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# IEPS & 504 PLANS

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**Everything You Need to Know About IDEA, IEPs, and Section 504 Plans**

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# ALPHABET SOUP

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- IEP - Individualized Education Program
- 504 Plan - Section 504 of Rehabilitation Act
- ADA - Americans with Disabilities Act
- FAPE - Free Appropriate Public Education
- LRE - Least Restrictive Environment
- RTI - Response to Intervention
- Accommodation - Supports/Services to help access Gen. Ed Curriculum
- LEA - Local Education Authority/Agency
- OT, PT, SLP - Occupational Therapist, Physical Therapist, Speech/Language Pathologist
- BIP - Behavior Intervention Plan
- FBA - Functional Behavior Assessment
- AT - Assistive Technology



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# HISTORY

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- 1973 - Congress passes the Rehabilitation Act
- 1976 - Congress passes the Education for All Handicapped Children Act — IDEA (Individuals with Disabilities Education Act)
- 1977 - Regulations implementing Section 504 are signed
- 1990 - Congress passes the Americans with Disabilities Education Act (ADA), extends section 504 to private sector
- 2004 - IDEA Reauthorized
- 2008 - ADA Amendments broadening definition of disability in ADA and Section 504



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# HISTORY OF IEPs & 504 PLANS

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- **Individuals with Disabilities Education Act (IDEA, PL 94-142)**

- Qualifying conditions to receive special education and/or related services
- IEP - legal document
- Federal Funding

- **Section 504 of the Rehabilitation Act of 1973**

- Students do not meet criteria in IDEA
- Students still need accommodations
- No funding
- Eligibility criteria changed by ADA Amendments Act (2008)



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# 13 DISABILITY CATEGORIES UNDER IDEA (AGES 3 - 21)

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- Autism (ASD)
- Deaf-Blindness
- Deafness
- Emotional Disturbance (ED)
- Hearing Impairment (HI)
- Intellectual Disability (ID)
- Multiple Disabilities (MD)
- Orthopedic Impairment/Physical Disability (OI or PD)
- Other Health Impairment (OHI)
- Specific Learning Disability (SLD)
- Speech or Language Impairment (SLI)
- Traumatic Brain Injury (TBI)
- Visual Impairment (including blindness) (VI)



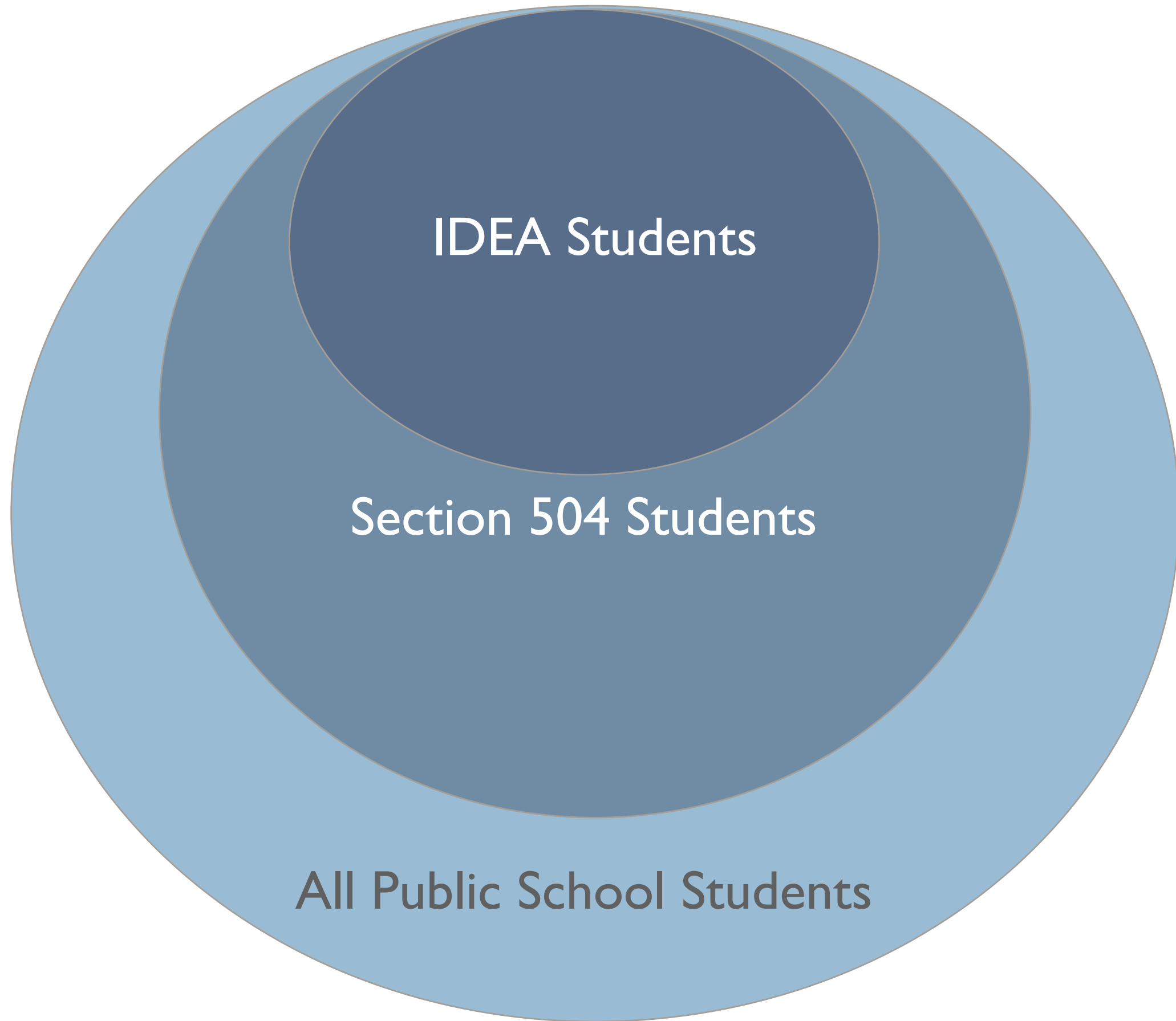
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# SECTION 504 - REQUIRES EQUAL OPPORTUNITY

