



SECTION 504

PRIMER FOR PARENTS,
EDUCATORS AND
ADMINISTRATORS

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***SECTION 504
ANOTHER SERVICE OPTION FOR
CHILDREN WITH DISABILITIES***

CONTENTS

Overview	3
Suggested Section 504 Eligibility and Placement Process	5
General Accommodations	9
Examples of Eligible Children	15
Accommodation Plans	37
Section 504 and Special Education	47
Frequently Asked Section 504 Questions	57
Definitions and Acronyms	63

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OVERVIEW

The purpose of this primer is to give a practical overview of Section 504 for parents, educators, and administrators. The materials should assist educators in implementing Section 504 requirements, including the development of Section 504 accommodation plans for eligible children.

Section 504 is a federal statute that prohibits discrimination based upon a disability. Obligations for school districts start when federal funds are received.

Section 504 covers eligible children, employees, and other individuals with disabilities for reasonable accommodations that enable them to work or learn. A team knowledgeable of the person determines, with evaluation data, if the individual meets eligibility criteria. The following is the definition of a disability under Section 504. **This primer addresses subparts D and E of the regulations, which applies to preschool, elementary, secondary and post-secondary programs that receive federal money.**

A CHILD MAY BE CONSIDERED DISABLED UNDER THE DEFINITION OF SECTION 504 IF THE CHILD:

1. has a mental or physical impairment which substantially limits one or more of such person's major life activities.

"Major life activities" include functions such as:

- caring for one's self
- walking
- seeing
- speaking
- learning
- performing manual tasks
- working
- hearing
- breathing

The above criteria needs to be justified with good

When a disability does not substantially limit a major life activity, the child does not qualify for services under Section 504.

2. has a record of such an impairment, or

3. is regarded as having such an impairment.

The second and third prongs of the definition only become a factor if discrimination has occurred because of the "record" or "perception." Only #1 is used to determine eligibility for Section 504 services.

NOTE: Many children have impairments that **do not** substantially limit a major life activity that impacts their education.

SUGGESTED SECTION 504 ELIGIBILITY AND PLACEMENT PROCESS

The following two pages give a suggested referral and placement process for eligible Section 504 students.

PROCESS FOR DETERMINING SERVICES

The Section 504 coordinator should ensure that the following process has occurred:

PRE-REFERRAL

1. If a child experiences educational difficulties, a team meets to discuss the concerns.
2. The team suggests intervention strategies to help correct the difficulties. The primary function of the pre-referral team is to offer assistance to teachers.
3. If the strategies are unsuccessful, the team can make a referral for evaluation to Section 504, special education, Title 1, or other school programs.

REFERRAL

4. Referrals are accepted from parents, professional staff, and/or community agencies.
5. The problem(s) and previous remedies are considered and reviewed. The summary should include all current information and recommendations.

NOTIFICATION

6. The school notifies the parents or guardians, in writing, of the school's reason and intent to conduct an evaluation. The notice should include a description of the evaluation and of procedural safeguards.

WRITTEN CONSENT

7. Even though Section 504 does not require written consent before the initial evaluation, consent should always be considered a best practice.

EVALUATION

8. The school evaluates all children with disabilities before making an initial placement or any subsequent, significant change in their placement.

SECTION 504

ELIGIBILITY

9. A recommended strategy is to use the pre-referral team as the Section 504 team. The team meets and analyzes the evaluation data to determine if the individual has a mental or physical impairment which substantially impairs a major life activity and is in need of accommodations and/or modifications.

WRITTEN CONSENT

10. **Even though Section 504 does not require written consent before the initial service, consent should always be considered a best practice.**

SERVICES

11. Services are designed to meet the unique needs of the child. School staff are familiar with their responsibilities in implementing the Section 504 plan.

IMPLEMENTATION

12. The school staff makes the necessary accommodations to allow for the child's special learning needs. Parents should be consulted and given opportunity for input regarding the accommodations.
13. The accommodations and/or services are implemented.

REVIEW

14. Each child's accommodations and/or services are reviewed periodically.

- BEST PRACTICE -

The team should review the accommodation plan at least annually.

GENERAL

ACCOMMODATIONS

The next three pages list some of the more common accommodations that could be necessary for children eligible for Section 504. Most accommodations are inexpensive and within the resources of most schools.

100 GENERAL ACCOMMODATIONS

The following is a listing of 100 accommodations that assist children with disabilities to benefit from their education:

1. Provide study carrels.
2. Use room dividers.
3. Provide headsets to muffle noise.
4. Seat child away from doors/windows.
5. Seat near model (student or teacher).
6. Provide time-out area.
7. Rearrange children groups (according to instructional needs, role models, etc.).
8. Group for cooperative learning.
9. Vary working surface (e.g., floor or vertical surface such as blackboards).
10. Simplify/shorten directions.
11. Give both oral and written directions.
12. Have child repeat directions.
13. Have child repeat lesson objective.
14. Ask frequent questions.
15. Change question level.
16. Change response format (e.g., from verbal to physical; from saying to pointing).
17. Provide sequential directions (label as first, second, etc.).
18. Use manipulatives.
19. Alter objective criterion level.
20. Provide functional tasks (relate to child' environment).
21. Reduce number of items on a task.
22. Highlight relevant words/features.
23. Use rebus (picture) directions.
24. Provide guided practice.
25. Provide more practice trials.
26. Increase allocated time.
27. Use a strategy approach.
28. Change reinforcers.
29. Increase reinforcement frequency.
30. Delay reinforcement.
31. Provide error drill.
32. Use specific rather than general praise.

SECTION 504

33. Have a peer tutor program.
34. Provide frequent review.
35. Have child summarize at end of lesson.
36. Use self-correcting materials.
37. Adapt test items for differing response modes.
38. Provide mnemonic devices.
39. Provide tangible reinforcers.
40. Use behavioral contracts.
41. Establish routines for handing work in, heading papers, etc.
42. Use timers to show allocated time
43. Teach self-monitoring
44. Provide visual cues (e.g., posters, desktop number lines, etc.).
45. Block out extraneous stimuli on written material.
46. Tape record directions.
47. Tape record child responses.
48. Use a study guide.
49. Provide critical vocabulary list for content material.
50. Provide essential fact list.
51. Use clock faces to show classroom routine times.
52. Use dotted lines to line up math problems or show margins.
53. Use cloze procedure to test comprehension.
54. Provide transition directions.
55. Assign only one task at a time
56. Provide discussion questions before reading.
57. Use word markers to guide reading.
58. Alter sequence of presentation.
59. Enlarge or highlight key words on test items.
60. Provide daily and weekly assignment sheets.
61. Post daily/weekly schedule.
62. Use graph paper for place value or when adding/subtracting two digit numbers.
63. Establish rules and review frequently.
64. Teach key direction words.
65. Use distributed practice.
66. Provide pencil grips.
67. Tape paper to desk.

