



**Advocate Academy 101: An
Introduction to IDEA and Section 504**

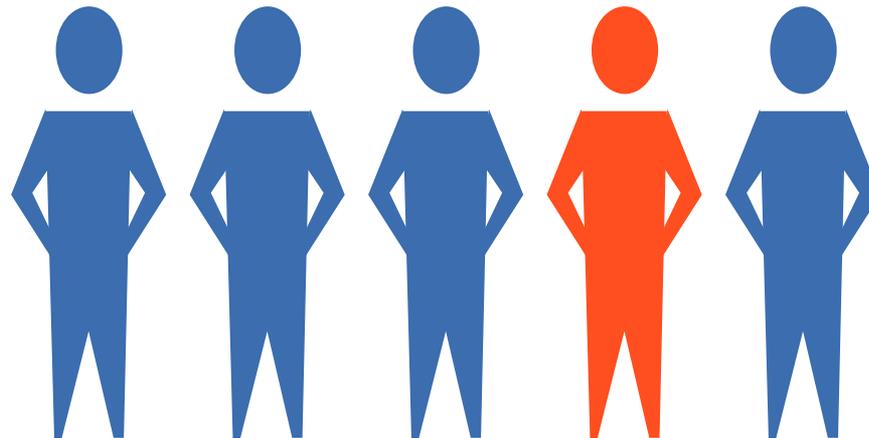
Susan Reynolds **Field Organizer for NCLD**

- Parent to child with ADHD and Processing Disorder
- Military Family Advocate (in a previous life)
- Adult with 2 diagnosed learning disabilities and ADHD

Dylan Davis **Pennsylvania Parent Leader**

- Lawyer turned special education teacher
- Taught in Philadelphia Public Schools
- Raising a daughter with learning difficulties

...is to improve the lives of the **1 in 5**
children and adults who struggle
with learning and attention issues.

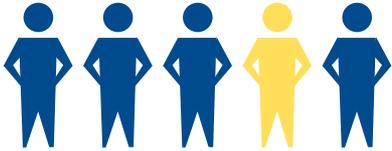


What are learning and attention issues?

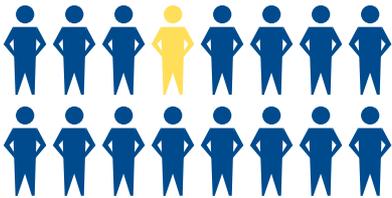
Brain-based difficulties that affect the brain's ability to receive, process, store, respond to and communicate information.

However, these children and adults are as smart as their peers. They may struggle with reading, math, written expression, organization, attention, memory, focus, or social learning.

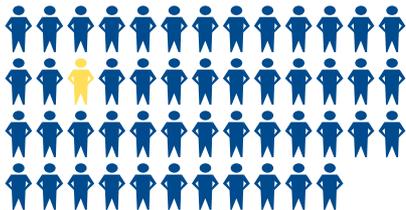
The Scope



1 in 5 children in the U.S. have learning and attention issues, but only a small subset are formally identified with a disability in school.



1 in 16 school-age children have Individualized Education Programs (IEPs) for specific learning disabilities (SLD) such as dyslexia and for other health impairments (OHI), the disability category that covers ADHD and dyspraxia.



1 in 50 public school students receive accommodations for disabilities through a civil rights statute called Section 504.

NCLD's Strategy



Informing local and national **policy** efforts to ensure equal opportunity and access



Strengthening the field through innovative **research** and collaborative partnerships

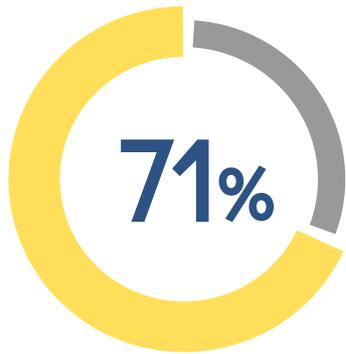


Developing **young adult** leaders who can advocate for themselves and their peers

Why We Advocate

The RISK

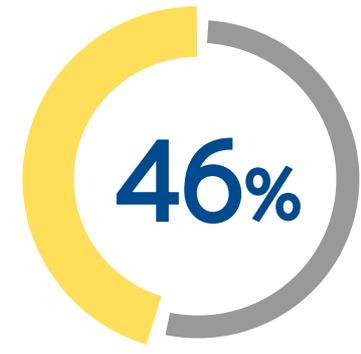
We can't afford to treat **learning and attention issues** as an afterthought or “add-on” to other efforts.



of public school kids with LD graduate with a regular high school diploma compared to **82%** of the general population.



of people with learning disabilities are involved with the criminal justice system within 8 years of leaving high school



of working-age adults with learning disabilities are employed vs. **71%** of the general population

NCLD advocates because we know that **with the right supports**, children and adults can thrive in school and in life.

Individuals with Disabilities Education Act (IDEA)

What Is IDEA?

IDEA was first passed in 1975, and was called the Education for All Handicapped Children Act. By 1997, the law was renamed to the Individuals with Disabilities Education Act or IDEA. The primary purposes of IDEA are:

- **To provide a free appropriate public education (FAPE) to children with disabilities.**
- **To give parents a voice in their child's education.**

IDEA receives almost \$12 billion dollars in federal funds each year to serve 6.6 million children, teens, and young adults with disabilities.

Who Does IDEA Serve?

