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What's New in Education Law?

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Conference of Educational Administrators of Schools and Programs for the Deaf

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INTRODUCTIONS



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AGENDA

- Introduction
- Learning objectives
- Brief overview: Laws to know
- Supreme Court decisions
- Federal bills
- Resources for EI professionals and families

LEARNING OBJECTIVES

1. Identify new bills and case precedents relevant to deaf children
2. List resources relevant to understanding the application of the ADA and IDEA
3. State provisions of the IDEA and the ADA that are relevant to families

Brief overview: Laws to Know

Laws to Know

- IDEA = Individuals with Disabilities Education Act
- 504 = Rehabilitation Act of 1973 (federally funded)
- ADA = Americans with Disabilities Act
- Federal Regulations for each law
- State Special Education laws - all different

Laws view

Name of law	IDEA	Section 504	ADA
Applicable age	Birth to 21 years old	Any age	Any age
How to get the law's protection	Must "qualify"	Disability that substantially limits a major life activity	Identifiable disability or regarded as so
Applies to who/what?	Local, state and federal	Entities receiving federal funds	Public accommodations and private entities
Who decides?	IEP team	504 coordinator	Upon request or see need
Goal of law	Specialized education	FAPE and accommodations	Reasonable accommodations
Measure of law	"educational benefit-a year's progress"	"appropriate accommodations"	"effective communication"
Can compare?	No comparison-individualized	Compares to other disabled students	Compares to hearing student

Chart developed
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Important Distinguishing Points

- Each law is separate and must be applied separately (504 is very connected with ADA, state/federal/private)
- Section 504 Plan - can use with or without IDEA
- Some schools will try to give ONLY 504 Plan
- Very similar to Section 504, but not part of planning
- IDEA and 504 are part of plan between schools and parents, not the ADA
- But schools must comply with the ADA, and are liable for \$\$\$ if not (*Perez v. Sturgis Public Schools*)
- What works for each child is different

Supreme Court Decisions

Supreme Court Decisions

- *Board of Education v. Rowley*
- *Endrew F. v. Douglas County Schools*
- *Perez v. Sturgis Public Schools*
- What do these cases mean for EI professionals and families?

Federal Bill - Cogswell Macy Act

- Proposed amendments to the IDEA
- Improve services & education opportunities for deaf, deafdisabled, deafblind, and blind students

www.cogswellmacyact.org

RESOURCES: QUESTIONS RELATED TO ADA, 504, IDEA

- WrightsLaw.com
- National Association of the Deaf (NAD)- Education Advocates
- Your state's Parent Training and Information Center (PTIC)

THANK YOU!

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