68. Shorten project assignment into daily tasks.
69. Segment directions.
70. Number (order) assignments to be completed.
71. Change far-point to near-point material for copying or review.
72. Put desk close to blackboard.
73. Incorporate currently popular themes/characters into assignments for motivation.
74. Repeat major points.
75. Use physical cues while speaking (e.g., 1, 2, 3, etc.).
76. Pause during speaking.
77. Use verbal cues (e.g., "Don't write this down", "This is important").
78. Change tone of voice, whisper, etc.
79. Use an honor system.
80. Collect notebooks weekly (periodically) to review student notes.
81. Reorganize tests to go from easy to hard.
82. Color code place value tasks.
83. Use self-teaching materials.
84. Do only odd/or even numbered items on a large task sheet.
85. Use a primary typewriter or large print to create written material.
86. Provide organizers (e.g., cartons/bins) for desk material.
87. Teach varied reading rates (e.g., scanning, skimming, etc.).
88. Provide content/lecture summaries.
89. Call child's name before asking a question.
90. Use extra spaces between lines of print.
91. Use computer for writing tasks.
92. Color code materials/directions.
93. Use raised-line paper.
94. Provide calculators.
95. Circle math computation sign.
96. Use hand signals to cue behavior (e.g., attention, responding).
97. Establish a rationale for learning.
98. Use advance organizers.
99. Help child to develop their own learning strategies.
100. Use peer checkers to review completed work.

EXAMPLES OF ELIGIBLE CHILDREN

This section illustrates some of the more common disabilities and possible accommodations for the eligible child. Remember Section 504 could cover any disability if it is substantially limiting to a major life activity that impacts education.

Accommodations are determined by the Section 505 team and based upon the child's unique needs.

ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)
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<i>EXAMPLE: The child frequently misses school and does not have the strength to attend a full day. This child has a record of a disability which substantially limits the life activities of learning and working</i>
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POSSIBLE ACCOMMODATIONS:

- ?? Apply universal precautions.
- ?? Administer medications, as prescribed.
- ?? Adjust attendance policies.
- ?? Adjust schedule or shorten day.
- ?? Provide rest periods.
- ?? Adapt physical education curriculum.
- ?? Establish routine communication with health professionals, school nurse, and home.
- ?? Develop health care and emergency plan.
- ?? Meet with doctor, parents, teachers, and administrators.
- ?? Provide two way audio/video link between home and classroom.
- ?? Arrange for an adult tutor at school or home.
- ?? Modify assignments, and test.
- ?? Provide an extra set of textbooks for home.
- ?? Provide staff training on confidentiality.
- ?? Provide education and support for peers regarding issues of death and dying.

?? Provide transportation to and from school.

SECIION 504

- ?? Tape books or provide a personal reader.
- ?? Provide a home computer with e-mail.
- ?? Arrange for a support group.
- ?? Provide employment transitions for secondary students.
- ?? Develop supportive community attitudes regarding school districts' need to provide education to children who are HIV positive/AIDS.
- ?? Develop and promote nondiscriminatory classroom climate and supportive student attitudes.
- ?? Promote the most supportive, least restrictive educational program for children with AIDS.
- ?? Provide inservice on Section 504 and ADA.
- ?? Initiate a "Kids on the Block" AIDS program to promote understanding.
- ?? Video-tape classroom teacher.
- ?? Provide a peer support group to encourage communication.
- ?? Furnish home and hospital care for extended periods of illness.
- ?? Provide technology at home with possible line to the school.

ALLERGIES

<i>EXAMPLE: The child has severe allergic reactions to certain pollens and foods. The child is substantially limited in the major life activity of breathing.</i>

POSSIBLE ACCOMMODATIONS:

- ?? Avoid allergy causing substances: soap, weeds, pollen, food.
- ?? Inservice necessary persons: dietary people, peers, coaches, laundry for sports people (soap).
- ?? Allow time for shots/clinic appointments

?? Use air purifiers.

- ?? Adapt physical education curriculum during high pollen time.
- ?? Improve room ventilation. (When remodeling has occurred and materials may cause an allergy.)

ARTHRITIS

<i>EXAMPLE: A child with arthritis may have persistent pain, tenderness or swelling in one or more joints. A child experiencing arthritic pain may require a modified physical education program. The child is substantially limited in the major life activity of walking and performing manual tasks.</i>

POSSIBLE ACCOMMODATIONS:

- ?? Provide a rest period during the day.
- ?? Accommodate for absences for doctor's appointments.
- ?? Provide assistive devices for writing e.g. pencil grips, non-skid surface, typewriter/computer, etc.
- ?? Modify physical education curriculum.
- ?? Administer medication as prescribed.
- ?? Arrange for assistance with carrying books, lunch tray, etc.
- ?? Provide book caddy.
- ?? Implement movement plan to avoid stiffness.
- ?? Provide seating accommodations.
- ?? Allow extra time between classes.
- ?? Provide locker assistance.
- ?? Provide modified eating utensils.
- ?? Develop health care plan and emergency plan.
- ?? Accommodate for writing with a computer and notetaking with a tape recorder.

SECTION 504

- ?? Make available access to wheelchair/ramps and school van for transportation.
- ?? Modify recess time.
- ?? Provide peer support groups.
- ?? Arrange for instructional aide support.
- ?? Arrange for someone else to take notes.
- ?? Install handle style door knobs (openers).
- ?? Record lectures/presentations.
- ?? Have teacher provide outlines of presentation.
- ?? Issue Velcro fasteners for bags, shoes, coats.
- ?? Provide a more comfortable style of desk.
- ?? Adjust attendance policy, if needed.
- ?? Provide a shorter school day.
- ?? Furnish a warmer room and sit child close to the heat.
- ?? Modify curriculum for the lab classes.
- ?? Supply an extra set of books for home use and keep a set at school
- ?? Let child give reports orally rather than written.
- ?? Assign someone to monitor plan.
- ?? Begin an awareness program for other child.
- ?? Monitor any special dietary considerations.
- ?? Modify the school curriculum, as necessary.
- ?? Provide individual school counseling.
- ?? Make any needed bathroom accommodations.

ASTHMA

EXAMPLE: A child has been diagnosed as having asthma. The disability limits the major life activity of breathing.

POSSIBLE ACCOMMODATIONS:

- ?? Modify activity level for recess, physical education, etc.
- ?? Use air purifier or inhalants.
- ?? Provide inhalant therapy assistance.
- ?? Administer medication as prescribed.
- ?? Provide homebound instruction.
- ?? Remove allergens—e.g., hairspray, lotions, perfumes, pine trees, carpet.
- ?? Make field trips non-mandatory and supplement with videos, audios, movies, etc.
- ?? Accommodate medical absence; arrange transportation to home/clinic.
- ?? Provide education to peers/teachers/other (bus drivers, cooks, etc.).
- ?? Adjust for personal administration of medications.
- ?? Provide access to water, gum, etc.
- ?? Provide curriculum considerations (science class, physical education, etc.).
- ?? Develop health care and emergency plan.
- ?? Provide easy compensation if individual misses an excessive amount of school.
- ?? Have peers available to carry materials to and from classes (e.g. lunch tray, books).
- ?? Provide ret periods.
- ?? Make school health care needs known to appropriate staff.
- ?? Modify field trip experiences.
- ?? Provide indoor space for before and after school.
- ?? Arrange for access to wheelchair for transition purpose.

