



# Section 504 Handbook

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# Section 504 Handbook

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# Section 504 Handbook

## Introduction

This handbook is intended as a resource for students, parents and school district staff regarding the requirements of Section 504 as they relate to students. Questions or concerns about specific students should be addressed to the Section 504 Coordinator listed on the cover page.

## What is Section 504?

Section 504 is part of the federal Rehabilitation Act of 1973, which was enacted by Congress to combat discrimination against individuals with disabilities in programs and activities administered by any entity that receives federal financial assistance, including public schools. Section 504 states in pertinent part:

No otherwise qualified individual with a disability in the United States...shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance....

## The ADA Also Prohibits Disability-Based Discrimination

The Americans with Disabilities Act (“ADA”) also prohibits discrimination based on disability, but it is broader and applies to all public entities (including schools), whether or not they receive federal funds. The ADA also prohibits disability-based discrimination in employment by employers (public or private) with 15 or more employees, as well as in “places of public accommodation” such as stores, hotels, restaurants, day care centers, and private non-religious schools. State laws may also prohibit disability-based discrimination in public schools. The Americans with Disabilities Act Amendments Act of 2008 (ADAAA) amended both the ADA and Section 504 in a manner that expands coverage of individuals but did not substantively change the obligation owed to individuals who qualify for protection. In general, this handbook will refer to Section 504 and the ADA together.

## Is Section 504 a Special Education Law?

No. While special education students who qualify for services under federal and state special education laws (i.e., the Individuals with Disabilities Education Act or IDEA) may also qualify for protection under Section 504, Section 504 students are not necessarily covered by special education laws. To qualify for special education, there must be evaluations and observations showing that the student has one of a number of specific, listed disabilities; that the student’s

condition has an adverse effect on his/her educational performance; and that the student requires specialized instruction to ensure a free appropriate public education (FAPE). To be eligible under Section 504, a student must demonstrate that he/she is a qualified individual with a disability under standards that are different from special education students. Students eligible under Section 504 often require some type of accommodation or related aids and services that are necessary for the child to access his or her educational program, to be provided with an equal educational opportunity, and to gain access to a free appropriate public education. Generally speaking, students who qualify only under Section 504 will not be receiving direct instructional services of a specialized nature and, in many cases, their related aids and services are provided in a regular education setting. Students with disabilities who require specialized instruction because of that disability will more often be served through special education and an individualized education program (IEP).

### **Which Students Qualify for Coverage Under Section 504?**

Section 504 and the ADA provide specific protections for “qualified individuals with a disability.” There are three categories that may qualify someone as an “individual with a disability.” These are:

- 1) A person who has a physical or mental impairment which substantially limits one or more major life activities;
- 2) A person who has a record of such an impairment; or
- 3) A person who is regarded as having such impairment.

Most of the student situations that schools encounter involve students with actual current impairments that substantially limit a major life activity. These students may need specific services and accommodations in order to access the school program, but it may occasionally also be true that an eligible child under Section 504 is not in need of any interventions at the present time, especially based on the expansion of the ADA and Section 504 by the enactment of the ADAAA. Protection under the second category listed above generally would not require providing special accommodations or services. The ADAAA makes clear that there is no duty to accommodate based on the third category of “regarded as.” Instead, the second and third categories generally protect against negative, discriminatory actions by the school or school officials, a protection also available to individuals in the first category. It may occasionally be true, however, that a child with a record (or history) of a disability may need to be permitted to leave school to attend a session of some sort following up on his or her former disability.

For a student to be identified under Section 504, in most circumstances the school must conclude that the child has: (1) a physical or mental impairment that (2) substantially limits (3) a major activity. Each of these three concepts is briefly discussed below.

## Physical or Mental Impairments

The regulations define “physical or mental impairments” through examples. Physical impairments include “any physiological disorder or condition, somatic disfigurement, or anatomical loss affecting one or more” listed body systems. These include neurological, musculoskeletal, special sense organs, respiratory or speech, cardiovascular, reproductive, digestive, genito-urinary, hemic/lymphatic, skin and endocrine body systems. Mental impairments are “any mental or psychological disorder.” The identification categories in the DSM-V Psychological Manual can be a useful guide to identifying mental impairments, although those categories are not legally binding.

