



Section 504:

Administrative Guidelines

Office of Guidance and Counseling



Administrative Guidelines governing the implementation of Section 504 of the Rehabilitation act of 1973

Vision

Producing Excellence

Mission

The purpose of the school district:

All Judson ISD students will receive a quality education enabling them to become successful in a global society.

Judson ISD Values

Students First

Safe and Secure Environment

Loyalty

Integrity and Mutual Respect

Accountability

Results Oriented

Two-way Communication

Teamwork

Statement of Purpose

The purpose of the Judson ISD – Section 504 guidelines is to clarify and define the district and campus (es) responsibilities in protecting each eligible students rights under Section 504 of the Rehabilitation Act of 1973. Compliance with these procedures will ensure eligible students equal access to educational opportunities.



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Introduction / what is Section 504

Most simply put Section 504 is an anti-discrimination law that requires schools to provide to disabled students educational benefits and opportunities equal to those provided to non-disabled students.

The Section 504 Administrative Guidelines define the responsibilities of building administrators in protecting the rights of each and every student who meets the definition of disability under Section 504 of the Rehabilitation Act of 1973.

Section 504 specifically states:

No otherwise eligible individual with a disability . . . shall, on the basis of the disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

The statute ensures that an eligible student with an impairment receives **reasonable accommodations** necessary for the student to access school-related programs and activities.

Compliance with these procedures will ensure that eligible students have opportunities to access, and receive benefit from, school-related programs and activities available within the school division. **Services provided to eligible students may not produce identical results or level of achievement with non-disabled peers, but they shall be designed to offer an equal opportunity to gain benefit.**

Eligibility

An eligible student is a student who (a) has a physical or mental impairment which substantially limits one or more major life activities, (b) has a record of having such an impairment, or (c) is regarded as having such an impairment. 34 CFR '104.3(j)(1).

"Major life activities" means functions such as learning, self-care, walking, seeing, hearing, speaking, breathing, working and performing manual tasks. 34 CFR '104.3(j)(ii).

Pursuant to the Americans with Disabilities Act (ADA), P.L. 101-336, amending the Rehabilitation Act, the definition of "disabled student" is narrowed to exclude persons currently engaged in the illegal use of drugs. This exclusionary language allows former users, or those participating in drug rehabilitation programs, to qualify under Section 504 as a disabled student.

Referral for Section 504 consideration/services does not necessarily mean the student is eligible for Section 504 services. A child's identified disability does not automatically result in eligibility for Section 504 services. Students who are found ineligible for special education and



related services may not be automatically eligible for Section 504 services. It is the school Section 504 Committee's responsibility to make an eligibility determination for each student.

Who makes the determination?

Disability and qualification determinations shall be made by a multi-disciplinary committee that includes persons knowledgeable about the student, the meaning of the evaluation data, and placement options. (at least 2)

Committee must "draw from a variety of sources in the evaluation process so that the possibility of error is minimized." 34 C.F.R. 104.35(c)

Information may be drawn from sources such as aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background and adaptive behavior. Information must be documented.

Definition of Disability

DISABILITY.—The term "disability" means, with respect to an individual—

- (A) a physical or mental impairment that substantially limits one or more major life activities of such individual;
- (B) a record of such an impairment; or
- (C) being regarded as having such an impairment (as described in paragraph (3)). 42 U.S.C. §12102(4)(a)(1).

Determination of student with Disability

Follow the 3-Steps

1. Identify the physical or mental impairment
2. Identify the Major Life Activity affected
3. Identify if the major Life Activity is Substantially Limited

After the above steps are taken the 504 committee may create and determine an appropriate accommodation plan.

When a condition does not substantially limit a major life activity, the individual does not qualify for services under Section 504.

Physical and/or Mental Impairment (Regulatory Definition)

Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal; special sense organs; respiratory, including speech sense organs; cardiovascular; reproductive, digestive, genitourinary, hemic & lymphatic, skin; and endocrine.



Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities 34 CFR § 104.3 (j)(2).

Major Life Activity

... Major Life Activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, and working. 42 U.S.C. §12102(4)(a)(2)(A).

It also includes “the operation of a major bodily function” as follows:

For purposes of paragraph (1), a major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. 42 U.S.C. §12102(4)(a)(2)(B).

