

Differences Between the Laws

Issue	IDEA	Section 504	ADA
Required in the Laws	Provides FAPE in the least restrictive environment	Requires any agency, school or institution that receives federal financial assistance to provide deaf and hard of hearing individuals an opportunity to be fully mainstreamed.	Extends coverage of Section 504 to jobs, public and private educational institutions, transportation providers and telecommunications.
Definitions in the Laws	Specific disability categories are defined in this law; it covers students with educational disabilities who require special services. Not all deaf and hard of hearing students are eligible.	Defines disabled people as those who have a physical or mental impairment, have a record of such an impairment or are shown as having an impairment.	Has the same definition as Section 504 and covers people without disabilities who may be related to or associated with a disabled person.
Who is Covered?	Covers deaf and hard of hearing students (ages 3-21 or until graduation) who require special education services.	Protects all deaf and hard of hearing students from discrimination in schools based on their hearing impairment or additional disabilities.	Protects all deaf and hard of hearing students from discrimination in schools.
Services Provided	Offers remedial educational services along with services available to all mainstream students (i.e., P.E., Art, field trips).	Removes barriers that would prevent students from full participation in programs and services offered at schools.	Removes barriers that would prevent students from full participation in programs and services offered at schools.
Funding	Schools get federal funding to provide remedial services.	Requires that schools not discriminate based on student's hearing loss and provide appropriate accommodations, but schools receive no extra financial support to provide services or assistive technology.	Requires that schools not discriminate based on student's hearing loss and provide appropriate accommodations but schools get no extra financial support to provide services for assistive technology.
Evaluation/ Documentation	School district is responsible for identifying and evaluating deaf and hard of hearing students.	Same for elementary & secondary schools.	Students must self-identify as having a disability and must provide documentation of their hearing loss.
	Evaluations are the responsibility of the school and are performed at no expense to the student or parents.	Same for elementary & secondary schools.	Evaluations and documentation of hearing loss are the student's responsibility and cost.
	Parents must consent to evaluations and placement decisions.	Same for elementary & secondary schools.	Students have responsibility for advocacy, negotiating accommodations plan.
IEP/ Accommodations	Individualized Education Plan (IEP) is developed with parents, teachers and other specialists involved.	504 Plan is developed with parents, teachers and school personnel involved for elementary and secondary students. Same for college and postsecondary.	Accommodation plan is developed with the student.
Classroom Placement	Placement must be in the least restrictive environment; this may be a special classroom, resource team or general education classroom.	Placement is in a general education classroom with support services to remove barriers to the students' educational experience.	All courses are in mainstream settings with accommodations provided to students who are eligible under ADA.