

Notes - IEP & 504 Basics Workshop

JLS Middle School, 9am- 12pm

Presented by Jeanne Kane and Trish Lawson from the [HEAL Program](#) at Packard Children's Hospital.

Parent questions were asked throughout the session.

Jeanne & Trish introduced themselves and their extensive training and experience working with children with moderate to severe disabilities. They offer neuropsychological assessments to the families that they work with through Packard. Kids they work with in their clinic have cancer, diabetes, epilepsy, kidney failure, all kinds of conditions.

There is a difference between a neuro-psychological assessment and a psycho-educational assessment. For kids with serious medical problems, they may have some cognitive impairment / damage to the brain associated with their condition. What schools usually do is a psycho-educational assessment.

Getting to know the attendees to this workshop - about 48 of them (not including organizers)

- New to IEP/504: about 10
- Has an IEP/504: about 25
- Visiting from another district: about 6
- Non qualifying: about 2
- Elementary: about 15
- Middle: about 10
- High School: about 20

Section 504 is a civil rights law. Meant to level the playing field, so that a child who has a disability can access the education. Accommodations only, such as larger print, extra time on tests. Only applies to general education. They do not receive any special education services.

Parent question: I feel my child's needs are not being met, and that communication with school is slow. Presenters recommend calling a meeting. Sometimes problems can arise simply because of a lack of communication. Important to make sure that the school staff knows what the child's needs are.

Parent question: What is the definition of disability in this context? A: 'Something going on that limits major life activity'. Could be behavioral, could be emotional.

Parent question: I have outside assessment, but don't want a school assessment. Do I have to allow it? A: The school district has the right to do an assessment, if you are asking for 504 or IEP. Records are sealed in a separate place than the regular academic record. The school district should look at, but don't need to consider the outside assessment. After the school assessment, if there is a discrepancy, it is possible to request an IEE, and Independent Educational Evaluation. The district will have a list of clinicians who can do this.

IEP is established in the law under IDEA. Important acronyms:

- IEP Individualized Education Program (or Plan)
- FAPE Free and Appropriate Public Education. All children have right to this, districts are responsible to provide this.
- LRE: Least Restrictive Environment

Parent can request assessment for IEP. Needs to be in writing, using the term 'IEP'. District must respond, but can decide they don't think a child will qualify, and not assess. Parent can appeal.

Parent question: I feel my child's IEP for anxiety & depression is not being followed. A: Call a meeting with teachers & principal.

Parent question: Will different children with the same condition necessarily get the same goals/accommodations/services? A: No, it is individualized.

For an IEP, the Goals drive the IEP. For areas of deficit, there should be a goal. Generally there would be an annual meeting to adjust & revisit goals, but the parent can call a meeting to happen sooner if they think goals should be revisited, for example if the parent isn't seeing any progress.

Parent question: Can I say if I think my child needs x/hours week of a specific program? A: A parent can't dictate a specific program to be used. Can suggest or recommend programs they know of. Parent also can't dictate how many hours, or other specifics of child's program, but they can ask for meeting to talk about progress, and ask questions, make suggestions.

Parent question: Can we request that child (with attention issues) can record the teacher/class? A: Yes, you can ask, but teachers are not required to allow recording. Usually they will allow them to take picture of the board, or similar.

Parent question: My child is receiving services, and I feel he is being stigmatized by other parents/children. A: Teacher can be subtle about the special attention the child receives.

LRE: There is a range, from Special Day Classes, to regular classroom.

Parent question: When do I need a IEP vs 504? A: You can only have one or the other. IEP trumps the 504. 504 does not require an assessment. In many cases, accommodations under a 504 will be sufficient to allow them to access the education.

Parent question: What do I do if school is not responding to my email request for IEP evaluation? A: Send again, including to principal, and move up to the district Special Ed department if need be.

Parent question: Since IEP & 504 are from two different laws, do I have to request them separately? A: No, you make a request for assessment, and a determination will be made about which is more appropriate for the situation. At any time, you can request an SST 'Student Support Team'/'Student Study Team'. Also, if the child is not been found eligible for an IEP, can request and IEE - Independent Education Evaluation.

Testing scores need to be below a certain percentile, say below 25 percent, to qualify for an IEP.

Parent question: If you have a child who performs highly academically, but has emotional or behavioral issues, will they qualify? A: If it impacts their education, they can still qualify. There are assessments specifically for that. The child may need social skills class. There can be accommodations for social/emotional within a 504.

Slides for each qualifying category in an IEP. Some specifics:

- ED Emotional Disturbance. If possible, you want to stay with LRE, Least Restrictive Environment, and not pull the child out of classroom.
- OHI Other Health Impairment, is an umbrella term, many kids qualify under this category, can cover many conditions, must adversely impact the child's learning.
- SLD Specific Learning Disability, such as difficulty reading, with math, with writing with language, etc.

Comments from Brook Crosby, Special Ed Coordinator for PAUSD -

Child does not need to be way behind academically to qualify. Question is, can the child access the education? Assessments are not all Academic. There are multiple tests, and areas that deficit can be found. For example, Social-Emotional, Speech & Language, Executive Functioning.

Parent question: I have a child going through SST, not yet qualified, not clear if they will qualify. Should I give up? A: (From Jeanne): Stick with it, go through the process. A: (From Brook) If parent doesn't agree with SST results, can go back and request a further assessment.

If a child is scoring 'average' on the various tests, will be hard to get an assessment or to qualify.

Brook: Encourages parents to look at the big picture for their child, whether they have an IEP or not. Help kids to develop a toolkit for what works to help them to learn, how to advocate for themselves, etc.

On IEP vs 504 slide: With an IEP, students with higher needs can stay longer in high school, until age 22, to take life skills, etc. After high school, if going on to college, should register with the college's 'students with disabilities' office, to access various services in college such as peer tutors, advance registration for classes, guidance on teachers who will be more supportive, etc.

In college they don't call it an IEP or 504, but they can look at what the student had in high school, and work with the family on what kinds of accommodations might be available.

Parent question: When transition to middle school, how do you include the larger team? A: Some teachers may come, all will be invited. Can always ask for an additional meeting.

Executive Functioning: Is the CEO of the brain. Child with EF deficits may get stuck in a loop, not know when to stop, may have trouble with controlling impulses, trouble remembering, not know when to study, etc. EF deficits are often addressed with a 504, but if child qualifies for an IEP, can also be addressed there.

Parent question: Is there a way to measure Executive Functioning? A: Yes, the Vanderbilt test. Can look at whether child can switch tasks. EF deficit is a spectrum, so may have challenges but not severe. Often can be helped with accommodations, or coaching.

Parent question: Can child get IEP & goals for EF deficit in elementary? A: Often not, because Elementary is the age when all kids are learning & building these skills. More likely to be goals for this area during Middle & High School.

One of the things that makes a good IEP document is that it is a good reflection of the student, it captures the personality of the kid.