SECTION 504

- ?? Have a locker location which is centralized and free of atmosphere changes.
- ?? Reimburse parent for transportation costs or provide alternate transportation to and from school.
- ?? Modify attendance policies.
- ?? Modify certain learning activities.

ATTENTION DEFICIT DISORDER (ADD) AND ATTENTION DEFICITY HYPERACTIVITY DISORDER (ADHD)
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<i>EXAMPLE: The child does not meet eligibility requirements under IDEA as emotionally disturbed, learning disabled or other health impaired. The child is diagnosed as having ADD by a doctor, and the disability limits the major life activity of learning.</i>
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POSSIBLE ACCOMMODATIONS:

- ?? Adjust child seating.
- ?? Use simple, concise instructions.
- ?? Provide a peer tutor/helper.
- ?? Teach compensatory strategies.
- ?? Administer medication as prescribed.
- ?? Monitor stress and fatigue; adjust activities.
- ?? Modify assignments.
- ?? Change instructional pace.
- ?? Provide supervision during transitions, disruptions, field trips.
- ?? Use study guides, organizing tools.
- ?? Modify testing procedures.
- ?? Provide school counseling.

- ?? Initiate frequent parent communication.
- ?? Establish a school/home behavior management program.
- ?? Provide training for staff and parents.
- ?? Have the child use an organizer—train in organizational skills.
- ?? Establish a cur between teacher and child.
- ?? Assign chores/duties around room/school.
- ?? Modify environment to avoid distractions.
- ?? Have child work alone or in a study carrel.
- ?? Highlight required or important information/directions.
- ?? Place assignments, directions on tape for auditory learner.
- ?? Provide a checklist for child, parents, and/or teacher to record assignments or completed tasks.
- ?? Use a timer to assist child to focus on given task or number of problems in time allotted—*stress* they need to be done *correctly*.
- ?? Have child re-state or write directions/instructions.
- ?? Allow child to respond in variety of different modes, i.e. may place answers for tests on tape instead of paper.
- ?? Give child opportunity to stand while working.
- ?? Provide additional supervision to and from school.
- ?? Modify child's work area with barriers.
- ?? Inservice other children and staff about ADD/ADHD.
- ?? Supply treats and rewards to promote behavior change.

SECTION 504

- ?? Prescribe physical activity, exercise, etc.
- ?? Determine trigger points and prevent action leading to trigger points.
- ?? Provide a sociometric/sociogram design, such as circle of friends.

CANCER

<i>EXAMPLE: The child has been diagnosed with cancer, the condition has become substantially limiting to the major life activities of learning and caring for one's self.</i>

POSSIBLE ACCOMMODATIONS:

- ?? Apply universal precautions.
- ?? Adjust attendance policies.
- ?? Limit number of classes taken; accommodate scheduling (breaks, etc.).
- ?? Send teacher/tutor to hospital, as appropriate.
- ?? Take whatever steps are necessary to accommodate child's involvement in extra-curricular activities.
- ?? Adjust activity level and expectations in classes based on physical limitations; don't require activities that are too physically taxing.
- ?? Schedule daily monitoring or distribution of medications.
- ?? Provide appropriate assistive technology.
- ?? Have accommodations available for transportation to and from school and extra-curricular activities.
- ?? Provide dietary accommodations.
- ?? Shorten day, arrange for home tutoring following treatment.
- ?? Provide additional set of texts and assignments to hospital school.
- ?? Tape lessons.
- ?? Modify schedule to include rest breaks.

- ?? Provide counseling; establish peer support group.
- ?? Adapt physical education.
- ?? Provide access as needed to school health services.
- ?? Provide awareness training to staff and other children about cancer.
- ?? Develop health care emergency plan to deal with getting sick at school.
- ?? Offer counseling for death and dying.
- ?? Furnish a peer tutor.
- ?? Modify work load.
- ?? Provide a separate bathroom.
- ?? Provide an interactive computer/modem.
- ?? Set up crisis teams.
- ?? Instigate a free pass system from the classroom.
- ?? Adjust the proficiency requirement.
- ?? Provide individual school counseling.
- ?? Begin friendship groups.
- ?? Waive requirements for graduation.
- ?? Provide teachers with counseling, emphasizing positive attitudes.

SECTION 504

CEREBRAL PALSY

<i>EXAMPLE: The child has serious difficulties with fine and gross motor skills. A wheelchair is used for mobility. Cognitive skills are very good. The impairment substantially limits the major life activity of walking.</i>

POSSIBLE ACCOMMODATIONS:

- ?? Provide assistive technology devices (computer).
- ?? Arrange for use of ramps and elevators.
- ?? Assist with carrying books, lunch trays, etc.
- ?? Modify physical education curriculum.
- ?? Provide for physical therapy.
- ?? Monitor medication administration.
- ?? Modify eating utensils.
- ?? Initiate an emergency health care plan.
- ?? Educate peers/staff about cerebral palsy.

DRUGS AND ALOCHOL

<i>EXAMPLE: The child has used drugs and alcohol for many years. This problem has affected the major life activities of learning and caring for one's self. The child is presently not using drugs or alcohol and is in a rehabilitation program.</i>

POSSIBLE ACCOMMODATIONS:

- ?? Allow child to attend rehabilitation sessions.
- ?? Provide texts and assignments to treatment facility.
- ?? Arrange for periodic home-school contacts.
- ?? Establish daily/weekly journal.

- ?? Communicate with treatment facility.
- ?? Provide/arrange for counseling.
- ?? Establish peer support group.
- ?? Dismiss from school fro treatment without punitive measures.
- ?? Ensure stronger link with school counselor.
- ?? Furnish individual counseling services.
- ?? Arrange for access to treatment at other locations, as needed.
- ?? Integrate a child assistance program into the classroom.
- ?? Provide vocational rehabilitation (trips to secondary institutions).
- ?? Supply after care for chemical dependency and get other agencies involved.
- ?? Provide school counseling, social skills instruction.

EPILEPSY

<i>EXAMPLE: The child is on medication for seizure activity, but experiences several grand mal seizures each month. The condition substantially limits the major life activity of learning.</i>

POSSIBLE ACCOMMODATION:

- ?? Train staff and children and prepare an emergency plan.
- ?? Provide medical monitoring.
- ?? Monitor and/or distribute medications.
- ?? Change seating.
- ?? Provide rest time and academic considerations following seizure.
- ?? Arrange buddy system.
- ?? Avoid using chalk boards.
- ?? Provide an alternative recess.
- ?? Provide clean rooms and avoid rooms with carpet.

SECTION 504

- ?? Provide education for peers and staff about epilepsy.
- ?? Plan for academic make-up work, so individual can catch up with peers.

LEUKEMIA

<i>EXAMPLE: The child has recently been diagnosed with leukemia and requires frequent hospitalization. The condition substantially limits the major life activity of learning.</i>
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POSSIBLE ACCOMMODATIONS:

- ?? Send a teacher/tutor to the child's home.
- ?? Send a teacher/tutor to the hospital as needed.
- ?? Provide the child with a shorter school day.
- ?? Make needed accommodation during physical education/recess.
- ?? Provide rest areas.
- ?? Have medical services and medication at school.
- ?? Supply the proper diet.
- ?? Furnish school counseling.

