

### Special Education and Section 504 Comparison

	Special Education	504
<b>Purpose</b>	IDEA is a federal funding statute with the purpose to provide financial aid to states to ensure adequate and appropriate services for disabled students ages 3–21.	Section 504 is a broad civil rights law that protects the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the US Department of Education
<b>Who is Covered?</b>	Identifies all school-aged children who fall within one or more specific categories of qualifying conditions. IDEA identifies 13 disabling conditions for purposes of eligibility.	Identifies all school-aged children who meet the definition of an individual with disabilities.
<b>FAPE (Free and Appropriate Public Education)</b>	Both laws require the provision of FAPE to eligible students covered under them, including individually designed instruction. Requires a written IEP document with specific content and requires specific participants at the IEP team meeting. “Appropriate education” means a program designed to provide “educational benefit.” Related services are provided if required for the student to benefit from specially designed instruction.	Both laws require the provision of FAPE to eligible students covered under them, including individually designed instruction. Does not require a written IEP document, but it is necessary for the district to document that a group of persons knowledgeable about the student convened, reviewed evaluation data, and agreed upon needed services and placement options. “Appropriate” means an education comparable to the education provided to students without disabilities, including accommodations or services that afford students with disabilities an equal opportunity to obtain the same results, gain the same benefit, or reach the same level of achievement as other students.
<b>Eligibility</b>	A student is eligible to receive IDEA services if the multidisciplinary team determines that the student is disabled under one or more of the specific qualifying conditions and requires	A student is eligible so long as he/she meets the definition of an individual with a disability that impacts a major life activity within the school environment.

	specifically designed instruction to benefit from education	
<b>Funding</b>	Provides additional funding for eligible students.	Does not provide additional funding. IDEA funds may not be used to serve students found eligible only under Section 504.
<b>Accessibility Accommodations Modification</b>	Requires specifically designed instruction to meet educational needs and requires that accommodations must be made if necessary to provide access to FAPE.	No modifications are made to grade level curriculum. Requires that accommodations must be made if necessary to provide access to FAPE.
<b>Discipline</b>	Special education students have the right to FAPE even if expelled from school.	If a 504 students misbehaves at school, the 504 committee must determine whether the behavior is a manifestation of the child's disability. If it is not, the student can be disciplined and/or expelled.
<b>Procedural Safeguards</b>	IDEA includes an elaborate system of procedural safeguards designed to protect the child and parents. These safeguards include written notice before any changes of placement.	Section 504 does not include a clearly established "Prior Written Notice" requirement.