

IEP and 504 Plans Explained

| | IEP | 504 Plan |
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| 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 | Provides individualized special education and related services to meet the unique needs of the child. These services are provided at no cost to parents. | Provides services and changes to the learning environment to meet the needs of the child as adequately as other students. As with IEPs, a 504 plan is provided at no cost to parents. |
| What Law Applies | The Individuals with Disabilities Education Act (IDEA) This is a federal special education law for children with disabilities. | Section 504 of the Rehabilitation Act of 1973 This is a federal civil rights law to stop discrimination against people with disabilities. |
| Who Is Eligible | To get an IEP, there are two requirements: 1. A child has one or more of the 13 specific disabilities listed in IDEA. Learning and attention issues may qualify. 2. The disability must affect the child's educational performance and/or ability to learn and benefit from the general education curriculum. | To get a 504 plan, there are two requirements: 1. A child has any disability, which can include many learning or attention issues. 2. The disability must 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. |

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| Independent Educational Evaluation | <p>Parents can ask the school district to pay for an independent educational evaluation (IEE) by an outside expert. The district doesn't have to agree. Parents can always pay for an outside evaluation themselves, but the district may not give it much weight.</p> | <p>Doesn't allow parents to ask for an IEE. As with an IEP evaluation, parents can always pay for an outside evaluation themselves.</p> |
| Who Creates the Program/ Plan | <p>There are strict legal requirements about who participates. An IEP is created by an IEP team 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 IEP meetings.</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 •The school principal |

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| <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>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 •How the child will be included in general education classes and school activities | <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 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 |

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

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| Funding/Costs | Students receive these services at no charge. States receive additional funding for eligible students. | Students receive these services at no charge. 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. IDEA funds can't be used to serve students with 504 plans. |