

# Pediatric Collaborative Care Behavioral Health Conference 2023-2024

**Text: 608-260-7097**

**Code: TUPQUH**

Please text to record your attendance and claim credit. Even if you do not need the credit, please text in to record your attendance!

Need support? Email Riley Barnharst at [rbarnharst@wisc.edu](mailto:rbarnharst@wisc.edu)



**Department of Pediatrics**  
UNIVERSITY OF WISCONSIN  
SCHOOL OF MEDICINE AND PUBLIC HEALTH

**Text: 608-260-7097**

**Code: TUPQUH**




**School of Medicine  
and Public Health**  
UNIVERSITY OF WISCONSIN-MADISON



# **IEP VS 504: DECODING THE SCHOOL SUPPORT MAZE**

**AISHA ROSH, PHD, NCSP  
CLINICAL CHILD PSYCHOLOGIST - UW HEALTH  
NATIONALLY CERTIFIED SCHOOL PSYCHOLOGIST**



# Conflict of Interest

The planner and speaker of this CE activity has no relevant financial relationships with ineligible companies to disclose.

The speaker does not intend to discuss any unlabeled or unapproved use of drugs or devices.



**Department of Pediatrics**  
UNIVERSITY OF WISCONSIN  
SCHOOL OF MEDICINE AND PUBLIC HEALTH

**Text: 608-260-7097**  
**Code: TUPQUH**



**School of Medicine  
and Public Health**  
UNIVERSITY OF WISCONSIN-MADISON

Please take a moment at the end of the session to complete your evaluation.

Thank you!



**Department of Pediatrics**  
UNIVERSITY OF WISCONSIN  
SCHOOL OF MEDICINE AND PUBLIC HEALTH

**Text: 608-260-7097**  
**Code: TUPQUH**



**School of Medicine  
and Public Health**  
UNIVERSITY OF WISCONSIN-MADISON

# LEARNING OBJECTIVES

## Objective 1

Examine historic and ongoing biases within the school system, both in general education and special education, and identify current culturally responsive practices

## Objective 2

Identify similarities and differences between IEPs and 504 Plans

## Objective 3

Describe the IEP process and supports provided through special education

## Objective 4

Outline appropriate school- and community-based resources for your patients



# CASE STUDY

Skye is a 10-year-old Hispanic transgender female attending 5th grade in MMSD. She presents in your office with depression (irritability, low mood, low motivation, anhedonia, hypersomnia), and school refusal with over 20 absences this year. Her parents express frustration that the school has done nothing to support her mental health and they are concerned about the upcoming transition to middle school given her current failing grades, particularly in reading.

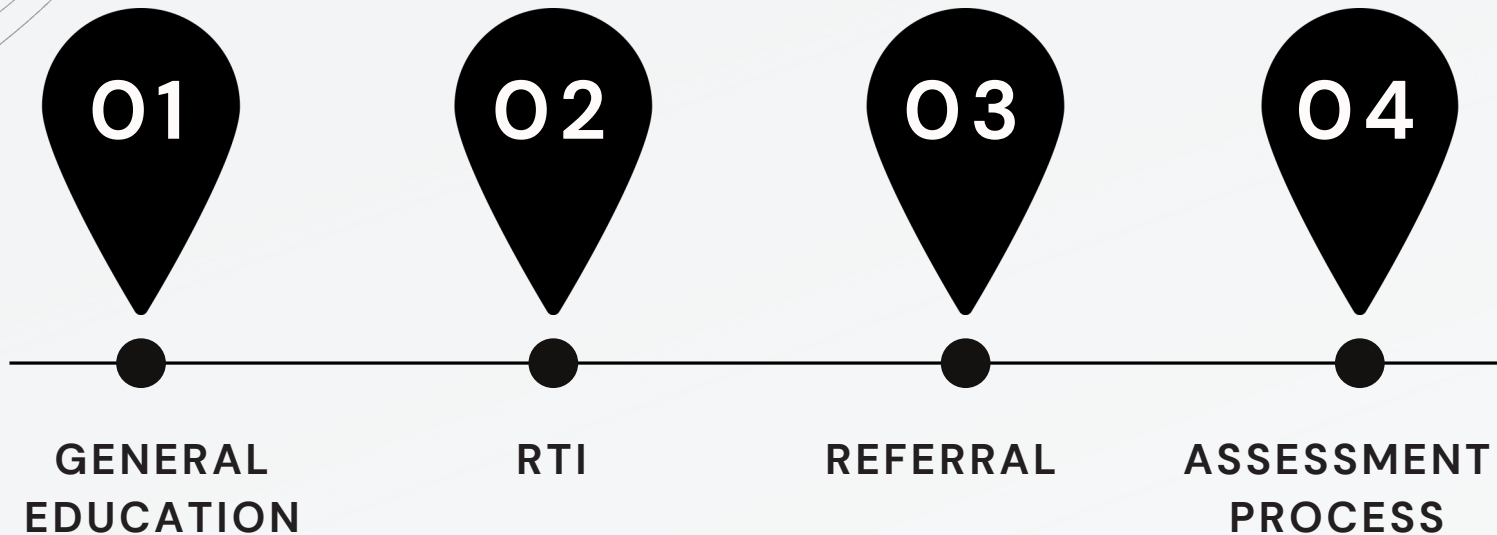
What more would you want to know about Skye?

