

*The Difference  
Between IEPs and  
504 Plans:*

*What Does Your  
Child Need?*

Explained

# The difference between an IEP and a 504 plan

# 504 Plan

or

# IEP

## What Law Applies?

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

This is a federal civil rights law to ensure students with disabilities aren't discriminated against.

### **Individuals with Disabilities in Education Act (IDEA)**

This is a federal funding law to ensure states meet the needs of students with disabilities.



# Section 504 and IDEA?

## Section 504

focuses on ensuring that the school provides children with disabilities or impairments the services and accommodations necessary in order to access everything that other children can access at school, including curriculum.



## IDEA

focuses on ensuring that the school meets the needs of children with specific kinds of disabilities so that they make adequate academic progress based on what they know and can learn.



## Eligibility for Section 504 and IDEA



# 504 Plan

or

# IEP

## What Is It?

A 504 Plan is a plan for how a child with a disability or impairment will be provided with a "Free Appropriate Public Education" to ensure a child has **the same access to the learning environment** as their non-impaired peers.

An IEP (Individualized Education Program) is a plan for how a child with a **qualifying** disability will be provided a "Free Appropriate Public Education" to ensure a child can make **meaningful educational progress**.

## Who is Eligible?

**To get a 504 plan, there are two requirements:**

1. a child has a disability or impairment (includes learning or attention issues)
2. disability impairs a major life activity that may interfere with the child's ability to learn/perform in a general education classroom

Section 504 is broader than IDEA. A child who doesn't qualify for an IEP might still be able to get a 504 plan.

**To get an IEP, there are two requirements:**

1. a child has one or more of the 13 specific disabilities (listed in IDEA)
2. disability affects the child's educational performance and/or ability to learn and benefit from the general education curriculum

