

# IEP vs. 504

## UNDERSTANDING THE DIFFERENCES

	IEP	504
WHO	<p>An individual, aged 3-21:</p> <ul style="list-style-type: none"> <li>• who has been identified as qualifying under one of 14 disability categories; AND</li> <li>• whose disability affects their ability to access and benefit from the general education curriculum.</li> </ul>	<p>An individual of any age, who:</p> <ul style="list-style-type: none"> <li>• has a physical or mental impairment;</li> <li>• has a record of impairment but is no longer disabled; OR</li> <li>• is regarded as having an impairment</li> </ul> <p>...that substantially limits a major life activity</p>
WHAT	<p>A plan for how a student with a disability or other impairment will be provided:</p> <ul style="list-style-type: none"> <li>• special education, AND/OR</li> <li>• related services</li> </ul> <p>...to ensure the child can make MEANINGFUL PROGRESS towards the general education curriculum.</p>	<p>A plan for how a student with a disability or other impairment will be provided:</p> <ul style="list-style-type: none"> <li>• regular OR special education, AND/OR</li> <li>• related aids and services</li> </ul> <p>...to ensure the child has the same ACCESS to the learning environment as non-impaired peers.</p>
WHEN	<ul style="list-style-type: none"> <li>• Evaluations: <ul style="list-style-type: none"> <li>◦ Completed within 60 calendar days of signed consent for evaluation</li> <li>◦ Reviewed at least once every 3 years</li> </ul> </li> <li>• Plans: <ul style="list-style-type: none"> <li>◦ Completed within 30 calendar days of evaluation</li> <li>◦ Reviewed by the team at least once per calendar year</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Evaluations: <ul style="list-style-type: none"> <li>◦ Reviewed "periodically"</li> </ul> </li> <li>• Plans: <ul style="list-style-type: none"> <li>◦ Reviewed "periodically" and prior to any significant change in placement</li> </ul> </li> </ul>
WHERE	<ul style="list-style-type: none"> <li>• All public school districts and chartered public schools</li> <li>• Some private schools</li> <li>• Includes academic AND non-academic / extracurricular activities</li> </ul>	<ul style="list-style-type: none"> <li>• All public school districts and chartered public schools</li> <li>• Any other educational institution receiving Federal funding or assistance</li> <li>• Any organization providing education, healthcare, housing, social services, or parks/recreation</li> </ul>
WHY	<p>Individuals with Disabilities Education Act (IDEA)</p> <ul style="list-style-type: none"> <li>• Federal funding law ensuring states meet the needs of qualifying students</li> </ul>	<p>Section 504 of the Rehabilitation Act of 1973</p> <ul style="list-style-type: none"> <li>• Federal civil rights anti-discrimination law</li> </ul>
HOW	<p>Teams must determine:</p> <ul style="list-style-type: none"> <li>• If a student meets the definition of having a disability under one of 14 categories</li> <li>• What supports and services are required</li> </ul> <p>If a student does not qualify under IDEA, teams must consider if they have a disability under Section 504</p>	<p>Teams must determine:</p> <ul style="list-style-type: none"> <li>• If a student qualifies for 504 protection only; OR</li> <li>• If a student qualifies for 504 protections AND services</li> </ul>