OBESITY

<i>EXAMPLE: A child has an eating disorder that may require special accommodations. Obesity may be considered a disability under Section 504 where it substantially impairs the major life activity of walking.</i>

POSSIBLE ACCOMMODATIONS:

- ?? Provide special seating modification.
- ?? Make dietary modifications.
- ?? Adjust meals schedule.
- ?? Adapt physical education program.

- ?? Allow extra time to get to classes.
- ?? Educate peers about eating disorders.
- ?? Adapt rest rooms
- ?? Begin a peer support group.
- ?? Allow more passing time.
- ?? Ensure privacy for self-care.
- ?? Provide school counseling.
- ?? Provide for elevator privileges or other accommodations—for example individuals in wheelchairs or with other disabilities that prevent them from using stairs.
- ?? Arrange classroom furniture to provide room to negotiate and move around classroom seating.
- ?? Arrange for peer counseling/helping to deal with esteem issues; also peer attitudes, teasing, etc.
- ?? Address busing concerns to ensure room on buses for seating.
- ?? Arrange to provide opportunities for the individual to participate in intramural events.
- ?? Provide proper and safe transportation to and from school.
- ?? Make any class location changes that may be needed.
- ?? Promote out-of school support.
- ?? Adjust attendance policy.
- ?? Obtain homebound services.

SECTION 504

ORTHOPEDICALLY IMPAIRED

<i>EXAMPLE: The child has limited mobility and is confined to a wheelchair. The impairment substantially limits the major life activity of walking and caring for one's self.</i>

POSSIBLE ACCOMMODATIONS:

- ?? Develop a health care and emergency plan.
- ?? Implement an adaptive physical education program.
- ?? Provide physical therapy at school.
- ?? Check facilities regarding physical accessibility.
- ?? Provide extra time to get to class.
- ?? Supply a set of textbooks for home.
- ?? Provide a copy of classnotes for a peer.
- ?? Practice emergency exit from school building.

PARENT WITH HEARING IMPAIRMENT

<i>EXAMPLE: A parent is hearing impaired and requests access to school sponsored activities.</i>
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POSSIBLE ACCOMMODATIONS:

- ?? Provide an interpreter for all school events of expected participation.
- ?? Make arrangements for home-school contacts/communication.
- ?? Assist with locating peer or support groups.
- ?? Use written notes for communication.
- ?? Provide information on assistive technology.

CONDUCT DISORDER

EXAMPLE: The child exhibits poor peer interactions, has not friends, violates school rules, and isolates himself from group activities. The condition substantially limits the major life activity of learning.

POSSIBLE ACCOMMODATIONS:

- ?? Teach cooperative learning strategies within the classroom.
- ?? Work with the family to implement home/school behavior plan.
- ?? Provide school counseling.
- ?? Set up a behavior management plan.
- ?? Provide outings and real life experiences.
- ?? Arrange for small group situations.
- ?? Furnish a big brother/sister program.
- ?? Provide extra-curricular activities that interest the child.
- ?? Monitor case management with human service.
- ?? Pair with peer/tutor or role model.
- ?? Provide peer support groups.
- ?? Begin social skills instruction.
- ?? Monitor and/or administer needed medications.
- ?? Involve mental health agencies.

SECTION 504

CHILD FORMERLY RECEIVING SPECIAL EDUCATION SERVICES

<i>EXAMPLE: The child has exited from a special education program, but still needs some academic accommodations to function in a regular classroom. The learning disability still substantially limits the major life activity of learning.</i>

POSSIBLE ACCOMMODATIONS:

- ?? Network; plan with all staff.
- ?? Maintain ongoing monitoring of progress; notify staff.
- ?? Establish daily/weekly progress reports.
- ?? Allow for academic modifications.
- ?? Provide mentoring services at school.
- ?? Use Title I services.
- ?? Provide after school tutoring.
- ?? Provide peer tutoring.
- ?? Adjust homework assignments.
- ?? Have child work toward more independent achievement of assignments within a structured environment (build self-esteem).
- ?? Contact previous special education teachers for suggestions.
- ?? Review files of progress reports and see what plans were successful.
- ?? Check transition plan.
- ?? Inservice staff.

CHILD WITH SPECIAL HEALTH CARE NEEDS

EXAMPLE: The child has a special health care problem and requires clean intermittent catheterization twice each day. The impairment substantially limits the major life activity of caring for one's self.

POSSIBLE ACCOMMODATIONS:

- ?? Apply universal precautions.
- ?? Provide trained personnel to perform special procedures.
- ?? Provide child with private location and time to perform procedures.
- ?? Involve school nurse, parents, teachers, and staff.
- ?? Allow preferential seating.
- ?? Modify recess/PE/transportation.
- ?? Modify classroom environment.
- ?? Re-evaluate/update periodically.
- ?? Develop health care and emergency plan.
- ?? If necessary, modify attendance policy.
- ?? Establish health alert—every staff member involved with this child is aware of the health problem and of peeper procedures.
- ?? Provide a beeper/paging system for trained personnel.
- ?? Make available homebound services/instruction.
- ?? Begin a disability awareness program upon parent or child request.
- ?? Provide school counseling.
- ?? Arrange for trained personnel on school field trips.

SECTION 504

TEMPORARILY DISABLED

<p><i>EXAMPLE: A child was in an automobile accident and will be homebound and/or hospitalized for a period of time. The child is considered temporarily disabled and is substantially limited in the major life activity of walking.</i></p>

POSSIBLE ACCOMMODATIONS:

- ?? Provide duplicate sets of texts.
- ?? Provide assignments to hospital school.
- ?? Tape lessons.
- ?? Provide homebound instruction.
- ?? Schedule periodic home-school meetings.
- ?? Arrange for child to leave class early to get to next class.
- ?? Provide access to elevators.
- ?? Excuse from or adapt physical education program.
- ?? Arrange for a friend to assist child in getting from class to class (support network).
- ?? Provide a cordless telephone/beeper.
- ?? Provide an interactive system—computer, e-mail, TV.
- ?? Organize school counseling—trauma from accident.
- ?? Provide physical therapy as necessary.
- ?? Arrange for a tutor.
- ?? Make transportation available.
- ?? Arrange for proper medication.
- ?? Arrange for peer notes.
- ?? Provide help with getting lunch tray.

- ?? Change seating arrangements to accommodate needs.
- ?? Modify assignments depending on disability.
- ?? Modify completion of assignment.
- ?? Allow more time for test completion.
- ?? Allow shortened days, adjust attendance policy.
- ?? Address special accommodations of a wheelchair.
- ?? Inservice staff and class and prepare an emergency care plan.
- ?? Switch classrooms to main floor.
- ?? Test verbally.
- ?? Provide peer assistance for social involvement (keep child informed of social activities.).
- ?? Furnish life-skill assistance.

TOURETTE'S SYNDROME

<i>EXAMPLE: The child exhibits inappropriate gestures and sounds in the classroom and hallways. The impairment substantially limits the major life activity of learning.</i>
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POSSIBLE ACCOMMODATIONS:

- ?? Pair with a neighboring child to prevent tardiness or absenteeism.
- ?? Provide child with a means of catching up on missed lessons.
- ?? Pair with a fellow child for study.
- ?? Educate other children about associated outbursts.
- ?? Arrange for frequent parental interaction.
- ?? Administer medication.
- ?? Begin a chip system.

