

Additional Information:

Wiseburn Unified School District

Section 504 procedures can be found under the “Parent Resources” tab on the district webpage: www.wiswburn.org

Wiseburn Unified programs and activities including membership in student clubs shall be free from discrimination based on race, color, ancestry, nationality, ethnic group potential parental, family, or marital status, or the exclusion of any person because of pregnancy or related conditions, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or associations with one or more of these actual or perceived characteristics



What are my rights under Section 504?

As A parent or legal guardian, you have the right to:

1. **Receive notice** regarding the identification, evaluation and/or placement of your child;
2. **Examine relevant records** pertaining to your child;
3. **Request an impartial hearing** with respect to the district’s actions regarding the identification, evaluation, or placement of our child, with an opportunity for the parent/guardian to participate in the hearing, to have representation by an attorney, and have a review procedure.
4. **File a complaint with your school districts Section 504 Coordinator**, who will investigate the allegations regarding Section 504 matters other than your child’s identification, evaluation and placement
5. **File a complaint with the appropriate regional Office for Civil Rights**. For additional information contact:

Office of Civil Rights
U.S. Department of Education
50 Beale Street, Suite 7200
San Francisco, CA 94105

Who do I contact to inquire about a Section 504 plan for my child?

Consult your school’s Section 504 Coordinator or your child’s teacher and/or School Administrator for more information about Section 504.

Wiseburn Unified School District
Section 504 Coordinator
Cathy Waller, Director
Psychological & Child Services
201 N. Douglas Street
El Segundo, CA 90245
310.725.2101
Fax 424.277.1590
cwaller@wiseburn.org



**Wiseburn Unified
School District**

Parents’ Guide To Section 504



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.

Section 504 states that:

“No otherwise qualified individual with a disability in the United States, as defined in section 706(8) of this title, shall, solely by reason of her or his 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....”

[29 U.S.C. §794(a)], 34 C.F.R. §104.4(a)]

Who is covered by Section 504?

To be covered under Section 504, a student must be “qualified” (which roughly equates to being between 3 and 22 years of age, depending on the program as well as state and federal law, and must have a disability).

[34 C.F.R. §104.30(k)(2)]

Who is an “individual with a disability”?

As defined by federal law:

“An individual with a disability means any person who:

- i. has a mental or physical impairment which 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. §104.30(j)(1)]

What is an “impairment” as used under the Section 504 definition?

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. [“It should be noted that a physical or mental impairment does not constitute a disability for purposes of Section 504 unless its severity is such that it results in a substantial limitation of one or more major life activities” (Appendix A to Part 104 #3)]

What are “major life activities”

Major life activities include, but are not limited to: selfcare, manual tasks, walking, seeing, speaking, sitting, thinking, learning, breathing, concentrating, interacting with others, and working. As of January 1, 2009 with the reauthorization the Americans with Disabilities Act, this list has been expanded to also include the life activities of reading, concentrating, standing, lifting, bending, etc.

What does “substantially limits” mean?

Substantially limits is not defined in the federal regulations. However, in a letter from the Office for Civil Rights (OCR), they state, “this is a determination to be made by each local school district and depends on the nature and severity of the person’s disabling condition. New guidance from the American with Disabilities Act Amendment (ADAAA) states that Section 504 standards must conform with the ADAAA and is “intended to afford a broad scope of protection to eligible persons.” In considering substantial limitations, students must be measured against their same age, non-disabled peers in the general population and without benefit of medication or other mitigating measures such as learned behavioral or adaptive neurological modifications, assistive technology or accommodations

Who decides whether a student is qualified and eligible for services under Section 504?

According to the federal regulations: “placement decisions are to be made by a group of persons who are knowledgeable about the child, the meaning of the evaluation data, placement options, least restrictive environment requirements, and comparable facilities”

[34 C.F.R. § 104.35©(3)]

What information is used in doing an evaluation under Section 504

Under Section 504, no formalized testing is required . The 504 committee should look at grades over the past several years, teacher’s reports, information from parents or other agencies state assessment scores or other school administered tests, observation, discipline reports, attendance records, health records, and adaptive behavior information. **Schools must consider a variety of sources,** A single source of information (such as a doctor’s report) cannot be the only information considered. Schools must be able to assure that all information submitted is documented and considered .

What types of accommodation will my child receive if determined eligible under Section 504?

Each child’s needs are determined individually. Determination of what is appropriate for each child is based on the nature of the disabling condition and what that child needs in order to have an equal opportunity to compete when compared to the non-disabled. There is no guarantee of A’s or B’s or even that the student will not fail.