

IEP & 504 Plan Information:

A Resource for Parents

Introduction

Both Individualized Education Programs (IEPs) and 504 plans can offer formal help for K-12 students who are struggling in school, to ensure they are learning in the least restrictive environment.

Although they share some qualities the two plans have unique differences as well.

The qualifications, age limits, what is included exc. for each program differs.

These plans are geared towards each individual student and can be helpful in providing services to children to help them through their school day.

IEP vs 504

	Individualized Education Plan (IEP)	Section 504 Plan
Type of law	Special Education - Individuals with Disabilities Act (IDEA)	Civil Rights - Rehabilitation Act of 1973
Department	Department of Education	Office of Civil Rights
Requirements for eligibility	Has a disability that: a) meets criteria under IDEA, b) significantly impacts educational performance, and c) requires specialized services	Has a disability that significantly impacts a major life function.
What is included?	Specialized education services, accommodations, related services.	Accommodations, modifications.
Age limits	IEP offered through 12th grade.	No age limits with a 504 plan.
Where is the plan used?	Educationally, through the 12th grade. Does not transfer to college.	School, work, and college. 504 Plans will transfer to college.
Discipline	A Manifestation Determination meeting must be held to determine if the offense is a manifestation of the disability by the 10th day of suspension. Services are required during long-term suspension.	A Manifestation Determination meeting must be held to determine if the offense is a manifestation of the disability by the 10th day of suspension. May require reevaluation.

www.schoolpsychologistfiles.com

Which is better, a 504 plan or an IEP?

The short answer is, it depends on the child. It depends on the child and their unique needs. We recommend that parents look carefully at both options and speak to their child's school/professionals before pursuing one over the other.

A 504 plan could be a better option when the student is able to function well in a regular education environment with accommodations and is generally less restrictive than the IEP.

An IEP is a better option for students with a disability that is adversely impacting their education and students who need more than just accommodations to regular education.

Examples of students who have a disability that would benefit more from a 504 plan, rather than an IEP include:

- A student with ADHD who does well academically, but would benefit from physical breaks and/or additional time in a less distracting environment for tests.
- A student with Autism Spectrum Disorder who does not need specialized instruction, but would benefit from a visual calendar or assistance with social skills.

(School Psychologist Files, 2023)

Eligibility for receiving services?

Which students qualify for a 504 plan?

1. Students that have a physical or mental impairment; AND
2. The impairment substantially limits at least one major life activity.
 - a. Examples of physical or mental impairments= physical disabilities, health conditions, mental disorders, and learning disabilities
 - b. Examples of major life activities= walking, seeing, bodily functions, eating, focusing, thinking, communicating, doing tasks, reading..etc.

Which students qualify for IEPs?

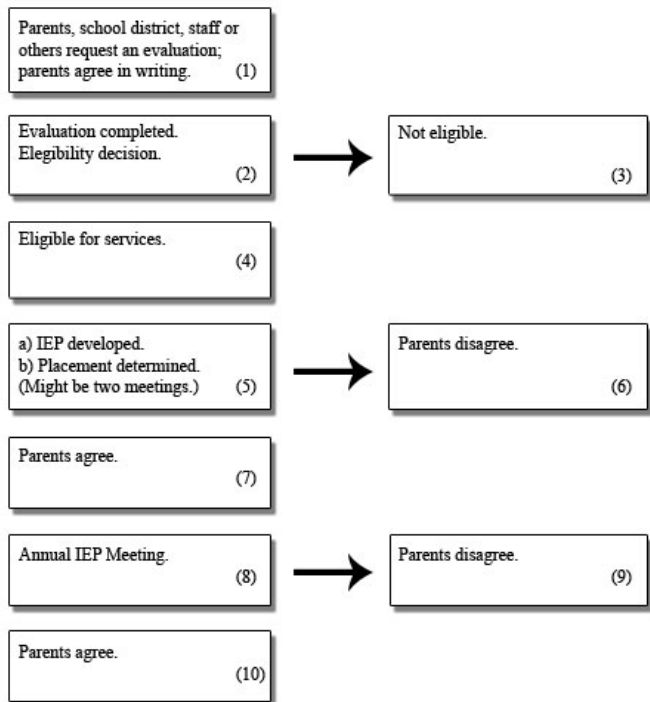
1. Must be identified as a “child with a disability”
2. The student’s academic performance must be adversely affected by one of the 13 educational disability classification; AND
3. The student must need specially designed instruction or special services or programs to meet their unique needs.
 - a. 13 disability classifications include:
 - i. Autism
 - ii. Deafness
 - iii. Deaf blindness
 - iv. Emotional disturbance for long period of time
 - v. Hearing impairment
 - vi. Learning disability
 - vii. Multiple disabilities
 - viii. Orthopedic impairment
 - ix. Other health impairment
 - x. Speech or language impairment
 - xi. TBI
 - xii. Visual impairment

(NYSED, 2023)



Overview of Special Education Process...

1. Discuss concerns with pediatrician and/or behavioral health consultant.
2. Initial referral- a written letter asking that the school district evaluate your child. Some districts may request diagnosis in writing with signature from a professional (this is given to chairperson for committee on special education or school principal)
3. Individual Evaluation
4. Determine eligibility – based on evaluation results, 504 plan or IEP?
5. Work together with school to develop plan



(nyspecialtaskforce.org, 2023)

Additional Materials & Resources:

Websites:

NYS Education Department <https://www.nysed.gov/special-education/individualized-education-program-iep>

A Parents Guide: Special Education in NYS <https://www.p12.nysed.gov/specialed/publications/policy/parentsguide.pdf>

Questions and Answers on IEPs- NYSED <https://www.nysed.gov/special-education/questions-and-answers-individualized-education-program-iep-states-model-iep-form>

Federal laws & regulations-NYSED <https://www.nysed.gov/special-education/federal-laws-and-regulations>