

Section 504 and the Individuals with Disabilities Education Act

- A **Child Find duty** to identify and locate every child with a disability residing in the District's jurisdiction who is not receiving public education exists.
- Require **notice to the parent/guardian** with respect to identification, evaluation, and placement.
- All students with disabilities must be provided **a free appropriate public education**.
- All students with disabilities are **educated with non-disabled peers to the maximum extent possible**.
- **Evaluation** draws from a variety of sources of data that is documented and considered. **Periodic reevaluation** is required. **Placement decisions** are made by a committee.
- All students with disabilities may receive **instructional and state assessment accommodations** according to District guidelines and TEA criteria.
- A **Behavior Intervention Plan** can be developed.
- All students with disabilities have a right **Manifestation Determination Review**.
- Impartial hearing are provided for parents who disagree with the identification, evaluation, or placement of a student with a disability.
- All students with disabilities are **protected under §504**.

§504	IDEA
Civil Rights Law monitored by Office for Civil Rights	Education Act monitored by the Department Of Education
Not a Program or Intervention System	Program of "specially designed" instruction, services, specific interventions
General Education	Special Education
Broad Definitions – "otherwise qualified person"	Categorical Definitions – 13 qualifying conditions
Not a comprehensive evaluation	Comprehensive evaluation
No Educational Need to qualify	Educational Need to qualify
Evaluations "within a reasonable timeframe" – within 10-15 school days of written request	Evaluations completed within 45 school days
Accommodations and/or services for the disability to level the playing field	Measurable, individual goals (IEP) and regularly documented outcomes to maximize success
Covers all district programs, services and activities – sports, field trips, work study, web pages, computer/internet access; includes employees, parents, anyone coming to a school-sponsored activity – interpreter services for a deaf parent, for example	Covers only specific students who must meet very clear eligibility requirements
No federal funding—state and local responsibility	State, local, and federal IDEA funding
Districts must provide grievance procedure; mediation is not required/should be suggested	Does not require a grievance procedure; mediation is not required/should be suggested