What kind of supports to you think she might need in the school?

What considerations would you have when thinking about additional supports?



# BROAD STROKES - THE SPECIAL EDUCATION PROCESS



It all starts with general education systems of support with inclusive and equitable practices emphasizing social, emotional, behavioral, and academic supports

Response to Intervention (RTI) supports all students to ensure equal access to an appropriate education in the general education setting. RTI collects data on how students respond to more intensive interventions

A referral to testing gets "triggered" when either a) parent / provider request it OR RTI process demonstrates progress not commensurate with peers despite multiple evidence-based interventions T1-T3

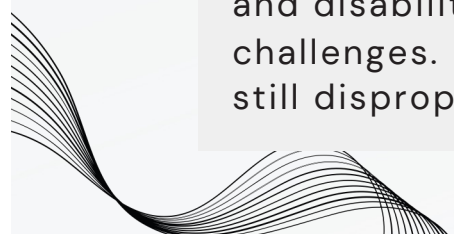
An IEP evaluation can take 60 days (sometimes longer) which includes gathering data and collaboration across providers. 504 Accommodations do also include data collection

# DISPROPORTIONALITY IN SPECIAL EDUCATION

Goal of special education under the Individuals with Disabilities Act (IDEA) is to ensure access to a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE)

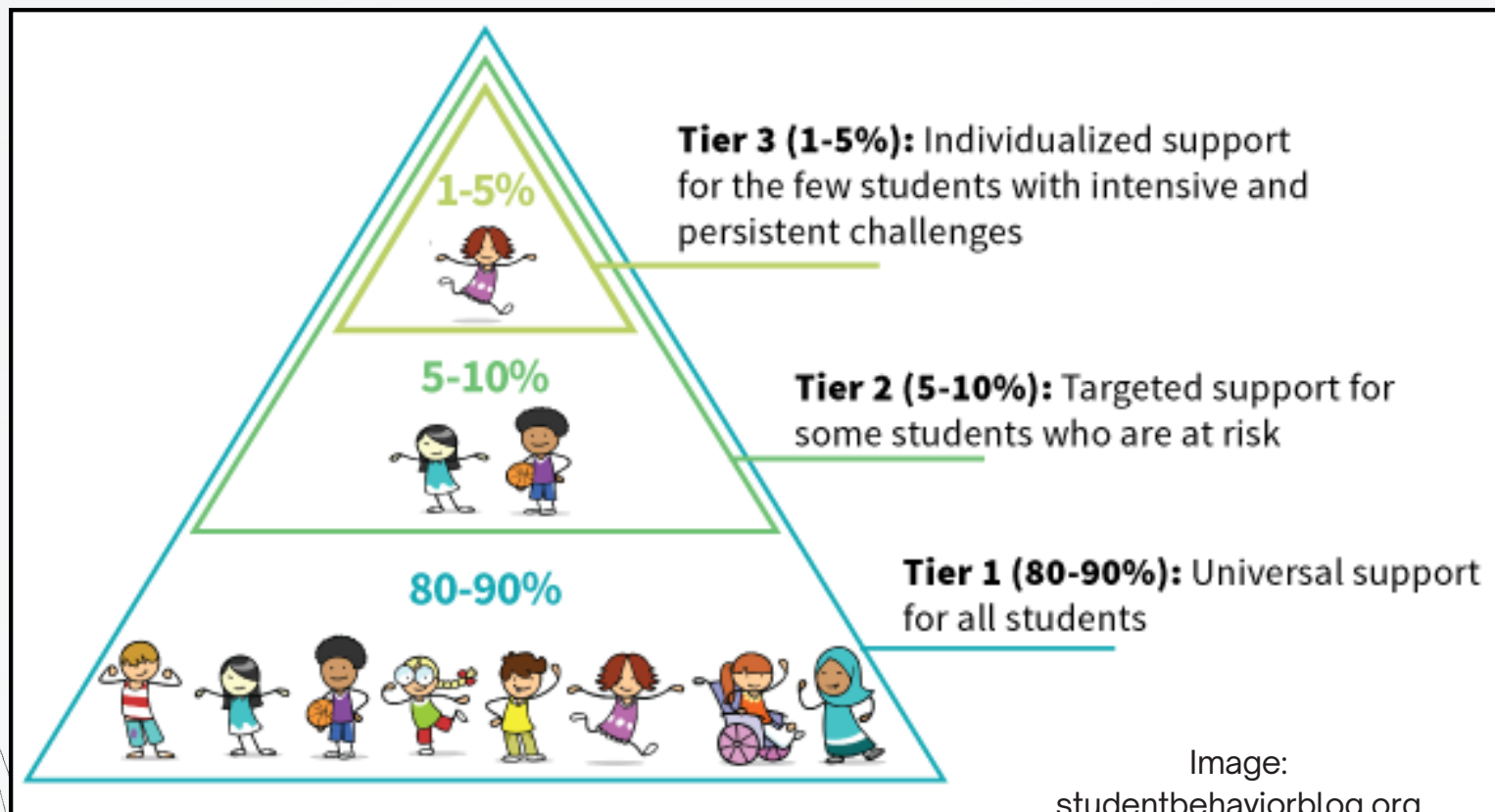
Historically, students of color have been disproportionately over-identified as a) needing special education services, b) segregated into more restrictive learning environments, c) received more punitive discipline (NCLD, 2020)

Need for addressing Adverse Life Experiences (ACES) as a predictor in life outcomes and disability – students with 4+ ACES were 32x more likely to have learning/behavior challenges. However even when accounting for income (1 ACE), students of color are still disproportionately identified and disciplined (NCLD, 2020)



