Entitlement vs Eligibility

Parent Session - October 12, 2021

Entitlement

- School-age students with a disability receiving special education services are **entitled** to receive services to access a free appropriate public education as outlined in the Individuals With Disabilities Education Act (IDEA).
- Services are documented within the student's individualized education program (IEP) as determined by the IEP team and funded by the local educational agency

Student’s are entitled to:

- ❏ Free appropriate public education (FAPE)
- ❏ Least restrictive environment (LRE)
- ❏ Specially designed instruction (SDI)
- ❏ Related services
- ❏ Preparation for further education, employment, and independent living

Eligibility

Once a student exits school, eligibility for services and supports is determined through the requirements of agencies outside of the school system.

- Individuals may qualify for services; services are not guaranteed.
- It is the individual/parent/guardian's responsibility to obtain services.
- Services may be provided if there is enough staff, capacity at the facility, and/or funds to provide services.
- Self-advocacy is necessary in obtaining accommodations.

Website Resources for Entitlement vs Eligibility

- PaTTAN - https://www.pattan.net/Publications/Secondary-Transition-Entitlement-vs-Eligibility
- A Comparison of ADA, IDEA and Section 504 - http://dredf.org/advocacy/comparison.html
- From Entitlement to Eligibility: Differences Between Public Education and Post-Secondary Education for Individuals With Disabilities - http://tinyurl.com/hytet56
- Maryland Learning Links - https://marylandlearninglinks.org/resource/entitlement-versus-eligibility/
- KidSource - http://www.kidsource.com/kidsource/content3/ada.idea.html

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