

IEPs and Section 504 Plans

Metro DC EDS and HSD Support Group

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IEPs and Section 504 Plans: Outcomes

Today's presentation **outcomes:**

Participants will learn

- What is an IEP and What is a Section 504 Plan
- Some typical obstacles they may encounter
- Some unique aspects of seeking support when a child has medical symptoms
- Suggested language,
- Red flag warnings

Individualized Education Program (IEP): Who gets one?

An IEP is for a student who has

- An educational disability (such as Other Health Impairment)
- Due to that disability that student requires specially designed instruction

See 3 for definition

<https://sites.ed.gov/idea/regs/b/a/300.39>

Key words: Content, **delivery**, methodology

This decision is made by a team that includes the parent

Section 504 Plan: Who gets one

A Section 504 Plan

For students who have:

-a physical or mental impairment (not a finite list)

-That impairment substantially limits one or more major life activities (one of those activities can be learning)

<https://sss.usf.edu/resources/topic/section504/504course/Module3/Initiating504.html#:~:text=Section%20504%20evaluations%20may%20encompass,of%20more%20formal%20assessment%20measures.>

Obstacles:

Some common situations

Some typical obstacles parents may encounter:

- Predetermination of a qualifying decision by school staff
- School staff believing they can interpret and discount the impact of a medical condition
- School staff not understanding some disabilities may not always be present at birth

Medical Symptoms

When a child has medical symptoms:

- School staff is typically more versed in issues relating to academic and behavior challenges
- School staff may not “see” your child as “disabled”
- You have to plead your case for them to see the severity of the situation
- They want to speak to private providers first

Requests: Put them in writing

If school staff tries to have a conversation about it beforehand:

- document what you heard, send a follow up email

- ask for a meeting even if they say they believe your child would not qualify

- copy or direct emails to administrators

Request:
Ask for the IEP
process to start

Date

Dear Administrator:

I hope you are having a good day.

This email is to formally request that my child, _____, be evaluated to determine if they have an educational disability.

Please acknowledge receipt of this email. I look forward to hearing from you.

Sincerely,

Request:
Ask for a
Section 504
Plan Meeting

Date

Dear Administrator:

I hope you are having a good day.

This email is to formally request that my child, _____, be evaluated to determine if they qualify for a Section 504 plan.

Please acknowledge receipt of this email. I look forward to hearing from you.

Sincerely,

Do not have an IEP meeting or 504 Plan meeting via email

If school administrators want to argue or disagree with your request, this doesn't replace the need for a meeting.

They may want you to JUSTIFY your request or provide lots of medical documents before you schedule the meeting, so proceed with caution

Meeting Preparation
for either an IEP or a
Section 504 Meeting:
**Know your rights
and know the forms**

Do your homework BEFORE the meeting.

Read the Procedural Safeguards/Due Process Rights (posted online).

Read over blank forms available online.

Know your terms: specialized instruction, educational disability, impairment

Meeting Prep.:

Know what you will share

Many school teams want a blanket consent form signed

This consent form allows schools to request carte blanche your child's medical information from certain providers

Instead: YOU request the documents, redact them if needed, provide to the school

IEP Meeting Prep.:

What kinds of data should I keep?

The IEP team has their data.
You should have your data.

What kind of data can a parent keep?

Notes on fatigue with task,
notes on need for material to be retaught if memory issues exist, notes on how condition affects participation in the general ed. curriculum

IEP Meeting Prep.: Roles

- Chairperson
- General Ed Teacher
- Special Ed Teacher
- Parent

If others are needed:

Qualified examiners to present information, etc.

You are **citing data**,
not asking for
something
unreasonable.

Avoid:

“I am just requesting”

“All I am asking for”

Instead:

**Wouldn't you agree that the
data says ____?**

Listen up for **RED FLAG** phrases

RED FLAG phrases as they relate to medical issues:

“We can work with her but only if she is motivated.”

“Your son/ daughter just needs to work harder.”

“Don’t want these accommodations to be a crutch.”

“We don’t think this would make a difference.”

“I have seen other students with EDS do fine.”

“She would have already qualified by now if she was eligible.”

Q and A Session



Thank you for attending.

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