*: There is no federal funding attached to this civil rights statute.
- *ADA*: Same as Section 504.
- *IDEA*: Federal funds are provided based upon population counts and compliance with federal regulations.



# Enforcement Agencies



- *Section 504*: Office of Civil Rights in the United States Department of Education.
- *ADA*: Primarily United States Department of Justice coupled with the Equal Employment Opportunity Commission.
- *IDEA*: United States Department of Education's Office of Special Education and Rehabilitative Services as well as individual state's Departments of Education.

# Compliance Enforcement Options



- *Section 504*: Impartial hearing under Section 504 grievance procedures, complaints filed with Office of Civil Rights in the United States Department of Education or suit in federal court.
- *ADA*: File complaint with the United States Department of Justice or suit in federal court.
- *IDEA*: Mediation, due process hearings, file complaint with individual jurisdiction's state Department of Education or United States Department of Education's Office of Special Education and Rehabilitative Services .

# Whom Do I Approach For Services?



# Presenter

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