For a physical or mental impairment to substantially limit a major life activity, the impairment should limit that activity to an ample or considerable degree. It should be more than a minor limitation. Generally, the substantial limitation might be expected to last more than three months in length. The substantial limitation should be in comparison to most students in the general population of that particular age. Conditions that are episodic or in remission still might qualify, as long as they substantially limit a major life activity when active. An impairment will be viewed as substantially limiting when the student is:

- (i) Unable to perform a major life activity that the most people in the general population can perform; or
- (ii) Substantially restricted as to the condition, manner or duration under which an individual can perform a particular major life activity as compared to the condition, manner or duration under which most people in the general population can perform that same major life activity.

The following factors may be useful in making the determination:

- The nature and severity of the impairment;
- The duration or expected duration of the impairment; and
- The permanent or long-term impact, or the expected permanent or long-term impact of or resulting from the impairment.

Section 504 and the ADA state that when determining whether an impairment is substantially limiting, the beneficial effects of any “mitigating measures” the student has been using should

be ignored. The law defines “mitigating measures” to be factored out of the eligibility decision as including:

1. Medication; medical supplies, equipment, or appliances; low-vision devices (which do not include ordinary eyeglasses or contact lenses); prosthetics including limbs and devices; hearing aids and cochlear implants or other implantable hearing devices; mobility devices; or oxygen therapy equipment and supplies;
2. Use of assistive technology;
3. Reasonable accommodations or auxiliary aids or services; or
4. Learned behavioral or adaptive neurological modifications.<sup>1</sup>

Thus, if a student seems fine as a result of some medication, accommodation or assistive technology the student receives, but without it he or she would be substantially limited in a major life activity, the student will likely be a qualified person with a disability under Section 504 and the ADA. Please note that if the impairment is well controlled by virtue of some mitigating measure, the student may not need any interventions and supports in a 504 Plan, even though the student is considered disabled under the law. As a general matter, typical supports or interventions provided by regular education teachers to any student in the classroom, whether or not the student has a disability, are not considered a “mitigating measure.” A more refined behavior intervention plan, however, would likely be viewed as a “learned behavioral modification.”

### “Major Life Activities”

Major life activities are defined as activities that most people would probably consider important to daily life. The law includes a long list of major life activities, but the list is not exhaustive. The listed categories are:

1. Caring for oneself;
2. Performing manual tasks;
3. Seeing;
4. Hearing;
5. Eating;
6. Sleeping;
7. Walking;

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<sup>1</sup> At the time this manual was going to print, the U.S. Department of Justice had issued a notice of proposed rulemaking. That notice includes a provision to amend the ADA to add three forms of therapies to the list of mitigating measures: psychotherapy, behavioral therapy and physical therapy. See proposed regulation 28 C.F.R. § 35.108(d)(4)(v). We expect these regulations will be approved.



8. Standing;
9. Lifting;
10. Bending;
11. Speaking;
12. Breathing;
13. Learning;
14. Reading;
15. Concentrating;
16. Thinking;
17. Communicating;
18. Working; and
19. The operation of a major bodily function.

The “operation of a major bodily function” at the end of the list above includes, but is not limited to, the operation of the following bodily functions:

1. Function of the immune system;
2. Normal cell growth;
3. Digestive;
4. Bowel;
5. Bladder;
6. Neurological;
7. Brain;
8. Respiratory;
9. Circulatory;
10. Endocrine; and
11. Reproductive function.

There is a proposal to add sitting, reaching, and interacting with others to the list of major life activities that apply in school settings, just as those activities have been added to employment regulations. The District considers those three additional categories to be in effect, given the current state of the law.

#### Case by Case Decisionmaking

In conclusion, the determination of whether a particular impairment qualifies for Section 504 protections can be complex and must be made on a case-by-case basis in accordance with district policies and procedures. In all cases, however, there must be a physical or mental impairment that substantially limits a major life activity.