This is not an exhaustive list.

Substantial Limitation

The term “substantially limits” shall be interpreted consistently with the findings and the purpose of the act.

1. An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability.
2. An impairment that is episodic or in remission is a disability if it would substantially limit a major activity when active. Thus, you must evaluate an impairment that is in remission as if an episode is occurring or the illness is in full force.
3. “Substantially limits” determination is to be made without regard to mitigating measures instituted to lessen the severity or intensity of the disability. (Mitigating measures” include: medication, medical supplies, low-vision devices, hearing aids and other implantable hearing devices, mobility devices, oxygen therapy equipment/supplies, assistive technology, reasonable accommodations, auxiliary aids/services, learned behavioral or adaptive neurological modifications [internal coping mechanism(s) used to compensate for a disability])

Unable to perform a major life activity that the average person in the general population can perform 29 C.F.R. § 1630.2 (j)

The Section 504 committee will evaluate and determine how the student performs in comparison to an average student in the district, state or nation. The campus and school district are entrusted to determine if a particular impairment “substantially limits” a student.



In the context of elementary and secondary education particularly, however, the decision of whether a particular impairment “substantially limits” a major life activity for any particular child is a decision to be made by the school district--not by OCR. Letter to McKethan,; 23 IDELR 504 (January 4, 1995).

PROCEDURAL SAFEGUARDS

(Definition: The term parent means biological parent, guardian, adult student or surrogate for this document.)

The parent must be given Section 504 rights under the law once a student is being considered for Section 504. Every student has the right to a free appropriate public education (FAPE). Students are to be educated with non-disabled children to the maximum extent appropriate.

The parent must also be made aware of his or her right to: (1) file a grievance; (2) have an evaluation that draws from a variety of sources; (3) be informed of any proposed actions related to qualification under Section 504 and provision of a plan for services; (4) examine all relevant records; (5) receive all information in their native language and primary mode of communication; (6) a periodic re-determination of qualification and an assessment before any significant change in program/service modifications (e.g., prior to transitioning from the elementary to the middle school level, or from the middle to high school level); (7) request an impartial hearing if there is disagreement with the school division’s proposed action; and (8) be represented by counsel.

Referrals

When a teacher, the student’s parent/guardian, private practitioner, agency representative, or other individual suspects that a student may have an impairment and may eligible for services under Section 504, the campus coordinator shall respond by initiating the referral process.

The process should be initiated by the 504 coordinator in response to any verbal, written or electronic request initiated by any appropriate party familiar with the student’s education.

The 504 coordinator will arrange a date for the committee to review the request and students information. The student’s parent/guardian or adult student will be invited to attend. Rights/Procedural Safeguards shall be provided to the parent/guardian or adult student.

Parent/guardian permission is not required to review the records; however, every effort should be made to ensure the parent/guardian or adult student participates in the record review/Section 504 meeting.

Section 504 Committee Composition

The members of the Section 504 Eligibility and Review Committees should include:



- at least two or more persons knowledgeable about the student, the meaning of the evaluation data, and placement options - the principal /designee – Section 504 campus coordinator; one or more of the student’s teachers,
- the student’s parents/guardians (must be invited, but not required to attend),
- the student (if appropriate),
- the district dyslexia coordinator or representative (for all 504 evaluations where Dyslexia is a qualifier for services)
- school nurse (if for medical qualification)

Parent Participation

A parent/guardian/adult student must have an opportunity for participation in conference regarding the development of a 504 plan. Participation is not required. The parent has a right to receive a copy of the written 504 accommodation plan.

Section 504 Committee Meeting / Review

1. Presence and establishment of committee of knowledgeable persons
2. Parent/guardians and adult students should be invited to participate as committee members. The Section 504 Committee can conduct the meeting if either the parent/guardian or the student cannot attend; however, it is incumbent that schools make multiple attempts
3. Welcome, introductions, and explanation of Section 504 of the 1973 Rehabilitation Act, the Section 504 coordinator will review Parental Rights and Procedural Safeguards with the parent/guardian or adult student.
4. The Section 504 Committee shall create deliberations and hold discussions to evaluate the student’s present level of performance, teacher reports and comments, health and development, and areas of concern. Discussion is to include, but not be limited to, current and historical academic performance, state and district assessment results, teacher observations and recommendations, behavioral referrals and/or records, attendance records, medical reports or recommendations (if applicable), and other relevant record of the student.
5. Information on how the student functions in the school environment, as well as pertinent information from educational records should be reviewed and documented.
6. Input from the student’s parent/guardian shall also be requested (parent feedback form), presented and considered by the committee and documented.
7. The committee then shall decide whether the information available is sufficient to determine if the student has a mental or physical impairment, has a record of such impairment, or is regarded as having an impairment which substantially limits a major life activity.



