AFTER THE ELIGIBILITY MEETING

Not eligible? Your next steps

What the decision means, and what you can do now.

You sat through the meeting. The answer was "not eligible." Maybe you expected it. Maybe it blindsided you. Either way, it can be a hard thing to sit with when you know your child is struggling.

This is not the end of the road. Not eligible doesn't mean your child isn't struggling. It doesn't mean you were wrong to ask for an evaluation. And it doesn't mean there's nothing left to do.

Your three main options

1. **Disagree, and ask for an IEE**

   An Independent Educational Evaluation, called an IEE, is done by a qualified professional who doesn't work for the school district. If you request one, the school must either pay for it or start a due process hearing to defend its own evaluation. You don't need a specific reason. Disagreeing with the school's evaluation is enough. The school won't automatically agree with the results, however. The team meets to review them and decides whether to accept them.

2. **Ask about a 504 plan**

   A 504 plan comes from a different law, Section 504 of the Rehabilitation Act. It has a broader definition of disability: one that substantially limits a major life activity, like learning, concentrating, reading, communicating or caring for oneself. Not qualifying for an IEP doesn't rule out a 504.

3. **Come back when needs change**

   An eligibility decision is not permanent. If your child's grades drop, if they start refusing school, if a teacher raises new concerns, you can request a new evaluation yourself, in writing, at any time. The school must answer in writing. If they say no and you disagree, you can challenge that.

> **DOES A 504 NEED A MEDICAL DIAGNOSIS?**
>
> The short answer is not necessarily. The law doesn't say what form documentation has to take. Schools look for evidence that a disability exists and substantially limits something. In practice, most want something from an outside provider: a diagnosis, a psychological evaluation, or a letter from a pediatrician or mental health provider. If you have any outside documentation, share it. If you don't, don't assume the door is closed.

Access
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GUIDE

What a 504 can give your child

A 504 provides accommodations. Common ones include:

- Extended time on tests and assignments
- Preferential seating
- Reduced distraction testing environments
- Modified assignment length
- Breaks during the school day
- Access to assistive technology

A 504 doesn't come with the same level of support as an IEP. There are no specialized services, no goals and no formal progress monitoring in the same way. For some students, though, accommodations are exactly what they need.

Your action plan

- [ ] **Get the decision in writing.** The school should already have given you the decision and its reasons in writing. If not, ask for it now.
- [ ] **Review the evaluation reports.** Note anything that doesn't match what you know about your child.
- [ ] **Ask about 504 eligibility.** A follow-up email or call works if the meeting is over.
- [ ] **Ask the team specific questions** if something in the decision doesn't sit right.
- [ ] **Still disagree after that?** Send a written request for an IEE.
- [ ] **Keep documenting** what you see at home, and keep talking with teachers.

Questions to ask the team

- [ ] Can I have the decision and your reasons in writing?
- [ ] Would my child be eligible for a 504 plan?
- [ ] What in the evaluation reports led to this decision?

MY NOTES

> You don't have to figure this out alone. If something still doesn't feel right, that instinct is worth exploring. **Want help with this?** Book a free 15-minute call at myaccessadvocacy.com.

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