

Understanding **INDIVIDUALIZED EDUCATION PLANS** and **504 PLANS**

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Education plays a central role in shaping a child's growth and development. For an autistic child, this process usually involves acquiring either an Individualized Education Plan (IEP) or a 504 Plan. It is important for parents to understand what these plans are, how their child qualifies for them, what is required to create effective plans, and how to advocate for their child's needs.

IEP

An Individualized Education Plan is a legally mandated document in the United States designed to support students with disabilities in their education. It is a personalized plan that outlines specific educational goals. It is governed by the Individuals with Disabilities Education Act (IDEA), a United States federal law that regulates how special education is to be provided to children with disabilities. The act ensures that all students, including those with disabilities, have access to a free and appropriate public education (FAPE) in the least restrictive environment (LRE).

In addition to outlining the rights and protections provided to students, the act spells out the responsibilities that educational institutions have to provide appropriate education to all children. The following are some of the key components of IDEA.

- **Child Find** - Schools are obligated to identify and evaluate students who may have disabilities and require special education services. This process is known as "Child Find."
- **IEP** - IDEA requires the development for each eligible student of an IEP that outlines the student's educational goals, the special education and related services to be received, and any necessary accommodations or modifications.
- **Least Restrictive Environment (LRE)** - IDEA emphasizes that students should be educated to the greatest extent possible with their peers. Also, special education services should be provided in the least restrictive environment (LRE) that is appropriate for the student's needs.
- **Categories of Eligibility** - IDEA identifies specific categories under which students may be eligible for special education services. These eligibility categories include conditions such as specific learning disabilities, autism, intellectual disabilities, emotional disturbance and more.

504 Plan

Also known as a Section 504 plan, this is a legal document that provides accommodations and support to students with disabilities in a general education setting. A 504 Plan focuses on ensuring equal access and non-discrimination for students with disabilities. It is typically used for students who may not qualify for special education services, such as found in an IEP, but who still require specific accommodations or modifications to fully participate in the educational environment. For example, a child with type 1 diabetes, who has no other special education needs would use a 504 plan to ensure proper support for his or her medical needs.

A 504 Plan outlines the specific accommodations, modifications and support services that students with a disability will receive in order to address their individual needs. These could include things like extended time on tests, preferential seating, assistive technology and more. The plan is developed collaboratively by a team that often includes students' parents or guardians, teachers, school administrators, and other relevant personnel.

IEP vs 504 Plan

A student would not receive both an IEP *and* a 504 Plan but must qualify for either one or the other. An IEP is for those students who require specially designed instruction, such as those with a learning deficit. It is built upon goals and objectives. A 504 Plan, on the other hand, is used when students only require accommodations. These could address such concerns as the need to take medication at certain times of the day, allergies, the need for dark, quiet locations for learning due to migraines, and the provision of a quiet place to take tests for children with sensory needs. Thus, 504 Plans are accommodations to help provide **access** to the education that is already being provided, while IEPs outline an education that is specially designed for children's specific learning needs. If a student requires both a specially designed education and accommodations such as extra time on tests, the latter would be built into the IEP, thus obviating the need for a 504 Plan.

Autistic children do not automatically qualify for IEPs or 504 Plans. While we know that autistic children have social communication difficulties, no two students are the same. Depending on what children's challenges and needs are, they may or may not qualify for an IEP/504 Plan. In order to qualify for an IEP, parents must show that a child's diagnosis prevents him or her from learning in the designed curriculum. It is worth noting that many autistic students are very successful in their academics without needing an IEP. Keep in mind as well that grades are not the only indicator of success. Sometimes a child is succeeding academically, but is struggling socially. This social struggle may still warrant an IEP as unmanaged struggles in this area can impede learning.

Developing an IEP

The process of developing an IEP involves many people and can take time, patience and cooperation. Below are some of the key steps in the process that may help you better understand the process.

1

STEP 1

Identify that your child may need support. Ask your child's pediatrician to make a referral to your child's school or preschool. Carefully observe your child to determine how your child plays with toys, if your child responds to his or her name, if your child has low muscle tone or walks on tiptoes, or if your child makes eye contact. These are some early markers that let parents know that their child needs support in school. While parents can identify their child's needs, the schools also have child-find obligations to identify students who may require special education services.

