Parent Guide: IEP vs. 504 Plan

Monica Furlong (Director of Special Services Pre-K-5th grade)
Kevin Wolf (Director of Special Services 6th-21)
Norms for the Parent Committee

★ Communicate in a positive manner and listen attentively
★ Respect the views of others & don’t discuss individual students
★ Ask and welcome questions for clarification
★ Be open to the ideas and views presented
★ Honor time limits & stay on topic
Parent Committee Agenda:
September 22, 2016

- 4:30-4:40: Parent Meet & Greet
- 4:45-5:15: IEP vs. 504 plan Overview
- 5:15-5:45: Breakout Session: IEP Components & 504 Components
- 5:45-6:00: Parent Networking/Collaboration

***Please help yourself to refreshments/bathroom***
IDEA Basics

504 Plan
How is an IEP Different from a 504 Plan?

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# IDEA VS. 504 Chart

<table>
<thead>
<tr>
<th>IDEA</th>
<th>Section 504</th>
</tr>
</thead>
<tbody>
<tr>
<td>❑ IDEA-Individuals with Disabilities Education Act</td>
<td>❑ A Federal Civil Rights Law that prohibits discrimination on the basis of disability in public and private settings</td>
</tr>
<tr>
<td>❑ Federal law for students with disabilities: requiring specially designed instruction and/or related services</td>
<td>❑ Section 504 of the Rehabilitation Act: 1973</td>
</tr>
<tr>
<td>❑ Funding is provided to LEAs</td>
<td>❑ Office for Civil Rights (OCR) monitors 504s</td>
</tr>
<tr>
<td>❑ FAPE: Free Appropriate Public Education</td>
<td>❑ No funding offered for schools</td>
</tr>
<tr>
<td>❑ Age Group: 3-21</td>
<td>❑ Age Group: Child-Adult</td>
</tr>
<tr>
<td>❑ Eligibility for IDEA services requires 2 components</td>
<td>❑ Disabilities: broader definition of disabilities than IDEA</td>
</tr>
<tr>
<td>❑ Disability (13 specifically identified disabilities)</td>
<td>❑ Initial Eligibility: Parental consent is required</td>
</tr>
<tr>
<td>❑ Must require specially designed instruction and/or related services</td>
<td>❑ Substantially Limits: compared to same age peer</td>
</tr>
<tr>
<td>❑ Evaluation based on student needs</td>
<td>❑ Evaluation based on medical and/or school assessments</td>
</tr>
<tr>
<td>❑ Variety of sources/information for domain areas</td>
<td>❑ Variety of sources/information</td>
</tr>
<tr>
<td>❑ Disability must have an adverse affect on education</td>
<td>❑ Accommodation Plan: to access learning and level the playing field (team developed)</td>
</tr>
<tr>
<td>❑ Eligibility Process-parental consent required to evaluate and provide initial provision of services</td>
<td>❑ Within the general education class</td>
</tr>
<tr>
<td>❑ Team determines services and placement</td>
<td></td>
</tr>
<tr>
<td>IDEA</td>
<td>Section 504</td>
</tr>
<tr>
<td>------</td>
<td>-------------</td>
</tr>
</tbody>
</table>
| ❑ Eligibility Criteria:  
  ❑ Individualized evaluation in 8 domains (as appropriate)  
    ❑ Is this relevant  
    ❑ What do we know  
    ❑ What additional information do we need  
    ❑ How & who will gather that information  
  ❑ Disability Identified (13 categories)  
  ❑ Adverse effect on achievement requiring specialized instruction | ❑ Eligibility Criteria:  
  ❑ (1) has a physical or mental impairment that substantially limits one or more major life activities,  
  ❑ (2) has a record of such an impairment  
  ❑ (3) is regarded as having such an impairment. Major life activities include walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, and performing manual tasks.  
  ❑ Diabetes, ADHD, Epilepsy, Cancer, Hemophilia, Heart Disease, Tourette's Syndrome, Cerebral Palsy, Depression, Anxiety, Vision impairment  
  ❑ Annual meeting and 3-year reevaluation  
  ❑ Data Collection: accommodations are monitored throughout the year |
All students provided access to RTI