### **How Does the Section 504 Process Work?**

The district has established a set of procedures and forms that guide Section 504 processes to ensure that the school meets its Section 504 responsibilities to students. A summary of that process follows.

1. Any parent, legal guardian or school staff member may initiate a referral of a student who is believed to be a child with a disability under Section 504. An adult student of eligible school age also may initiate such a referral for him or herself.
2. A referral for Section 504 must be forwarded to the building 504 Coordinator. This person shall ensure that the district's 504 Referral Form is properly filled out, which will initiate the 504 referral process. Based on the information in the referral form, the 504 Coordinator may choose to refer the child to the district's special education process instead of the 504 referral process.
3. The building Section 504 Coordinator will convene a team meeting within a reasonable time to consider the information gathered with the person making the request. The Team will document their decision and provide a notice of procedural safeguards to the parent/guardian. The Team may need to further evaluate the student to determine eligibility and/or appropriate placement. The Team may also decide to refer the child to the district's special education process, or to access any available pre-referral process that may be operating in the school building.
4. All decisions regarding a student's 504 eligibility, placement and the provision of any necessary related aids and services will be made by the 504 Team, and will be based on information from a variety of sources, with information from all sources being carefully considered and documented.
5. Members of the 504 Team may include the building 504 Coordinator or approved designee and other appropriate school staff who are knowledgeable about the student, the evaluation data and/or the placement options. This may include a school nurse when appropriate. One or more teachers may be invited to attend. The student's parent/guardian is typically invited to participate in the 504 Team meeting. The School or the parent/guardian may invite other individuals with knowledge about the child and/or the process to the 504 meeting.
6. A written notice will be given to the parent/guardian or adult student prior to the meeting, notifying them of the time and place of the meeting.

7. The building 504 Coordinator or approved designee will chair the meeting and may assign a member of the 504 Team the duty of taking minutes at the meeting if notes are to be taken. A copy of the minutes will be made available to the parent/guardian upon request and placed in the student's education records within a reasonable time after the meeting.
8. The Team must ensure that decisions about student eligibility or about significant changes in the student's program or supports are based on an evaluation of the child, which could include a review of existing evaluative data. If this evaluation is going to include specific testing of the child, the school must obtain written consent from the parent/guardian before conducting that testing. If a parent refuses to provide consent for an initial evaluation to determine a student's 504 eligibility, the school may, but is not required to, initiate a 504 hearing challenging the parent's decision.
9. Team decisions are typically made by consensus. It is not appropriate to make eligibility, placement, or programming decisions based on a majority "vote." In the absence of consensus, the 504 Coordinator or designee at the meeting will make the final decision regarding a child's eligibility and, if needed, the placement and related aids and/or services that the child needs.
10. The school district must provide the parent/guardian with notice of the district's proposals or refusals, or both, regarding the child's educational program, and with notice that the parent/guardian has a right to seek resolution of any disagreements through the local grievance procedure or by initiating an impartial hearing request.
11. When considering a student's eligibility under Section 504, the Team will complete a 504 Eligibility Form. A copy of the completed Eligibility Form is available for the parent/guardian upon request and shall be placed in the student's education records.
12. This school district requires written parent consent for the child's placement into the 504 system, but does not require parent consent for the contents of the plan or for any subsequent changes in the child's 504 plan. If the student is an adult and does not have a legal guardian, the District shall then provide notice of decisions to the student and may seek consent from the student when consent is required. Again, **written consent is not required for subsequent changes in 504 services.**
13. If the Team determines that an eligible student requires accommodations and/or related aids or services, a Student 504 Plan will be written.

