

504 Meetings The “Reader’s Digest” Version

WHAT IS SECTION 504?

Section 504 is the part of the Rehabilitation Act of 1973, which applies to persons with disabilities. It is a civil rights act that states that no otherwise qualified individual with a disability can be excluded from or denied benefits of any program receiving federal financial assistance.

Original concerns regarding issues of “access” for persons with disabilities centered around physical access – ramps, curb cuts, elevators, rest rooms, etc. Within the last several years, the Office of Civil Rights has become active in broadening the definition of “access” to include the implementation of special accommodations in the classroom in order to allow a disabled student to benefit from his or her education.

HOW DOES SECTION 504 DEFINE “DISABILITY?”

A person who qualifies for a 504 plan has a mental or physical impairment which substantially limits one or more of a person’s major life activities. For an impairment to be substantially limiting, it must impede student access to a "large or considerable degree. Common examples include such things as communicable diseases (HIV, TB, medical conditions disorders, traumatic brain injury, etc.), temporary medical conditions due to illness or accident, and psychological disorders.

WHAT IS A MAJOR LIFE ACTIVITY?

This includes functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. At school “learning” is frequently identified as the area of difficulty.

HOW DO WE KNOW IF A STUDENT IS ELIGIBLE FOR A 504 PLAN?

If school staff have reason to believe that because of a disability as defined under Section 504, a student needs special accommodations or services in the regular classroom in order to participate in the school program, then staff must evaluate the student. This is not necessarily the same as an evaluation for Special Education. Staff may use existing information such as grades, attendance reports, cumulative folder information, observation, and formal or informal test information. Information about current classroom functioning is critical. Parents may provide information from private doctors, therapist, etc.

Please be aware that the student must have an *identifiable disability* of some sort – while good teaching practice says you may provide some different sort of instruction for slow learners, for example, they do not qualify for formal 504 plans. In addition, please be aware that choosing to ignore or not identify a student who needs a 504 plan does not relieve the school staff of responsibility to provide access.

AND WHY DO I HAVE TO GO TO THIS MEETING?

Section 504 falls under the responsibility of the regular education program. School staff and parents need to work in collaboration to help guarantee that the student is provided with the necessary and reasonable accommodation and/or services.

At a “504 meeting” teachers and other school staff along with parents and students develop a plan that outlines the accommodations that meet the unique needs of that particular student. *The student’s regular education teachers will be legally responsible for implementing the plan.*

WHAT DOES MAKING ACCOMMODATIONS MEAN?

Accommodations are adjustments or modifications made by the classroom teachers and other school staff to help students benefit from their educational program to the same degree that non-disabled students benefit. Examples of common reasonable accommodations are attached. It is important that the plan specify a limited number of accommodations that are necessary at this point in time to place the student at an equal starting level with the non-disabled student. The plan should be reviewed periodically to evaluate its appropriateness.