8. If sufficient information exists to make a determination of eligibility, the committee will proceed to creation of an individualized accommodation plan.
9. If additional observations or information are required before a determination can be made, the 504 coordinator shall establish a date and time for the follow-up meeting to consider the results of the requested information. The student's parent/guardian or the adult student shall be invited to the follow-up meeting.
10. Signatures of all persons participating in the record review shall sign in.

§504 Individualized Plan for Accommodations and Services

Qualified students may receive a written accommodation plan that will be developed by the end of the committee meeting, or within a reasonable timeframe. If the plan will be developed at a later date, the principal/designee shall establish a date for the meeting.

The direct intent of accommodations is to equalize access to programs/activities and, as such, does not necessarily ensure academic success.

Accommodation definition and implementation

An accommodation allows a student to complete the same assignment or function as other students, but with a change in the timing, formatting, setting, scheduling, response and/or presentation. This accommodation does not alter in any significant way what the classroom test or assignment measures.

The Section 504 Committee should develop or select accommodations that enable the student to have *equal access* to school programs and activities. Accommodations provide equal access and shall be directly created based on the need of the student.

During the evaluation, the section 504 committee will consider if barriers are created for the student due to an impairment, and how academic and extracurricular areas are affected.

The accommodations or services provided will be determined by a consensus of the committee. The committee will document the accommodations selected to address the student's needs. The committee may use the *Resource guide of allowable accommodations as a guide of identifying accommodations that may be provided to the student.*

Signatures of participants at this meeting shall be recorded. Parental consent is not required for a Section 504 Plan.

The Section 504 coordinator will provide copies of the plan to all staff members directly involved with the student and the school's testing coordinator (if testing accommodations are included in the Plan.)



Termination of Qualifications / Accommodations

If the Section 504 committee suspects and/or determines that a student no longer requires an accommodation and/or accommodation plan, the committee may determine that an update to the students individualized accommodation plan be made.

REEVALUATION

Student eligible to receive protections under Section 504 shall periodically be reevaluated, specifically, at least every three years, or prior to a significant change in placement.

A "significant change in placement" means any change in the student's accommodation plan, including the instructional arrangement, for more than ten (10) consecutive school days. An advance in grade level shall not constitute a significant change in placement as long as the accommodation plan remains applicable.

It is Judson ISD's recommendation that every eligible student have an annual reevaluation.

IMPARTIAL HEARING

Parents or guardians who wish to challenge a decision of the Section 504 committee shall file a written request with the district Section 504 coordinator.

Judson District §504 Coordinator:
Ernest Cox Jr.
Director of Guidance and Counseling
8205 Palisades Drive
San Antonio, TX 78233
210-945-5230
ercox@judsonisd.org

Within 30 calendar days of the date of receipt of the request for an impartial hearing, the 504 coordinator will schedule a hearing before an impartial hearing officer and provide the parents or guardian with a written Notice of Hearing that sets out the date, time and place for the hearing and advises them of their right to participate and be represented by counsel.

The district shall make an audio tape of the complete hearing. No written transcript will be required, but the parents or guardian shall be entitled to obtain a copy of the audio tape at reasonable cost.

The hearing officer need not be an attorney at law, but shall be familiar with the requirements of Section 504. The hearing will be conducted without cost to the parents or guardian.