14. If the Team determines that an eligible student does not now require any accommodations and/or related aids or services, the school district will document that decision to the parent/guardian.
15. The 504 Plan will be made available to all staff who have responsibilities under the Plan, to the parent/guardian and the 504 Coordinator. A copy of the 504 Plan will also be placed in the student's education records within a reasonable time after the meeting, unless the building maintains a separate 504 folder.
16. The 504 Plan will be reviewed periodically. If the parent/guardian or school staff believes that an eligible student with no current plan may require accommodations, that individual should request that a 504 Team meeting be convened.
17. All 504 students must be reevaluated periodically, but no less than every three years, to determine their ongoing eligibility and, if eligible, their continued need for accommodations or related aids and/or services. The reevaluation process may consist of reviewing existing evaluative information and other data.

At any point in the 504 process, school staff or the parent/guardian or adult student may initiate a referral to consider the student's eligibility for special education.

### **Student Discipline**

It is important to understand that students who are identified as disabled under both Section 504 and special education laws are covered by the special education discipline rules. For students identified only under Section 504, the discipline rules are somewhat less stringent.

A Section 504 student may be suspended for up to 10 consecutive school days as long as the suspension is consistent with the rules and procedures applied to non-disabled students. Unlike special education, there is no independent duty under Section 504 to provide alternative (or tutorial) services to 504 students who have received suspensions in excess of 10 cumulative days in the school year.

If the student is suspended or expelled for a length of time that would be considered a significant change of placement, the Section 504 Team must convene a Manifestation Determination meeting to determine whether the misconduct was the result of the student's disability. In making this causative assessment, the 504 Team will determine whether the misconduct was "caused by" or had a "direct and substantial" relationship to the student's disability or is the direct result of the school district's failure to implement the student's 504 plan.

A disciplinary removal will be considered a significant change of placement if:

1. The removal is for more than 10 consecutive school days; or
2. There is a series of disciplinary removals totaling more than 10 school days in the school year, and that series constitutes a pattern because the behavior is substantially similar to the previous incidents that resulted in the removals, and because of additional factors such as the length of each removal, the total removal time and the proximity of the removals to each other.

If the 504 Team determines that the misconduct is the result of the disability, then any further programming or removal decisions must be addressed through the Section 504 Team meeting process, based on a consideration of evaluative data, and must be calculated to meet the student's educational needs. If the 504 Team determines that the student should be served in a location other than his or her regular school setting, services must be provided to that student that are reasonably likely to provide the student with a FAPE.

If a determination is made that the misconduct was not the result of the student's disability, then the student may be treated in the same manner as a non-disabled student. There is no requirement in this situation to provide any educational services during the suspension/removal, if non-disabled students also would be denied educational services.

A Section 504 student who is found to have violated school policies and/or rules on the use or possession of illegal drugs or alcohol, *and* who is also currently using drugs or alcohol, may be disciplined to the same extent and degree as non-disabled students, without the need for a Section 504 Team meeting, manifestation determination or alternative services.

### **Extracurricular Activities**

A disabled student is qualified to participate in non-academic services such as extracurricular activities if he or she "meets the essential eligibility requirements for the receipt of such services." Safety may qualify as an essential criterion. If the student meets the eligibility requirements for the activity, with or without reasonable accommodations, the district has an obligation to permit the student to participate on equal terms with non-disabled students and must provide any necessary accommodations at no cost to the student.

Most disputes regarding students with disabilities in extracurricular activities concern whether requested accommodations would be reasonable and necessary for the district to provide but without fundamentally altering the program. These issues are complex and have been litigated extensively in the courts. It may be appropriate to convene the student's Section 504 Team before the student is denied access to a desired activity.

## **Impartial Hearing and Complaint Procedures**

### Impartial Hearing

When a parent/guardian or adult student disagrees with the district's decisions regarding the Section 504 process, they are entitled to request a hearing conducted by an impartial hearing officer. Questions regarding how to request a hearing under this section should be directed to the Section 504 coordinator.

