



WHAT IS SECTION 504?

Section 504 of the Rehabilitation Act is a civil rights law that is designed to prevent disability discrimination in programs and activities that receive federal funds such as public school districts. It was enacted to eliminate barriers that exclude students with disabilities. Public school districts have the duty to provide a free appropriate public education (FAPE) to all qualified disabled students.

Under Section 504, no qualified student with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any district program, including nonacademic services and extracurricular activities.

Section 504 differs from the Individuals with Disabilities Education Act (IDEA) in that its purpose is to prevent discrimination against disabled students. Alternatively, IDEA provides special education services to students with specific categories of disabilities beyond what is provided to students without disabilities.

SECTION 504 REFERRAL

The process under Section 504 begins with a referral. The school district will take measures to identify and locate every student with a disability. If a staff member believes that your child may have a qualifying disability, he/she will make a referral for a 504 evaluation. A parent or guardian may also request a 504 evaluation for a student by notifying the student's teacher, principal, or 504 coordinator. Such a request is best made in writing.

SECTION 504 ELIGIBILITY

To be eligible for services or accommodations under Section 504, a student must be determined to have:

A physical or mental impairment that
Substantially limits one or more major life activities.

A multidisciplinary team consisting of school staff and parents will draw from a variety of sources to evaluate the student on a case-by-case basis and determine if the student is eligible as disabled under Section 504.

In order to determine whether a student has a physical or mental impairment, a physician's medical diagnosis, and other medical information, may be needed. A parent will typically be asked to provide medical information, including a diagnosis, for his/her child, or to sign a release so that the team may obtain the necessary information from the child's physician. Not all students with medical conditions are eligible as disabled, and a medical diagnosis alone does not result in Section 504 eligibility.

In order to determine whether an impairment substantially limits a major life activity, the team will consider the effect the impairment has on the student's performance in major life activities in comparison with children at the same age or grade in the general population.

The team will not consider the effects of mitigating measures (such as medication) in determining eligibility, except for ordinary eyeglasses or contacts.

If a student is determined to be eligible under Section 504, the multidisciplinary team will develop a Section 504 Plan.

WHAT ARE MAJOR LIFE ACTIVITIES?

The list of major life activities is very broad and includes basic activities that most people can perform with little or no difficulty.

Caring for one's self	Performing manual tasks
Seeing	Speaking
Hearing	Breathing
Eating	Learning
Sleeping	Reading
Walking	Concentrating
Standing	Thinking
Lifting	Communicating
Bending	Working

Also includes major bodily functions:

Normal cell growth	Immune System
Brain Bowel	Respiratory
Circulatory	Neurological
Endocrine	Reproductive
Digestive	Bladder

An impairment that is episodic or in remission is a disability, if it would substantially limit a major life activity if active.

SECTION 504 PLAN

The multidisciplinary team will develop a Section 504 Plan if a student is determined eligible. Eligibility does not necessarily result in accommodations and services. That determination is made on a case-by-case basis. In some cases, an existing plan or program (such as an Individual Health Plan or Allergy Action Plan) may be sufficient to address the student's needs resulting from the qualifying disability.

A Section 504 Plan may include:

A description of the impairment and its impact in the school setting.

A list of accommodations designed to meet the individual needs of the student.

Identification of the people responsible for implementing the 504 plan, which typically includes teachers and staff.

A parent will be provided with a list of procedural rights, which outlines the steps that may be taken if the parent disagrees with the Section 504 Plan developed by the team.

For more information please contact one of the following coordinators:

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