Office of Civil Rights Complaints

Parents or guardians may file complaints alleging a violation of Section 504 with:

Office for Civil Rights, Region VI
1999 Bryan Street, Suite 1620
Dallas, TX 75201
Tel.: (214) 661-9600
Fax: (214) 661-9587

TRANSFER STUDENTS

When a student transfers into Judson ISD with a Section 504 Plan, the campus 504 coordinator shall convene a Section 504 Committee meeting for review, and development consistent with district 504 guidelines. The 504 Plan shall be written within 30 school days of the eligibility determination / enrollment. Participants in this meeting shall include the school's Section 504 administrator/designee, the student's parents, the student (if appropriate), and at least one other individual (e.g., student's teacher, guidance counselor, assistant principal, etc.) who shall ensure that a plan is developed in a manner consistent with district Section 504 guidelines.

Discipline/Suspension/Removal from the Instructional Environment

Any time a student is removed from school by school officials, the action should be regarded as a removal from the instructional environment. These procedures apply to students identified as disabled only under Section 504 of the Rehabilitation Act of 1973. In addition to the requirements set forth in these procedures, the regular disciplinary procedures must also be followed. The parent or adult student must be invited to attend all Manifestation Determination meetings using the Section 504 MDR Form.

Short -Term Suspensions (10 days or less)

Students with a Section 504 Plan may receive suspensions of ten days or less under the same disciplinary procedures applicable to all students. Additional procedures may be required in cases of cumulative short-term suspensions exceeding ten days in a school year when these suspensions constitute a change in placement. Factors to consider in determining whether the multiple short-term suspensions amount to a change in placement include: 1) the length of each suspension, 2) the proximity of the suspensions to each other, and 3) the total amount of time the student will be removed from school. If in considering these factors the additional suspensions will result in a change in placement, then the procedures applicable to longer term suspensions and expulsion shall be followed.

Long Term Suspension, Placement in DAEP and Expulsion



Prior to imposing a long-term suspension or expulsion of a student with a Section 504 Plan, the Section 504 Committee shall convene a manifestation determination meeting to determine if the misconduct in question had a direct and substantial relationship to the impairment and if the misconduct was a direct result of the school's failure to implement the 504 Plan.

1. A manifestation meeting shall be conducted within 10 business days of the disciplinary action.
2. Convene a manifestation determination review meeting with committee members comprised of those individuals knowledgeable about the student's impairment through direct observation or review of records. Document the proceedings on the 504-Manifestation Form.
3. The committee's composition shall include a representative of the principal/designee; one general education teacher of the student; parent(s), student (if appropriate); and other staff knowledgeable about the student's level of functioning and the misconduct.
4. If it is determined that the misconduct is not caused by the student's impairment or the schools failure to implement the Section 504 Plan, the student may be disciplined in the same manner as are students without impairments. Forward the 504-Manifestation Form to the Office of Pupil Services.
5. If it is determined that the misconduct of the student is caused by the impairment, the student may not receive a long-term suspension or expulsion and shall be returned to the current placement.
6. The parent shall be informed that, if he or she disagrees with a decision as to whether the misconduct was caused by an impairment or to a subsequent placement decision, he or she can challenge the decision through procedures outlined in the Section 504 Parental Rights and Procedural Safeguards.

Exception to Section 504 Discipline Procedures

Students who have been identified as disabled under Section 504 and are recommended for discipline arising from the current use or possession of alcohol, illegal drugs, or a weapon may be disciplined by using the procedures applicable to regular education students in accordance to the student handbook. These cases do not require the use of the additional procedures outlined above. The disciplinary action taken must be consistent with the disciplinary action applied to regular education students for these same offenses.

Section 504 Roster and General Education Homebound list

The campus section 504 student roster and general education homebound list will be required to submit on a quarterly basis. Master lists will be submitted to the district 504 coordinator. Due dates for rosters will be on the 15th of the following months: August, November, March and June of each school year.



Section 504 Procedure Summary

1. Referral for Section 504 evaluation
2. Initial parent consent for evaluation
3. Evaluation – gathering of pertinent data and information to determine the student’s eligibility
4. Determination of eligibility; Placement and Accommodations (if applicable)
5. Parent Notification of evaluation results
6. Opportunity for parents to examine relevant records
7. Implementation of Section 504 plan
8. Re-evaluation (annual, 3 year and/or upon request) of student needs and accommodations



Section 504 Frequently asked questions and Answers

What is Section 504?

The purpose of the Section 504 of the Rehabilitation Act is to prohibit discrimination and to assure that students who are disabled, (a physical or mental impairment), have educational opportunities and benefits equal to those provided to non-disabled students.

