

A PARENT'S GUIDE TO SECTION 504

Equal Access. Meaningful Inclusion. Student Success.

Newton Public Schools

Office of Student Services & Special Education

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Parent and Caregiver Resource Guide

A MESSAGE TO OUR FAMILIES

Dear Parents, Caregivers, and Families,

At Newton Public Schools (NPS), we are deeply committed to ensuring that every student is known, valued, and supported to reach their full potential. Our work is grounded in our "Portrait of a Learner," a vision where all students develop the adaptability, critical thinking, and empathy necessary to thrive.

Central to this vision is our dedication to meaningful inclusion. We believe that a strong sense of belonging is foundational to learning. This means proactively addressing ableism and ensuring that all students, especially those with disabilities, feel respected, safe, and connected to their school community. With the appropriate supports and accommodations, we believe all students can engage with a rigorous curriculum and participate fully in the life of the school.

All students are known and valued. Students have access to grade-level learning. Supports are individualized to promote equal access and full participation.

This guide is designed as a resource to help you navigate Section 504 services collaboratively. We value your partnership and insights, and we look forward to working together to build a community where every student can shape their future with confidence.

With appreciation and partnership,

Anna Nolin, Superintendent

Casey Ngo-Miller, Assistant Superintendent of Student Services

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Space for Your Notes

UNDERSTANDING SECTION 504

Federal civil rights law and equal access

Section 504 of the Rehabilitation Act of 1973 is a federal civil rights law designed to prohibit discrimination and ensure students with disabilities have equal access to education. Unlike special education law, which focuses on specialized instruction, Section 504 is about leveling the playing field through accommodations.

What Are Accommodations?

Examples of different types of accommodations include:

ENVIRONMENTAL	TESTING	HEALTH
Preferential seating to reduce distractions.	Extended time on assessments or testing in a quiet space.	Access to a school nurse for blood sugar monitoring or medication.
Key idea A 504 Plan is designed to remove disability-related barriers so a student can access the same programs, activities, and opportunities as peers.		

SECTION 504 AND THE IEP

Two different legal frameworks

Section 504 Plans and Individualized Education Programs (IEPs) both support students with disabilities, but they serve different purposes and are governed by different laws.

FEATURE	SECTION 504 PLAN	IEP (SPECIAL EDUCATION)
Legal Authority	Rehabilitation Act of 1973 (civil rights)	IDEA (education law)
Focus	Equal access to programs and activities	Specially designed instruction
Core Goal	Accommodations: changes in how the student learns or participates	Specialized instruction and, when needed, modifications to what is taught
Responsibility	Implemented in the general education environment by all staff	Managed through special education and related service providers

**Important
distinction**

A student may qualify under Section 504 even when they do not require specially designed instruction through an IEP.

LEGAL OBLIGATIONS AND STAFF RESPONSIBILITIES

Newton Public Schools has a legal duty to provide a Free Appropriate Public Education (FAPE) to all students. Under Section 504, this means providing the supports necessary for a student to participate in the school experience alongside their peers.

Shared Responsibility Across the School Community

- **Universal Responsibility:** Providing 504 accommodations is the responsibility of all staff members, including general education teachers, counselors, social workers, and school nurses.
- **Comprehensive Coverage:** 504 plans extend beyond the classroom to include extracurricular activities, field trips, and school programs.
- **Consistency and Accountability:** The formal 504 process helps ensure that a student's needs are met consistently across grades and buildings while maintaining compliance with federal civil rights standards.

What families should expect

Once a 504 Plan is developed, relevant staff should understand the accommodations they are responsible for implementing across the school day and school-sponsored activities.

DEFINING DISABILITY UNDER SECTION 504

Eligibility is based on functional impact and the need for equal access

A student is eligible for a 504 Plan if the 504 Team determines that all three criteria below are met:

- 1 The student has a physical or mental impairment.
- 2 The impairment substantially limits one or more major life activities.
- 3 The student requires accommodations to access school programs.

