

Three Federal Laws You Should Know

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There are three federal laws that protect the rights of individuals with disabilities. These laws also include individuals with attention and learning issues. A basic understanding of these three laws will assist you in becoming a more effective advocate for your school aged child.

The three laws are as follows:

- **Individuals with Disabilities Education Act (IDEA)**
- **Americans with Disabilities Act Amendments Act (ADAAA) of 2008**
- **Section 504 of the Rehabilitation Act**

The **Individuals with Disabilities Education Act** is a federal law enacted in 1990 and reauthorized in 1997 and 2004. It is designed to protect the rights of students with disabilities by ensuring that everyone receives a free appropriate public education (FAPE), regardless of ability. <http://idea.ed.gov/>

The **Americans with Disabilities Act Amendments Act (ADAAA) of 2008** is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The ADAAA, Pub. L. 110-325, overturns a series of Supreme Court decisions that interpreted the Americans with Disabilities Act of 1990 in a way that made it difficult to prove that an impairment is a "disability." The ADAAA made significant changes to the ADA's definition of "disability" that broadens the scope of coverage. <http://www.ada.gov/index.html>

Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112, 87 Stat. 394 (Sept. 26, 1973), codified at 29 U.S.C. § 701 et seq., is American legislation that guarantees certain rights to people with disabilities. It was the first U.S. federal civil rights protection for people with disabilities. <http://www2.ed.gov/about/offices/list/ocr/504faq.html>

Below is a chart to assist you in understanding what each law provides.



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Provides	IDEA	ADAAA	504
Legal rights for individuals with disabilities, which may include accommodations	✓	✓	✓
Special education and related services such as speech therapy, occupational therapy etc... that meet the individual needs of students	✓		
An Individualized Education Program (IEP) for students eligible under IDEA	✓		
Public schools are required to identify and evaluate, at no cost to parents, children suspected of having a learning disability	✓		
Education funding for school	✓		
A requirement that schools give prior written notice before making changes to students services	✓		
A "stay put" provision, which keeps students services in place while schools and parents solve IEP disputes	✓		
Freedom from discrimination in the workplace		✓	
A Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE)	✓		✓
Procedural safeguards to protect students rights which state what schools can and cannot do when evaluating and providing special education and related services	✓		✓
Due process or grievance procedure for resolving disputes between parents and schools	✓		✓
Freedom from discrimination at private schools (including colleges and universities) that receive federal funding		✓	✓
A 504 accommodation plan for eligible students			✓



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