1. Specific learning disability (SLD)
2. Other health impairment (OHI)
3. Autism spectrum disorder (ASD)
4. Emotional disturbance
5. Speech or language impairment
6. Visual impairment, including blindness
7. Deafness
8. Hearing impairment
9. Deaf-blindness
10. Orthopedic impairment
11. Intellectual disability
12. Traumatic brain injury
13. Multiple disabilities

- Free and Appropriate Public Education (FAPE)
- Child Find
- Least Restrictive Environment (LRE)
- Individualized Education Program (IEP)
- Procedural Safeguards

What FAPE Requires a School to Do:

- Provide special education and related services at no cost.
- Provide accommodations and modifications
- Create an IEP
- Implement the IEP in the Least Restrictive Environment

What FAPE Does Not Require a School to Do

- Provide the best services possible
- Provide a specific program or class setting that you want
- Guarantee a spot in an extracurricular or sports team

- Child Find is a legal requirement that schools **find all children who have disabilities** and who may be entitled to special education services.
- Child Find covers every child from **birth through age 21**.
- The school must evaluate any child that it knows or suspects may have a disability.

- Least restrictive environment **(LRE) isn't a place;** it's a principle that guides your child's educational program.
- Special education law says your child should be **learning with his or her peers.**
- Your child should be with kids in general education to the **“maximum extent that is appropriate.”**

- IDEA requires that public schools create **an IEP for every child** receiving special education.
- Kids from age 3 through high school graduation or a maximum age of 22 may be eligible for an IEP.
- The IEP addresses **each child's learning issues** and includes specific educational goals.
- It is a **legally binding** document. The school must provide everything it promises in the IEP.

Procedural safeguards are the **legal** protections for both you and your child outlined in IDEA. They are:

- Procedural safeguards notice
- Parent participation
- Access to educational records
- Confidentiality of information
- Informed or parental consent
- Prior written notice
- Understandable language
- Independent educational evaluation or IEE
- “Stay Put” rights
- Dispute resolution options

Disputes can happen, and through IDEA you will find ways to resolve disputes usually in these steps:

- Negotiation with School
- Mediation/Resolution Session
- Due Process Hearing
- State Complaint
- Lawsuit

A list of linked articles and resources from the IDEA presentation.

- [Organizing Your IEP/504 Binder](#)
- [IEP Introduction](#)
- [Least Restrictive Environment](#)
- [Procedural Safeguards](#)
- [Dispute Resolution-Pennsylvania](#)
- [Resolving Disputes-Understood Article](#)

The Purpose of an IEP

“Disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society. Improving educational results for children with disabilities is an essential element of our national policy of **ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities.**” 20 U.S. Code § 1400.

What if my child is denied an IEP?

Having your child evaluated doesn't mean they will automatically qualify for an IEP. Your child could be denied educational supports and services through an IEP.

What options are available for you and your child?

Ask about a 504 Plan for your child. These educational plans are also an option for children with learning disabilities and attention disorders.

The Rehabilitation Act of 1973 & Section 504

Section 504 Background

The 1973 Rehabilitation Act was the first civil rights law for people with disabilities in the United States. Section 504 is part of that law.

Section 504 **prohibits** disability discrimination from any program that receives federal funds, which includes public schools. **Public K-12 schools are required to offer 504 Plans**, while colleges and universities are not.

However, colleges and universities are required to provide accommodations for students with disabilities under the Americans with Disabilities Act.

What is a 504 Plan?

A 504 Plan is an **educational blueprint** for your child. The plan will outline how the school will provide support and remove barriers in the general education setting for a child with a disability.

As with an IEP, disputes could happen. Just like with IDEA, there are steps to resolve disputes with 504 Plans.

- Mediation
- Alternative Dispute Resolution
- Impartial Hearing
- Complaint to the Office of Civil Rights (OCR)
- Lawsuit

The purpose of a 504 Plan is to provide **accommodations** at the school, so the general education classroom fits how your child learns.

Where to Find Help

- National Center for Learning Disabilities:
www.nclld.org
- Educating All Learners:
www.educatingalllearners.org
- Learning Disabilities Association of America:
www.ldaamerica.org

- Understood
www.understood.org
- Parent Center Hub:
www.parentcenterhub.org
- Wrightslaw Special Education Law & Advocacy:
www.wrightslaw.com
- Council of Parent Attorneys & Advocates, Inc:
www.copaa.org

For information or assistance with your child's IEP or 504 Plan,
connecting with state and local resources is best.

- PEAL (Parent Education & Advocacy Leadership) Center
www.pealcenter.org
866-950-1040 (Toll Free)
412-281-4404
215-567-6143
- PEAL ConsultLine, Office for Dispute Resolution: A helpline for families & advocates.
800-879-2301
- HUNE (Hispanos Unidos para Niños Excepcionales) (Bilingual)
www.huneinc.org
215-425-6203
- Mission Empower (Erie County, PA)
www.missionempower.org
814-825-0788

State & Local Resources Continued

- Parent To Parent PA:
www.parenttoparent.org
888-727-2706
- Learning Disabilities Association of America (LDA)
412-341-1515
- PA Branch, International Dyslexia Association
www.pa.dyslexiaida.org
- Kids Together PA
www.kidstogether.org
- PEAC-PA Education for All Coalition
www.paedforall.org
267-232-0570
- Chester County/Main Line CHADD: Children & Adults with ADD
www.ccmlchadd.com

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facebook.com/NCLD.org/

- For general information questions: info@nclld.org
- For policy questions: policy@nclld.org

Advocate Academies 101:

- Assistive Technology. What is it?
- How to Prepare for an IEP Meeting (will include: how to read evaluation reports, words, phrases, acronyms, and goals)
- How to Prepare for a 504 Plan Meeting (will include: how to read evaluation reports, words, phrases, acronyms, and accommodations)
- Tying It All Together: How has all this work and advocacy helped our kids transition into adulthood?

Advocate Academies 201:

- State and Local Advocacy
(will include how to research, fact check, understand policies, and how to share your personal story)
- Federal Advocacy:
(will include how to research, fact check, understand policies, and how to share your personal story)

Thank you!