

IDEA vs. Section 504



	Individuals with Disabilities Education Act (IDEA)	Section 504 of the Rehabilitation Act
Eligibility	<ol style="list-style-type: none"> Covers children ages 3-21 who have disabilities in one of 13 categories including autism, ADHD, learning disabilities, and others. The child's disability must impact educational performance and/or ability to benefit from general education. Specialized instruction is needed to make progress. 	<ol style="list-style-type: none"> A child with any disability that substantially limits a basic life activity. The disability must interfere with the child's ability to learn in a general education classroom. A child who doesn't qualify for an Individualized Education Program (IEP) may qualify for a 504.
Team	<p>The IEP team must include:</p> <ul style="list-style-type: none"> Parent/caregiver Child's special education teacher Child's general education teacher School psychologist/professional who can interpret evaluations Representative of the school system 	<p>The 504 team has fewer specific guidelines but may include the following:</p> <ul style="list-style-type: none"> Parent/caregiver General and special education teachers Principal
Evaluation	<ol style="list-style-type: none"> The child must be fully and comprehensively evaluated by a multidisciplinary team. Informed and written parental consent needed. A reevaluation of the child must be done at least once every three years, or if conditions warrant a reevaluation, or if the child's parent or teacher requests. 	<ol style="list-style-type: none"> Draws on information from a variety of sources and is documented. Periodic reevaluation is needed. Independent evaluations are not the school's financial responsibility
Written Plan	<p>An IEP is the legally required document that describes the specialized education program, supports and services that a child requires.</p>	<p>A section 504 Plan describes the regular or special education and related aids and services a student needs and the appropriate setting in which to receive those services.</p>
Free Appropriate Public Education (FAPE) Responsibility	<p>An "appropriate" education means a program designed to provide "educational benefit" for the student with disabilities. Must include challenging goals and objectives and child must show progress.</p>	<p>An "appropriate" education means an education comparable to that provided to students without disabilities.</p>
Resolving Disagreements	<p>State complaints, mediation and due process are enforced by the Maryland State Department of Education (MSDE) and the Office of Special Education Programs (OSEP).</p>	<p>This is enforced by the Office of Civil Rights of the United States (OCR). OCR.Philadelphia@ed.gov</p>

Adapted from [Parent and Educator Resource Guide to Section 504 in Public Elementary and Secondary Schools](#)