



504 – Americans with Disabilities Act Frequently Asked Questions

What is Section 504?

Section 504 is part of the Rehabilitation Act of 1973 that applies to individuals with disabilities. It is a civil rights act that protects the civil rights of persons with disabilities. Section 504 is a nondiscrimination statute, prohibiting discrimination based solely on disability.

Who is eligible for a 504?

A student is eligible for accommodations under Section 504 if the student has a mental or physical impairment that substantially limits one or more of a student's major life activities that impacts education.

Are School Districts required to have a Section 504 Coordinator?

Yes.

How are students with disabilities identified?

Many students eligible for Section 504 accommodations have special health care needs. Section 504 requires that a school evaluate any student who, because of disability, needs accommodations that would assist in keeping the child in the general education classroom. If the school and/or parent has reason to believe that, because of a disability as defined under Section 504, a student needs accommodations in order to participate in the school program, the school must evaluate the student. If it is determined that a student is disabled under Section 504, the school must develop and implement all needed accommodations agreed by the Section 504 committee.

Services

The determination of what accommodations are needed must be made by a group of persons knowledgeable about the student and also about the disability. This usually involves the school principal, classroom teachers, and other educators working with your child. The group will review the nature of the disability and how it affects the student's education. The decisions about Section 504 eligibility and services should be documented in the student's file and reviewed periodically.

What does making accommodations mean?

Accommodations are made by the classroom teacher and other school staff to help students benefit from their educational program. The school should develop a written Section 504 plan describing the accommodations. Service decisions must be based on evaluation information and

student needs. The decisions must be made by a group of persons knowledgeable about the child, the disability and the meaning of the evaluation data.

It must be emphasized that Section 504 falls under the management responsibility of the general education program. The school staff and parents need to work in collaboration to help guarantee that the student is provided with the necessary accommodations.

What are the school responsibilities?

- Provide written assurance of non-discrimination.
- Designate a 504 Coordinator
- Provide grievance procedures to resolve complaints.
- Provide notice of nondiscrimination in admission or access to its programs or activities. Notice must be included in a student/parent handbook.
- Identify and locate annually all qualified children with disabilities who are not receiving a public education.
- Notify annually persons with disabilities and their parents or guardians of the district's responsibilities under Section 504.
- Provide parents or guardians with procedural safeguards.
- Conduct a self-evaluation of school district policies, programs and practices to make sure discrimination is not occurring.

What are the responsibilities of parents?

- Share your concerns with the school early before they become major problems.
- Be involved in Section 504 meetings concerning your child.
- Assist in developing appropriate accommodations for your child.
- Collaborate with other agencies, such as vocational rehabilitation, when appropriate.
- Use mediation or the grievance procedure as options if a difference cannot be resolved with the school.

What are the responsibilities of the student?

- Be involved at Section 504 meetings, when appropriate.
- Be familiar with your Section 504/ADA rights at post secondary programs before graduating from high school
- Cooperate and put forth maximum effort at school.