

# Title 1 - I.D.E.A. - and 504

The proliferation of Federal laws dealing with students in need has left many parents, teachers and administrators confused as to what laws apply to which students. All three laws relate to some extent to services that students could receive to ensure their success in school.

The three laws most often applied to students in need are Title 1, I.D.E.A., and Section 504. Each deals with specific students and how schools react to their needs.

**Title 1** is part of a federal law that deals specifically with funding compensatory education for low achieving students. In order to qualify for federal funding, the school district must service economically disadvantaged students.

**I.D.E.A. (Individuals with Disabilities Education Act)** is a federal education law that deals with ensuring that students, aged 3 to 21 (who have been identified by a team of educational professionals as meeting one of 13 specific categories of need, have failed to make adequate progress because that need, and would benefit from specialized instruction) receive a free and appropriate public education (FAPE). A plan for student services called an I.E.P. (Individual Education Plan) must be developed for the student. The I.E.P. must specially designed to meet the needs of the student

**Section 504 of the Rehabilitation Act of 1973** is a civil rights law that prohibits discrimination based on a disability in any program that receives federal monies. For school aged students, it applies to all students who have a physical or mental disability that limits one or more major life activities, has a record of disability, or is regarded as having such a disability. All students who qualify for services under I.D.E.A. are covered by Section 504 but not vice versa. The law is basically an anti discrimination law that ensures the right of a student with a disability to a Free and Appropriate Education.

The laws differ in the types of needs they address, the types of services that must be offered, and the numerous rules and regulations that govern their implementation. They share a commonality in requiring that parents of students be notified and involved in the determination of services.

Title 1 does not address students needs based on disability or special needs. It looks at student performance, achievement and progress. Services are provided to students to improve their academic success. I.D.E.A. looks at the identified special needs of students. Specialized and specific services are provided to address the identified special needs of the student. Student progress is assessed under the IEP. Section 504 addresses the need to ensure that a student is provided with an education that is comparable to the education a student without a disability would receive.

All three laws (Title 1, IDEA and 504) have legal safeguards regarding procedure and due process. Parental involvement in determining the nature and scope of services offered to students is required. More detailed information is available at the following Web sites:

- u [http://www.ldonline.org/ld\\_indepth/legal\\_legislative/edlaw504.html](http://www.ldonline.org/ld_indepth/legal_legislative/edlaw504.html)
- u <http://www.tea.state.tx.us/special.ed/sec504/comp.html>
- u <http://www.advocatesforspecialkids.org/compideasect5.htm>