

Rights Granted Under 504

1. Have your child take part in, and receive benefits from, public education programs without discrimination because of his/her disabling conditions.
2. Have the school district advise you of your rights under federal law.
3. Receive notice with respect to identification, evaluation, and placement of your child.
4. Have your child receive a free appropriate public education.
5. Have your child receive services and be educated in facilities, which are comparable to those provided to non-disabled students.
6. Have evaluation, educational, and placement decisions made based on a variety of information sources, and by persons who know the student and who are knowledgeable about the evaluation data and placement options.
7. Have transportation provided to and from an alternative setting (if the setting is a program not operated by the district) at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
8. Have your child be given an equal opportunity to participate in nonacademic and extra-curricular activities.
9. Examine all relevant records relating to decisions regarding your child's identification, evaluation, and placement.
10. Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, or placement.
11. File a local grievance.

What do you do if you believe your child has a disability, which would entitle him/her to reasonable accommodations under Section 504?

- Inform your child's teacher.
- Discuss your concerns with the guidance counselor, school nurse, school psychologist, or administrator at your child's school.
- Request further information about Section 504 from the school guidance counselor or from the 504 Coordinator.

For further information, call the
Department of Student Services
(813) 794-2363 - (727) 774-2363
(352) 524-2363

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Land O' Lakes, Florida 34639
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Section 504 of the Rehabilitation Act of 1973



**"Always
Reaching
For Success"**

**Information for
Parents and Educators
Summer 2007**

What is Section 504?

The Rehabilitation Act of 1973 is a civil rights legislative act that protects the rights of persons with disabilities. Section 504 provides that “no otherwise qualified individual with disabilities in the United States...shall solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal Assistance...” Under Section 504, school districts have the responsibility to identify, evaluate, and to afford access to appropriate educational services and procedural safeguards for these individuals.



How does Section 504 define “disability?”

Section 504 regulation defines a disabled individual as a person who (i) has a physical or mental impairment that substantially limits one or more major life activities, (ii) has a record of such impairment, or (iii) is regarded as having such impairment.

The definition does not set forth a list of specific conditions. The key factor is whether the physical or mental impairment results in a **substantial limitation** of one or more major life activities. Major life activities include functions such as learning, walking, seeing, caring for oneself, breathing, talking.

“When a condition does not substantially limit a major life activity, the person does not qualify under Section 504.”



What does “reasonable accommodation” mean?

Schools shall make reasonable accommodations to the known physical or mental limitations of an otherwise qualified student, which would enable the student to participate successfully in the regular school program. The decision regarding accommodations must be based upon information drawn from a variety of sources and is made by a group of persons knowledgeable about the student and the suspected disability.

Courts have required accommodations, which achieve “*meaningful equal opportunity*.” Accommodations need to take into consideration both the functional limitations of the individual and the alternative methods of performing tasks or activities. Some examples of reasonable accommodations under Section 504 include: modified writing assignments, adaptations in testing, preferred seating, behavior intervention plan, or the monitoring of medication.

Does Section 504 require evaluations?



If there is a reason to believe that, because of a qualifying disability, a student needs accommodations, the school district must evaluate the student and develop and implement an accommodation plan. The Section 504 Committee shall consider **all relevant information** on the student to determine whether or not he/she is disabled under Section 504. Relevant information could include: school records, medical records, interviews, classwork, observations, screenings, and rating scales.

What is the role of the parent?

The parent(s) or guardian(s) shall receive notice regarding the identification and evaluation of their child and shall be notified, in writing, of the committee’s findings and recommendations. A parent who requests academic accommodations because of a disabling condition may be requested to provide documentation of the handicap and the need for the services requested.

What if a child is in a special education program?

Section 504 is not an aspect of Exceptional Student Education (ESE). The needs of ESE students are addressed in the Individual Education Plan (IEP). Students whose disabilities are not covered by IDEA may be eligible for accommodations under Section 504.