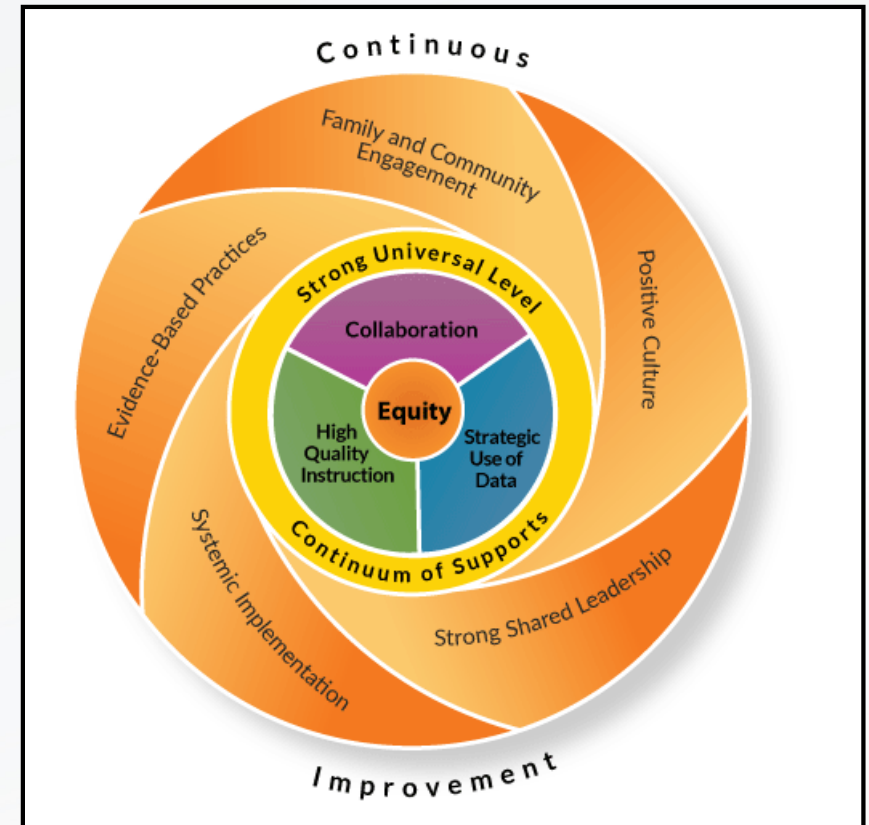


# MULTI-TIERED SYSTEMS OF SUPPORT (MTSS): RESPONSE TO INTERVENTION (RTI) + POSITIVE BEHAVIOR INTERVENTION SERVICES (PBIS): BRIDGE FROM GENERAL EDUCATION TO SPECIAL EDUCATION