All students with 504 plans are protected under ADA: Section 504, Office of Civil Rights

All students with IEPs are protected under IDEA and Section 504/ADA
IDEA vs. 504 Plan

**IDEA**
- Federal education law: IDEA
- Receives federal funds
- 3 years of age through 21 only
- Schools must notify parents if there is a referral under IDEA
- Disability must be one of the 13 eligibility.
- Student must need specially designed instruction and/or related services
- Disability must adversely affect their learning/education

**Both**
- Students under IDEA are protected under Section 504
- Federally mandated
- Individualized
- Both require FAPE
- Both require LRE with a continuum of services
- Parental consent for an evaluation is warranted
- Student has a disability
- No cost to parents/students
- Reviewed annually/revaluations every 3 years
- Manifestation Determination
- Parental rights/procedural safeguards are provided

**504**
- Civil Rights Law: Section 504 of the Rehabilitation Act & ADA
- No federal funds received
- No age group as to who is eligible to receive services
- Disabilities are more broad
- Student needs accommodations to access curriculum
- Disability must substantially limit a daily life function
- Must have physical or mental impairment
You're not disabled by the disabilities you have, you are able by the abilities you have.

- Oscar Pistorius

One of the great things that any community can do is not teach tolerance, but live tolerance, not talk respect, but live inclusivity.

- Michael Pritchard, Speaker/Humorist/Children's Activist
Thank you!

Discussion Topics:

IEP and 504 Plans-Kevin Wolf/Monica Furlong
504 Components:

**Free Appropriate Public Education (FAPE)**

★ Legal document
★ An "appropriate" education means an education comparable to that provided to students without disabilities.
★ Accommodations and/or related services
★ Free to parents and students
★ Variety of evaluation measures for eligibility determination
★ Parent notification and consent for: evaluation or significant change in placement.
★ Parental rights must be provided
★ Although the minimum is 1 year to meet, parents can request a meeting when they feel it is warranted
★ Understand grievance procedures
★ Know who your child’s casemanager
504 consists of:

★ Service(s) and location of service (who, what, where, when, why)
★ Case manager and appropriate team members
  ○ Members of the team can include: school psychologist, speech pathologist, occupational therapist, assistant principal, general education teacher, social worker.
★ Reasonable accommodations
  ○ Ex.) preferential seating, extended time (50% more time), sensory breaks, movement breaks, access to technology, reduced homework by 50%, alternate location for tests, audiobooks.
★ Objective information, (ie. watch ambiguous verbs “As needed.”)
★ Nature of the disability and how it impacts a major life activity
★ Evaluation which provides the basis for determining the disability
★ Documentation of the educational impact- “Substantially limits”
★ Equal access provisions for field trips and other school-related activities
504 Components:

**Major Life Activities Impacted can include:**
- Walking
- Learning
- Self-care
- Seeing
- Hearing
- Sitting
- Thinking/Concentrating
- Reading
- Working
- Breathing
- Writing
Examples of Disabilities:

- ADHD/ADD
- Asthma
- Allergies
- Blindness/Visual Impairment
- Deafness/Hearing Impairment
- Diabetes
- Tourettes Syndrome
- Lyme Disease
- Cancer
- Heart Disease
- Anxiety
- Depression
What are Accommodations?