### Complaint Procedure

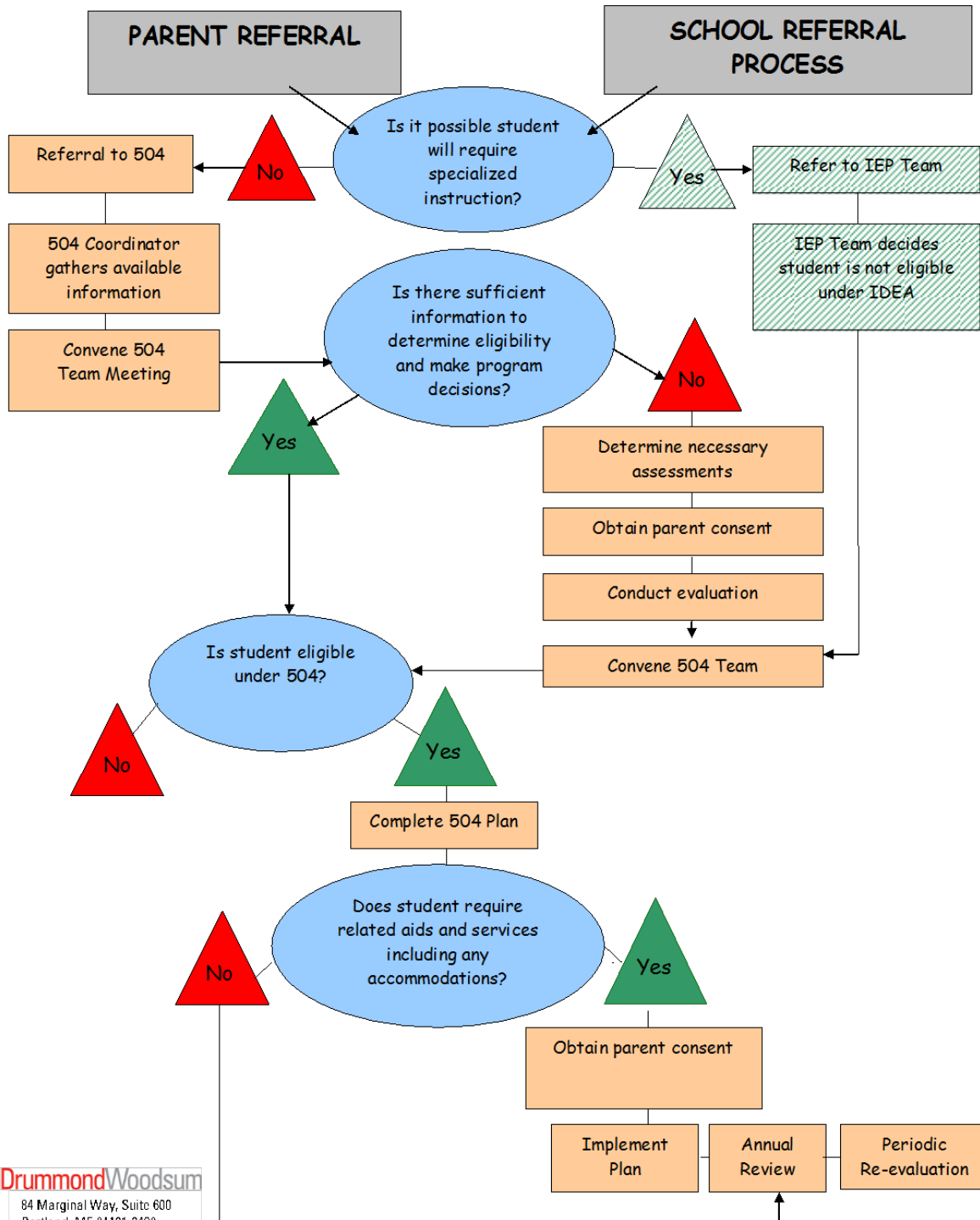
The district maintains a student Discrimination and Harassment Complaint Procedure. This procedure provides a process for students or parents/guardians to raise concerns regarding the school's compliance with its obligations under state and federal discrimination and disability laws, including Section 504.

## **Notice of Parent/Student Procedural Safeguards**

The School District has adopted procedural safeguards that summarize the rights of students and parents under Section 504.

