

What Is a Section 504 Plan? An IEP? Your ADHD Accommodations Guide

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Securing an IEP or 504 Plan for a Student with ADHD

After your child is diagnosed with ADHD, the next challenge is often acquiring school accommodations, such as extra time on tests, tutoring, or seating in the front of the class, to assure his academic success. Children generally must qualify under one of two federal laws — the Individuals with Disabilities Education Act (IDEA), or Section 504 of the Americans with Disabilities Act (ADA) — to receive free, public classroom accommodations under an IEP or 504 plan. Read on to learn more about what these plans look like, and what steps you can take to secure them.

What's the Difference Between an IEP and a 504 Plan?

IDEA provides education services through an Individualized Education Program (IEP) to kids with specific conditions, including emotional disturbances and LD. Children with ADHD may qualify if they also have one of the named conditions or they under the Other Health Impairments (OHI) category.

Section 504 of the ADA provides for in-classroom accommodations for students with disabilities. 504 Plans offer fewer protections than IEPs, but require less extensive documentation.

Step 1: Request an Evaluation

The first step is to write a letter requesting an evaluation to determine whether your child with ADHD is eligible for academic accommodations. Address it to the chairperson of the Committee on Special Education Services — aka the Director of Special Education Services. Should the school decline your request, arrange for a private ADHD evaluation. **TIP:** Send your letter by certified mail or hand-deliver it and keep a dated proof of receipt for your records.

Your Child's Evaluation

A school-sponsored evaluation is conducted by a multidisciplinary team — including special-education teachers, the school psychologist, and other professionals. As part of the process, they'll want to meet with you to learn more about how your child with ADHD functions in school. Team members will review your child's academic records, conduct a behavioral assessment, and observe her in the classroom.

Collect Your Child's Records

You will discuss the assessment results with the evaluation team and decide together whether your child needs special-education services to address how ADHD impacts her ability to learn. **TIP:** Bring copies of your child's report cards, standardized test results, and medical records, as well as a log of your communications with the school and other professionals to the meeting. (See our checklist of academic records that every parent should keep!)

Post-Evaluation Decision

If you and the school district agree that your child is eligible for services, an IEP team meeting will be scheduled to plan your child's Individualized Education Program (IEP). If your child is denied special accommodations, you're entitled to appeal your case in a "due-process" hearing — a legal proceeding that often requires legal representation for the family, testimony from independent experts, and a review of meeting transcripts, test scores, and other documents.

Next: The IEP or 504 Meeting

If your child qualifies under IDEA, meet with the team to develop an Individualized Education Program (IEP), specifying your child's academic and behavioral goals and how those goals will be met in the classroom. Be assertive. Be sure the IEP spells out exactly how the school will help your child meet his goals, which should be specific, measurable, and achievable. Unless the strategies are specified, there's no way to enforce them.

How to Create Specific IEP or 504 Goals and Objectives

A goal is broad and covers a long period of time ("The student will maintain passing grades, C or higher, through the school year"). An objective is more specific and covers a shorter time frame. For a student who loses homework, an objective might be, "for the next two months, Annie will submit homework via e-mail or pick it up at a 'homework checkpoint' before she leaves for school."

How Do 504 Plan Accommodations Work?

If your child qualifies under Section 504, a school representative will help you and your child's teacher compile a 504 Plan, or a written list of accommodations that must be followed at all times. Unlike an IEP, there are no legal requirements about what should be included in a 504 Plan, and the school isn't required to involve the child's parents in the process (although many schools do). **TIP:** See our 40 best school accommodations for your child with ADHD.

Should I Insist on a Customized 504 Plan?

The school may try to base your child's IEP on its existing programs, even though IDEA requires schools to tailor the plan around the child's needs. Some parents even report being handed a completed IEP to sign, without having given meaningful input. Teachers may ask permission to draft an IEP in advance of the meeting, but you should be free to make additions, request changes, or question any of the goals or interventions.

Ask for Proof

If the school suggests an accommodation, ask for written proof that it is effective. Many schools have a "menu" of accommodations. Some may be helpful, as teachers and administrators have seen what has worked well for other students. But don't let them limit the accommodations they'll offer to choices from that menu. Offer feedback and share with teachers the successful strategies you use at home. Writing an IEP is a parent-teacher-child partnership.

How Do Parents and Teachers Factor Into an IEP?

A shortcoming of many IEPs is that the responsibility is placed on the child. Write down what parents and teachers are responsible for, and make sure that all the participants are clear on what they need to do. For instance, the IEP might say: "Henry needs to know his homework assignments 90 percent of the time; the teacher and parent will sign and send his assignment book back and forth from school and monitor his progress weekly."

Do I Need to Create a Paper Trail?

Put all requests, concerns, and thank-you's in writing — and keep copies on file. After each IEP meeting, summarize the main points in a letter to participants to establish a written record of what was said. A recent U.S. Supreme Court ruling held that the legal burden of proving that a plan fails to meet a child's needs falls on the parents. Thus, it is more important than ever to document difficulties, to be assertive about receiving progress reports, and to push for changes to the IEP as needed.

How Can I Make Sure My Child's 504 Plan Works?

Figure out who will evaluate whether the plan is working and how often. Determine how progress will be measured — test scores, weekly reports, teacher records, or grades. Verify that teachers are implementing the agreed-upon plan every day. Weekly meetings, telephone calls, or e-mails are in order during the first weeks after the IEP has been implemented. Check with your child as well.

Check Up — and Say Thank You

Discuss the results of evaluations with school officials, and check in every month or so about your child's progress. You can set up an IEP meeting to discuss concerns at any time. And

don't underestimate the power of thank-you notes. Many teachers feel underappreciated, so letting them know you recognize their efforts will keep them on your child's side.

How Do Schools Monitor Progress?

By law, the educational team must meet annually to review your child's IEP. Many schools hold that meeting in the spring, to review current strategies, progress, and set goals for the coming year — but your child's progress over the summer, or the demands of the new grade, may make start-of-the-school-year plan changes necessary. Under Section 504, the school is not required to hold an annual review or to involve parents in meetings. However, you may still request a meeting at any time.

Can I Change My Child's IEP?

An IEP is not set in stone. Certain strategies may not work as well as expected, or better ideas might be introduced. In addition to the accommodations listed in the IEP, write into the document, "If the student begins to struggle, the teacher and parent will talk with each other immediately, and the IEP will be adjusted as needed in between IEP meetings."

Who Do I Turn to When a 504 Plan Isn't Being Followed?

If at any point you reach an impasse with school authorities, or if you just want an expert to accompany you to meetings, contact an educational advocate or attorney. Many offer free or low-cost consultation. To find one in your area, look online at:

- chadd.org
- ldanatl.org
- copaa.org
- wrightslaw.com