

Section 504 Overview

Presented to the BUSD PTA Council

By Dr. Susan Craig, Director, Student Services
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Section 504 Purpose

- * Section 504 is a broad civil rights law regulated by the Office for Civil Rights. Its purpose is to eliminate discrimination on the basis of disability in any program or activity receiving federal financial assistance (including public school districts).

Compliance with 504

- * BUSD must:
- * 1. Provide a free and appropriate education to all students with disabilities.
- * 2. Seek out, identify, and evaluate students who may have a disability under Section 504.
- * 3. Provide special accommodations and services to students identified under Section 504 as defined in their written individual accommodation plan.

Compliance with 504 continued

- * 4. Discipline students in accordance with the law.
- * 5. Ensure that extracurricular activities are accessible to students identified under Section 504.
- * 6. Provide notice to parent/guardian regarding evaluation, identification, reevaluation, and due process rights (including access to an impartial hearing).
- * 7. Provide staff access to information regarding Section 504.

Section 504 Eligibility

- * “Any student who 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 having such an impairment.”
- * Disability – physical or mental
- * Major Life Activity – performing manual tasks, seeing, hearing, walking, reading, thinking, communicating
- * Substantially limits – School typically compare student’s academic progress to that of the “average child”. Cannot consider ameliorating effects of any mitigating measures the student is using (eyeglasses/contact lenses are the exception)

Evaluation to Consider Section 504 Eligibility

- * The team to consider 504 eligibility includes parent/guardian, student (when appropriate, usually grade 4 and above), classroom teacher(s), administrator and/or counselor, possibly additional school, community, or family members knowledgeable about the student.
- * The team will 1. review the nature of the disability, 2. determine how it impacts the student's education, 3. decide whether special services or accommodations are needed and, if so, 4. determine what accommodations and/or services will be provided.

Sources of Data Used to Determine Section 504 Eligibility

- * Medical evaluations
- * School health information
- * Teacher/administrator records and input
- * Parent/guardian input
- * Community support provider input
- * Student success team records
- * Report cards
- * Disciplinary records
- * Student work portfolio
- * Adaptive behavior
- * Psychological assessments
- * Standardized tests

Section 504 Accommodations

- * Accommodations may include:
- * Structured learning environment
- * Adjust class schedule
- * Additional time to complete school work
- * Use of audio recorder, computer, or other technology
- * Modified assignments
- * Behavior support plan
- * Modify non-academic time

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