SECTION 504

- ?? Provide supervision for transition activities.
- ?? Modify assignments.
- ?? Provide alternative work space.
- ?? Initiate time out.
- ?? Cue child of inappropriate behavior.
- ?? Provide peer inservice.
- ?? Furnish supervision while child is acting out.
- ?? Inservice teachers about different discipline procedures.
- ?? Provide appropriate space for the child to act out episode.

TRAUMATICE BRAIN INJURY

<i>EXAMPLE: The child sustained a brain injury in an automobile accident. Many academic and motor skills have been lost from the injury. The condition substantially limits the major life activity of learning.</i>
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POSSIBLE ACCOMMODATIONS:

- ?? Provide extended school year/time.
- ?? Furnish memory/organizational aids.
- ?? Provide alternative testing.
- ?? Initiate tutoring programs.
- ?? Arrange for an emergency plan.
- ?? Inservice staff and peers about TBI.
- ?? Provide a monitoring process.

ACCOMMODATION PLANS

This section gives an example of a form that could be used as an eligibility and accommodation plan. There are several examples of plans for children eligible under Section 504.

SECTION 504
ELIGIBILITY AND CHILD ACCOMMODATION PLAN

Child: _____

Date: _____

School: _____

DOB: _____

Review Date: _____

Case Manager: _____

PART 1: JUSTIFICATION FOR SERVICES

1. Does the child have a physical or mental impairment which substantially limits one or more of his/her major life activities?

YES NO

caring for one's self

hearing

performing manual tasks

speaking

walking

working

seeing

learning

breathing

Is the child disabled under Section 504?

YES NO

2. Briefly document the basis for determining the disability: _____

3. Describe areas of need and action to be taken: _____

SECTION 504

Area of Difficulty: _____
Accommodations: _____

Evaluation: _____

Area of Difficulty: _____
Accommodations: _____

Evaluation: _____

Area of Difficulty: _____
Accommodations: _____

Evaluation: _____

Area of Difficulty: _____
Accommodations: _____

Evaluation: _____

I give permission for my child to receive the above mentioned services.

Parent Date

SECTION 504
ELIGIBILITY AND CHILD ACCOMMODATION PLAN

Child: Debra
School: Anywhere
Review: 05/00 or PRN

Date: 9/20/99
DOB: 10/11/86

PART 1: JUSTIFICATION FOR SERVICES

1. Does the child have a physical or mental impairment which substantially limits one or more of his/her major life activities?

YES NO

caring for one's self

hearing

performing manual tasks

speaking

walking

working

seeing

learning

breathing

Is the child disabled under Section 504?

YES NO

2. Briefly document the basis for determining the disability:

Debra is a non-hyperactive attention deficit disorder child. Teacher and parents have both voiced concerns about her lack of social skills that appear to inhibit her social success. She is under Dr. Pullman's care and is being treated due to her ADHD undifferentiated type of anxiety.

SECTION 504

Area of Difficulty: Debra is extremely disorganized, losing or forgetting essentials for classroom success, i.e., pencils, papers, etc.

Accommodations: Debra will have her books and materials placed in a visible place within color coded hanging files. There will be a check-off sheet attached to her desk that she can use to insure the proper folder materials, etc., for each respective class.

Evaluation: _____

Area of Difficulty: Debra only reaches out to two of her peers. She demonstrates poor eye contact, muffled speech, and social withdrawal from most of her classmate.

Accommodations: Debra will be included in a small group social skills class with classmates and the elementary counselor. A self-monitoring and teacher-monitoring program will be implemented to work on the small group social skills.

Evaluation: _____

Area of Difficulty: Debra has difficulty prioritizing work. Frequently she will not be working on tasks that she is asked to complete.

Accommodations: Each morning before school starts, Debra's teacher and she will review the day's schedule and prioritize from most important to least important the tasks to complete. Social and tangible reinforcers will come from the teacher.

Evaluation: _____

I give permission for my child to receive the above mentioned services.

Parent

Date

SECTION 504
ELIGIBILITY AND CHILD ACCOMMODATION PLAN

Child: Deloris

Date: 10/20/00

School: Anywhere

DOB: 10/11/86

Review: 12/06/00

PART 1: JUSTIFICATION FOR SERVICES

1. Does the child have a physical or mental impairment which substantially limits one or more of his/her major life activities?

YES NO

caring for one' self

hearing

performing manual tasks

speaking

walking

working

seeing

learning

breathing

Is the child disabled under Section 504?

YES NO

33. Briefly document the basis for determining the disability?

Deloris is a highly allergic child under Dr. Poegmiller's care. She has missed significant school in earlier years due to allergic reactions. It is critical that Delores be in an environment that is free from terratogens. She may need a modified school diet. Please give Delores' emergency medical care plan to all teachers and staff who will have contact with her during the school day.

SECTION 504
ELIGIBILITY AND CHILD ACCOMMODATION PLAN

Child: Susan

Date: 10/20/00

School: Anywhere

DOB: 06/05/85

Review: 02/02/01

PART 1: JUSTIFICATION FOR SERVICES

1. Does the child have a physical or mental impairment which substantially limits one or more of his/her major life activities?

YES NO

caring for one's self

hearing

performing manual tasks

speaking

walking

working

seeing

learning

breathing is the child disabled under Section 504?

YES NO

2. Briefly document the basis for determining the disability:

Susan was recently diagnosed as having depression by Dr. Paul, M.D. She is taking medication under his order. Academic and social concerns have been voiced by staff members and peers. Staff inservicing are forthcoming. Because of her academic capabilities and conscientious work habits, the make-up work accumulated in the past month is overwhelming to her.

SECTION 504 AND SPECIAL EDUCATION

This section illustrates some of the basic similarities and differences between Section 504 and special education. Remember Section 504 should be a general management responsibility.

COMPARISON

ISSUES	SECTION 504	INDIVIDUALS WITH DISABILITIES EDUCATION ACT	AMERICANS WITH DISABILITIES ACT
TYPE	A Civil Rights Law	An Education Act	A Civil Rights Law
TITLE	The Rehabilitation Act of 1973	The Individuals with Disabilities Education Act (IDEA) Amendments of 1997	Americans With Disabilities Act of 1990 (ADA)
PURPOSE	Is a civil rights law that protects the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education.	Is a federal funding statute whose purpose is to provide financial aid to states in their efforts to ensure a free appropriate public education for students with disabilities.	Provides a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.
RESPONSIBILITY	General education, but shared with special education	Special education, but shared with general education.	Public and private schools, business establishments and public buildings (services)
FUNDING	State and local responsibility (no federal funding)	State, local, and federal. IDEA funds cannot be used to serve students eligible only under Section 504	Public and private responsibility (no federal funding)
ADMINISTRATOR	Section 504 coordinator (Systems with 15 plus employees) to coordinate efforts to comply with this law.	Special education director or designee	ADA Coordinator is required to coordinate efforts to comply with this law.
SERVICE TOOL	Accommodations and/or services	Individualized Education Program (IEP). Some IEP's will include Section 504 accommodations necessary for success in the general classroom.	Reasonable accommodations and legal employment practice.

