

# IDEA vs. Section 504

	IDEA	Section 504 of the Rehabilitation Act
Eligibility	<ol style="list-style-type: none"> <li>1. Covers children ages 3-21 who have disabilities in one of 13 categories including autism, ADHD, learning disabilities, and others.</li> <li>2. The child's disability must impact educational performance and/or ability to benefit from general education.</li> <li>3. Specialized instruction is needed to make progress.</li> </ol>	<ol style="list-style-type: none"> <li>1. A child with any disability that substantially limits a basic life activity.</li> <li>2. The disability must interfere with the child's ability to learn in a general education classroom.</li> <li>3. A child who doesn't qualify for an IEP may qualify for a 504.</li> </ol>
Team	<p>The IEP team must include:</p> <ul style="list-style-type: none"> <li>• Parent/caregiver</li> <li>• Child's special education teacher</li> <li>• Child's general education teacher</li> <li>• School psychologist/professional who can interpret evaluations</li> <li>• Representative of the school system</li> </ul>	<p>The 504 team has fewer specific guidelines but may include the following:</p> <ul style="list-style-type: none"> <li>• Parent/caregiver</li> <li>• General and special education teachers</li> <li>• Principal</li> </ul>
Evaluation	<ol style="list-style-type: none"> <li>1. The child must be fully and comprehensively evaluated by a multidisciplinary team.</li> <li>2. Informed and written parental consent needed.</li> <li>3. 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.</li> </ol>	<ol style="list-style-type: none"> <li>1. Draws on information from a variety of sources and is documented.</li> <li>2. Periodic reevaluation is needed.</li> <li>3. Independent evaluations are not the school's financial responsibility</li> </ol>
Written Plan	An Individualized Education Program (IEP) is the legally required document that describes the specialized education program, supports and services that a child requires.	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.
FAPE Responsibility	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.	An "appropriate" education means an education comparable to that provided to students without disabilities.
Resolving Disagreements	State complaints, mediation and due process are enforced by MSDE and OSEP.	This is enforced by the Office of Civil Rights of the United States (OCR). <a href="mailto:OCR.Philadelphia@ed.gov">OCR.Philadelphia@ed.gov</a>

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