# APPENDIX A

## 504 PROCESS FLOWCHART







## APPENDIX B

### Frequently Asked Questions

#### 1. 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.

#### 2. 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.

#### 3. 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.

#### 4. What's the difference between accommodations and modifications?

Accommodations are changes in instructional presentation, location, timing, student response, or other attributes which are necessary to provide access for a student with disabilities to participate and which do not fundamentally alter or lower the standard or expectations.

Modifications are changes in these areas which are necessary to provide access for a student with disabilities to participate but which fundamentally alter and/or lower the standard or expectations of the class.

**5. When is an impairment substantially limiting?**

The word substantial clearly does not mean impairments that interfere in only a minor way with the performance of a major life activity. The Supreme Court has said that the impairment must “prevent or severely restrict” the individual from performing the major life activity in question. The proper comparison in determining whether there is a substantial limitation is not with the student’s own theoretical potential, either now or at some point in the past, but instead with the average member of the general population.

**6. 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.

**7. 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.

**8. 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.

**9. 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.

Please contact your school's 504 coordinator for more information regarding 504 or to make a referral.

For other Questions and Answers regarding Section 504, please refer to the OCR website: <http://www.ed.gov/about/offices/list/ocr/504faq.html>

## APPENDIX C

### Glossary of Terms

**504 Plan:** A 504 Plan outlines the accommodations and/or related services associated with the student's disability/impairment and which are necessary so that he or she may participate in the general classroom setting and/or all educational programs.

**Eligibility:** In order to be protected under Section 504, a student must be determined to: (1) have a physical or mental impairment that substantially limits one or more major life activities; or (2) have a record of such an impairment; or (3) be regarded as having such an impairment. *(Mitigating measures cannot be considered when determining whether or not a student's impairment substantially limits one or more major life activities, however in order to receive accommodations and/or related services a student must require accommodations/related aids after considering the positive effects of mitigating measures. )*

**504 Team:** The Office of Civil Rights (OCR) requires that Section 504 eligibility decisions be made by a group of persons knowledgeable about the child, the meaning of the evaluation data, and the placement options. Best practice guidance is to include: the parent(s), student (at the secondary school level), an individual with authority to commit fiscal and personnel resources for the district, at least one classroom teacher with a good understanding of how the student does in school, and for some medical disabilities a school nurse.

**Evaluation:** The amount of information required is determined by the multi-disciplinary committee gathered to evaluate the student. The committee should include persons knowledgeable about the student, the meaning of the evaluation data, and the accommodation/related services options. The committee members must determine if they have enough information to make a knowledgeable decision as to whether or not the student has a disability. School districts are required to draw from a variety of sources in the evaluation process so that the possibility of error is minimized. The information obtained from all such sources must be documented and all significant factors related to the student's learning process must be considered. These sources and factors may include aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, and adaptive behavior.

**Physical or Mental Impairment:** A physical or mental impairment is any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin;

and endocrine; or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

**Major Life Activity:** These include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. In the Americans with Disabilities Amendments Act of 2008 (Amendments Act), activities were added to include eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and communicating. A list of examples of "major bodily functions" that are major life activities, such as the functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions were also added within the Amendments.

**Mitigating Measures:** While this term does not have a formal definition, the Amendments Act, does not allow mitigating measures to be considered when determining if an individual has a disability and whether it substantially limits a major life activity. These include medication, medical supplies, equipment or appliances; low-vision devices (which do not include ordinary eyeglasses or contact lenses); prosthetics (including limbs and devices); hearing aids and cochlear implants or other implantable hearing devices; mobility devices; oxygen therapy equipment and supplies; use of assistive technology; reasonable accommodations or auxiliary aids or services; and learned behavioral or adaptive neurological modifications. Mitigating measures can be considered when determining what accommodations and/or related services are necessary for the student to have equal access to all school experiences.

**Substantial Limitation:** This is determined on a case by case basis, and requires that a group of knowledgeable persons draw upon information from a variety of sources in making this determination.

**Accommodation versus Modification:** An accommodation changes the *way* a student learns. A modification changes *what* a student is taught and expected to learn.