ISSUES	SECTION 504	INDIVIDUALS WITH DISABILITIES EDUCATION ACT	AMERICANS WITH DISABILITIES ACT
POPULATION	Identifies person as disabled so long as she/he meets the definition of qualified persons with disabilities; i.e., has or has had a physical or mental impairment which substantially limits a major life activity, or is regarded as disabled by others.	Identifies 13 qualifying conditions: autism, deafness, deaf-blindness, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairment, emotional disturbance, specific learning disability, speech or language impairment, traumatic brain injury, and visual impairment	Identifies person as disabled so long as she/he meets the definition of a qualified person with disabilities; i.e., has a physical or mental impairment which substantially limits one or more major life activities, has a record of such an impairment or is regarded as disabled by others.
ELIGIBILITY	A child is eligible so long as she/he meets the definition of a qualified person with disabilities, i.e., currently has or has had a physical or mental impairment that substantially limits a major life activity, or is regarded as disabled by others. The child is not required to need special education services to be protected.	A child is only eligible to receive special education and related services if the multidisciplinary team determines that the student has a disability under one of the thirteen qualifying conditions and requires special education services.	A person is eligible so long as she/he meets the definition of a qualified person with disabilities, i.e., currently has or has had a physical or mental impairment which substantially limits a major life activity, or is regarded by others as having a disability. The student is not required to need special education services in order to be protected.
FREE APPROPRIATE PUBLIC EDUCATION	A child could receive special education services and/or related services and/or accommodations.	A child must first be eligible and need special education before they are entitled to a related service.	Addresses education in terms of accessibility requirements. Requires private and public entities not to use employment practices that discriminate on the basis of a disability.

ISSUES	SECTION 504	INDIVIDUALS WITH DISABILITIES EDUCATION ACT	AMERICANS WITH DISABILITIES ACT
ACCESSIBILITY	Federal regulations regarding building and program accessibility requires that reasonable accommodations be made.	Requires that modifications must be made if necessary to provide access to a free appropriate public education.	Requires that public programs be accessible to individuals with disabilities.
UNDUE HARDSHIP	Consideration is given for the size of the program, extent to accommodation, and cost relative to the total school budget.	Budget and administrative convenience is never an excuse.	Consideration is given to the size of the business and its budget, type of operation, nature and cost of accommodation.
DRUG AND ALCOHOL USE	Current drug use is not considered a disability. An individual who has stopped using drugs and/or alcohol and is undergoing rehabilitation could be eligible for accommodations	Drug and alcohol use is not covered under special education.	Current drug use is not considered a disability. Current alcohol abuse that prevents individuals from performing duties of the job or that constitutes a direct threat to property or safety of others is not considered a disability.
CONTAGIOUS DISEASES	Individual with disabilities excludes any individual with a contagious disease that renders the individual unable to perform the job.	Could be eligible under the category of "other health impaired."	Permits qualification standard requiring that an individual with a currently contagious disease or infection not pose a direct threat to the health or safety of others.
PROCEDURAL SAFEGUARDS	Both require notice to the parent Identification, evaluation, and	or guardian with respect to placement.	Makes provisions for public notice, hearings, and awarding attorney fees.

ISSUES	SECTION 504	INDIVIDUALS WITH DISABILITIES EDUCATION ACT	AMERICANS WITH DISABILITIES ACT
PROCEDURAL SAFEGUARDS CONT.		Notice provisions are much more comprehensive. Minimum requirements of the notice are specified.	Self-evaluations and transition plans are required and updated annually.
NOTICE AND CONSENT	Notice is required before a “significant change in placement.” Written consent would be considered a best practice.	Written notice is required prior to any change in placement. Consent is required before the initial and reevaluation and placement.	
EVALUATIONS	<p>Evaluation draws on information from a variety of sources in the area of concern. Decisions are made by a group knowledgeable about the student, evaluation data, and placement options. Requires written parental notice. Written parental consent is considered a best practice.</p> <p>Requires periodic reevaluations.</p> <p>Reevaluation is required before a significant change in placement.</p>	<p>A full comprehensive evaluation is required assessing all areas related to the suspected disability. The student is evaluated by a multidisciplinary team. Consent is required before the initial evaluation is conducted.</p> <p>Requires reevaluations to be conducted at least every 3 years if determined appropriate by the team.</p> <p>A reevaluation is not required before a significant change in placement. However, most students covered by IDEA are also eligible under Section 504.</p>	All schools should conduct or update their Section 504 self-evaluation regarding services, accessibility, practices, and policies to assure discrimination is not occurring with any individual with disabilities.

ISSUES	SECTION 504	INDIVIDUALS WITH DISABILITIES EDUCATION ACT	AMERICANS WITH DISABILITIES ACT
EVALUATIONS CONT.	No provision is made for independent evaluations at district expense. The school district should consider other evaluations and information regarding the student	Provides for independent educational evaluation. A due process hearing is available if the school and parent disagree on the need for an independent evaluation	
SERVICES	<p>When interpreting evaluation data and making service decisions, both laws require districts to:</p> <ul style="list-style-type: none"> ?? Draw upon information from a variety of sources. ?? Assure that all information is documented and considered. ?? The service decision is made by a group of persons including those who are knowledgeable about the student, disability, the meaning of the evaluation data and placement options. ?? Ensure that the student is educated with his/her nondisabled peers to the maximum extent appropriate (Least Restrictive Environment—LRE). ?? Requires notice and evaluation before any change of services. 		
REVIEW OF PROGRAM	Accommodations should be reviewed periodically.	An IEP review meeting is required at least annually, or before any significant change.	
GRIEVANCE PROCEDURES	Requires districts to provide a grievance procedure for parents, students, and employees.	Does not require a grievance procedure. Complaint Procedures (SEA)	Any school district shall adopt and publish grievance procedures for resolution of ADA complaints.
COMPLAINT PROCEDURES	An individual or organization may file a complaint with the Office for Civil Rights. An OCR complaint must be filed, in writing, within 180 days after the violation has occurred. In certain cases OCR will consider complaints where more than 180 days have elapsed.	A formal complaint process is required. Parents can file a complaint with the state, a decision must be provided within 60 days.	An individual or organization may file a complaint with the Office for Civil Rights. An OCR complaint must be filed, in writing, within 180 days after the violation has occurred. In certain cases OCR will consider complaints where more than 180 days have elapsed.