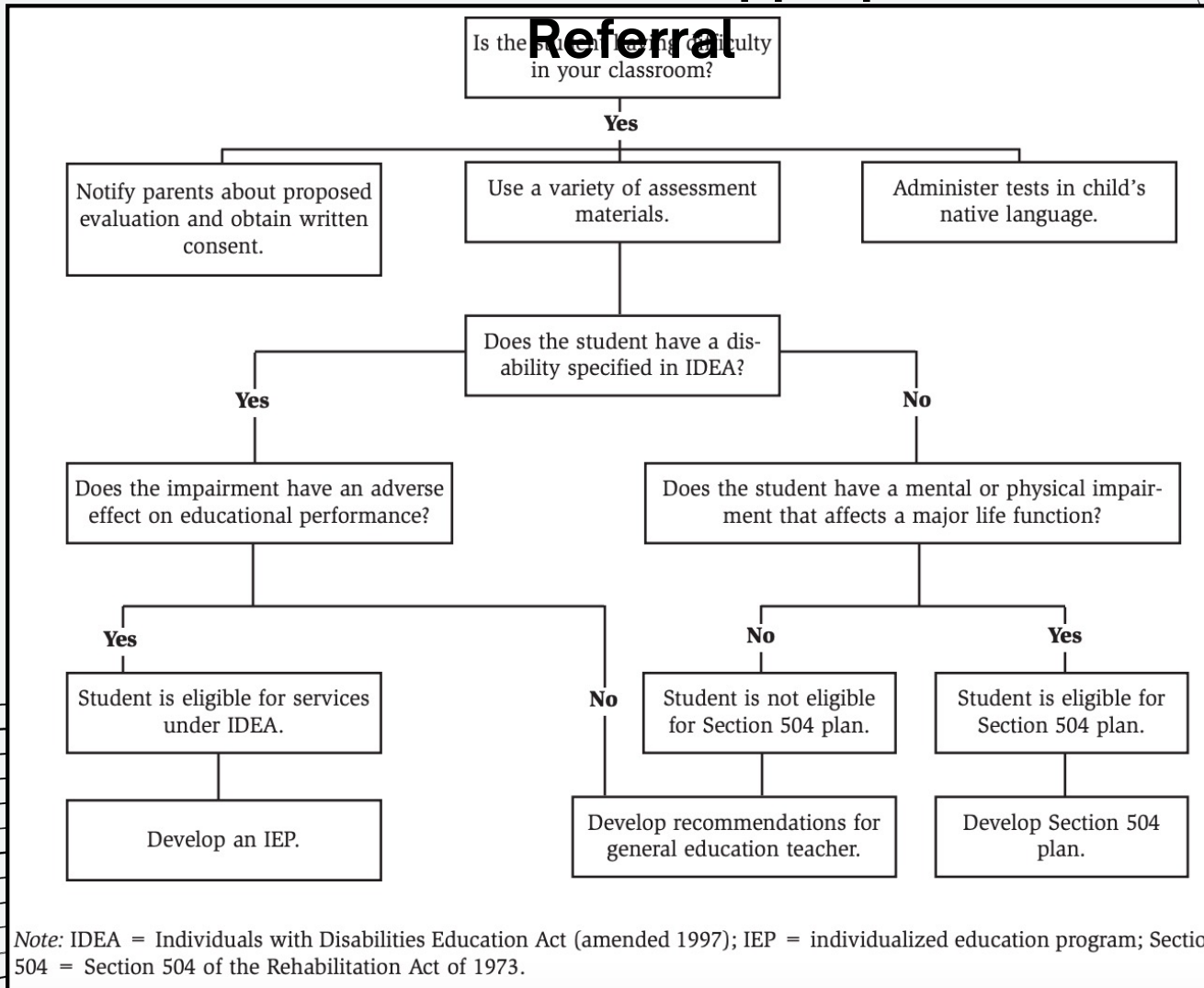
# HOW GENERAL & SPECIAL EDUCATION PRACTICES ARE ADDRESSING THESE INEQUITIES

- Multi-Level Systems of Support
- Positive Behavior Interventions and Supports (PBIS)
- **IEP exclusionary criteria:**
  - Due to lack of appropriate instruction in reading, math
  - Limited English proficiency
  - “Not primarily the result of ... environmental, cultural, or economic disadvantage.”
- Use of restorative practices over punitive approaches
- Culturally Responsive teaching
- Data-driven considerations for special education referrals



Wisconsin Department of Public Instruction

# RTI Process Determines Appropriateness of Referral



# ROLES

## General Education

Principal  
Assistant Principal  
General Education  
Teacher

## Special Education

School Counselor  
School Social  
Worker  
504 Coordinator  
RTI Specialist  
Academic  
interventionist  
Support staff  
Paraprofessionals

School Psychologist -  
“Gatekeeper to Special  
Education”  
Case Manager  
Speech Language Pathologist  
OT/PT  
Special Education Teacher  
Behavior Specialist  
Autism Specialist  
Early Intervention Service  
Coordinator

	<b>IEP (Individualized Education Program)</b>	<b>504 Plan</b>
<b>Legal Basis</b>	Part of the Individuals with Disabilities Education Act (IDEA).	Part of Section 504 of the Rehabilitation Act of 1973.
<b>Purpose</b>	Provides individualized instruction and related services to students with disabilities.	Provides specific accommodations to ensure access to education.
