

---

---

# 504 vs. IEPs

— Civil Rights v. Special Education —  
Law

---

---



# Overview of Laws

Three federal laws guarantee the rights of students with disabilities:

1. Americans with Disabilities Act (ADA) ( Federal law to stop discrimination against people with disabilities)
2. Section 504 of the Rehabilitation Act (“Section 504”) → 504 Plan
3. Individuals with Disabilities Education Act (“IDEA”) → IEP (Federal law for children with disabilities)

# IEP vs. 504

Explained

**The difference  
between an IEP  
and a 504 plan**



# 504s

- Children with physical or mental impairments that substantially limit a major life function or has a record of such impairment or is regarded as having such impairment.
- Students protected by Section 504 are in regular education full-time and are not provided with any special education.
- Parent/Guardians may initiate a referral to determine Section 504 eligibility by writing to the building 504 chairperson.
- Parent/Guardians must receive notice regarding actions affecting the evaluation, identification, educational, accommodations, or placement change of their children.



# Basic Life Activities

Reading, Writing, Thinking, Concentrating, Speaking, Communicating, Interacting with others, Manual tasks, Reaching , Lifting, Bending , Eating, Sleeping, Bowel Function, Bladder Function, Digestive Function, Immune system Function, Circulatory, Endocrine or other

- **Make an educated estimate without mitigating factors of indicate the specific degree that the impairment limits the major life activity**
- **Use students in the general (i.e., national or state) population as the frame of reference**
- **Extremely, Substantially, Moderately, Mildly, Negligibly**
- **If substantially or extremely the team**
- **the team should determine and list on the 504/ADA Plan the specific accommodations and/or services that are necessary for the child to have an opportunity commensurate with nondisabled students (of the same age).**

# Individual Education Plan

- An Individualized Education Program (IEP) is a blueprint for a child's special education experience at school. The plan describes what services and supports the child gets.

## Individualized Education Program (IEP) Development

- **IEP** Identifying Information.
- Present Levels of Performance and Individual Needs.
- Measurable Post-secondary Goals/Transition Needs.
- Measurable Annual Goals, Short-Term Objectives and Benchmarks.
- Reporting Progress to Parents.
- Recommended **Special Education** Programs and Services.
- Coordinated Set of Transition Activities.
- Transportation

# What is special education?

“Special education is instruction that is specially designed to meet the unique needs of children who have disabilities. Special education and related services are provided in public schools at no cost to the parents and can include special instruction in the classroom, at home, or hospital”





# IEP: 13 classifications and impact classroom performance

Autism	Orthopedically impaired	Multiple Disabilities
Speech impaired	Deafness	Visually impaired
Learning disability	Other health impaired	Intellectual disability
Hearing impaired	Emotional Disturbance	Traumatic Brain Injury
Speech or Language Impaired		

# Special Education

Special education makes it possible for your child to achieve academic success in the least restrictive environment despite their disability. The federal law governing the system is called the [Individuals with Disabilities Education Act or IDEA](#). IDEA entitles all children with learning disabilities to a [free appropriate education \(FAPE\)](#). Examples of "appropriate" programs include:

- A specific program or class for your child.
- Access to specialists.
- Modifications in the educational program such as curriculum and teaching methods.

# Individual education program vs. 504 Plans

## Accommodations Act vs. Services Act

504

- Has a disability
- Accommodate or modify
- But does not require specialized instruction
- Document the disability

IEP

- Disability classification
- Specialized Instruction
- Individualized Instructions
- Goals
- Services
- Instruction to remediate skill deficits

[Chart from understood.org](https://www.understood.org)

# Who Creates It

## IEP

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.

## 504

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

# IEP vs. 504 Plan

## Anatomy of an IEP

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:

## 504 Plans when specialized is not necessary

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

# IEP

- 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 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

# How to get the process started in POBCSD

## IEP

- Request in writing to principal or PPS your request for special education testing
- Building may refer following RTI or building level interventions

## 504

- Contact your building Assistant Principal
- Write a letter requesting a 504
- Provide any medical documentation or diagnoses of disability
- Parents or building may refer

# Evaluations

- Notice
- Consent
- Evaluations
- Annual Review
- Resolving Dispute
- Funding (no cost to parent)

# Who to contact

## IEP

Assistant Directors PPS/Secretary

Betsy Lashin-grades K-4/Orit Plotkin

Kristin Durante- grades 5-8/ Noreen Greene

Sandra Parmentier- grades 9-12/Wendy Adleman

Monica Manzi-Executive Director of Sp Ed, MH &  
SS/Renee Rose

Jennifer Lott-Director of CSE/CPSE & MH/Caroline  
Morello

516-434-3020

## 504

Building Assistant Principals

Greg Scesney: Old Bethpage

Caleigh O'Dwyer: Stratford Road

Jodi Marchese: Pasadena

Stephanie Yohe: JJP

Christina Krowles: MMS

Dorothy Drexel: POBMS

Katie Prudente: POBJFKHS