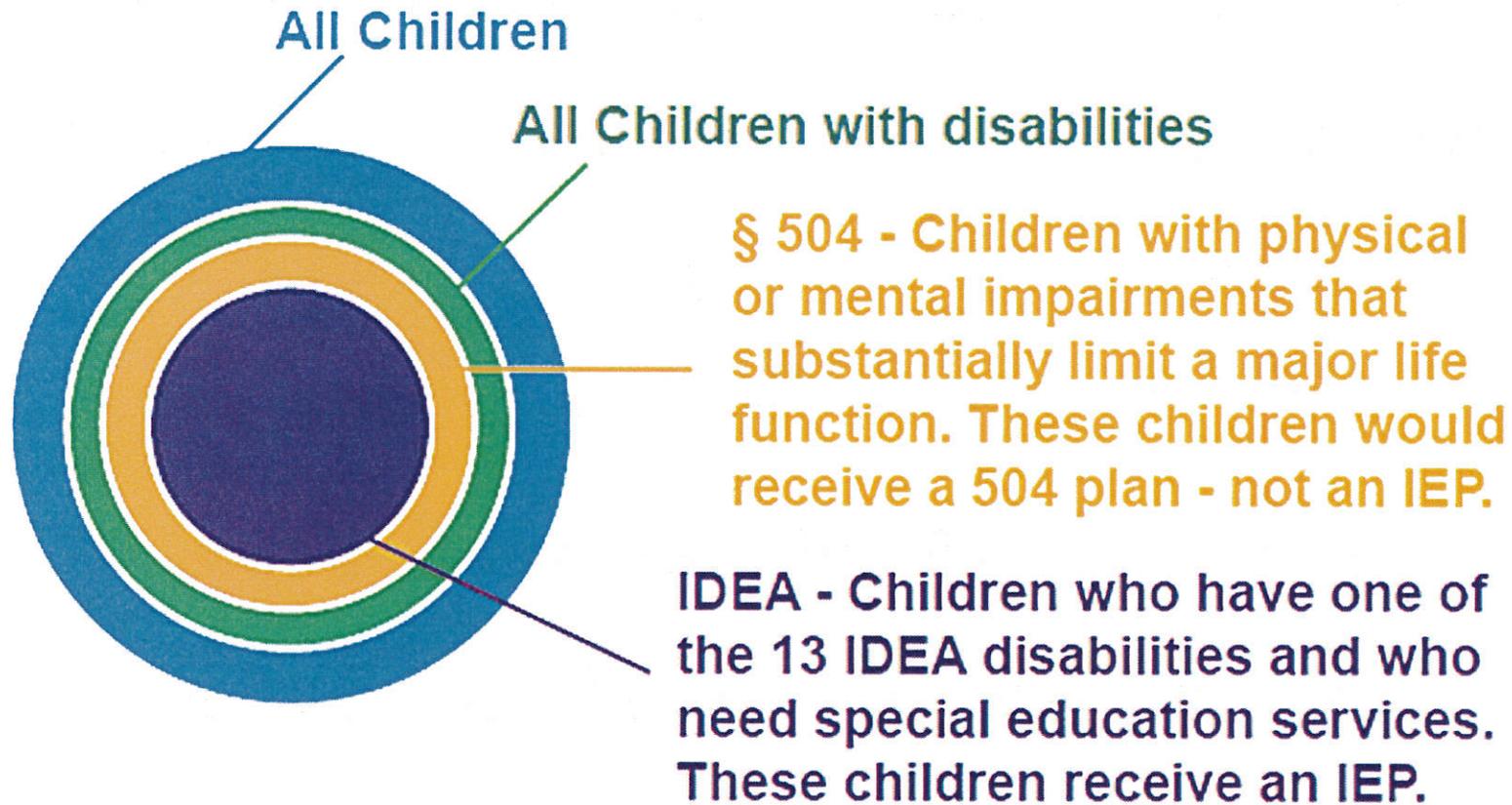


Key Differences in IDEA and Section 504

Eligibility for Section 504 and the IDEA



Identification

- **IDEA** – The student must have a disability that falls within one or more specific categories of qualifying conditions: autism, specific learning disability, speech or language impairment, emotional disturbance, traumatic brain injury, visual impairment, hearing impairment, deafness, intellectual disability, deaf blindness, multiple disabilities, orthopedic impairment, and other health impairments.
- The student's disability must adversely affect educational performance, and as a result of the disability, the student requires special education and related services.
- **Section 504** - The student must have a physical or mental impairment that substantially limits a major life activity (e.g., walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, performing manual tasks, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking and communicating).
- The student's disability must prevent equal access to or benefit from the school's programs or services.

