



All school-age children with disabilities who are eligible for a 504 or an Individualized Education Program (IEP) are entitled to a Free and Appropriate Public Education (FAPE). FAPE requires students with disabilities receive the services they need to benefit from their education.

FAPE is required under the Individuals with Disabilities Education Act (IDEA), and Section 504 of the Rehabilitation Act but the details of each are different.

FAPE and 504

Under Section 504, students with disabilities must receive educational services as effective as those of their nondisabled peers. A 504 plan provides the reasonable accommodations a student needs in order to participate in and benefit from their education and other school activities. FAPE gives each student eligible for a 504 plan the right to educational services that:

- are provided at public expense and under public supervision;
- are at no additional cost to the parents;
- meet the Iowa Department of Education standards;
- meet the unique needs of each student;
- are provided from ages 3 to 21;
- include students who have been suspended or expelled;
- include related services and supports and;
- include participation in school sponsored and extracurricular activities.

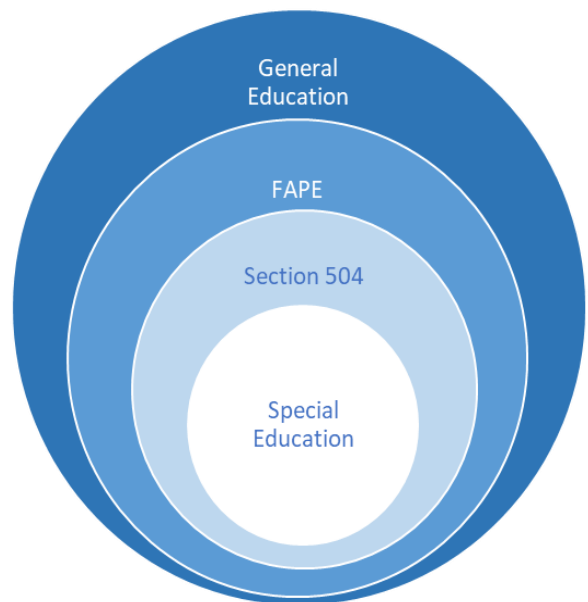
FAPE and IDEA

Under IDEA, FAPE focuses on a student making progress based on their own potential. IDEA requires an IEP that is written to enable a student to make progress appropriate for the student's circumstances. The student's IEP should provide "a chance to meet

challenging objectives" which prepares for future living, learning and working.

General Education, IDEA, Section 504 and FAPE fit together

All students who qualify under IDEA are also covered under 504 because students eligible for IEP's also meet the 504 qualification requirements. The biggest difference between IDEA and 504 is that an IEP comes with specially designed instruction.



Determining FAPE

The FAPE requirement does not guarantee successful outcomes but instead, services sufficient for the student to make progress. Information from tests, progress charts and assessments provide teams with information to help determine if a student is receiving FAPE.

When a student with an IEP is not making progress in school, the team should consider making program changes needed to ensure a student is receiving FAPE.

Essential Questions for IEP teams

- Does this IEP include challenging goals?
- Will this IEP assist the student in making progress?
- How will the student's progress be measured?
- Is the student making progress towards those goals?

Essential Questions for 504 teams

- Will this student have access to the same education and extra-curricular opportunities as other students?
- What accommodations should be provided to protect this student from discrimination?

Related Resources

Look for the following information sheets on our website:

- Progress Monitoring
- Six Principles of IDEA

And view additional guidance regarding FAPE from the [U.S. Department of Education](#), or browse the Endrew F. Advocacy Toolkit from [Understood.org](#).