

[IEPS & 504 PLANS](#)

Common Problems & Helpful Solutions for Your IEP/504 Plan

Have you run into challenges after requesting special education services for your child at school? Here, expert solutions to the eight most common problems with IEPs, 504 Plans, and school accommodations.

BY [LILLIAN WONG](#) From Additude Magazine (see link at end)

Frustrated with the limited [special education](#) accommodations and services the school offers your child with attention deficit hyperactivity disorder (ADHD), learning disabilities (LD), or other special needs? Not seeing any improvement in the classroom from the accommodations and services your student does receive? Whether you're new to [individualized education programs](#) (IEPs) and 504 plans or way beyond exhausted from not having your recommendations heard and implemented, find solutions to the most common—and complicated—flaws of IEPs and 504 plans.

New to IEPs and 504 Plans?

The Problem: “My child’s IEP/504 plan is 15 pages long! I’ve read it a couple of times, but I still don’t understand what it means.”

The Solution: The most important sections of the IEP/504 plan are those that directly affect your child’s educational program: [services and accommodations](#). Services are the special education your child receives in addition to the general education curriculum. On IEPs, services are described on a “service delivery page.” This page lists your child’s special education services (e.g., occupational therapy, speech therapy, or [counseling](#)), the amount of time per week your child will receive these services, where your child will receive the services, and the qualifications of the service provider (e.g., [special education teacher](#), speech-language pathologist, or paraprofessional). In addition to services, it is also important to understand your child’s IEP/504 accommodations. Accommodations allow your child to access the curriculum. Accommodations may include [assistive technology](#), preferential seating, and modified homework, to name a few.

The School Always Ignores My Input on My Child’s IEP or 504 Plan

The Problem: “I don’t see the point of attending IEP/504 meetings. I barely get a chance to talk and when I do, I’m ignored. How can I get the school to listen to me?”

The Solution: Always remember that as a [parent](#), you are an essential member of your child’s [IEP/504 team](#). While the school is not required to implement every request you have, they are required to listen to and consider your input. One of the best ways to become an active member of the team is to ask questions. After you ask a question, listen and analyze the answer. Ask follow-up questions. If you are nervous about bringing up an issue in the meeting, type up your concerns ahead of time and distribute the document at the start of the meeting. If after the IEP/504 meeting you still feel ignored, send the team a follow-up letter documenting any remaining requests, questions, or suggestions.

My Accommodation Requests Are Always Denied

The Problem: “No matter what accommodations I ask for, the school says no. Sometimes I’m told what I’m asking for violates school policy. Other times the school says I don’t understand my child’s needs. How do I respond?”

The Solution: Begin by explaining the reason for your request and why the status quo is not working. Use examples. [Offer written documentation](#). Try to persuade the team that your request is something your child needs, not simply something you want. [The law requires the school to meet your child's needs](#), but it does not require the school to provide the ideal education. If you are told that your request violates [law or policy](#), politely ask for a written copy of that portion of the law and policy. Sometimes school officials confuse “what is always done” with the law. If the school is able to provide you with a copy of the law or policy, review it and see if there is some reason why it should not apply to your child.

The School Says My Request Is Too Expensive

The Problem: “The school agrees that my child would benefit from a particular [assistive technology](#) and a one-on-one aide, but they say they just don't have the money in the budget for it this year.”

The Solution: If your child needs an accommodation or service in order to make educational progress, the school must provide it. But remember, there is a legal difference between an educational benefit and an educational necessity. If it is necessary, cost cannot be a reason for denying your request. That doesn't mean that the school can't consider the cost of your request in certain circumstances. For example, if your child requires assistive technology, you can't force the school to purchase the most expensive model if a less expensive brand will meet your child's needs.

[\[Free Download: How Do I Create an IEP/504 Plan for My Child?\]](#)

The IEP/504 Plan Is Not Being Implemented

The Problem: “The school says my child's IEP/504 Plan is being implemented, but I really don't think it is. When I ask my son if he always sits in the front of the class as the plan requires, he says, ‘No.’ When I ask my daughter if she went to occupational therapy this week, she says she hasn't gone in a really long time.”

