



## 504 plans versus Individualized Education Programs (IEP)

	504 Plan	IEP
What is it	Provides accommodations within <u>regular education</u> ; adaptations to the learning environment to enable the student to learn alongside their peers including for physical accommodations. Generally, this plan is reviewed yearly.	Provides individualized <u>special education</u> and related services. The plan is reviewed yearly with a reevaluation occurring every 3 years.
What law applies	Section 504 of the Rehabilitation Act of 1973	The Individuals with Disabilities Education Act (IDEA)
Eligibility	<ol style="list-style-type: none"> <li>1. A child has any disability</li> <li>2. The disability must interfere with the child's ability to learn in a general education classroom or limit a major life activity</li> </ol> <p>A disability must substantially limit one or more basic life activities – this can include learning, reading, communicating, and thinking. It is a broader definition than IEP</p>	<ol style="list-style-type: none"> <li>1. A child must meet the requirements for one of the 13 disabilities listed in IDEA</li> <li>2. The disability must affect the child's educational performance and/or ability to learn and benefit from the general education curriculum</li> <li>3. The child must need specialized instruction to make progress in school</li> </ol>
Age limits	None	IEPs are offered through 12 <sup>th</sup> grade or until age 21 if the student is enrolled in a certificate program
Who creates it	<p>Rules are less specific about who is on the team (compared to IEP teams).</p> <p>Created by a team of people familiar with the child who understand the evaluation data and special services options. Could include parent/ caregiver, general and special education teachers, and principal.</p>	<p>Strict legal requirements about who must be included on the IEP team – these include: parent / caregiver, at least one of the child's general education and special education teachers, school psychologist or other specialist who can interpret evaluation results, a district representative with authority over special education services. In some situations, a nurse.</p>

<p><b>What is in it</b></p>	<p>There is no standard 504 plan, in fact a 504 does not have to be a formalized written document.</p> <p>Generally includes:</p> <ul style="list-style-type: none"> <li>• The specific accommodations, supports, or services for the child</li> <li>• Lists who will provide the services</li> <li>• Names who is responsible for ensuring the plan is implemented</li> </ul>	<p>Some of the most important things include:</p> <ul style="list-style-type: none"> <li>• What the child's classification is</li> <li>• Present levels of academic and function performance</li> <li>• Annual education goals and how they will be tracked</li> <li>• Services the child will get and the timing of services (e.g., OT, SPL, counseling – how often a month or week)</li> <li>• Any accommodations or modifications</li> <li>• How the child will participate in standardized testing</li> <li>• What their level of service is (given a letter; tells how much they participate in general education services or whether they are served in a separate school)</li> <li>• If they receive ESY or 12-month programming</li> </ul>
<p><b>Discipline students</b></p>	<p>A Manifestation Determination meeting must be held to determine if the offense is a manifestation of the child's disability by the 10<sup>th</sup> day of suspension.</p> <p>May require a reevaluation</p>	<p>A Manifestation Determination meeting must be held to determine if the offense is a manifestation of the child's disability by the 10<sup>th</sup> day of suspension.</p> <p>Services are required to be administered during long-term suspensions.</p>
<p><b>Resolving Disputes</b></p>	<p>Several options:</p> <ul style="list-style-type: none"> <li>• Mediation</li> <li>• Alternative dispute resolution</li> <li>• Impartial hearing</li> <li>• Complaint to the Office for Civil Rights</li> <li>• Lawsuit</li> </ul>	<p>Several options (usually in this order):</p> <ul style="list-style-type: none"> <li>• Mediation</li> <li>• Due process complaint</li> <li>• Resolution sessions</li> <li>• Civil lawsuit</li> <li>• State complaint</li> <li>• Lawsuit</li> </ul>

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