

**What Else Can You Do
To Help Your Child?**

**It is your right and responsibility to take part
in your child's education. For the sake of
your child's well-being and future
PLEASE GET INVOLVED!**

Meet with teachers and other service providers. It's important to keep a good relationship with school staff. Be sure to tell the school about specific situations that may cause problems for your child, any recent changes in your child's life (such as a death or divorce in the Family), any special abilities or interests your child has and any medication your child takes. Remember, school staff want the best for your child, just like you do!

Talk to other parents of children with disabilities. Share what you've learned - ask questions about IDEA and Section 504.

Keep accurate records. Keep track of your child's health records, evaluations, schoolwork, attendance records and report cards. Also keep any notes and reports from teachers.

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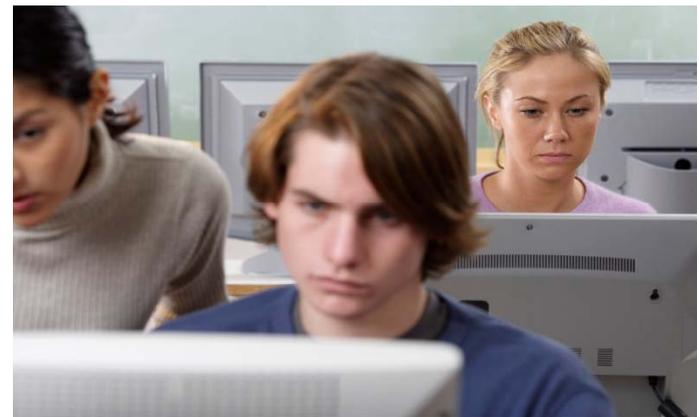
**ARMY COMMUNITY SERVICE (ACS)
Exceptional Family Member Program
(EFMP)**

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Army Community Service - "Putting Soldiers and Families First!"

Individuals with
Disabilities
Education Act
(IDEA)
and Section 504



**Federal Laws that Help Protect
the Rights of Students
with Disabilities**



Always Reaching Higher

What is the IDEA and Section 504?

The IDEA provides federal guidelines and funding to states to help guarantee special education and related services to eligible students. IDEA has 4 main components:

- Part A and B cover eligibility, procedures and required services for children and young people ages 3 through 21.
- Part C covers services for infants and toddlers
- Part D covers national activities to improve education for children with disabilities.

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against any person with a disability by any federally funded agency or organization. It requires states to provide programs for eligible students with disabilities that are equal to those for students without disabilities.

How Do You Know if Your Child is Eligible?

If you think your child may be eligible; you can request an evaluation from the school. The school may also initiate an evaluation. This helps determine if your child needs services. It involves:

- An evaluation of your child's health history

This may include a review of your child's medical records.

- Observations

These come from professionals, such as teachers, who have worked with your child. Your own observations are an important part of this process.

- Special Tests

These help measure your child's development, abilities, intelligence and academic progress.

Who Can Get Services Under These Laws?

IDEA

Covers students who need special education and related services because they have a disability in one or more of these categories:

- Autism
- Deaf-blindness
- Deafness
- Developmental delay (ages 3-9)
- Hearing impairments
- Mental retardation
- Multiple disabilities
- Orthopedic impairments
- Other health impairment
- Serious emotional disturbance
- Specific learning disabilities
- Speech or language impairment
- Traumatic brain injury
- Visual impairments, including blindness

Section 504

Covers any person who:

- Has a physical or mental impairment that limits one or more major life activity
- Has a record of such an impairment
- Is regarded as having such an impairment.

A major life activity under Section 504 includes: breathing, caring for oneself, hearing, learning, seeing, speaking, walking, working and performing manual tasks.

Why Should You Learn About These Laws?

It is important for you to learn about these laws because your child may benefit from them. The goal of IDEA and Section 504 is twofold: To help students with disabilities reach their potential and to involve parents in their children's education. IDEA and Section 504 focus on making sure eligible students with disabilities get a fair chance to develop and learn. These laws can improve their opportunities for higher education, future employment and achieving independence in adulthood. Teamwork between parents and school staff is an important part of a successful education plan.

Some of the main principles under IDEA involve providing:

- Free and Appropriate Public Education.

Eligible students receive special education and related services at no cost to parents. These services must meet state standards.

- Evaluation and Placement Procedures

A parent's consent is generally needed before an evaluation or placement can take place. A reevaluation takes place at least once every 3 years, unless the parents and local education agency agree to postpone it.

- Least Restrictive Environment for Learning

As much as possible, eligible students may attend classes in regular classrooms and take part in school activities with children who do not have disabilities.

- Procedural Safeguards

Schools must give written notice to parents before initiating or changing (or refusing to change) a student's identification, evaluation or educational placement.

What Does Section 504 Cover?

Section 504 shares many of the same principles as IDEA, with on a few differences.

For example, principles of Section 504 involve providing:

- Free and Appropriate Public Education

Like under IDEA, eligible students have the right under Section 504 to an education that is equal to what is provided to students without disabilities. Special education or related services to meet this requirement are provided at no cost to parents.

- Evaluation and Placement Procedures

An evaluation is required before placement changes or accommodations can be made. Periodic reevaluation is required, but the frequency is not specified. Parental consent is required before the initial evaluation, but only notification is required for reevaluation.

- Least Restrictive Environment for Learning

Section 504 shares the same policy as IDEA

- Procedural Safeguards

Parents must be told about any identification, evaluation and/or placement before any significant changes are made.

- Reasonable Accommodations

Students must receive opportunities that are comparable to those provided to children without disabilities. This includes academic and non-academic school programs.

What Are Your Rights as a Parent?

Under IDEA , you have the right to: (* indicates coverage under Section 504 also)

- See Your Child's School Records: You may also see test results and have them explained.
- Ask to Have Your Child Reevaluated: If you feel your child's needs have changed, you may ask for another evaluation.
- Request an Independent Evaluation: If you disagree with the school's evaluation, or would like a second evaluation, you may ask for one by a qualified examiner who doesn't work for the school. The school can ask for a formal hearing to determine who will pay for the evaluation.
- Take Part in Eligibility and Placement Decisions: You have a say in any major decisions that affect your child's education.
- Mediation: If you disagree with the identification, evaluation or placement of your child, you may request to have a mediator help settle the disagreement.
- Hearing: If you disagree with a decision you may request a formal hearing. Schools may also request a hearing.
- Receive Regular Reports: You have a right to be informed of your child's progress. Reports are often based on your child's Individual Education Program.

Individual Education Program (IEP)

The IEP is sometimes called an individualized education plan. This is required if your child is eligible for IDEA. An IEP is a written plan created by school staff, parents and the student (when appropriate). It outlines the student's abilities, goals for the student, how progress will be measured and how the school, student and parents will work together to meet these goals. By the time a student is 16 years old, an IEP also includes a transition plan. A transition plan helps prepare students for life after school. A written education plan is also required under Section 504. The IEP format may be used for this plan.

Key Requirements of IDEA and Section 504