

Section 504 and the Rehabilitation Act of 1973

Question	Answer
Do 504 Plans transfer to new schools? Does the receiving school have to go through its own 504 process?	Yes. 504 Plans are recognized at all schools receiving Federal funding and are transferable nationwide. Upon enrollment at a new school, consideration must be made whether the current plan can reasonably be implemented. A 504 review meeting may be conducted to determine whether a revision is necessary. Bul-4692. p. 20
To what extent is the amount of 504 Plans at a school considered/included in the District's Student Equity Needs Index?	Students eligible under Section 504 are general education students; therefore, 504 Plans are not targeted as an indicator of need in the index.
Would you suggest sending an assessment plan for 504 and SPED if both are being considered simultaneously?	Yes. Considering special education and Section 504 eligibility, both procedures must be followed to meet Child Find requirements. Bul-4692. pp. 8-9
You mentioned that a question at the meeting will be, "Does this student have a disability." Does that mean 1 of 13 IDEA Disability classifications? Or that s/he has a general disability that impacts one of the major life activities?	During the Section 504 Evaluation process, there are two questions: 1) Does the student have a disability based on the Section 504 definition; and 2) Does the student require accommodations to access programs and activities? The 504 evaluation begins before the meeting and involves collecting information through teacher observations and parent input. Bul-4692. p.4, 10-13
Must a parent consent to the 504 plan? Do we only need one signature to implement? What if divorced parents with joint custody and educational rights disagree?	Consent is preferred and required for a school to be legally responsible for implementation; however, many accommodations can be made without consent in situations that don't require parent cooperation (good teaching). Only one signature must be obtained for purposes of implementation, even when both parents have educational decision-making rights. Schools are advised not to get involved with issues regarding parental disagreements; therefore, provide the parent with procedural safeguards. Bul-4692. pp.14, 18
Who makes up the 504 team? Should the resource specialist teacher (RST) be a part of the team?	Federal law requires that "knowledgeable persons" of the student, evaluation information, and/or the accommodations/services comprise the Section 504 team. Consult with your school administrator. LAUSD requires certificated personnel to participate, including at least one of the student's teachers and a nurse for medical related disabilities as appropriate. Bul-4692. p. 11
For a student with a 504 plan who needs a manifestation determination (MD): After 10 days – would we use the same questions/forms as our special education MD meetings?	The LAUSD 504 form includes the questions to ask during a manifestation determination meeting (Section 504 Evaluation, Page 7). Bul-4692. pp. 21-22
If you suspect a disability due to academics, etc., but that hasn't been verified through an assessment, on the 504 plans, what do you write on the "Physical/Mental Impairment" line?	The symptoms of the disability (when no formal diagnosis can be confirmed) should be documented on the "Physical/Mental Impairment" line, i.e., attention, socialization, campus access, Type II Diabetes, etc... Bul-4692. pp. 3-4
Are we required to review the 504 plan annually, similar to IEPs?	No. The 504 Plan must be reviewed at least every three years, when requested, or when changes need to be made (e.g., disability manifests in another way, health needs change, accommodations needed change, student changes school levels or schools.) Bul-4692. p.20
If the student's disability (i.e., hemophilia) doesn't impact academics, but another disability does, can they have both an IEP and a 504?	If a student qualifies under special education, all services and support should be provided under IDEA and documented in the IEP. Relevant present levels regarding the additional disability, related needs, and accommodations to address those needs can be incorporated into the IEP. Bul-4692. pp. 6-9