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- Aids, benefits, and services, to be equally effective, are not required to produce the identical result or level of achievement for individuals with or without disabilities, but must afford individuals with disabilities equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting appropriate to the person's needs. 34 C.F.R. 104.4(b)(2).
  - Requires equal opportunity, not equal results
  - Placement must be in the most integrated setting, appropriate to the person's needs.





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# DESCRIPTION & PURPOSE

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- **IEP**

- A plan for a child's special education services at school
- Provides individualized special education and related services to meet child's needs

- **504 Plan**

- A plan for how a child will have access to learning at school
- Provides services and changes to learning environment to meet the needs of the child as adequately as other students (non-disabled peers)





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# ELIGIBILITY

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- **IEP - 2 requirements**

- Child has one (or more) of the 13 specific disabilities listed under IDEA
- Disability affects child's educational performance or ability to learn from the general education curriculum

- **504 Plan**

- Child has any disability
- Disability must interfere with the child's ability to learn in the general education classroom.



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# ELIGIBILITY DETERMINATION

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- **504 Plan**

- Qualified Individuals with a Disability

- A person who: has a physical or mental impairment which substantially limits one or more major life activities
- Has a record of such an impairment, or
- Is regarded as having such an impairment.

- Ex: Physical

- Ex: Mental

- Ex: Major Life Activities

- Ex: Substantially limits



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# ELIGIBILITY DETERMINATION

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- **IEP**

- Disability Diagnosis in one (or more) of the 13 IDEA categories
- After Tier 3 of RTI
- Evaluation/Assessment determines need of special education due to:
  - Achievement not commensurate with age and ability levels or
  - Severe discrepancy between achievement and intellectual ability
    - In one of the following: oral expression, listening comprehension, written expression, basic reading, reading comprehension, mathematics calculation, or mathematics reasoning



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# WHO IS ON THE TEAM?

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- **IEP**

- Strict legal requirements about who participates
  - Parent
  - General ed teacher
  - Special ed teacher
  - School psychologist
  - LEA

- **504 Plan**

- A team of people familiar with the child and understand the evaluation data and special services options:
  - Parent
    - General and special education teachers
    - School principal
    - School psychologist
    - School counselor



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# THE DOCUMENT

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- **IEP (annual review, 3 yr. eval)**
  - Learning goals for child and services provided by school
  - Legal document
  - Parts of document are:
    - Present levels of academic and functional performance
    - Annual Goals & benchmarks
    - Services
    - Timing of services
    - Accommodations & Modifications
    - Participation in state assessments
    - Inclusion in general education
- **504 Plan (annual review, 3 yr. eval)\***
  - Usually written document (doesn't have to be)
  - Specific accommodations, supports or services for the child
  - Names of who will provide services
  - Name of person responsible for ensuring implementation



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# ACCOMMODATIONS & MODIFICATIONS

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- **Accommodations** - changes HOW a student learns or accesses materials
  - Ex: extra time, varied response styles, note taking, preferred seating, spell-checker, visual support, organizational chart
- **Modifications** - changes WHAT a student is taught or expected to learn
  - Ex: alternate assessment, alternate curriculum



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# RESOURCES

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- Center for Parent Information & Resources  
<http://www.parentcenterhub.org/nichcy-gone/>
- Understood  
[www.understood.org](http://www.understood.org)
- Wright's Law  
<http://www.wrightslaw.com>
- Case Management Services, Inc.  
[www.cmskansas.com](http://www.cmskansas.com)
- Missouri Center for Inclusive Education  
[www.moinclusion.org](http://www.moinclusion.org)
- State Departments of Education  
Kansas: <http://www.ksde.org/>  
Missouri: <https://dese.mo.gov>





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# QUESTIONS?

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