<b>Service Delivery</b>	Requires that schools provide a “Free and Appropriate Public Education” (FAPE) in the “Least Restrictive Environment” (LRE). This might include special education classes, integrated classrooms, and specific modifications.	Requires that accommodations are made to allow students with disabilities to participate in general education classrooms and activities to the greatest extent possible with their non-disabled peers.
<b>Eligibility</b>	Must have one of the 13 specific disabilities listed in IDEA and need special education.	Must have any disability, which may include chronic health issues, that impacts a major life activity (health, vitality, alertness).
<b>Assessment</b>	Requires a comprehensive evaluation by a team of professionals including psychologists, special education teachers, speech pathologists, etc.	Evaluation requirements may be less formal and time-intensive
<b>Plan Document</b>	An IEP is a detailed document that includes specific educational goals, the services the student will receive, how progress will be measured, and accommodations. Modifications may be made to education and curriculum.	A 504 Plan is a plan for how the school will provide support and remove barriers. It includes accommodations, services, and physical changes to ensure access to education. No academic modifications are made.
<b>Review</b>	Must be reviewed and updated at least annually. A parent can request a meeting at any time. Every three years the student’s eligibility will be re-evaluated.	Must be reviewed periodically, but the law does not specify a standard timeline.
<b>Procedural Safeguards</b>	Offers extensive procedural safeguards, including manifestation determinations, the right to due process hearings, appeals, and written notices.	Provides protections such as the right to a hearing and a review process, but fewer procedural safeguards compared to IEP.

