

**THE SCHOOL DISTRICT OF PHILADELPHIA**  
**OFFICE OF STUDENT SUPPORT SERVICES**  
440 NORTH BROAD STREET  
PHILADELPHIA, PA 19130

*Office of Prevention & Intervention*

TELEPHONE (215) 400-5661

FAX

(215) 400-4223

**Section 504-At-A-Glance**

- Section 504:
  - A **civil rights** law
  - “No otherwise qualified handicapped individual in the United States...shall, solely by reason of his handicap, be **excluded** from participation in, be denied the benefits of, or be subjected to **discrimination** under any program or activity receiving Federal financial assistance.”
- Evaluation:
  - Permission to Evaluate: Written permission from the parent(s) is required. Under Section 504 the parent must consent to the child’s evaluation.
  - The Section 504 team should draw from a variety of sources in the evaluation process. These sources may include tests, a review of medical records, teacher recommendations, physical condition, social and cultural background, functional behavior, parent/student input, academic data, etc.
  - After data is gathered the Section 504 team will meet to determine if the student has a mental or physical impairment that substantially limits a major life activity.
  - School teams should determine eligibility for students every 3 years under Section 504 with a review of records.
- Eligibility:
  - A student who is of public school age.
  - Has a physical or mental disability which **substantially limits** or prohibits participation in or access to an aspect of the student’s school program.
  - A substantial limitation can be determined by comparing the students function against their non-disabled grade level peer.
    - A temporary impairment (expected duration of six months) is a disability if it is severe enough that it substantially limits a major life activity for the student.
    - An impairment that is episodic or in remission is also a disability under Section 504.
- Not Eligible:
  - Students who qualify under IDEA/Chapter 14 Special Education or have an IEP.
  - Students who do not have disability, or have no record of a disability or who are not regarded as having a disability.
  - Not every medical diagnosis will substantially limit a student’s ability to perform a major life activity.
  - Also a physician’s note alone is not enough to qualify a student for a 504 plan. The multi-disciplinary/ Section 504 team must evaluate to determine eligibility.
- 504 Team:
  - The members of the Section 504 team should include people who know the

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student, who can interpret the collected data and understand the appropriate accommodation options.

- Parents, Principal or Designee, Case manager ( School Nurse and/or Counselor), General Ed. Teachers, Special Ed. Teachers/Liaison, Related Service Providers (OT, PT, Speech, Hearing, Vision)
- 504 Service Agreement
  - Commonly referred to as the 504 Plan. Under Section 504 the parent must consent to the child's service agreement.
  - A written agreement executed by a student's parent and school official setting forth specific related aids, services or accommodations to be provided to the maximum extent appropriate for the student to be educated with his non-disabled peers.
  - School teams should review Section 504 service agreements every year to determine appropriate accommodations for the student.
    - Types of accommodations may include: Instructional Methods, Instructional Materials, Nursing/Medical, Behavior, Testing/Assessment, Physical Environment/Physical Plant, Extra Curricular Activities, Training, etc.
- Plan Distribution
  - Paper or electronic copies of the student Section 504 service agreement should be distributed to a student's:
    - Parent- Be sure to include procedural safeguards whenever requesting a signature from the parent.
    - Teachers- Everyone responsible for implementing a service, accommodation and/or modification.
    - Related Service Providers and Paraprofessionals- Those who are responsible for assisting the implementation of the students service agreement (as needed- disciplinarian/dean of students and those whom have direct influence in the student's education services).
- Progress Monitoring
  - School teams are legally responsible to implement the agreed upon accommodations/strategies on the plan.
  - It is recommended teams maintain regular and consistent documentation that indicate any attempts to implement the plan. For example: student work samples, special notes in grade book, adjusted test or assignments, copies of special passes, behavior plan, student contracts, visits to the nurse, etc.
- Parental Rights/Procedural Safeguards
  - Procedural Safeguards must be provided to parent at least once a year.
  - If the parent and the school cannot agree, these safeguards include:
    - Informal conference
    - Assistance from PA Department of Education
    - Formal due process hearing

The School District of Philadelphia (SDP) provides assistance to schools upon request. For more information visit: <http://webgui.phila.k12.pa.us/offices/p/prevention--intervention/section-504>