The Solution: IEP/504 plans are designed to provide your child a free and appropriate public education, legally known as FAPE. If the [IEP/504 Plan](#) is not being implemented, your child is being denied FAPE. Before you accuse the school of denying your child FAPE, do your research. [Meet with the teacher](#) and ask about your son's seating arrangement. Call the occupational therapist and ask about her last meeting with your daughter. When was it? How long did it last? What skills were addressed? If you find the IEP/504 plan is not being implemented, call a team meeting. Make sure that the individual responsible for implementing that portion of the plan attends the meeting. Express your concerns and the results of your investigation. Insist that the IEP/504 plan be implemented going forward and request that the school schedule makeup sessions for any services it neglected to provide. If the school still refuses, contact a special education attorney or an experienced educational advocate for help filing a due process request (more about this later).

The IEP/ 504 Plan Isn't Working. Does My Child with ADHD Need a Reevaluation? How Much Will It Cost?

The Problem: “When the team created the [IEP/504 Plan](#), I really thought it would help my child, but after almost a year, I really don't see any changes.”

The Solution: Use testing scores, progress reports, and teacher comments to support your position. Sometimes, plans that sounded good on paper don't work. If your child is not making effective educational progress, the plan is not working. If the school believes that your child is making educational progress, be prepared to explain why you disagree. Even if the school believes your child is making

progress, request a reevaluation of your child. For another perspective, consider an independent evaluation.

Once the reevaluation has been completed, request a team meeting to discuss the results. How do the new test scores compare to previous ones? Do they show stagnation or regression? If the answer is yes to either, your child is not making effective educational progress and the current educational plan must be modified. Incorporate the evaluators' recommendations in the new plan, allow time for the new plan's implementation, and then assess the new plan's effectiveness with progress reports, teacher observations, and additional testing.

A Note on Cost: The law provides for independent evaluations at public expense in certain circumstances. The requirements for reimbursement are complicated, so contact a special education attorney or an experienced educational advocate for help. Many parents find it easier and more cost-effective to have their private health insurance company cover the cost of independent evaluations.

The School Won't Implement My Special Education Expert's Recommendations

The Problem: "My special education expert thinks my child needs certain accommodations and services, but the school disagrees. Isn't the expert more qualified than the school?"

The Solution: Just because the expert has more experience or qualifications than school officials doesn't mean that the expert's recommendations must be followed. The law doesn't require the school to implement expert recommendations, but the [IEP/504 team](#) must "consider" them. How can you turn this consideration into an implementation? Provide the team with the expert's report ahead of time. This allows everyone to read the recommendations before the meeting. If at all possible, have the expert attend the [IEP/504 meeting](#). If actual attendance won't work, request that the expert participate by phone. Either way, it is essential to allow experts to explain their recommendations to the team and to answer any questions the team might have.

I've Tried Everything and the School Is Still Not Meeting My Child's Needs

The Problem: "I've tried asking questions, writing [follow-up letters](#), and attending plenty of team meetings, but nothing is working. I'm beyond frustrated and my child's education is suffering. Help!"

The Solution: At this point, you should consult with a special education attorney or an experienced educational advocate. This professional can help assess the strength of your case and help you decide whether to request a due process hearing through your state's special education appeals office. A due process hearing is an administrative hearing where parents and schools can present their case to an impartial hearing officer, who will then determine whether a student's educational rights have been violated. The hearing officer's decision is binding on the parties, but it can be appealed to state or federal court. In practice, most due process hearing requests result in confidential settlements between parents and the school.

https://www.additudemag.com/iep-504-plan-help-accommodations-special-education-laws/?utm_source=eletter&utm_medium=email&utm_campaign=school_may_2019&utm_content=050119&goal=0_d9446392d6-52540e10a1-288411445