

PROGRAM COMPARISON: IEP VS. SECTION 504

	IEP	Section 504
Basic Description	A blueprint or plan for a child’s special education experience at school.	A blueprint or plan for how a child will have access to learning at school.
What It Does	Provides individualized special education and related services to meet the unique needs of the child. These services are provided at no cost to parents.	Provides services and changes to the learning environment to meet the needs of the child as adequately as other students. As with IEPs, a 504 plan is provided at no cost to parents.
What Law Applies	The Individuals with Disabilities Education Act (IDEA). This is a federal special education law for children with disabilities.	Section 504 of the Rehabilitation Act of 1973. This is a federal civil rights law to prevent discrimination against people with disabilities.
Who Is Eligible	To get an IEP, there are two requirements:	To get a 504 plan, there are two requirements:
	1. A child has one or more of the 13 specific disabilities listed in IDEA. Learning and attention issues may qualify.	1. A child has any disability, which can include many learning or attention issues.
	2. The disability must affect the child’s educational performance and/or ability to learn and benefit from the general education curriculum, leading to the need for specialized instruction.	2. The disability must interfere with the child’s ability to learn in a general education classroom. Section 504 has a broader definition of a disability than IDEA. (It says a disability must substantially limit one or more basic life activities, such as learning.) That’s why a child who doesn’t qualify for an IEP might still be able to get a 504 plan.
Independent Educational Evaluation	Parents have a right to request the LEA district to pay for an independent educational evaluation (IEE) by an outside expert.	Parents do not have the right to request an independent educational evaluation (IEE).
Who Creates the Program/Plan	There are strict legal requirements about who participates. An IEP is created by an IEP team that must include: The child’s parent, 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, and a district representative with authority over special education services.	A 504 plan is created by a team of people who are knowledgeable about the child and who understand the evaluation data and special services options. This might include: The child’s parent, general and special education teachers, school principal, other staff who can contribute to discussion about student and/or student’s needs

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What's in the Program/Plan	<i>An IEP generally includes the following:</i>	<i>A 504 plan generally includes the following:</i>
	The child's present levels of academic and functional performance—how she is currently doing in school	Specific accommodations, supports, and/or services for the child
	Annual education goals for the child and how the school will track her progress	Names of who will provide each service
	The services the child will get—this may include special education, related, supplementary and extended school year services	Name of the person responsible for ensuring the plan is implemented
	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	
Parent Notice	When the school wants to change a child's services or placement, it has to tell parents in writing before the change. This is called prior written notice. Notice is also required for any IEP meetings and evaluations.	The school must notify parents about evaluation or a "significant change" in placement. Notice doesn't have to be in writing, but most schools do so anyway.
	Parents also have "stay put" rights to keep services in place while there's a dispute.	Not directly addressed in the law, but OCR has provided guidance for best practice.
Parent Consent	A parent must consent in writing for the school to evaluate a child. Parents must also consent in writing before the school can provide services in an IEP.	A parent's consent is required for the LEA to evaluate a child.

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How Often It's Reviewed and Revised	The IEP team must review the IEP at least once a year.	The rules vary by state. In Georgia, a 504 plan is reviewed each year and a reevaluation is done every three years or when needed.
	The student must be reevaluated every three years to determine whether services are still needed.	
How to Resolve Disputes	IDEA gives parents several specific ways to resolve disputes (usually in this order):	Section 504 gives parents several options for resolving disagreements with the school:
	Mediation	Mediation
	Due process complaint	Alternative dispute resolution
	Resolution session	Impartial hearing
	Civil lawsuit	Complaint to the Office of Civil Rights (OCR)
	State complaint	Lawsuit
	Lawsuit	
Funding/Costs	Students receive these services at no charge.	Students receive these services at no charge.
	States receive additional funding for eligible students.	States do not receive extra funding for eligible students. But the federal government can take funding away from programs (including schools) that don't comply.
		IDEA funds cannot be used to serve students with 504 plans.