

Section 504 Referral and Eligibility Process Continued....

Keep in mind that while a 504 Plan might not be appropriate, an informal intervention plan may be appropriate. If the 504 Team determines that the student is not eligible to receive a 504 Plan, 504 Coordinator is responsible for notifying the parent by completing and mailing, emailing or delivering in person the Eligibility Determination.

Here are some common mistakes relating to the Section 504 evaluation process:

- A parent and/or doctor presents the school with a disability diagnosis, and a 504 Plan is written without first determining if the disability causes substantial limitation of a major life activity.
- A student is placed on a 504 Plan solely to satisfy a highly competitive parent who wants specific accommodations to help his or her child receive higher grades or test scores on standardized tests, such as the SAT.
- A student fails to qualify for special education services under IDEA, and a 504 Plan is automatically written without first qualifying him or her based upon Section 504 criteria.

Can a medical diagnosis suffice as an evaluation for the purpose of providing FAPE?

No. 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. The Section 504 regulations require school districts to draw upon a variety of sources in interpreting evaluation data and making placement decisions.

Does a medical diagnosis of an illness automatically mean a student can receive services under Section 504?

No. A medical diagnosis of an illness does not automatically mean a student can receive services under Section 504. The illness must cause a substantial limitation to a major life activity. For example, a student who has a physical or mental impairment would not be considered in need of services under Section 504 if the impairment does not in any way limit a major life activity, or only results in some minor limitation in that regard.

How should a school district handle an outside evaluation? Does all data brought to a Section 504 team need to be considered and given equal weight?

The results of an outside evaluation provided by a parent will be one of a variety of sources to consider. The Section 504 team must draw from a variety of sources in the evaluation process so that the possibility of error is minimized. These sources and factors include aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, and adaptive behavior, among others. Information from all sources must be documented and considered by knowledgeable committee members. The weight to be given to the various types of information considered will be determined by the Section 504 team.