

# 504 OVERVIEW

## What is it?

### 504 Plan

An individualized plan for a child with disability's accommodations to access learning in a general education setting. It is legally required under Section 504. All services are provided at no cost to families.

### Section 504

A part of the Rehabilitation Act of 1973 that prohibits discrimination based upon disability. Section 504 is an anti-discrimination, civil rights statute that requires schools to meet the needs of students with disabilities in the same way that they meet the needs of the non-disabled students

### Rehabilitation Act of 1973

A federal civil rights law to prevent discrimination against individual with disabilities. 504 plans are provided under this act.

## Who is eligible?

Under section 504, a person qualifies as an individual with a disability if 1) they have a physical or mental impairment that substantially limits one or more major life activities and 2) have a record of an impairment or are regarded as having an impairment.

**Individuals can qualify for a 504 even if they do not qualify for an IEP.**

# 504 - WHAT I NEED TO KNOW

- There is no standard format for a 504 plan, but it usually consists of:
  - Specific accommodations, supports, or services
  - Names of who will provide each service
  - Name of the person responsible for ensuring the plan is implemented
- The plan is typically reviewed on a yearly basis and can be revisited any time that you or your child's teacher asks. 504 plans may require medical documentation of your child's disability.
- The school must notify parents or guardians about an evaluation or a "significant change" in placement. This notice doesn't have to be in writing. The school does not have to notify parents or guardians of minor changes to 504 plans.

## WHO CREATES A 504 PLAN?

A 504 plan is created by a team of people who are familiar with the child and who understand the evaluation data and special services options. This might include:

- A parent/guardian
- General and special education teachers
- School administrators

## WHAT ACCOMMODATIONS ARE COVERED UNDER 504?

The accommodations a child receives is determined by the school and the child's guardian based on the child's disability and needs.

Example Accommodations:

Modified Physical Education, Extra Time on Tests,  
Note Taker, Extra Time between Classes

# HOW DO I SET UP A 504 PLAN FOR MY CHILD?

## 1. Document Your Child's Disability

Gather medical reports that show your child's medical diagnosis, private evaluation, schoolwork, and report cards. This documentation will help the school determine your child's eligibility for a 504 plan.

## 2. Write a Formal Written Request for a 504 Plan

Be specific about why you are asking for the plan and what accommodations you believe your child should receive.

## 3. Follow Up on Your Request

Unlike IEPs, there is no official timeline for responding to a request, so it can be helpful to follow-up with the school.

## 4. Go Through the 504 Plan Evaluation Process

The school may want to review your child's schoolwork, medical records, and other documents. They will also talk to you and your child's teachers to gather more information.

## 5. Meet with the School

After the evaluation, the school will mostly like want to meet with you to determine if your child qualifies. If the child qualifies, you will then set up a 504 plan. Schools do not always schedule these meetings, so you may have to request a meeting after the evaluation.

## 6. Collaborate with the School to Create a 504 Plan

The 504 plan will determine which accommodations and related services your child will receive and who will provide them. It is not required for the school create a written 504 plan, but it is strongly recommended.

These steps are adapted from Understood.org, a nonprofit parent organization.

## What Do You Do If You Disagree with Decisions Made Regarding the 504?

If you disagree with the school's decision on 504 eligibility or accommodations, the first step is to negotiate with the school directly or request a mediation. If that is unsuccessful you can:

- Request a *Due Process Hearing*. In a hearing you and the school will present evidence to a hearing officer, who will make an official decision on the case. This can be a complicated legal process and may require support from a lawyer or advocate.
- File a *Complaint to the Office for Civil Rights (OCR)* – an OCR complaint is a letter claiming the school violated Section 504. The complaint must be filed within 180 days of the violation. These complaints must be about legal violations.