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
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](http://webgui.phila.k12.pa.us/offices/p/prevention--intervention/section-504)