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BRACKETT ISD

# Section 504

## Understanding Section 504

### Section 504 —

Just what exactly is it?

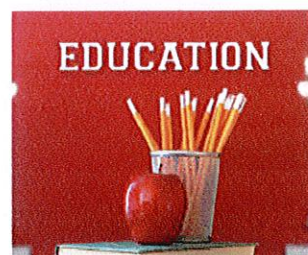
You've probably heard about it, but every school district addresses Section 504 in a different manner. Some districts have even been heard to say, "We don't do that in this district." But in fact, compliance to Section 504, which is a federal statute, is not optional. This article attempts to answer basic questions pertaining to the implementation of Section 504 at BISD.

### What is Section 504?

Section 504 is a part of the Rehabilitation Act of 1973 that prohibits discrimination based upon disability. Section 504 is an anti-discrimination, civil rights statute that requires the needs of students with disabilities to be met as adequately as the needs of the non-disabled are met.

### What does Section 504 do?

Section 504 entitles a child to a "**free appropriate public education**" (FAPE) by giving a child a reasonable accommodation.



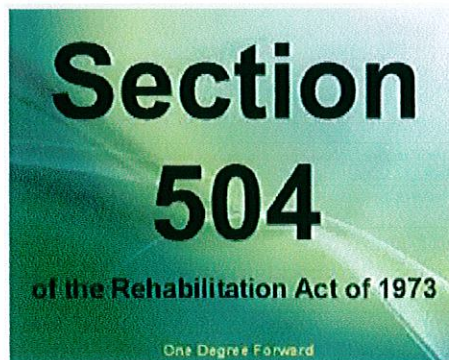
## Does Section 504 Apply to BISD

If our school district gets any kind of **federal financial assistance**, Section 504 applies. This means that if our school district gets the break-

fast or lunch program, Title 1 money, or special education money, Section 504 applies.

### Inside this Issue:

How Does a Student Qualify for Section 504	2
Who is a "Qualified Disabled Person"	2
What is an "Impairment" as used in Section 504	2
What is the Difference between Sp. Ed. & 504	3
504 Procedures at BISD	4
What Happens during the School Year	5
More Specific to BISD	6





## How Does a Student Qualify for Section 504

To be eligible for Section 504, a child must be a **"qualified disabled person."** This means a child must have "a physical or mental impairment that substantially limits a major life activity." Examples of a "major life activity" are walking, learning, hearing, seeing, concentrating, thinking, etc.

There are **2 definitions of disability** for Section 504:

- A child is diagnosed with a physical or mental disability
- A child has a record (or history) of a disability



Having a disability is not enough to qualify for 504 services. The disability must interfere with a child's ability to learn or access school programs. A child does not have to receive "special education" services

(like resource room) to qualify under Section 504. For example:

- If a child has asthma and cannot run, she needs an alternative gym program
- If a child is in a wheelchair and cannot get upstairs for class, the class must be held on the first floor
- If a child has ADHD and needs a behavior plan, the school must provide one

## Who is a "Qualified Disabled Person"?

As defined by federal law: "A Qualified Disabled Person" means any person who: (i) has a mental or physical impairment that substantially limits one or more major life activity; (ii) has a record of such an impairment; or (iii) is regarded as having

such an impairment" [34 C.F.R. §104.3(j)(1)].

# 504

## What is an "impairment" as used Under Section 504

An impairment as used in Section 504 may include any disability, long-term illness, or various disorder that "substantially" reduces or lessens a student's ability to access learning in the educational setting because of a learning-, behavior- or health-related condition.

Many students have conditions or disorders that are not readily apparent to others. They may include conditions such as specific learning disabilities, diabetes, epilepsy and allergies. Hidden disabilities such as low vision, poor hearing, heart disease or chronic illness may not be

obvious, but if they substantially limit that child's ability to receive an appropriate education as defined by Section 504, they may be considered to have an "impairment" under Section 504 standards.





## What is the Difference between Sp. Ed. and 504

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Students in Special Education require a specialized educational plan with modifications to the curriculum. Students in 504 do not require specialized instruction but need the assurance that they will receive equal access to public education and services, a document is created to outline their specific accessibility requirements. Students with 504 Plans do not require specialized instruction, but, like the IEP, a 504 Plan should be updated annually to ensure that the student is receiving the most effective

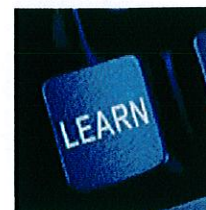
accommodations for his/her specific circumstances.

A "reasonable accommodation" is:

- physical modifications to the school that are **necessary** for your child to enjoy full use of the school building
  - o Example: an elevator, a wheelchair ramp, handrails, motorized doors
  - o a change in rules, policies, procedures, etc. when needed to allow your child to use or enjoy

school, including extracurricular activities, to the same extent as students who do not have disabilities

- o Example: allowing a child with diabetes to have a snack in the classroom, allowing a child with ADHD to stand up when needed during class



## 504 Procedures at BISD

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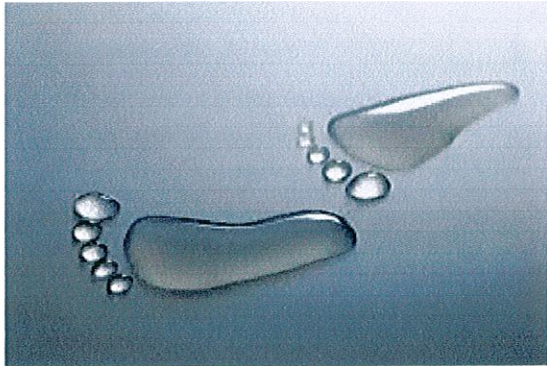
- A parent or teacher can make a referral
- Referral forwarded for evaluation
- 504 Committee holds a meeting
- Based on documentation from the doctor or evaluation by school, the 504 team will decide if the student is a "Qualified Disabled Person"
- A 504 Plan is developed for the student with accommodations
- Teachers receive a copy of the accommodations
- Dyslexic students should be served by Sp. Ed. teacher
- 504 Plan is reviewed annually

## What Happens During the School Year

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- Progress is monitored
- Administrators ask teachers to review the accommodation plan if the students is not being successful at progress and report card times
- Parent might ask committee to meet and discuss plan
- Accommodations implemented throughout the school year and during major testing periods





### *504 Committee Members*

- *Lisa Conoly—Dyslexia Assessments*
- *Candy Hobbs—RtI Coordinator*
- *Christy Price—GCS Teacher*
- *Louisa Stone—HS Counselor*
- *Administrators*
- *Regular Ed. Teachers of the Student*
- *Alma Gutierrez—504 Coordinator*

## More Specific to BISD

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- 15 students under Section 504
- 5 of those under Dyslexia Program
- Disabilities:
  - a. ADHD
  - b. ADD
  - c. E.D.
  - d. Dyslexia
  - e. BiPolar
  - f. Allergies
  - g. Temporary Disability
- Summer Training on Dyslexia Interventions for Sp. Ed. Teacher
- Summer Training on Dyslexia Assessments
- SEAS Program to house 504 Plans

