

IEP vs. 504 Plan

The IEP and 504 Plan offer modification and accommodations to assist students with learning disabilities. Just because a child has a disability or impairment does not mean that he/she automatically qualifies for special education services under the IDEA. A child with a disability who does not need special education services will not qualify for special education and related services under the IDEA. He or she may however receive protections under Section 504 of the Rehabilitation Act.

	IEP	504 Plan
Basic Description	A blueprint or plan for a child's special education experience at school.	A blueprint or plan for how a child will have access to learning at school.
What It Does	<p>Provides individualized special education and related services to meet the unique needs of the child.</p> <p>These services are provided at no cost to parents.</p>	<p>Provides services and changes to the learning environment to meet the needs of the child as adequately as other students.</p> <p>As with IEPs, a 504 plan is provided at no cost to parents.</p>
What Law Applies	<p>The <u>Individuals with Disabilities Education Act (IDEA)</u></p> <p>This is a federal special education law for children with disabilities.</p>	<p><u>Section 504 of the Rehabilitation Act of 1973</u></p> <p>This is a federal civil rights law to stop discrimination against people with disabilities.</p>
Who Is Eligible	<p>To get an IEP, there are two requirements:</p> <ol style="list-style-type: none"> 1. A child has one or more of the 13 specific disabilities listed in IDEA. Learning and attention issues may qualify. 	<p>To get a 504 plan, there are two requirements:</p> <ol style="list-style-type: none"> 1. A child has any disability, which can include many learning or attention issues. 2. The disability must

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	<p>2. The disability must affect the child's educational performance and/or ability to learn and benefit from the general education curriculum.</p>	<p>interfere with the child's ability to learn in a general education classroom. Section 504 has a broader definition of a disability than IDEA. That's why a child who doesn't qualify for an IEP might still be able to get a 504 plan.</p>
<p>Who Creates the Program/Plan</p>	<p>There are strict legal requirements about who participates. An IEP is created by an <u>IEP team</u> that must include:</p> <ul style="list-style-type: none"> • The child's parent • At least one of the child's general education teachers • At least one special education teacher • School psychologist or other specialist who can interpret evaluation results • A district representative with authority over special education services <p>With a few exceptions, the entire team must be present for <u>IEP meetings</u>.</p>	<p>The rules about who's on the 504 team are less specific than they are for an IEP.</p> <p>A 504 plan is created by a team of people who are familiar with the child and who understand the evaluation data and special services options. This might include:</p> <ul style="list-style-type: none"> • The child's parent • General and special education teachers <p>The school principal</p>
<p>What's in the Program/Plan</p>	<p>The IEP sets learning goals for a child and describes the services the school will give her. It's a written document.</p>	<p>There is no standard 504 plan. Unlike an IEP, a 504 plan doesn't <i>have</i> to be a written document.</p> <p>A 504 plan generally includes the</p>

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	<p>Here are some of the most important things the IEP must include:</p> <ul style="list-style-type: none"> • The child’s present levels of academic and functional performance—how she is currently doing in school • Annual education goals for the child and how the school will track her progress • The services the child will get—this may include special education, related, supplementary and extended school year services • The timing of services—when they start, how often they occur and how long they last • Any accommodations—changes to the child’s learning environment • Any modifications—changes to what the child is expected to learn or know • How the child will participate in standardized tests <p>How the child will be included in general education classes and school activities</p>	<p>following:</p> <ul style="list-style-type: none"> • Specific accommodations, supports or services for the child • Names of who will provide each service • Name of the person responsible for ensuring the plan is implemented
Parent Notice	When the school wants to change a child’s services or	<ul style="list-style-type: none"> • The school must notify

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	<p>placement, it has to tell parents in writing <i>before</i> the change. This is called prior written notice. Notice is also required for any IEP meetings and evaluations.</p> <ul style="list-style-type: none"> • Parents also have “stay put” rights to keep services in place while there’s a dispute. 	<p>parents about evaluation or a “significant change” in placement. Notice doesn’t have to be in writing, but most schools do so anyway.</p>
Parent Consent	<p>A parent must consent in writing for the school to evaluate a child. Parents must also consent in writing before the school can provide services in an IEP.</p>	<p>A parent’s consent is required for the school district to evaluate a child.</p>
How Often It’s Reviewed and Revised	<p>The IEP team must review the IEP at least once a year.</p> <p>The student must be re-evaluated every three years to determine whether services are still needed.</p>	<p>The rules vary by state. Generally, a 504 plan is reviewed each year and a re-evaluation is done every three years or when needed.</p>
How to Resolve Disputes	<p>IDEA gives parents several specific ways to resolve disputes (usually in this order):</p> <ul style="list-style-type: none"> • Mediation • Due process complaint • Resolution session • Civil lawsuit • State complaint Lawsuit 	<p>Section 504 gives parents several options for resolving disagreements with the school:</p> <ul style="list-style-type: none"> • Mediation • Alternative dispute resolution • Impartial hearing • Complaint to the office Civil Rights (OCR) Lawsuit

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Funding/Costs	<p>Students receive these services at no charge.</p> <ul style="list-style-type: none"> States receive additional funding for eligible students. 	<p>Students receive these services at no charge.</p> <p>States do not receive extra funding for eligible students. But the federal government can take funding away from programs (including schools) that don't comply.</p> <ul style="list-style-type: none"> IDEA funds can't be used to serve students with 504 plans.