2

STEP 2

With parent observation, pediatrician referrals and the child-find program, the School District will determine if an evaluation is warranted.

3

STEP 3

If an evaluation is approved, the testing results will be outlined in the Evaluation Team Report (ETR), a comprehensive document that is compiled by your child's education team. Rather than diagnosing your child, the ETR simply evaluates to see if your child qualifies to receive specialized education or accommodations.

4

STEP 4

The ETR results are used to develop the IEP. Those involved in the IEP team include parents, classroom teachers, pediatricians, school psychologists, occupational therapists, speech-language pathologists and other intervention specialists. An advocate, lawyer or outside teacher, such as a music teacher or art teacher, may also be included. The IEP team creates the child's IEP. Typically, many drafts of the IEP go back and forth between team members, and there is usually one meeting where the plan is reviewed by the team.

5

STEP 5

After the IEP is finalized, it is reviewed annually with the team. The ETR is repeated every three years.

6

STEP 6

You should always request an IEP team meeting if you have concerns. As a living document, the IEP can be changed and modified in accordance with the child's needs.

HELPFUL TIPS!

Preparing for an IEP Meeting

Parents should make every effort to be prepared for IEP meetings. Consider using the following tips as part of your participation.

- Do your research. Reflect on your child's strengths and challenges. Have a firm understanding of what options for support are available. Talk to other parents who have gone through the same process.
- If your child is young and does not yet have an official diagnosis, have your child's pediatrician prepare a document that outlines his or her notes and observations about your child.
- Write down your own observations so that you have a clear and concise list when you go into each meeting.
- Stay organized. Keep copies of the papers, documents and meeting notes generated over the years so you can look back on your records. Don't throw anything away. One suggestion is to keep a master binder with sections for notes, prior documents, draft IEPs, final IEPs, teacher feedback, work samples, discipline records, reports from private therapists, progress reports, district assessments, parent concerns, ETR reports, and more. This will allow you to easily look back over the years and compare work, reports and progress.
- Be prepared to ask if your child's goals and objectives have been met. Ensure that each goal is meaningful.
- Use the right tone in your child's IEP meetings. Be firm, but remain open to what the IEP team is suggesting. Know when it's important to push back and when it's best to agree. Pick your battles. If you are using an advocate or a lawyer, ensure that individual has the right tone as well.



Questions to Ask at Your IEP Meeting

- Are my child's goals being met?
- What types of therapies are offered at the school to support my child? What kind of training do the teachers and support staff have?
- How are you supporting my child's social development?
- How are you supporting my child's pragmatic language?
- What will our chain of communication look like? Will there be a binder that is passed back and forth each day? How will we communicate?
- How can I support your efforts at home?

Final Thoughts

In a perfect world, families would solicit the help of a lawyer who specializes in assisting autistic children. While this is not always possible, a lawyer can greatly ease the process and help parents know their child's rights and needs are being met by the educational system. Advocates can also be useful. Although not all are professionally trained, they can provide experience and support.

If you disagree with the IEP, remember that you can "sign with protest." Outline the specific areas of disagreement and be detailed. Parents who do not agree with the ETR can ask for an independent evaluation. School districts usually have an approved list of what they will cover in terms of the cost of such an evaluation.

Given the pivotal role education plays in children's development, especially those with unique needs, it is essential that parents understand the options available. IEPs and 504 Plans are vital tools to ensure that children receive the education they deserve. Parents need to grasp the distinctions between these plans, advocate for their child's specific requirements, and actively participate in their child's educational journey. By working collaboratively with school teams, staying informed and seeking professional guidance when necessary, parents can navigate the complexities of their child's education and ultimately ensure the best possible educational experience for their child.

Questions to Ask an Advocate

- What are your qualifications?
- Are you affiliated with a law firm?
- How do you handle difficult situations in an IEP meeting?
- Have you ever gone to a due process hearing? If so, what was the result?
- How effective are you in ensuring the IEP meets a child's needs and rights?
- What is your relationship with the School District?



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