



PARENT GUIDE TO SECTION 504: FREQUENTLY ASKED QUESTIONS

WHAT IS SECTION 504?

Section 504 is a Federal law that prohibits disability discrimination. It also provides a broad spectrum of protections to ensure students with disabilities receive a free appropriate public education (FAPE). In Orange County Public Schools, all qualified students who meet the definition of an individual with a disability under Section 504 are entitled to receive regular or special education and related aids and services that are designed to meet their individual educational needs as adequately as the needs of students without disabilities are met.

WHAT QUALIFIES AS A DISABILITY?

Under Section 504, an individual with a disability is defined as a person who: (1) has a physical or mental impairment that substantially limits a major life activity; (2) has a record of such an impairment; or (3) is regarded as having such an impairment. The determination of whether a student has a physical or mental impairment that substantially limits a major life activity (and therefore has a disability) must be made on a case by case basis.



Parent & Educator Resource Guide to Section 504

Orange County Public Schools, in compliance with the Americans with Disabilities Act of 1990 (ADA), ADA Amendments Act of 2009, Section 504 of the Rehabilitation Act of 1973, and Regulation 1310 Civil Rights, Title IX, Section 504, gives notice of adopting a District individual to coordinate compliance efforts for persons with disabilities [N.E.(1995)]. The District 504 Coordinator will coordinate efforts to comply with and carry out mandates and responsibilities, including any investigation or any complaint communicated to alleged noncompliance, and make available to all interested individuals the name, office address, and telephone number of the designated pursuant. If you have questions related to Section 504, or suspect your child may need accommodations or modifications due to a substantial impact of a physical or mental impairment, contact your child's building principal or Nora Brooking, Coordinator of Special Education at (540) 661-4541 or nbrooking@ocss-va.org

HOW IS A STUDENT FOUND ELIGIBLE?

To be found eligible for under section 504, a group of knowledgeable persons meet and draw upon information from a variety of sources to make the determination if a student has a substantial limitation in at least one area of major life activity. Eligibility is made on a case-by-case basis with respect to each individual student.

WHAT IS A 504 PLAN?

Upon finding a student eligible under Section 504, a written plan is developed to help avoid misunderstandings or confusion about what services the school offers the student. The 504 plan outlines the needs of the student with a disability and necessary accommodations and/or modifications. 504 plans are reviewed annually or more often if needed. Every three years, OCPS will hold a triennial review meeting to determine if the student still qualifies under section 504. These procedures guard against misclassification or inappropriate placement of students.

WHAT'S THE DIFFERENCE BETWEEN AN IEP AND A 504 PLAN?

Eligibility for an Individualized Education Program (IEP) is based on the fourteen categories of disability identified by the Individuals with Disabilities Education Act (IDEA). The child's impairment must have an educational impact and require specialized instruction for him/her to qualify as a child with a disability under IDEA. If the child qualifies with one of these disabilities, an IEP would be developed that provides needed special education services. An IEP must meet certain requirements that are identified in special education regulations. A 504 Plan is based on eligibility under the Rehabilitation Act of 1973, and not the IDEA. A child may be identified as a student with a disability under this statute if he/she has a mental or physical impairment that substantially limits a major life activity. A 504 Plan is provided for a variety of children who have mental or physical impairments rather than the limited categories provided under the IDEA.