

## Section 504 VS IEP

“What is the difference between an IEP and Section 504?” This question is often asked...and it’s a good question. Hopefully the following information will help to clear up some misconceptions.

	IEP	504
<b>Basic Description</b>	A plan for a child’s special education experience at school.	A plan for <b>how</b> a child will have <b>access</b> to learning at school.
<b>What it does</b>	<ul style="list-style-type: none"> <li>• Provides <b>individualized special education</b> and <b>related services</b> to meet the unique needs of the child.</li> <li>• These services are provided at no cost to parents.</li> </ul>	<ul style="list-style-type: none"> <li>• Provides services and changes to the <b>learning environment</b> to meet the needs of the child as adequately as other students.</li> <li>• Provided at no cost to parents.</li> </ul>
<b>What law applies?</b>	<ul style="list-style-type: none"> <li>• The Individuals with Disabilities Education Act (IDEA)</li> <li>• This is a federal special education law for children with disabilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Section 504 of the Rehabilitation Act of 1973</li> <li>• This is a federal civil rights law to <b>stop discrimination</b> against people with disabilities.</li> </ul>
<b>Who is eligible?</b>	<p>To get an IEP, there are two requirements:</p> <ol style="list-style-type: none"> <li>1) A child has one or more of the 13 specific disabilities listed in IDEA. Learning and attention issues may qualify.</li> <li>2) The disability <b>must affect</b> the child’s <b>educational performance and/or ability to learn and benefit from</b> the general education <b>curriculum</b>.</li> </ol>	<p>To get a 504 plan, there are two requirements:</p> <ol style="list-style-type: none"> <li>1) A child has <b>any disability</b>, which can include many learning or attention issues.</li> <li>2) The disability <b>must interfere</b> with the child’s <b>ability to learn in</b> a general education <b>classroom</b>. 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.</li> </ol>
<b>What’s in the program/plan?</b>	<ul style="list-style-type: none"> <li>• The IEP sets learning goals for a child and describes the services the school will provide.</li> </ul>	<ul style="list-style-type: none"> <li>• There is no standard 504 plan. Unlike an IEP, a 504 plan <b>doesn’t have to be a written document</b>.</li> </ul>

	<ul style="list-style-type: none"> <li>• It's <b>a written document</b>. The IEP <b>must</b> include: <ul style="list-style-type: none"> <li>➤ The child's present levels of academic and functional performance—how s/he is currently doing in school</li> <li>➤ Annual education goals for the child and how the school will track his/her progress.</li> <li>➤ The services the child will get—this may include special education, related, supplementary and extended school year services.</li> <li>➤ The timing of services—when they start, how often they occur and how long they last</li> <li>➤ Any accommodations—changes to the child's learning environment</li> <li>➤ Any modifications—changes to what the child is expected to learn or know.</li> <li>➤ How the child will participate in standardized tests.</li> <li>➤ How the child will be included in general education classes and school activities.</li> </ul> </li> </ul>	<p>(Caution: a written plan provides the district a better protection against potential legal ramifications.)</p> <ul style="list-style-type: none"> <li>• A 504 plan <b>generally</b> includes the following: <ul style="list-style-type: none"> <li>➤ Specific accommodations, supports or services for the child</li> <li>➤ Names of who will provide each service</li> <li>➤ Name of the person responsible for ensuring the plan is implemented</li> </ul> </li> </ul>
<p><b>Who creates the program/plan?</b></p>	<ul style="list-style-type: none"> <li>• There are strict legal requirements about who participates. An IEP is created by an IEP team that <b>must include</b>: <ul style="list-style-type: none"> <li>➤ The child's parent</li> <li>➤ At least one of the child's general education teachers</li> <li>➤ At least one special education provider who</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• The rules about who's on the 504 team are <b>less specific than they are for an IEP</b>.</li> <li>• 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 <b>might include</b>:</li> </ul>

	<p>can interpret evaluation results</p> <ul style="list-style-type: none"> <li>➤ A district representative with authority over special education services</li> <li>• With a few exceptions, the <b>entire team must be present for IEP meetings.</b></li> </ul>	<ul style="list-style-type: none"> <li>➤ The child's parent</li> <li>➤ General and special education teachers</li> <li>➤ The school principal</li> <li>➤ School counselor</li> </ul>
<p><b>How often is the plan/program reviewed?</b></p>	<ul style="list-style-type: none"> <li>• The IEP team <b>must</b> review the IEP at least <b>once a year.</b></li> <li>• The student <b>must</b> be <b>reevaluated every three</b> years to determine whether services are still needed.</li> </ul>	<ul style="list-style-type: none"> <li>• The rules vary by state. <b>Generally</b>, a 504 plan is reviewed each year and a <b>reevaluation is done every three years or when needed.</b></li> </ul>

These are the basic elemental differences. For more detailed information on the various differences, see the following links:

- <https://www.understood.org/en/school-learning/special-services/504-plan/the-difference-between-ieps-and-504-plans>
- [http://www.michiganallianceforfamilies.org/wpcontent/uploads/2012/09/iep.idea\\_comparison.pdf](http://www.michiganallianceforfamilies.org/wpcontent/uploads/2012/09/iep.idea_comparison.pdf)
- <http://www.michiganallianceforfamilies.org/education/section-504/>