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

- Student receives numerous disciplinary referrals
- Serious injury or illness
- Numerous retentions
- Unsuccessful prior attempts at interventions
- Chronic health problems/absenteeism
- Unusual change in student's grades

Section 504 Information
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 1st 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


Administrative Procedure 5146
PGCPS
Student Record Procedure 5125
PGCPS

Bulletin (PGCPS)
Section 504 Procedures