Substantial Limitation

A limitation is substantial if it materially restricts a student's ability to perform a major life activity as compared with most same-age peers. The 504 Team considers the frequency, duration, and intensity of the impact on the student's daily functioning.

Major Life Activities

Learning Acquiring and demonstrating academic skills.	Concentrating Sustaining attention for age-appropriate tasks.	Thinking Processing information, reasoning, and problem-solving.
Communicating Expressing and receiving information effectively.	Physical Acts Walking, seeing, hearing, speaking, and breathing.	Other Activities Additional major life activities may also be considered.
Hidden disabilities and remission Disabilities are not always visible. Section 504 protections may apply to conditions such as diabetes, severe allergies, or epilepsy, as well as a record of an impairment or a condition currently in remission.		

Important note

A medical diagnosis alone does not automatically establish 504 eligibility. The Team must determine that the condition creates a substantial limitation and that accommodations are needed for equal access.

THE NPS 504 PROCESS

Referral, evaluation, eligibility, and planning

NPS follows a structured data-gathering process to identify students who may need Section 504 supports.

1. REFERRAL	A referral may be made by a parent, school staff member, or another person with knowledge of the student. Persistent academic concerns or chronic health needs may prompt a referral.
2. EVALUATION PLAN AND CONSENT	The school proposes a plan for gathering information. The district cannot proceed until it receives signed parent consent.
3. DATA GATHERING	The 504 Team reviews information from multiple sources, including grades, progress reports, teacher observations, health information, outside evaluations, standardized assessments, and parent input.
4. ELIGIBILITY MEETING	A multidisciplinary team reviews the information and determines whether the student meets the Section 504 eligibility criteria.
5. PLAN DEVELOPMENT AND IMPLEMENTATION	When a student is eligible and requires accommodations, the Team develops a written 504 Plan identifying the supports needed for equal access.

TIMELINES AND BUILDING-LEVEL TEAMS

To promote consistency across the district, NPS uses the following timelines. These district standards are intended to exceed federal requirements.

30 SCHOOL DAYS	Complete the evaluation from the date signed parent consent is received.
45 SCHOOL DAYS	Hold the eligibility meeting from the date signed parent consent is received.

The 504 Team

Decisions are made by a multidisciplinary team with knowledge of the student, the evaluation information, and the available accommodations. Team members include:

- 504 Coordinator (Chair)
- Building Administrator
- General Education Teacher
- Parent/Guardian
- Nurse or Counselor, as applicable to the disability

Building-Level 504 Coordinators

- **Elementary School:** School Social Worker or the Principal's designee.
- **Middle School:** Assistant Principal for Student Services.
- **High School:** Department Head for School Counseling.

PARENTAL RIGHTS AND PROCEDURAL SAFEGUARDS

Parents and guardians are full partners in the Section 504 process and are afforded specific legal protections.

- 1** Right to Notice: You must receive written notice of eligibility decisions or changes to the plan.
- 2** Right to Review Records: You may examine all relevant student records.
- 3** Right to Participate: You are an equal member of the 504 Team and must be invited to all meetings.
- 4** Ongoing Review: Eligibility is redetermined at least every three years.

Parentally Placed Private School Students

If a student is voluntarily enrolled in a private school, NPS will conduct the evaluation and eligibility determination. The responsibility for writing and implementing the 504 Plan rests with the private school.

Resolving Disputes

When a disagreement arises, NPS encourages families to begin with a collaborative, school-based resolution process:

- **School or District Leadership:** Bring the concern to the building principal or the Office of Student Services.
- **Neutral Mediation:** Contact the Bureau of Special Education Appeals (BSEA) for a neutral mediator.
- **State Complaint:** File a formal complaint with the Massachusetts Department of Elementary and Secondary Education (DESE).

CONTACT INFORMATION

Begin at your child’s school

For questions regarding Section 504, first contact the 504 Coordinator at your child’s school. Contact information is available in the school staff directory.

Office of Student Services & Special Education

ADDRESS	100 Walnut Street, Newton, MA 02460
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Notes and Questions for Your Child’s Team