Evaluation

- **IDEA** - Full comprehensive evaluation, including psychological evaluation. Decision by multi-disciplinary team, including parent.
- Parent consent required.
- Annual review of student's IEP. Mandatory re-evaluation every three years.
- Independent evaluation at district expense if parents disagree with the District's evaluation.
- **Section 504** - Evaluation using relevant information from a variety of sources. Decision by a group of knowledgeable persons.
- Parent consent required.
- "Periodic" re-evaluation required, but no prescribed time period.
- No provision for independent evaluation at District expense.
- Huron School District does Annual 504 Plan Reviews.

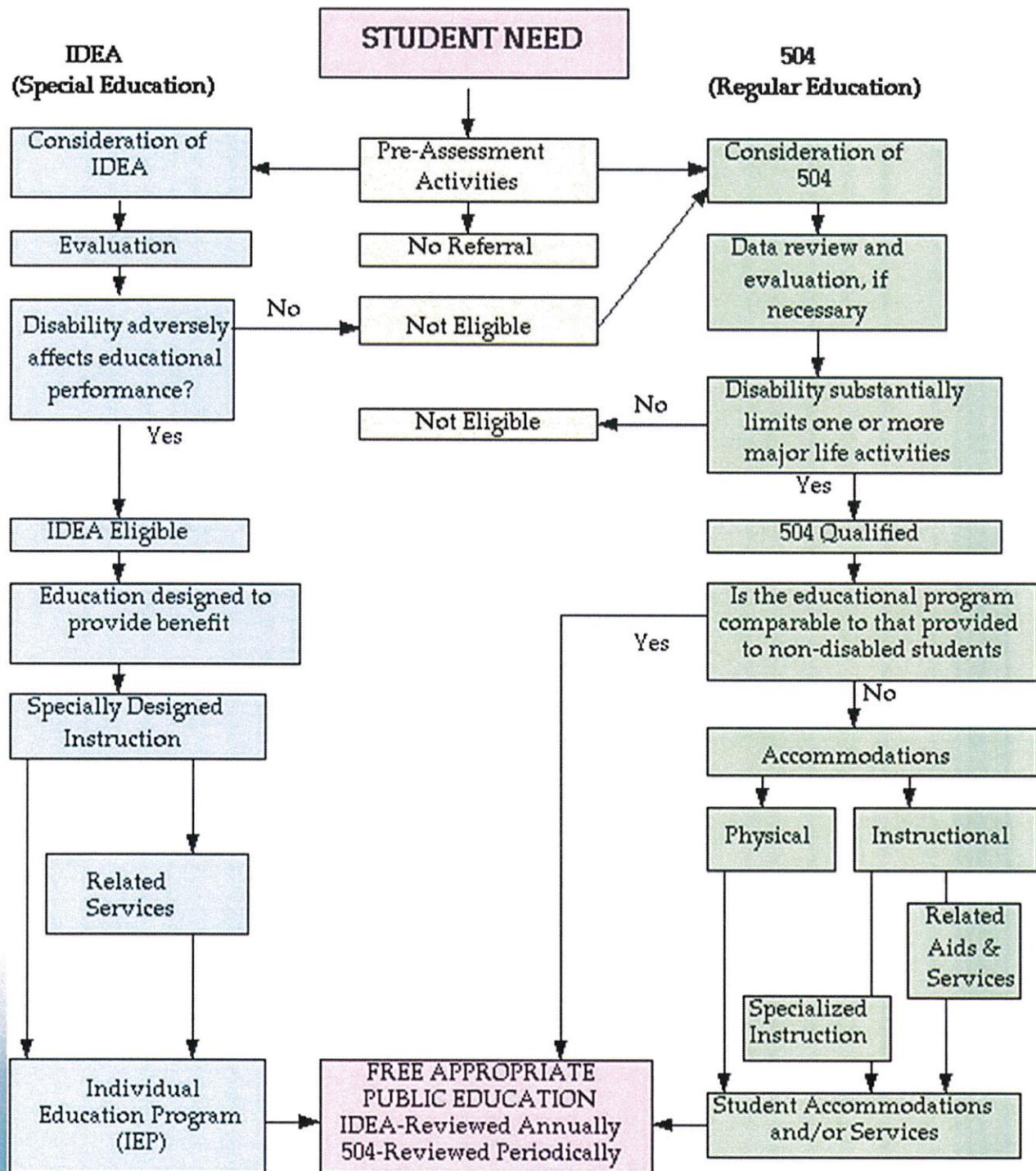
Common Ground

IEP: covered by an education law (IDEA); applies only to students who qualify for “special education services” in a core curriculum area; governed by strict procedures and timelines; parent involvement is mandated; schools receive additional federal funding for students receiving special ed services.

