

What is Section 504?

Section 504 is a federal anti-discrimination statute. It is designed to eliminate discrimination on the basis of disability in any program or activity receiving federal financial assistance. It guarantees students with disabilities the right to full access to a free and appropriate public education (FAPE).

Section 504 applies to individuals who:

- Have a physical or mental impairment that substantially limits one or more major life activities;
- Have a record of such an impairment; or
- Are regarded as having such an impairment.

What is the purpose of a Section 504 Plan?

FAPE under Section 504 – “Appropriate education” is defined as the provision of services designed to meet the individual educational needs of disabled persons as *adequately* as the needs of non-disabled persons are met.

Essentially, Section 504 was designed to *level the playing field* to ensure full participation by individuals with disabilities.

Aids and services offered under Section 504 are to be equally effective, they are not intended to give students an advantage over their peers. The plan is to allow access, promote equity; not preference.

For further questions

Contact your Building Administrator, Building Section 504 Coordinator, or District Coordinator

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- *Specialized Education Services – 504*

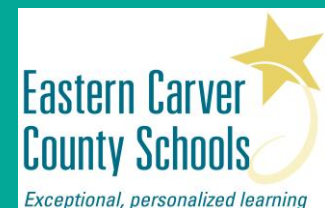


Section 504



Information Brochure

SPECIALIZED EDUCATION SERVICES



SPECIALIZED EDUCATION SERVICES

11 Peavey Road
Chaska, MN 55318

What are Accommodations?

- Presentation (allow students to access information in ways that do not require them to read standard print)
- Response (allow students to complete tasks and demonstrate what they know in different ways such as using an assistive device or organizer)
- Setting (allow students to complete tasks in a different setting or under different conditions than are normally provided)
- Timing & Scheduling (allow students additional time to complete tasks or change the way the time is organized)

Accommodations must achieve meaningful equal opportunity, must consider the functional limitations of the person and alternative methods of performance.

Standardized tests

Section 504 Plans should not be written solely for the purpose of providing accommodations on standardized assessments. If a student does not need educational accommodations during the school day within the classroom to address a disability, then a Section 504 Plan is not appropriate.

How is eligibility determined?

A diagnosis or 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.

Eligibility is based on a two-part test:
1) a record of (or regarded as having) a physical or mental impairment

2) the impairment **substantially** limits a major life activity

“Substantially” generally means that an individual is restricted as to the conditions, manner, or duration under which they can perform the major life activity. In other words, the student is unable to perform a major life activity that the average student can perform. The student is significantly restricted due to their impairment.

The impairment must be substantial when compared to an average peer.

Evaluations are conducted at the school building level in suspected areas of need. Existing data is collected on the student of concern and an average peer for comparison to determine if the disability has a substantial impact on a major life activity.

What is the Section 504 process?

Prior to potentially drafting a Section 504 Plan, there are steps the school district needs follow. The typical process includes:

- Referral
- Meeting to discuss referral and potentially plan for evaluation
- Evaluation conducted at the school site
- Meeting to discuss evaluation results and determine eligibility
- Creation of a Section 504 Plan based on findings from the district evaluation
- Implementation of the 504 Plan
- Annual review of the 504 Plan
- Reevaluation of eligibility when conditions warrant

What are major life activities?

Examples include:

- Breathing, Seeing, Hearing, Speaking
- Mobility, Walking, Standing
- Learning, Communicating
- Behavior, Social/Emotional
- Caring for one’s self
- Performing manual tasks
- Concentrating, Thinking
- Immune system, Respiratory
- Neurological, circulatory
- Digestive, Bowel, Bladder