What is the Section 504 Committee?

Each school has a committee which is knowledgeable about the requirements of Section 504 and which operates under the direction of the building principal. When the committee makes decisions particular to an individual student, persons who are knowledgeable about the student, who have expertise in the areas of suspected impairment, and who have expertise in interpreting data, are added as members. S

Does Section 504 require assessments?

Yes. An “evaluation” does not necessarily mean a “test” or “formal testing.” Rather, under Section 504 it refers to gathering data and/or information from a **variety of sources** so that the Section 504 Committee can make the required determinations. Common sources of evaluation data are grades, disciplinary referrals, health information, standardized test scores, teacher comments, observations, previous eligibility components, medical reports, etc.

When is the student eligible under Section 504?

The decision regarding whether or not a student is eligible under Section 504 is made on a case-by-case basis. The Section 504 Committee reviews each student’s individual information to determine whether there is a physical or mental impairment that substantially limits a major life activity. The committee considers the nature and severity of the impairment, its duration or expected duration, and the long-term impact of the impairment on the student’s opportunity to access and benefit from programs and activities offered.

Can a student with a temporary impairment be eligible for programs under Section 504?

The U.S. Department of Education has determined that a temporary impairment that substantially limits a major life activity can constitute an impairment under certain circumstances such that Section 504 services might be required. This shall be determined on a case-by-case basis.



Can a student be exited from Section 504?

Yes. Once a student no longer meets eligibility requirements, the Section 504 Committee may exit the student from the Section 504 Program with notice of procedural safeguards to the parents/guardians. This reevaluation may consist of a review of existing information by the Section 504 Committee.

What is the district's duty to serve students under Section 504 when placed by their parents/guardians in private or home schools?

Once the district has offered the student a free appropriate public education, it has no duty under Section 504 to provide educational programs to students not enrolled in the public school program based on the personal choice of the parent/guardian.

If a student has a Section 504 Plan, are accommodations for state standardized testing provided?

If a student is scheduled to take one of the standardized state assessments and the student has testing accommodations listed on the Section 504 Plan as part of the general education instructional program, then accommodations for the state assessment programs should be considered by the Section 504 Committee (evidence of effectiveness form will be utilized and reported). Testing accommodations are only provided to give the student an equal opportunity to demonstrate achievement, not an increased advantage to obtain a better score.

What are "health care plans," "504 medical plans"

Many students with health conditions require an organized medical treatment plan to be implemented in the school setting. School nurses work with parents and school staff to ensure that the medical needs of such students are met. Often, a document that reflects the student's medical needs is created by the school nurse and section 504 coordinator (in conjunction with parents and physicians). Many students with asthma, diabetes, allergies, or other conditions have such plans. Occasionally, though, a student's health issues may have an academic impact or may affect his or her ability to participate in a typical school or classroom activity. In such cases, a 504 Plan may also be needed so that classroom teachers can make allowances, adjustments, or modifications to their instruction.

What is the Section 504 process?

Parents or staff may refer any student for consideration to the Section 504 Coordinator at their local campus. The campus committee must review all referrals. All students with a physical or mental impairment must have documented evidence by a credible source (such as a Physician) except for the educational diagnosis of some learning impairments. Parents must sign a consent and return the consent to the Section 504 Coordinator at their campus in order to have their child evaluated.



A Section 504 committee must review the data (from all relevant sources), to ensure that there is an agreed upon educational need. Once the committee agrees that the student does have an impairment and the impairment substantially limits that child in one or more major life activities; then the committee creates an Individual Accommodation Plan that is shared with Teachers and staff for use in the general education classroom. All students who are receiving Section 504 Accommodations are re-evaluated every three years.

What are the Major Life Activities?

Walking, seeing, hearing, speaking, breathing, learning, caring for one's self, performing manual tasks, and working.

What are the Physical and Mental Impairments listed under Section 504?

Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hermic and lymphatic; skin; and endocrine; or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities

What is the difference between Section 504 and Special Education?

See Chart below.

What are the regulations regarding STAAR/TAKS and Section 504?

