

## SECTION 504

### THE LAW:

The Americans with Disabilities Act. A civil rights law to prohibit discrimination solely on the basis of a disability in employment, public services, and accommodations.

### PURPOSE:

Section 504 is a broad civil rights law which protects the rights of individuals with disabilities in any agency, school or institution receiving federal funds to provide persons with disabilities to the greatest extent possible, with an opportunity to fully participate with their peers.

### SERVICES:

Requires schools to eliminate barriers that would prevent the student from participating fully in the programs and services offered in the general curriculum.

## 504 PLANS

### **PLAN:**

Students eligible under Section 504 may require a documented plan. "Appropriate Education" means comparable to the one provided to general education students. If the 504 Team determines that a plan is required then Section 504 requires that reasonable accommodations be made for the child with a disability. Section 504 requires that the school provide reasonable accommodations, supports and auxiliary aides for the student. The school will also afford the opportunity to access the same as non-disabled peers allow the child to participate in the general curriculum.

### **PARENT RIGHTS:**

Parents of students with a 504 are afforded specific rights. To learn more, please visit:

[shorturl.at/bijyN](https://shorturl.at/bijyN)



**NORTHWEST  
CLASSICAL ACADEMY**

## 504 Information for Parents



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## WHAT IS SECTION 504?

Section 504 is a part of the Rehabilitation Act of 1973 that prohibits discrimination based upon a 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 IS A SECTION 504 PLAN?

A Section 504 Plan is an educational plan describing what accommodations or related aids and services will be provided to meet the individual educational needs of the eligible student as adequately as the needs of non-disabled students are met.

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## WHO IS CONSIDERED ELIGIBLE FOR A SECTION 504?

As defined by federal law: “An individual with a disability 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)].

The act defines major activities that include but are not limited to, caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

The school district has specific responsibilities under the act that, which include to identify, evaluate and if the child is determined eligible under the 504 if required, to afford access to appropriate educational services through a written accommodation plan.

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## HOW IS 504 ELIGIBILITY DETERMINED?

The School District will evaluate the student to determine eligibility based on a parent of school referral.

The evaluation information needed is determined by the multi-disciplinary committee gathered to evaluate the student. The committee should include persons knowledgeable about the student, and should review the evaluation data to determine if they have enough information to make a knowledgeable decision as to whether or not the student has a disability. The Section 504 regulatory provision at 34 C.F.R. 104.35(c) requires that school districts draw from a variety of sources in the evaluation process so that the possibility of error is minimized.

The determination of substantial limitation must be made on a case-by-case basis with respect to each individual student.

An impairment in and of itself is not a disability. The impairment must substantially limit one or more major life activities in order to be considered a disability under Section 504.

A physician's medical diagnosis may be considered among other sources in evaluating a student with an impairment or believed to have an impairment which substantially limits a major life activity. Other sources to be considered, along with the medical diagnosis, include aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, and adaptive behavior.