

The Difference Between IEPs & 504 Plans

Both Individualized Education Programs (IEPs) and Section 504 plans can offer formal help for K–12 students who are struggling in school. They’re similar in some ways but very different in others. This chart compares them side-by-side to help you understand the differences.

	<u>IEP</u>	<u>504 Plan</u>
Basic Description	A blueprint or plan for a child’s special education experience at school.	A blueprint or plan for how the school will provide support and remove barriers for a student with a disability.
What It Does	Provides individualized special education and related services to meet a child’s unique needs.	Provides services and changes to the learning environment to enable students to learn alongside their peers.
What Law Applies	<p>These services are provided at no cost to families.</p> <p>The Individuals with Disabilities Education Act (IDEA)</p> <p>This is a federal special education law for children with disabilities.</p> <p>To get an IEP, there are two requirements:</p> <ol style="list-style-type: none"> 1. A child has one or more of the 13 disabilities listed in IDEA. The law lists specific challenges, like learning disabilities, ADHD, autism, and others. 2. The disability must affect the child’s educational performance and/or ability to learn and benefit from the general education curriculum. The child must need specialized instruction to make progress in school. 	<p>As with an IEP, a 504 plan is provided at no cost to families.</p> <p>Section 504 of the Rehabilitation Act of 1973</p> <p>This is a federal civil rights law to stop discrimination against people with disabilities.</p> <p>To get a 504 plan, there are two requirements:</p> <ol style="list-style-type: none"> 1. A child has <i>any</i> disability. Section 504 covers a wide range of different struggles in school. 2. The disability must interfere with the child’s ability to learn in a general education classroom. <p>Section 504 has a broader definition of a disability than IDEA. (It says a disability must substantially limit one or more basic life activities. This can include learning, reading, communicating, and thinking.) That’s why a child who doesn’t qualify for an IEP might still be able to get a 504 plan.</p>
Independent Educational Evaluation	Families can ask the school district to pay for an independent educational evaluation (IEE) by an	Doesn’t allow families to ask for an IEE. As with an IEP evaluation, families can always pay for an outside evaluation

IEP

outside expert. The district doesn't have to agree.

Families can always pay for an outside evaluation themselves, but the district may not give it much weight.

There are strict legal requirements about who participates. An IEP is created by an IEP team that must include:

- The child's parent or caregiver
- 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

With a few exceptions, the entire team must be present for IEP meetings.

The IEP sets learning goals and describes the services the school will provide. It's a written document.

Here are some of the most important things the IEP must include:

- The child's present levels of academic and functional performance—how the child is currently doing in school
- Annual education goals for the child and how the school will track progress
- The services the child will get—this may include special

504 Plan

themselves.

The rules about who's on the 504 team are less specific than they are for an IEP.

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:

- The child's parent or caregiver
- General and special education teachers
- The school principal

There is no standard 504 plan. Unlike an IEP, a 504 plan doesn't *have* to be a written document.

A 504 plan generally includes the following:

- 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

Who Creates It

What's in It

IEP

504 Plan

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

Notice	<p>When the school wants to change a child’s services or placement, it has to tell families in writing <i>before</i> the change. This is called prior written notice. Notice is also required for any IEP meetings and evaluations.</p> <p>Families also have “stay put” rights to keep services in place while there’s a disagreement about the IEP.</p>	<p>The school must notify families about an evaluation or a “significant change” in placement. Notice doesn’t have to be in writing, but most schools do so anyway.</p>
Consent	<p>A parent or caregiver must consent in writing for the school to evaluate a child. They must also consent in writing before the school can provide the services in an IEP.</p>	<p>A parent or caregiver’s consent is required for the school district to evaluate a child.</p>
How Often It’s Reviewed and Revised	<p>The IEP team must review the IEP at least once a year.</p> <p>The child must be reevaluated every three years to determine whether services are still needed.</p>	<p>The rules vary by state. Generally, a 504 plan is reviewed each year and a reevaluation is done every three years or when needed.</p>
How to Resolve Disputes	<p>IDEA gives families several ways to resolve disputes (usually in this order):</p>	<p>Section 504 gives families several options for resolving disagreements with the school:</p>

IEP

- Mediation
- Due process complaint
- Resolution session
- Civil lawsuit
- State complaint
- Lawsuit

504 Plan

- Mediation
- Alternative dispute resolution
- Impartial hearing
- Complaint to the Office for Civil Rights (OCR)
- Lawsuit

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Funding/Costs

States receive additional funding for students with IEPs.

States do not receive extra funding for students with 504 plans. But the federal government can take funding away from programs (including schools) that don't meet their legal duty to serve kids with disabilities.

IDEA funds can't be used to serve students with 504 plans.

Knowing which laws do what is a big part of understanding the difference between an IEP and a 504 plan. Explore more details about the special education process. And if you need help navigating special education law in your state, consider reaching out to your local S.T.E.P. <https://www.tnstep.org/> (Support & Training for Exceptional Parents). The people there can answer questions and give practical advice on issues specific to your area.