



# SECTION 504 PROCESS

Section 504  
of the  
Rehabilitation Act of 1973

In Accordance with Administrative Procedure  
5146





## Section 504 - Regulations

Section 504 of the Rehabilitation Act of 1973 is a CIVIL RIGHTS ACT –

- ☐ Prohibits against discrimination of disabled persons; **enforced** by Office of Civil Rights – U.S. Department of Education
- ☐ Implemented wherever programs / activities receive “federal financial” assistance or participate in federal programs; (agencies, private schools, etc.)
- ☐ The law allows for law suits for financial damages if federal requirements are ***not met***.



## Section 504 Compliance

*Federal Regulations* require the school district to:

- Provide identification and evaluation;
- Appropriate services;
- Procedural Safeguards

- ❖ **ELIGIBILITY-** The child must have a **physical** or **mental** impairment that **substantially limits** one or more **major life activity**.

**Eligibility is determined by the TEAM.**

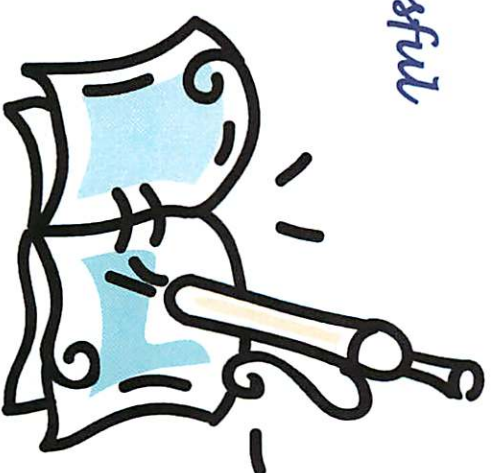
- ❖ **IDENTIFICATION-** Parents, staff members, related service providers may make request (referral) for a Section 504. Decisions about the student, evaluation data, placement options, etc. are made by “knowledgeable” individuals about the student.

*The plan should be developed by the **TEAM** at least **30 days** after eligibility.  
(Administration, Parent(s), Related Service Provider, Counselor **Sec. IV C**)*

## Section 504 Information

*Appropriate Services - Schools should screen for possible **disability** when:*

- ✓ student receives **numerous disciplinary** referrals
- ✓ serious injury or illness
- ✓ prior attempts at interventions **unsuccessful**
- ✓ numerous retentions
- ✓ unusual change in student's grades
- ✓ **chronic health problems/absenteeism**





## Section 504 Procedural Safeguards

Section 504 *does not require* and IEP **BUT does require a PLAN.**

- ☐ Placement is usually in general education classroom.
- ☐ Students can receive specialized instruction, related services or accommodations within the general education classroom.
- ☐ The TEAM must do an evaluation after gathering appropriate information from 30 – 60 days (Student records, observations, anecdotal records, current documentation, teacher reports..)

### *Procedural Safeguards*

**Notification** ...written notification of meeting to parents;  
Parent supply written documentation verifying disabling condition;  
All staff working with student **MUST** receive copy of 504 Plan .....  
(Beginning of school year and sign indicating receipt)

Parents **MUST** receive copy of *Procedural Safeguards* and sign for it!



## Section 504 Accessibility Plan

### *Non-Negotiables*

- Determine types of interventions, accommodations, aids, services needed to meet student's needs;
- Student's Section 504 Plan shall be **reviewed** and/or **revised**, as appropriate, **annually** or sooner upon request.
- Student's 504 Plan **re-evaluated EVERY 3 YEARS** and **PRIOR** to any significant change in student's program.
- If at any time, team suspects student is in need of "special education", the team will request screening/assessment.
- Names, titles of team members involved in development of 504 Plan listed and **MUST SIGN** the plan....*the Section 504 Team along with the regular education teachers participating must sign the plan.*

# *Section 504 Non-Negotiables*

A letter should be sent to parents when teachers receive copy of Section 504 Plan.

All staff members (nurse, bus driver, etc.) **MUST** meet at beginning of school year to review students 504 Plan to ensure student is receiving FAPE (Free Appropriate Public Education)

Parents/staff member can request “review” of services meeting- must be scheduled to review the plan.

A List of all students identified to receive Section 504 services **MUST** be sent to Section 504 Coordinator by ***October 1<sup>st</sup> of each school year.***







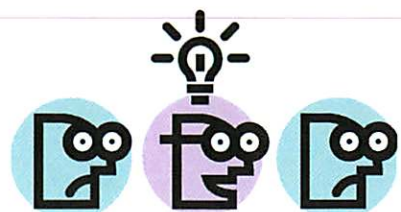
## *Disciplinary Procedures* *Section 504*

Students suspended for **not more than 10 consecutive days or 10 total days for the year**....may be suspended according to **regular Code of Student Conduct** procedures.

In cases involving **over 10 days**, a **Section 504 Team Manifestation Meeting** must be held. The Section 504 Team **must determine** if the student's conduct was a **manifestation of his/her disability**.

- If conduct **was not** a manifestation of the disability, the suspension/expulsion **remains and follows regular procedures**.
- If the conduct **was** a manifestation of the disability, the suspension/expulsion is **discontinued**.
- Refer to **Code of Student Conduct** when student with **Section 504 Plan** may be subject to disciplinary action.





# Section 504

## Some things to remember.....

- Each member of the Section 504 Team must:
  1. collaborate on plan
  2. sign plan
  3. have copy of plan and implement accordingly.
- Complete plan with "reasonable" services and accommodations.
- Adhere to ALL timelines and use appropriate documents  
(AP 5146 Attachments)
- Student Record Procedures 5125 .... Each folder that contains a 504 Plan will be designated by a yellow dot placed in the upper right hand side of the cumulative folder.....the Section 504 Plan must be place in the Limited Access Folder (LAF RED Folder) in Section 5.
- Professional School Counselor should have access to the Health Module and enter/update all Section 504 students in SchoolMax. Master List should be kept "on file" in the school,

## *Q and A*

Section 504 of the  
Rehabilitation Act of  
1973.

Administrative  
Procedure 5146

PGCPS

Student Record  
Procedure 5125

PGCPS

Bulletin (PGCPS)  
Section 504 Procedures