# 504 OR IEP?

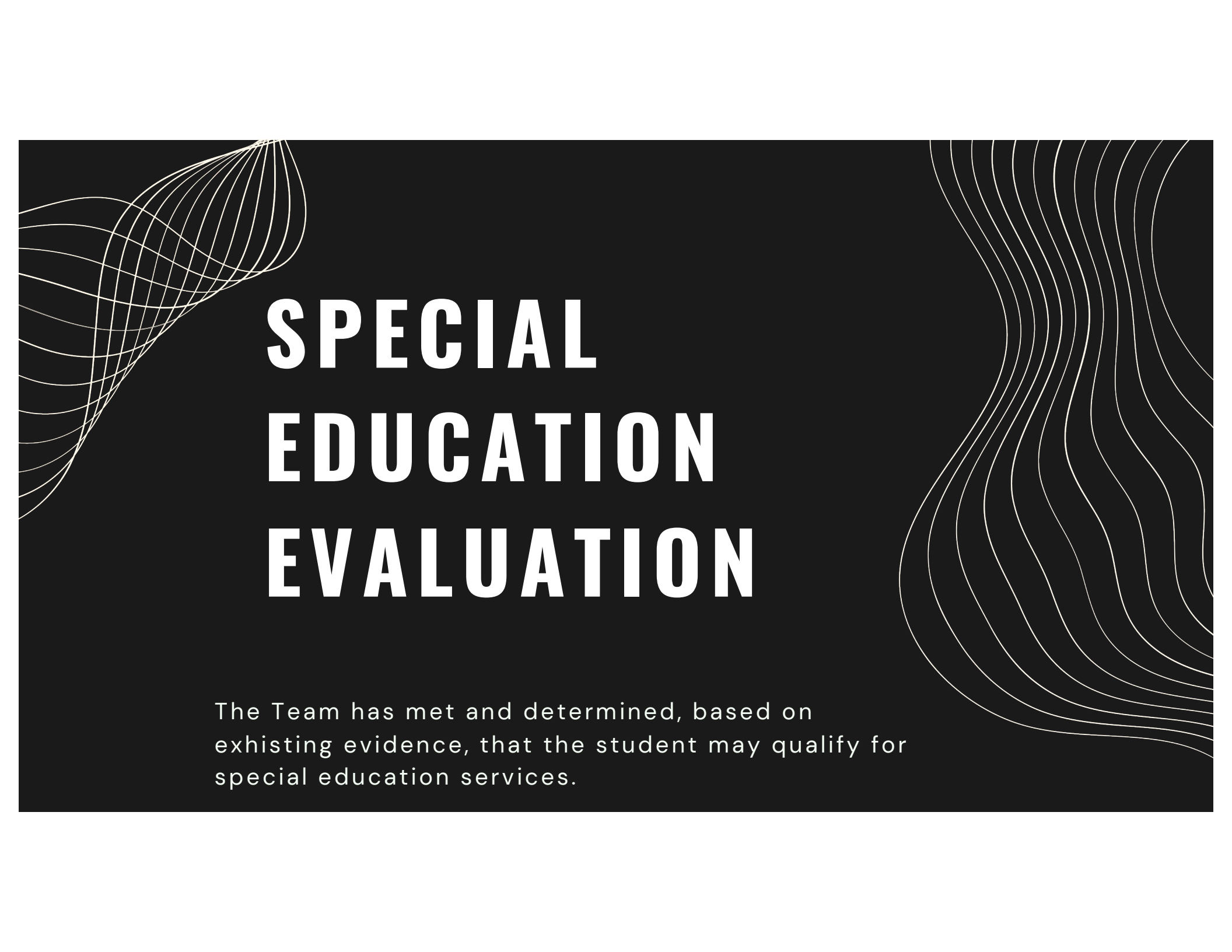
## 504

504 Evaluation could be most appropriate if existing data do not indicate difficulty learning and/or progress commensurate with peers based on RTI instruction. They only need accommodations to access the learning environment

## IEP

The special education process may be triggered if data suggest need for individualized instruction over and above accommodations to learn reading, writing, math, social skills, behavioral skills, language skills (usually <10th %ile in area(s) of concern)

***To start either process, you want to encourage parent to request a meeting to discuss an evaluation for either an IEP or a 504 IN WRITING. You can send a letter requesting this meeting as well!***



# **SPECIAL EDUCATION EVALUATION**

The Team has met and determined, based on existing evidence, that the student may qualify for special education services.

