

Know Your Rights

IDEA, Section 504, and the ADA: a plain-language guide for Florida parents

Three federal laws protect students with disabilities at school, and they don't all work the same way.

Here's the truth: you don't need to be a lawyer to use them, but knowing which law does what helps you ask for the right thing.

IDEA

Who: students with a qualifying disability who need specially designed instruction.

Gives: an IEP with special education, related services (speech, OT, counseling), and accommodations.

Section 504

Who: students with a disability that substantially limits a major life activity, like learning, focusing, or eating.

Gives: a 504 plan with accommodations and equal access.

ADA

Who: people with disabilities in public schools and many other public places.

Gives: protection from disability discrimination, and equal access to programs and activities.

Your rights under IDEA

- ☐ **Request an evaluation** in writing, at no cost to you. In Florida, the school must respond to your request within 30 days.
- ☐ **Give or refuse consent** before the first evaluation and before services start.
- ☐ **Take part in every decision** about your child's eligibility, IEP, and placement.
- ☐ **Get written notice** when the school proposes or refuses a change, with the reasons.
- ☐ **Request an Independent Educational Evaluation (IEE)** at public expense if you disagree with the school's evaluation.
- ☐ **See your child's records**, and get copies before meetings.
- ☐ **Education in the least restrictive environment**, with peers without disabilities as much as appropriate.
- ☐ **Resolve disagreements** through a facilitated IEP meeting, mediation, a state complaint, or due process.

Put it in writing

Make every important request in writing (email counts), keep copies, and write down the date. A written request starts timelines and creates a record. If your child misses services listed in the IEP, ask the school in writing how the time will be made up.

IEP or 504 plan?

If your child needs changes to *what or how* they're taught, ask about an IEP. If they can learn the general curriculum with the right *access and accommodations*, a 504 plan may fit. A child who doesn't qualify for an IEP may still qualify for a 504 plan.

Want someone in your corner?

I'm a COPAA Special Education Advocacy Training Instructor with a Master of Legal Studies in Education Law and Special Education Advocacy. I help Florida families understand their rights and use them.

Non-attorney advocacy. Not legal advice or legal representation. For legal advice, consult a special education attorney.

[Book a free consultation](#)

ACCEPT. UNDERSTAND. LOVE.