Both plans cover accommodations and modifications to the school environment and classroom materials, adaptive technology, and related services.

504 Plans: covered by a civil rights law (Rehabilitation Act); applies to all students with qualifying disabilities; follows an informal process; parent involvement not mandated; schools do not receive additional federal funding for services to qualifying students.

Issue	Section 504	Special Education
Type	Civil Rights	Education
Responsibility	General Education	General/Special Education
Funding	School General Fund	State/Federal/Local Funding
Administration	Section 504 Coordinator	Special Education Director
Service Tool	Accommodation Plan	Individualized Education Program
Disabilities	Could include any physical or mental disability that substantially limits a major life activity.	13 qualifying categories
Parents	Should be involved in all team meetings	Must be involved in all team meetings
Consent	Notice of consent of parents is required	Parent consent and notice required for initial evaluation, placement and reevaluation
Evaluation and Identification	An evaluation is necessary before accommodations/services can be provided.	An evaluation is necessary before it can be determined if a child is eligible
Team	Section 504 team, including parents	IEP Team, including parents



December 2018 Child Count Sign Off

Huron 02-2

Category	500 Deaf Blind	505 Emot Dist	510 Cog Dis	515 Hearing Imp	525 Spec Learn	530 Multi Dis	535 Orth Impair	540 Visual Loss	545 Deaf	550 Speech Lang	555 Other Health	560 Autism	565 Traum Brain Inj	570 Dev Delay	Total
100 - Gen Class w/ Modifications	0	8	6	1	113	1	0	0	0	80	42	11	0	0	262
110 - Resource Room	0	6	27	2	48	2	0	0	1	0	16	8	3	0	113
120 - Self-Contained Classroom	0	3	5	0	0	6	0	0	0	0	7	2	0	0	23
130 - Separate Day School	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
140 - Residential Facility	0	1	2	0	4	0	0	0	0	0	3	0	0	0	10
150 - Home/Hospital	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
310 - EC 10 hrs, in district	0	0	0	0	0	0	0	0	0	1	0	1	0	0	2
315 - EC 10 hrs, other location	0	0	0	0	0	0	1	0	0	7	0	0	0	22	30
325 - EC less 10 hrs-in district	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
330 - EC less 10 hrs-oth location	0	0	0	0	0	0	0	0	0	4	0	0	0	1	5
335 - Separate Class	0	0	0	0	0	0	0	0	0	0	0	6	0	14	20
345 - Separate School	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
355 - Residential Facility	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
365 - Home	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
375 - Service Provider Location	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1
Total	0	18	40	3	165	9	1	0	1	93	68	28	3	37	466

I declare and affirm that the child count reported by our district, as of December 1, 2018 , is accurate and correct according to federal and state regulations and as referred to in ARSD, Chapter 24:05:17.

Submitted By: Lori Wehlander

Title: Director of Special Services

Date Signed: 1/11/2019

2018 STATISTICAL PROFILE SUMMARY

Primary Disability: ALL DISABILITIES

District: Huron 02-2

School: ALL SCHOOLS

Sort Code: ALL SORT CODES

Ethnicity	Count	Grade	Count	Ed Setting	Count	Age	Count	Gender	Count
Asian	71	01	26	100	262	3	12	F	146
Black	8	02	38	110	113	4	22	M	320
Hispanic	110	03	54	120	23	5	24	Total:	466
Multiple Races	15	04	51	140	10	6	26		
Native American	14	05	48	310	2	7	31		
Pacific Islander	3	06	42	315	30	8	46		
White	245	07	34	330	5	9	51		
Total:	466	08	26	335	20	10	57		
		09	23	375	1	11	38		
		10	30	Total:	466	12	30		
		11	15			13	27		
		12	9			14	30		
		EC	41			15	18		
		KG	29			16	23		
		Total:	466			17	21		
						18	9		
						19	1		
						Total:	466		