**Accommodations:**
- ★ Accommodations change *how* a student learns the material
- ★ A modification changes *what* a student is taught or expected to learn.
- ★ Levels the playing field: access to general education curriculum

1. **Timing/Scheduling** - extended time, flexible schedule, frequent breaks between sessions, smaller testing segments
2. **Setting** - separate/alternate setting, small group, noise buffers, study carrel, special seating, preferential seating
3. **Presentation** - text to speech, directions read aloud
4. **Response** - student dictates answers, word prediction/assistive technology,

**Examples of Classroom Accommodations:**
- ★ Movement breaks
- ★ Large print
- ★ Calculator
- ★ Visual schedule(s)
- ★ Classroom notes prior to the lesson
- ★ Preferential seating
- ★ Extra time (50%) more to finish assignments/homework
- ★ Break longer assignments into smaller parts
- ★ Do not grade spelling
- ★ Use of word prediction
504 Components:

Factors to consider:
★ What is the nature and severity of the impairment?
★ What is the duration or expected duration of the impairment?
★ What permanent or long-lasting effect results from the impairment?
★ Exhaust all efforts to provide appropriate programs
★ Involve parents to the greatest extent possible- important part of the 504 team
★ Conduct individualized evaluations using a variety of data
★ Monitor accommodations throughout the year
★ Must remove barriers and provide equal access to learning
★ Do they need an IEP or 504?
  ○ Determination criteria: specially designed instruction vs. accommodations
  ○ Scenario 1: “My child has ADHD, how do I know if it’s a 504 or IEP?”
What can Parents do to help?

Supporting your child:
★ Understand your child’s strengths, weaknesses, and needs
★ Collaborate and communicate with your child’s team in a positive manner
★ Explore supports and accommodations that work for your child
  ○ What are some strategies that work at home?
★ Network and collaborate with other parents
★ Support your child through his/her homework-allow processing time/patience
★ Seek outside resources (Options and Advocacy, Pioneer Center Mchenry Health Board, Child/Family Connections)
★ Be proactive and participate in your child’s 504 plan meeting
  ○ We work as a team and parents are an essential part of the team
  ○ Educate yourself by attending parent seminars or networking with other parents
★ Example 504/Chart
<table>
<thead>
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<th>IDEA foundations:</th>
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<tbody>
<tr>
<td>★ FAPE: Free Appropriate Public Education</td>
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<tr>
<td>○ Right to receive a public education</td>
</tr>
<tr>
<td>○ No cost for specialized services</td>
</tr>
<tr>
<td>★ Least Restrictive Environment (LRE)</td>
</tr>
<tr>
<td>○ Included with non-disabled peers</td>
</tr>
<tr>
<td>○ Allows student to progress appropriately</td>
</tr>
<tr>
<td>★ Age Group: 3-21</td>
</tr>
<tr>
<td>○ Close achievement gaps</td>
</tr>
<tr>
<td>○ Career &amp; College ready</td>
</tr>
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</table>
IDEA Eligibility:

★ Process to determine Eligibility:
  ○ Individualized evaluation in 8 domains (as appropriate and based on student need(s))
    ■ Academic Achievement
    ■ Functional Performance
    ■ Cognitive Functioning
    ■ Communication Status
    ■ Health
    ■ Hearing & Vision
    ■ Motor Abilities
    ■ Social Emotional
  ○ Disability Identified
    Autism
    Emotional Disability
    Orthopedic Impairment
    Specific Learning Disability
    Deaf/Blindness
    Hearing Impairment
    Multiple Disabilities
    Deafness
    Intellectual Disability
    Traumatic Brain Injury
    Visual Impairment including Blindness
    Developmental Delay (age 3-9 only)
    Other Health Impairment
    Speech & Language Impairment
  ○ Adverse Effect
    ■ Impacts his/her learning
    ■ Requires specially designed instruction
IDEA Components IEP’s:

★ Individual Education Plan (IEP)
  ○ Created by the student’s educational team
    ■ Parent(s)
    ■ Student (when appropriate)
    ■ Special Education Teacher
    ■ General Education Teacher
    ■ A representative of Local Education Agency (LEA)
  ○ Annual Meeting
  ○ Present Levels of Academic and Functional Performance (PLAEP)
  ○ Goals
  ○ Accommodation and Modification
  ○ Services and Placement
  ○ Transition Planning (IL 14 ½ years old)