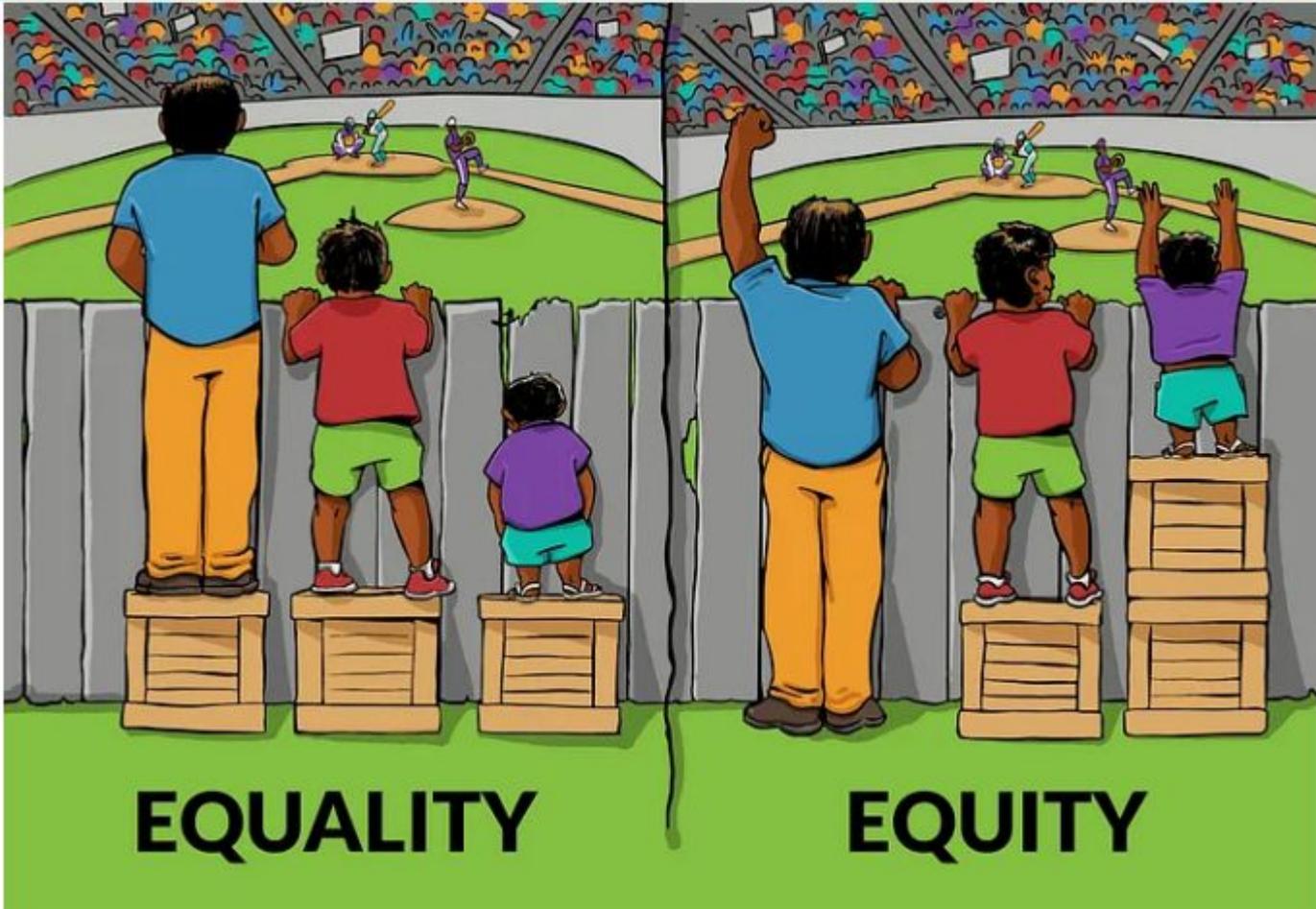
# What Accommodations Do



- Allow students to demonstrate what they know without fundamentally changing the Competency (target skill) being taught or assessed.
- Provide instructional or test adaptations.
- Change the manner or setting in which information is presented or in which students respond.
- Level the playing field by changing "how" students work through the general education curriculum.

# What Accommodations Do **Not** Do

- Lower learning expectations or performance expectations.
- Change the complexity of the Competency (target skill) being taught or assessed.
- Change the Competency (target skill) or testing construct.
- Reduce learning or performance expectations.



**EQUALITY**

**EQUITY**

# Scenario 1

A blue oval logo with the text "Real-Life Scenarios" in white, slanted font, set against a light beige background.

## Real-Life Scenarios

- Candace has ADHD. She performs on grade level and doesn't typically have difficulty with assignments. However, when she is stressed, it is hard for her to focus, and she doesn't perform as well.
- Her mom brings in a doctor's note that diagnoses her with ADHD and documents her accommodation needs. She needs many breaks and a very structured classroom in order to perform well and focus on her assignments.

Which would be best suited for Candace's needs, 504 or IEP?

# Scenario 1

- The school finds her eligible for a **504 plan** because she has a disability that substantially impairs her ability to concentrate.
- Candace's needs are met by the 504 plan because it guarantees that she receive the accommodations ensuring her ADHD doesn't interfere with her ability to access her curriculum.

When she receives accommodations, she is able to fully access her curriculum and thrive.

# Scenario 2

- Alexa has ADHD. Her mom brought in a doctor's note with her diagnosis. Despite numerous informal accommodations the school put in place, Alexa is still struggling to make progress in reading and math.
- The school evaluates Alexa, with her mom's permission, and finds out that she has difficulties understanding academic concepts as a result of her ADHD symptoms.

Which would be best suited for Alexa's needs, 504 or IEP?

# Scenario 2

- ADHD is a disability that can qualify a student for an **IEP** under the "Other Health Impairment" disability category. Alexa's IEP team meets to determine that she qualifies for an IEP because her ADHD has an adverse impact on her education.
- Alexa needs specialized instruction and related services in order to make meaningful progress at school. Her needs are met by an IEP because even when she receives accommodations, she needs changes made to her curriculum.

Her academic progress will now be monitored against the academic goals set in the IEP to ensure she receives the right supports.



## 504 vs. IEP: What happens after high school?

Neither document continues after high school. IDEA guarantees special education services until age 22 or graduation, whichever comes first. After that, the IEP is no longer in effect.

[Read about the transition from school to adulthood.](#)

Section 504—the law—guarantees equal access beyond age 22. The 504 plan itself will not follow a student through college or technical school, but these schools (and workplaces!) are still required to provide accommodations if needed. If your child is in college, they won't have a 504 plan but they can go to the [school's Disability Office](#) and arrange for the accommodations they need. The school will usually ask for the 504 plan from high school to prove the need. Because of this, it's wise to make sure that every accommodation your child needs stays on the 504 plan until they finish high school.



# Windham School District ~ Special Education Administrators

- **Kenneth Duesing** - [kduesing@windhamsd.org](mailto:kduesing@windhamsd.org) - Executive Director of Student Services
- **Dr. Mary Ellen Pantazis** - [mpantazis@windhamsd.org](mailto:mpantazis@windhamsd.org) - Director of Special Education GBS
- **Heather Pacheco** - [hpacheco@windhamsd.org](mailto:hpacheco@windhamsd.org) - Early Childhood Coordinator GBS
- **Christina Kaskewicz** - [ckaskewicz@windhamsd.org](mailto:ckaskewicz@windhamsd.org) - Director of Special Education WCS
- **Jennifer Foley** - [jfoley@windhamsd.org](mailto:jfoley@windhamsd.org) - Director of Special Education WMS
- **Emma Carnazzo** - [ecarnazzo@windhamsd.org](mailto:ecarnazzo@windhamsd.org) - Director of Special Education WHS