# IEP EVALUATION PROCESS





# IEP ELIGIBILITY CATEGORIES

<b>Other Health Impairment (OHI)</b> 16% (ADHD, epilepsy, Tourette's)	<b>Emotional Behavioral Disability (EBD)</b> 5% (anxiety, depression, bipolar, PTSD)	<b>Specific Learning Disability (SLD)</b> 37%
<b>Speech or Language Impairment (SLI)</b> 17%	<b>Autism Spectrum Disorder (ASD)</b> 10%	<b>Intellectual Disability (ID)</b> 7%
<b>Developmental Delay (DD)</b> 3%	<b>Hearing Impairment (HI)</b> 1%	<b>Orthopedic Impairment (OI)</b> <1% (e.g., Cerebral Palsy, muscular dystrophy)
<b>Traumatic Brain Injury (TBI)</b> <1%	<b>Visual Impairment (VI)</b> <1%	<b>Deafness</b>
<b>Deaf-Blindness</b> <1%	<b>Multiple Disabilities</b> 2%	

# SERVICES PROVIDED WITH AN IEP

- Individualized instruction
- Specific and measurable goals as based on provided services
- [Accommodations](#)
- Related Services
  - Adaptive PE, transportation
- Explanation of where services are provided (LRE)
- Support plans
  - Functional Behavior Assessment (FBA)
  - Behavior Support Plan (BSP) or Behavior Intervention Plan (BIP)
  - Safety Protocol
  - Toileting / transfer protocol

# CASE STUDY - OUTCOME

After RTI interventions, Skye did not progress with individualized interventions. She was evaluated for an IEP and found eligible for services under a Specific Learning Disability in reading comprehension and fluency, as her reading scores in English and in Spanish are commensurate and both significantly below her peers. She also qualified for Emotional Behavioral Disability (EBD) due to depression. She now receives individualized instruction in reading comprehension, reading fluency, and social-emotional skills. Accommodations within her IEP include access to school psychologist for morning check-in, pre-planned breaks, helping jobs, seating at the front of the classroom, and extended time for testing. Her gender affirmation plan from general education has been consolidated within her IEP accommodations.

As a stand-alone, students who identify as transgender or gender non-conforming do not qualify for special education services. Gender support plans are part of the general education supports as this is not a disability. However, depression and learning disabilities do qualify!



# IEP/504 DENIALS + REALISTIC SERVICES

- IEPs – think Buick not Cadillac
- Child may struggle but not significantly below peers and does benefit from RTI T2, behaviors only present in the home, due to conduct disorder instead of emotion-driven behaviors
- Educational Autism based on [different criteria](#) than DSM-5-TR
- Accommodations / supports that are not realistic:
  - 1:1 supports
  - Separate placement/restrictive settings unless ongoing harm to self or others
  - In or out of district transfer = parents responsible for transportation
- Home schooling is generally NOT recommended

# STATEWIDE FAMILY RESOURCES

- [WI FACETS](#)
- [Children's Long-Term Support \(CLTS\)](#)
- [Katie Beckett Medicaid](#)
- [Comprehensive Community Service \(CCS\)](#)
- [Well Badger Resource Center](#)
- [Children's Resource Center - transition to adulthood](#)
- [Wisconsin Department of Public Instruction](#)

# MORE RESOURCES + REFERENCES

[NASPonline.org](https://nasponline.org)

[Wisconsin Department of Public Instruction](#)

[Americans with Disabilities Act](#)

[Individuals with Disabilities Education Act](#)

[Office of Civil Rights](#)

[Wisconsin RTI Center](#)

[Eligibility forms for special education](#)

*Significant Disproportionality in Special Education: Current Trends and Actions for Impact (2020; pp. 1–14) [Review of Significant Disproportionality in Special Education: Current Trends and Actions for Impact]. National Center for Learning Disabilities.*

