

What is a Section 504 Plan?

Students who meet the eligibility guidelines will have a 504 Service Plan developed for use in school. The plan specifies the nature of the impairment, the major life activity affected by the impairment, accommodations necessary to provide access based on the student's needs, and the person(s) responsible for implementing the accommodations. Parents are encouraged to participate in development of the plan. A case manager will be assigned to notify teachers about the accommodations and monitor implementation.

- ◆ Accommodations should be specific to the individual student and should not include accommodations typically provided to general education students.
- ◆ Accommodations should be specific to the individual student's physical or mental impairment in terms of the substantial limitation to the major life activity.

Can a student be exited from Section 504?

Yes. Schools will provide with notice to the student's parents/guardians of the change in eligibility status. The school will also provide procedural safeguards. As with the initial eligibility determination, this should be a collaborative effort between school staff and parents/guardians.

Who to contact?

1. Your school Administration and/or Guidance Counselor

2. Call Attendance and Discipline (901) 416-6007

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Section 504 of the Rehabilitation Act of 1973 is enforced under guidelines provided by the U.S. Department of Education, Office for Civil Rights (OCR).

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SECTION 504

Rehabilitation Act of 1973



Shelby County Schools
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Overview of Section 504 The Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act Of 1973 prohibits discrimination on the basis of one's disability. Specifically, Section 504 requires 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 financial assistance.

The regulations of Section 504 requires Shelby County Schools to ensure that discrimination of disability does not occur. The regulations require that students with disabilities be provided a free appropriate public education. An appropriate education is the provision of regular or special education and related aids and services that (i) are designed to meet individual educational needs of handicapped persons as adequately as the needs of non-handicapped persons are met and (ii) are based upon adherence to procedures that satisfy the requirements for least restrictive environment, evaluation and placement, and procedural safeguards.

What if You Suspect a Section 504 Disability?

- ◆ Contact the school's 504 chairperson (usually an assistant principal and/or guidance counselor). This act initiates the S-team process.
- ◆ Be able to present current medical documentation and/or be ready to assist in documenting a disability.
- ◆ Be an active partner in the S-team process by attending meetings and aid in gathering and presenting data from a variety of sources.

Who is Eligible for Section 504?

Section 504 defines a person with a **disability** as anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities.
2. has a current medical record of such impairment.
3. is regarded as having such an impairment.

A physical or mental impairment may include any of the disabling conditions covered under IDEA. Conditions primarily the result of cultural, environmental, or economic factors may not be considered handicapping conditions under Section 504. To be eligible under Section 504, there must be an impairment that **substantially limits one of the major life activities**. A diagnosis of a disability does not automatically qualify a student for eligibility under Section 504.

What are Major Life Activities?

Major life activities include such things as caring for ones self, doing manual tasks, walking, seeing, hearing, thinking, reading, communicating, and learning. This list is not intended to be all inclusive; other major life activities may also be a handicap. A substantial limitation in only one of the life activities is all that is needed for one to be considered disabled under Section 504 and the 1990 Americans with Disabilities Act (ADA).

In order to be eligible for educational accommodations, the substantial limitation must be in learning or access to educational opportunities. The limitation may be direct or indirect.

What is a Substantial Limitation?

All data collected in the eligibility determination sequence will be used to determine substantial limitation. An impairment is considered substantial if the limitation of the student is greater than the limitation of their non-disabled peers.

Data and evaluation information must demonstrate that the student's academic, physical, mental and/or behavioral performance is less than that of the AVERAGE, non-disabled student.

When does a student qualify under Section 504?

The decision regarding whether or not to identify a student under Section 504 is made on a case-by-case basis. The Section 504 Committee reviews whether there is an academic, physical, mental or behavioral impairment that substantially limits a major life activity. The committee considers the nature and severity of the impairment, its duration or expected duration, and the long-term impact of the impairment on the student's opportunity to access and benefit from programs and activities offered by the district.

Who Can Refer ?

Parents, teachers, diagnosticians, and building administrators may refer a student who is suspected of having a Section 504 disabling condition. If a parent requests a 504 plan, the school should immediately proceed with gathering information to determine the student's needs and begin the S-team process. Each case is reviewed on an individual basis.