

Staying Connected: Facilitating the Learning Experience During and After Cancer Treatment

IDEA/504/ADA – Comparison Chart

	Individuals with Disabilities Education Act (IDEA)	Rehabilitation Act of 1973, Section 504	Americans with Disabilities Act (ADA)
Framework - Type of Law - Tool(s) used to implement law	<ul style="list-style-type: none"> • An education law • Specialized instruction and related services 	<ul style="list-style-type: none"> • A civil rights law • Accommodations/ Modifications 	<ul style="list-style-type: none"> • A civil rights law • Accommodations
Funding	State/federal/local funding	Local funding	State/federal/local funding
Who is in Charge	Special Education Director	Section 504 Director	ADA Coordinator
General Purpose of the Law	Each child with a disability is guaranteed a free and appropriate public education. Includes early intervention, preschool, elementary, and secondary grades (birth through age 21).	Prohibits discrimination against individuals with disabilities in programs and activities that receive federal assistance from the Department of Education. Ensures the student with a disability has equal access to education.	People with disabilities must be provided equal opportunity for participation in both public and private institutions, including the workplace.
Disabilities	13 disability categories	All disabilities eligible	All disabilities eligible
Evaluation	Psychoeducational evaluation or neuropsychological evaluation is required before eligibility can be determined. Time frame varies, but in most states evaluation is completed within 60 days of receiving written request. Re-evaluation required at least every three years.	Evaluation by physician or other medical professional with a letter to school stating need is required before eligibility can be determined. Time frame varies but most schools complete the process within 60 days.	Evaluation by physician or other medical professional with documentation stating need.
Accountability	Requires documentation of measurable growth, yearly review of IEP.	Provides assurance – equal access to public education including environment and extracurricular activities.	Provides assurance – equal access to employment (as long as the individual can perform the minimum functions of the job with reasonable accommodations). Applies to employers with 15 or more employees and to public services or programs.
Associated Plan	IEP (Individualized Education Program) to address student's unique strengths and needs and provide educational benefit.	Section 504 Accommodation Plan to insure equal access to education.	Accommodations to ensure equal access to public services/ programs, and employment with public and private employers.
Safeguards	Parent participation, consent, and notification is needed.	Notice to parent is required.	If an individual thinks they have been discriminated against in the workplace because of a disability, they can contact the Equal Employment Opportunity Commission within 180 days of the alleged discrimination (time may be extended by state law). Violations of ADA's state, local government, or public accommodation mandates can be filed by contacting the U.S. Department of Justice.

*Please keep in mind that the law requires school professionals to meet the individual needs of students with special needs. Consequently, there is some variability in the way individual states and school districts accommodate students. Some districts may choose to use a 504 plan while others choose to use an IEP.