

SECTION 504

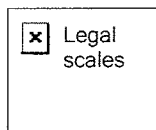
This is an overview of Section 504. This law can have positive effects on your child if he/she should need accommodations to succeed in school. For more information contact me by e-mail at this site, visit your public library, Call the office of Civil Rights, or your local advocacy office.

REGULATORY	REQUIREMENTS
Purpose	To prohibit discrimination on the basis of a disability in any program receiving federal funds
Who is protected	A student is eligible so long as he/she meets the definition of qualified handicapped person; i.e. has or has had a physical or mental impairment which substantially limits a major life activity, has a record of or is regarded as handicapped by others.
Duty to provide Free and Appropriate Education	Requires the provision of a free appropriate education for students covered including individually designed programs. "Appropriate" means an education comparable to the education provided to non-handicapped students.
Special Education VS. Regular Education	A student is eligible so long as he/she meets the definition of qualified handicapped person. i.e., has or has had a physical or mental impairment which substantially limits a major life activity, or is regarded as handicapped by others. The student is not required to need special education in order to be protected.
Funding	Additional funds are not provided for these services
Accessibility	Detailed regulations regarding building and program accessibility.
General Notice	504 requires "Child Find" activities. Districts must include notice of discrimination in its employee, parent, and student handbook, and must designate the district's 504 coordinator(s).
Notice of Consent	A notice of consent is required to the parent or guardian with respect to identification, evaluation and placement. A district/school would be wise to put the notice in writing in order to have proof of consent.
Change of placement	Requires notice before a change in placement is made.
Evaluations	Require notice, not consent. Requires periodic re-evaluations. Requires a re-evaluation before a significant change in placement. Does not provide for outside independent evaluations.
Determination of Eligibility Program and	Done by a group of persons knowledgeable about the child, the evaluation data, and placement options. Parental participation is not

Placement	mentioned in the regulations.
Grievance Procedure	Districts with more than 15 employees must designate an employee to be responsible for assuring district compliance with Section 504 and provide a grievance procedure (an informal hearing before a district staff member) for parent, students, and employees.
Due Process	To provide impartial hearings for parents or guardians who disagree with the identification, evaluation or placement of students with disabilities. Hearings conducted at the local level by an impartial person not connected with the school district. Person need not be an attorney. Decisions may be appealed to court
Enforcement	Enforced by the Office of Civil Rights by complaint investigation and monitoring activities

Information taken from a handout written by Texas Education Agency.

For more information e-mail me at this address or contact your state school agency or your local advocacy group.



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Revised: 16 Dec 2008 11:24:06 -0600 .*



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