ISSUES	SECTION 504	INDIVIDUALS WITH DISABILITIES EDUCATION ACT	AMERICANS WITH DISABILITIES ACT
DUE PROCESS	<p>Both statutes require districts to provide impartial hearings for parents or guardians who disagree with the identification, evaluation, or placement of student with disabilities. School districts or parents can initiate due process hearings.</p> <p>Requires that the parent have an opportunity to participate and be represented by counsel. Other details are left to the discretion of the local school district. Policy statements should clarify specific details.</p> <p>Delineates specific requirements.</p>		<p>Due process hearings can be initiated by either party. The court may allow a reasonable attorney's fee for the prevailing party.</p>
MEDIATION	<p>Not required, however mediation should always be suggested.</p>	<p>Mediation is optional for the parents, and should always be suggested.</p>	<p>Not required, however mediation should always be suggested.</p>
EXHAUSTION	<p>Administrative hearing is not required prior to OCR involvement or court action.</p>	<p>The parent or guardian should exhaust all administrative hearings before seeking court action.</p>	<p>An administrative hearing is not required prior to OCR involvement or court action.</p>
ENFORCEMENT	<p>Enforced by the U.S. Office for Civil Rights. Regional offices are located throughout the United State. The office is part of the U.S. Department of Education.</p>	<p>Enforced by the U.S. Office of Special Education Programs. Compliance is monitored by the State Board of Education and the Office of Special Education Programs.</p>	<p>Enforces by the U.S. Office for Civil Rights under agreement with EEOC.</p>

ISSUES	SECTION 504	INDIVIDUALS WITH DISABILITIES EDUCATION ACT	AMERICANS WITH DISABILITIES ACT
<p>DISCIPLINE OF STUDENTS WITH DISABILITIES</p>	<p>Requires that a school district evaluate all students with disabilities before making an initial placement or any subsequent, significant change in his or her placement. The proposed exclusion of a student with disabilities that is permanent (expulsion), for an indefinite period. Or for more than 10 consecutive school days, constitutes a “significant change in placement.”</p> <p>Before implementing a suspension or expulsion that constitutes a significant change in the student’s placement, the school must conduct a re-evaluation to determine if the behavior was caused by the disability.</p> <p>If there is no relationship between the disability and the behavior, the school can expel the student. The school is not required to provide services and/or accommodations during the expulsion period.</p>	<p>Requires that a school district evaluate all students with disabilities before making an initial placement or any subsequent, significant change in his or her placement. The proposed exclusion of a student with disabilities that is permanent (expulsion), for an indefinite period, or for more than 10 consecutive school days, constitutes a “significant change of placement.”</p> <p>Before implementing a suspension or expulsion that constitutes a significant change in the student’s placement, the school must conduct a re-evaluation to determine if the behavior was caused by the disability.</p> <p>If there is no relationship between the disability and the behavior, the school can expel the student but still needs to provide a free appropriate public education. This means special education services outlined in the IEP.</p>	

**SECTION 504
FREQUENTLY ASKED
QUESTIONS**

SECTION 504 FREQUENTLY ASKED QUESTIONS

The following questions are frequently asked regarding Section 504 issues of school relevance.

1. Are all schools required to adhere to Section 504?

Yes. All schools that receive any federal financial assistance must comply with Section 504 of the Rehabilitation Act of 1973.

2. Are schools required to have a Section 504 coordinator?

Yes. All schools must designate, in writing, a person who coordinates 504 services and protections.

3. Are children who are covered under IDEA always eligible for Section 504 protections?

Yes.

4. Are children who are covered under Section 504 always eligible for IDEA services?

No.

5. Are schools responsible for referring children suspected of being eligible for Section 504?

Yes.

6. Do schools have to evaluate children who are referred for Section 504?

No. If the school does not believe that the child is eligible, then an evaluation is not required. However, if this decision is made, the child's parents must be informed of their due process rights to appeal.

7. Do schools have to formally evaluate children?

Yes. Schools do have to evaluate children before determining their eligibility for services and before deciding which services are appropriate; however, unlike IDEA, which requires extensive testing, Section 504 includes teacher observations and other informal assessment data as appropriate assessment information.

8. Do schools have to develop an IEP on children who are 504 eligible only?

No. An IEP is not required; however, schools must develop an individual accommodation plan for the child.

9. Does a physician's diagnosis of ADD/ADHD automatically result in a child being eligible for Section 504?

No. A physician's diagnosis should be considered as one piece of documentation when evaluating the child. However, a physician's diagnosis alone does not automatically result in eligibility for Section 504.

10. Do schools have to reevaluate children who are receiving Section 504 services and protections?

Yes. Schools are required to *periodically* evaluate children. Unlike IDEA, which requires a reevaluation every 3 years, Section 504 does not specify a time period.

SECTION 504

11. Must schools get permission from parents before getting children involved in Section 504 services?
- No.** Consent is not required; however, schools are required to inform parents before following procedures required under Section 504.
12. Do schools have to label a child with a clinical category before providing protections under Section 504?
- No.** Unlike IDEA, Section 504 does not require a specific label on a child before eligibility. Children never have to have a specific disability but only have to meet the functional definition of disability as defined in Section 504.
13. Do children with disabilities have to be included in all school activities?
- Yes.** Children with disabilities must be given the opportunity to participate in all activities that the school makes available for other children. They cannot be denied participation because of a disability.
14. Do school have to make all of their buildings accessible to children with disabilities?
- No.** Schools are required to make all programs accessible for children with disabilities, not all buildings.
15. What can parents do if they are dissatisfied with the way schools are serving children eligible for Section 504 protections?
- Parents can file a complaint with the U.S. Office for Civil Rights, request an impartial due process hearing, or file suit in federal court.
16. Can children served under Section 504 receive related services, such as physical therapy?
- Yes.** Schools must provide related services to children who are eligible for services under Section 504. The only service that a child under Section 504, unlike under IDEA, may need is a related service.
17. Is there any extra federal funding for schools to use to provide appropriate services under Section 504?
- No.** There are no federal or state funds associated with serving Section 504 children.
18. Can children who are eligible for Section 504, but not IDEA, be served in special education classrooms?
- Section 504 children can be served in special education classes if the classes are funded with state funds or local funds. They can be served in IDEA-funded classrooms as long as there is space available and their presence does not hinder IDEA-eligible children.
19. If a child can be served under either IDEA or Section 504, which should the school attempt to use to serve the child?

Schools receive federal funds to provide services under IDEA but do not receive any extra funding for Section 504 children. Therefore, if the school has a choice pertaining to how to serve a particular child, IDEA provides funding support.

AN EDUCATOR'S PRIMER

20. Is Section 504 age-specific, like IDEA, which only deals with children through the age of 22?
- No.** Section 504 is a birth-to-death law. Children do not “age out” of Section 504 services and protections.
21. Can schools use any tests that they want when evaluating children for Section 504 services?
- No.** While Section 504 is not specific about how to evaluate children for services, it does require that schools obtain information from a variety of sources and requires that nondiscriminatory teaching methods be used when children are evaluated using test instruments.
22. Are eligibility guidelines for Section 504 specified?
- No.** The eligibility requirements for Section 504 are rather vague. Basically, a child is eligible for services and protections if the child has a disability, as defined in the act. This means that a substantial limitation must occur in a basic life activity.
23. Where are most children who are eligible for Section 504 services placed?
- Most children who are eligible for Section 504, but not IDEA, are primarily served in general education classrooms.
24. Can children who are served under Section 504 be expelled from school?
- Yes.** However, expulsion is considered a major change of placement, and Section 504 requires an evaluation before any change of placement. The determination should also be made regarding the relationship of the inappropriate behavior and the disability.