Section 504 eligibility does not provide for exemption from group testing. Instructional/environmental accommodations regularly provided to a student may be evaluated to measure if effectively used and beneficial to the student to determine if allowable on state assessment. Final determination will be communicated between the campus 504 coordinator, campus testing coordinator and reported to the district testing coordinator.

What is substantial limitation?

"Substantial limitation" can be taken from the Americans with Disabilities Act. Under that law, a major life activity is substantially limited when a person is "Unable to perform a major life activity that the average person in the general population can perform".



A Comparison Chart: IDEA* and Section 504

Source: Margaret O. Thompson, TEA

	IDEA	Section 504
PURPOSE	To insure that all children with disabilities have available to them a free appropriate public education.	To prohibit discrimination on the basis of disability in any program receiving federal funds.
WHO IS PROTECTED	Lists 13 categories of qualifying conditions.	Much broader. A student is eligible so long as s/he meets the definition of qualified handicapped person, i.e., has a physical or mental impairment that substantially limits a major life activity, has a record of or is regarded as handicapped by others. Parents are also protected.
DUTY TO PROVIDE A FREE APPROPRIATE EDUCATION	Both require the provision of a free appropriate education to students covered including individually designed instruction. Requires the district to provide IEPs. "Appropriate education" means a program designed to provide "educational benefits."	"Appropriate" means an education comparable to the education provided to non-handicapped students.
SPECIAL EDUCATION vs. GENERAL EDUCATION	A student is eligible to receive IDEA services only if the multidisciplinary team determines that the student has one of the handicapping conditions and needs special education.	A student is eligible so long as s/he meets the definition of qualified handicapped person, i.e., has a physical or mental impairment that substantially limits a major life activity, or is regarded as handicapped by others. The student is not required to need special education in order to be protected.
FUNDING	If a student is eligible under IDEA the district receives additional funding.	Additional funds are not provided.
ACCESSIBILITY	Not specifically mentioned although if modifications must be made in order to provide a free appropriate education to a student, IDEA requires it.	Detailed regulations regarding building and program accessibility.
CHILD FIND	Both require child find activities.	
GENERAL NOTICE	Requires notification of parental rights.	Districts must include notice of nondiscrimination in its employee, parent, and student handbooks, and must designate the district's 504 coordinator(s).
GENERAL NOTICE (continued)	Both require notice of the parent or guardian with respect to identification, evaluation, and placement.	



NOTICE AND CONSENT	Requires written notice.	Requires notice in Texas.
	Notice provisions are more comprehensive and specify what the notice must provide.	
	Written notice is required prior to any change in placement.	Requires notice before a "significant change in placement."
	Requires consent for initial evaluation and placement.	Consent not required, by if a handicapping condition under IDEA is suspected, those regulations must be followed.
EVALUATIONS	The regulations are similar.	
	Requires consent before initial evaluation is conducted.	Requires notice, not consent. However, in Texas, consent is required.
	Reevaluations must be conducted at least every three (3) years.	Requires periodic reevaluations.
	Provides for independent evaluations.	Not required.
DETERMINATION OF ELIGIBILITY, PROGRAM, AND PLACEMENT	Done by admission, review, and dismissal (ARD) committee. Parent is a member of the committee.	Done by a group of persons knowledgeable about the child, the evaluation data, and placement options. Parental participation is not mentioned in the regulations, but a district would be wise to invite parent to meeting.
GRIEVANCE PROCEDURE	IDEA does not require a grievance procedure nor a compliance officer.	Districts with more than 15 employees must designate an employee to be responsible for assuring district compliance with Section 504 and provide a grievance procedure (an informal hearing before a district staff member) for parents, students, and employees.
DUE PROCESS	Both require districts to provide impartial hearings for parents or guardians who disagree with the identification, evaluation, or placement of a student with disabilities.	
	Hearings conducted by a state hearing officer (who is an attorney). Decisions may be appealed to court.	Hearings conducted at the local level by an impartial person not connected with the school district. Person need not be an attorney. Decisions may be appealed to court.
ENFORCEMENT	Compliance is monitored by TEA. TEA also receives and resolves complaints regarding IDEA. Office for Civil Rights does not enforce.	Enforced by the Office for Civil Rights (Regional Office – Dallas, TX) by complaint investigation and monitoring activities.
EMPLOYMENT	No provisions.	Employment of person with disabilities is regulated.