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<p><i>If a student has a hearing loss and ½ requires special equipment or service (i.e., FM System or ASL interpreter) as accommodations but does not require an IEP, are low incidence (LI) funds available to use to pay for those items/services? If a child has an IEP, LI funds can be used for these things. Is this also true if a child has a 504 plan?</i></p>	<p><i>If the student isn't eligible under IDEA (special education), the school must determine the available general education funding source to provide the required support. Currently, 504 services are not funded under special education. A special education assessment would be warranted to make the eligibility determination regarding whether a student has a disability and requires special education related aides and services. Bul-4692. pp. 6-9</i></p>
<p><i>What does an evaluation look like? What actual assessments are required?</i></p>	<p><i>The 504 Evaluation process involves reviewing data already available (e.g., cumulative records, language surveys, progress reports, standardized test results, discipline records, attendance records, health records, student portfolios, prior special education information), including teacher observations, parent input, program/campus access and does not require individual assessment. The forms to use for evaluation are Parent Input, Teacher Observation, and any additional information that may be provided. Individual assessment is not required under Section 504. Bul-4692. pp. 6-12</i></p>
<p><i>When a parent requests an evaluation for special education, would a 504 evaluation suffice?</i></p>	<p><i>No. When a parent requests a 504 or special education evaluation, the school must respond to both in writing, resulting in either a 504 evaluation/special education assessment, or both, or a written denial (prior written notice). Bul-4692. pp. 6-12, 20</i></p>
<p><i>Please differentiate between Section 504 Plan and Student Support and Progress Team (SSPT). What further accommodations would we offer at 504 that we didn't at SSPT?</i></p>	<p><i>Section 504 is a federal civil rights statute that protects students from disability discrimination/harassment, ensures equal access to programs/activities, and provides FAPE; however, SSPT is a general education intervention afforded to all students who exhibit a pattern of difficulty accessing grade level core curriculum standards. Note: An SSPT meeting may not be held in lieu of a request for either Section 504 or special education evaluation. BUL-4692 pg. 6 For additional information regarding SSPT, please refer to BUL-6730.1 (A Multi-Tiered System of Support Framework for the Student Support and Progress Team).</i></p>
<p><i>Should Teacher Evaluation Forms be uploaded into Welligent?</i></p> <p><i>Should the Parent receive a copy of the Teacher Evaluation forms with completed paperwork?</i></p>	<p><i>Yes. Upon completing each Section 504 evaluation, a complete set of Section 504 documents, including supplemental pages and forms with signatures, must be uploaded and attached to each student's Section 504 record. REF-6241</i></p> <p><i>Following the Section 504 Evaluation Meeting distribute the following documents to parents (BUL-4692 pp. 17-18):</i></p> <ul style="list-style-type: none"> • "Section 504 Evaluation" (Page 7) • "Section 504 Plan" (Page 8) if applicable • "Notice of Section 504 Eligibility Determination" (Page 9) • "Section 504 Parent Procedural Safeguards" (Page 2) <p><i>If requested, parents have a right to examine their child's pupil records and to receive copies within five business days after the parent's request, either orally or in writing. Please refer to BUL-6887.1 for additional specific information.</i></p>
<p><i>What should we do when Internet Explorer has been removed from our operating system at our school site?</i></p>	<p><i>Please consult your school administrator (Principal) regarding site-specific operating system questions.</i></p>

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<p><i>If the counselor is also an administrative designee, does the principal also have to attend the 504 meeting?</i></p> <p><i>Can you have dual roles during a Section 504 meeting (i.e., case carrier/admin designee)?</i></p>	<p><i>No. Federal law requires that “knowledgeable persons” of the student, evaluation information, and/or the accommodations/services comprise the Section 504 team. LAUSD requires certificated personnel to participate, including at least one of the student’s teachers and a nurse for medical-related disabilities as appropriate Bul-4692. p. 11.</i></p> <p><i>You may have a dual role during a Section 504 meeting (i.e., admin designee/case manager) in certain circumstances. 504 Teams at each school will vary depending on resources (staff) available at a given school. Generally, the team may consist of a Section 504 designee/case manager, parents, teacher, nurse (if medical-related disability), student (if age appropriate), and other suitable personnel. Consult with your school administrator.</i></p>
<p><i>It will be very helpful if you provide step-by-step training in Welligent as many of us have problems.</i></p>	<p><i>Please refer to REF-6241 for specific (detailed) technical support involving the Welligent 504 Module.</i></p> <p><i>Contact the OSCR at 213-241-7682 for additional technical support.</i></p>
<p><i>How do you print 504s that are already in the system?</i></p>	<p><i>From the Welligent 504 Module, the forms can be printed. Refer to REF-6241.</i></p>
<p><i>If a student who has been chronically absent from school for consecutive years is failing classes and the Parent requests a 504, how do we determine if he qualifies?</i></p>	<p><i>To determine if a student qualifies for Section 504 Plan (accommodations), you need to determine the following</i></p> <ol style="list-style-type: none"> <i>1. Determine if the student has a disability (physical/mental impairment)</i> <i>2. Determine if the disability substantially limits a major life activity.</i> <p><i>Attendance is not a disqualifying factor for Section 504. (BUL 4692, pp 12-14):</i></p>
<p><i>If a Section 504 evaluation is deemed as not appropriate, should this be documented in Welligent? Also, does a team determine if evaluation is appropriate?</i></p>	<p><i>Yes. If the referral is not appropriate (i.e. student is receiving special education services or the student is not suspected of having a disability), the administrator/designee must provide parents a written notice, “Response to the Request for Section 504 Evaluation” (Page 3) to inform them of the school’s decision. Provide the parent's appeal rights (included in the Response letter), BUL-4692, pp. 7, 10.</i></p>