SECTION 504

SECTION 504

EXAMPLES OF SCHOOL-RELATED BEHAVIORS OF MAJOR LIFE ACTIVITIES

MAJOR LIFE ACTIVITY	BEHAVIORS
Caring for oneself	<ul style="list-style-type: none">- inability to use bathroom facilities without supports, e.g., catheterization- difficulty in changing into gym clothes without assistance
Performing manual tasks	<ul style="list-style-type: none">- inability to manipulate laboratory equipment for someone with cerebral palsy- difficulties in learning keyboarding skills for someone with motor involvement resulting from a traumatic brain injury
Walking	<ul style="list-style-type: none">- inability to access the auditorium for drama class- difficulty using crutches
Seeing	<ul style="list-style-type: none">- inability to see overhead projector- difficulty using in-class materials that are low contrast
Hearing	<ul style="list-style-type: none">- difficulty hearing speaker due to auditory and visual distractions- Not seated in an advantageous location to capitalize on residual hearing
Speaking	<ul style="list-style-type: none">- inability to convey understandable messages- problems interacting with others in social contexts
Breathing	<ul style="list-style-type: none">- physical reaction to various allergens- difficulty breathing due to asthma
Working	<ul style="list-style-type: none">- emotional problems that interfere with vocational training- problems with physical accessibility on training sites

DEFINITIONS AND ACRONYMS

The next few pages give some common definitions and acronyms used in Section 504 process.

DEFINITIONS

ACCOMMODATIONS – Adjustments or modifications made by classroom teacher(s) and other school staff to enable the children to benefit from their educational program. In some cases a plan should be developed outlining services and/or accommodations.

AMERICANS WITH DISABILITIES ACT (ADA) – A civil rights law that prohibits discrimination against persons with disabilities in the areas of accessibility, employment, public services, public accommodations, transportation, and communication.

BARRIER-FREE ENVIRONMENT – A school environment that contains no obstacles to accessibility and usability by children and other individuals with disabilities. Barriers can be physical and non-physical.

BUILDING LEVEL SUPPORT TEAM (BLST) – A group of individuals knowledgeable about the child who work together, trying modifications and accommodations to help the child succeed in his/her educational program. Every effort should be made to keep the child in the regular education program. A referral is made for an evaluation after all efforts have failed.

CONSENT – Written parent permission before initial evaluation and placement.

CONTAGIOUS DISEASES PROTECTED UNDER 504 – Contagious diseases are those that can be transmitted from person to person. Examples are such diseases as AIDS, HIV, and tuberculosis.

INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA) – Federal special education law and regulations. (P.L. 105-17).

MAJOR LIFE ACTIVITY – Functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

OFFICE FOR CIVIL RIGHT (OCR) – This federal agency has three primary responsibilities: investigating complaints, conducting compliance reviews, and providing technical assistance. There are ten regional offices located throughout the United States.

PHYSICAL OR MENTAL IMPAIRMENT – (1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems:

SECTION 504

neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or (2) any mental or physical disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

The term “physical or mental impairment” includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction, and alcoholism.

PLACEMENT – Any accommodation or service that has been determined necessary for children eligible under Section 504. The location the service is provided in the placement and should, if possible, be in the least restrictive environment possible.

PROGRAM ACCESSIBILITY – The school will ensure programs and activities are accessible to and usable by persons with disabilities. In many instances, programs and activities may be made accessible through slight modifications and adjustments in procedures, practices, and policies. In others, building renovation and construction may be required. Structural change is required only where program accessibility cannot be achieved effectively through other means.

PROGRAM OR ACTIVITY – In the context of Section 504, this includes all operations of state and local agencies that receive federal funds. This includes colleges, universities, and/or school systems.

PUBLIC NOTICE – The school is required to provide public notice and internal notice (i.e., to staff, individuals with disabilities, and children) stating it does not discriminate on the basis of a disability.

QUALIFIED CHILD OR INDIVIDUAL – Any child or other individual who (1) has a physical or mental impairment that substantially limits one or more major life activities, (2) has a record of such an impairment, or (3) is regarded as having such an impairment.

REASONABLE ACCOMMODATION – Modifications or adjustments to allow for known physical or mental impairments of children, individuals, or employees with disabilities to benefit from their education, employment, or activity.

SECTION 504 – The part of the Rehabilitation Act of 1973 that guarantees specific rights in federally funded programs and activities to people who qualify as disabled. Section 504 states: “No otherwise qualified disabled individual in the United States...shall, solely be reason of

disability be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

SECTION 504 COORDINATOR – The school employing 15 or more persons must assign a person to coordinate compliance with Section 504 regulations. It is recommended that all school districts appoint a 504 Coordinator. It is recommended that the same individual serve as the Americans with Disabilities Coordinator.

SELF-EVALUATION – Section 504 requires that federal fund recipients evaluate their programs, physical accessibility, and employment practices to determine the extent to which programs and activities require modification to ensure full participation by children with disabilities. These evaluations should be updated frequently. The self-evaluation should not be confused with child evaluation.

TRANSITION PLAN – If a recipient determines that structural modifications are necessary to meet Section 504 program accessibility requirements, the school must develop a plan specifying the steps necessary to complete such changes and the time frame for completion. The document containing these steps and a recipient's schedule for making structural changes is termed "transition plan". This transition plan should not be confused with a "transition plan" under IDEA which outlines an individual child's transition goals and objectives on the Individualized Education Program. Transition according to IDEA means the preparation of a child in special education for the change from school to adult living. All children with disabilities should have transition goals and objectives included in the IEP starting no later than age fourteen.

UNIFORM FEDERAL ACCESSIBILITY STANDARDS (UFAS) – Standards the federal government uses to meet Section 504's accessibility requirements for the design, construction, and alteration of buildings.

UNDUE HARDSHIPS – An action requiring significant difficulty or expense. Factors that are considered include number of employees, number and type of facilities, size of budget, and nature and cost of the accommodation.

SECTION 504

ACRONYMS

ADA – Americans With Disabilities Act

ADD – Attention Deficit Disorder

ADHD – Attention Deficit Hyperactivity Disorder

AG – Annual Goal

AP – Accommodation Plan

BLST – Building Level Support Team – Pre-referral

CD – Cognitive Delay

CFR – Code of Federal Regulations

D – Deaf

DD – Developmental Disabilities

DNR – Do Not Resuscitate

ED – Emotionally Disturbed

ESY – Extended School Year

FAPE – Free Appropriate Public Education

FERPA – Family Educational Rights and Privacy Act

HI – Hearing Impaired

IDEA – Individuals with Disabilities Education Act

IEP – Individualized Education Program

IFSP – Individualized Family Service Plan

AN EDUCATOR'S PRIMER

LEA – Local Education Agency

LRE – Least Restrictive Environment

LD – Learning Disability

OCR – Office of Civil Rights

OHI – Other Health Impaired

OT – Occupational Therapy

PT – Physical Therapy

SEA – State Education Agency

SECTION 504 – The Rehabilitation Act of 1973 making it illegal for any organization receiving federal funds to discriminate against a qualified person with a disability.

STO – Short Term Objective

TTY – A telecommunication device for the deaf

VI – Visually impaired

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