

Understanding Section 504

What is Section 504?

Section 504, part of the Rehabilitation Act of 1973, is a federal anti-discrimination, civil rights law that requires school districts to meet the needs of students with disabilities as adequately as it meets the needs of students without disabilities. Section 504 was enacted to eliminate barriers that would prevent students with disabilities from accessing and fully participating in a free appropriate education.

How does Section 504 eliminate barriers?

Section 504 requires public schools to provide students with disabilities appropriate educational accommodations designed to meet the individual needs of such students to the same extent as the needs of students without disabilities.

An appropriate education for a student with a disability under the Section 504 regulations could consist of education in regular classrooms, education in regular classes with supplementary services, and/or related services.

Can a Medical Diagnosis Alone Qualify a Student for 504 accommodations?

No. A physician's medical diagnosis may be considered, but Section 504 regulations require school districts to draw upon a variety of sources in interpreting evaluation data and making placement.

Additionally, an illness must cause a **substantial limitation** on the student's ability to learn or on another major life activity. For example, a student who has a physical or mental impairment would not be considered a student in need of services under Section 504 if the impairment does not in any way limit the student's ability to learn or limit another major life activity, or only results in some minor limitation.

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Who Can Refer a Student for 504 Review?

Any student, parent/guardian, teacher, nurse, or administrator can refer a student he or she believes has a disability and needs accommodations to ensure an equal opportunity to access educational programming and school experiences. Referrals can be made through the student's building 504 Coordinator.

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Notice of Nondiscrimination

Inquiries concerning the application of nondiscrimination policies may be addressed to the appropriate building 504 Coordinator, the SAU 24 Student Services Director, or the Office for Civil Rights Regional Director, Government Center J.F. Kennedy Federal Building, Room 1875, Boston, MA 02203, or visit hhs.gov/ocr.

Section 504

In SAU 24

Understanding Section 504 and the Referral Process



Center Woods Elementary School
Center Woods Upper Elementary School
Henniker Community School
James Faulkner Elementary School
John Stark Regional High School
Weare Middle School

Who is Eligible?

A student is eligible for 504 accommodations if he/she:

- has a mental or physical impairment,
- has a record of such impairment,
- or is regarded as having such an impairment

and

his/her mental or physical impairment **substantially limits** one or more major life activities, including, **but not limited to**:

- caring for one's self
- walking
- seeing
- hearing
- speaking
- breathing
- working
- learning
- reading
- concentrating
- thinking
- communicating

Substantially limits is defined as:

- unable to perform a major life activity that the average person without a disability can perform.

or

- significantly restricted in the manner or duration in which he/she performs a major life activity compared to the manner and duration an average person without a disability performs the same major life activity.

Referral to Section 504

- Referral to Section 504 can begin through the student, student's parent/guardian, teacher, school counselor, nurse, administrator, or the building 504 Coordinator.
- To make a referral, complete a Section 504 Referral form, which is available from the student's building 504 Coordinator or the SAU 24 website, under the Section 504 tab.
- Once the referral form has been completed and submitted to the building 504 Coordinator, the coordinator will schedule a 504 Team Meeting to discuss the referral.
- The 504 Team members are individuals who know the student and/or are knowledgeable about the suspected disability and accommodation options. Team members may include but are not limited to the following participants: the student, student's parent/guardian, school counselor, classroom teacher, school nurse, speech or occupational therapists, building administrator, and outside medical providers.
- If the 504 Team determines a student is eligible for and currently in need of accommodations, the team will develop a Section 504 Accommodation Plan that will include appropriate, reasonable accommodations directly related to the student's disability and their access to a free appropriate public education.

Frequently Asked Questions

If a student is referred to Section 504 does that mean he/she automatically gets a 504 Plan?

No. The team reviews each case carefully on an individual basis. The student must meet the eligibility criteria detailed in this brochure.

What information does the 504 Team review to determine eligibility?

The information varies by each case but may include medical evaluations; cognitive evaluations; academic achievement scores; standardized tests; parent, student, and teacher reports; classroom observations; and assessments from the school nurse.

How do teachers know if a student has a 504 Plan?

All 504 Plans are confidential. Each teacher receives a copy of the 504 Plans for only his or her students. The building 504 Coordinator is available to review the 504 Plans of students with their teachers and appropriate staff.

How long does a 504 Plan last?

The 504 Plan is reviewed annually or more frequently as needed. Depending on the disability and the student's needs, many plans stay with a student each school year. The accommodations are reviewed and adjusted as necessary. If accommodations are no longer necessary, the 504 Team will discuss continued eligibility for Section 504 services.