**Re-Evaluation of the 504 Plan:** Periodic re-evaluation is required. This may be conducted in accordance with the IDEA regulations, which require re-evaluation at three-year intervals (unless the parent and public agency agree that re-evaluation is unnecessary) or more frequently if conditions warrant, or if the child's parent or teacher requests a re-evaluation, but not more than once a year (unless the parent and public agency agree otherwise). Section 504 also requires a school district to conduct a re-evaluation prior to any significant change in placement for the student.

## **APPENDIX C**

**Significant Change in Placement:** The Office of Civil Rights considers the following examples as a significant change in placement for a student:

- An exclusion from the educational program of more than 10 school days
- Transferring a student from one type of program to another
- Terminating or significantly reducing a related service

## Did You Know: Common Inquiries About Section 504

- √ While Section 504 regulations do not outline a specific timeline to provide an initial evaluation, the evaluation must be provided in a reasonable timeframe. The Office of Civil Rights (OCR) looks to State guidelines to determine the timeline for initial evaluation under IDEA. In New Hampshire, the requirement is to provide the initial evaluation within 45 days of the referral.
- √ There is no legal requirement within Section 504 that requires parent/guardian involvement or signatures relating to their child's Section 504 Plan. However, schools may wish to consider parent/guardian involvement and signatures as being *best practice* for a student receiving accommodations and/or related services under Section 504.
- √ The provision of special education and/or related services as part of a Section 504 Plan is not an expressed requirement within the regulations. However, if these services are needed and are not provided, this could be considered a denial of FAPE.
- √ An Individual Health Plan cannot take the place of a Section 504 evaluation. For those students already receiving supports through an Individual Health Plan, schools should ensure that parents/guardians are aware that they can request a Section 504 evaluation at any time. This should be reflected in the school/district's Procedural Safeguards. If the development of Individual Health Plans for students has been common, schools may wish to reconsider this practice. This change in suggested policy and procedure is due to current guidance from OCR directing that Section 504 evaluation teams may no longer consider the effects of mitigating measures when determining whether a physical or mental impairment substantially limits a major life activity. The effects of mitigating measures may be considered when determining which accommodations and/or related services are necessary, if any.
- √ A school is not required to develop a 504 Plan for those students who have a record of such an impairment, or are regarded as having an impairment. The terms "record of a disability" or "regarded as disabled" refer to those students who currently do not have, or never have had a disability, however, are treated as though they have a disability.
- √ OCR does not require that every student diagnosed with ADD/ADHD or an anxiety disorder be evaluated under Section 504. However, the following should be taken into consideration when determining whether or not to evaluate.
  - Does the impairment limit one or more major life activity?
  - Has the student exhibited an ongoing history of behavioral problems, school attendance issues and/or poor grades?
  - Have the parents/guardians or teachers expressed concern regarding the students' needs?

## APPENDIX C

- Have the student's parents/guardians provided a medical diagnosis of ADD or ADHD\*?  
(\* A medical diagnosis solely on its own is not sufficient to determine eligibility for Section 504. The impairment needs to impact one or more major life activities and the diagnosis can only be one of the sources used for evaluation purposes. Section 504 evaluation teams may move forward with identifying a student as eligible without a medical diagnosis if the impairment has been evident in school, and team members believe that a major life activity is impacted.)





## **APPENDIX D**

### **SAU 24 Section 504 Forms**

Special Education and Section 504 Child Find Notice  
Section 504 Referral Form  
Section 504 Consent to Conduct Evaluation(s)  
Section 504 Eligibility Determination Form (short form)  
Section 504 Eligibility Determination Form (long form)  
Section 504 Team Meeting Minutes  
Notice of 504 Team Meeting  
Parent Consent for Initial Section 504 Placement  
Section 504 Plan  
Summary of Section 504 Discipline Procedures  
Section 504 Manifestation Determination Checklist  
Section 504 Procedural Safeguards  
Receipt of Parental/Student Rights  
Extracurricular Activities Information Form