

Section 504 Overview

Purpose of Section 504 of the Rehabilitation Act of 1973

Section 504 is a federal civil rights law that prohibits discrimination on the basis of disability in any program or activity that receives federal financial assistance, including Glendale Unified School District. As part of Section 504, school districts have a duty to provide eligible students with a free appropriate public education (known as "FAPE"). A FAPE is the provision of either regular or special education and related aids and services that are designed to meet the student's individual educational needs as adequately as the needs of students without disabilities are met. School districts are required to adhere to procedures for identifying, evaluating, and determining a placement for a student suspected of having a disability.

Eligibility

The law defines a major life activity as a function such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, working, and other functions.

Examples of students with such impairments may include, but are not limited to:

- Students with a normal ability to learn but who have a mobility impairment or require specialized health care services;
- Medical conditions such as severe asthma, heart disease, or diabetes;
- Temporary medical condition due to illness or accident; or
- Poor or failing grades over a long period of time

Referral and Evaluation

The process for determining Section 504 eligibility begins with a referral. Any student may be referred for consideration of eligibility as a disabled student under Section 504 by a parent/guardian or school staff members who suspect that the student has a disability. The District cannot use the Student Study Team (SST) as a basis for delaying or denying an evaluation under Section 504 unless SST services are determined by the District to be appropriate in addressing the functional limitations demonstrated by the student. If the District determines that an evaluation is not appropriate or necessary, parents have the right to receive a review of the decision through the due process or fair hearing procedures. If it is determined that a student needs or is believed to need special education or related services under Section 504, the district will conduct an evaluation prior to initial placement, and must obtain written parent/guardian consent for the evaluation.

The evaluation must be appropriate to the needs of the individual pupil. "Evaluation" does not necessarily mean "test". The district may be able to evaluate a student based on sources that are already available, such as school records, school wide and individual standardized assessments, report cards, teacher observations, parent observations, interviews by school personnel, physician reports, etc. The district may also determine that additional tests and evaluations are necessary.

Glendale Unified School District's Section 504 procedures for the referral and evaluation of a student, in summary, are as follows:

1. The school site Section 504 designee receives a written request for Section 504 evaluation from a parent/guardian, teacher, school nurse, counselor, school psychologist, administrator, or other staff for

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consideration of eligibility as a disabled student under Section 504. The written request is given to the school site Section 504 designee.

2. The school site Section 504 designee, upon receiving the request, sends a Notice To Parents Of Section 504 Team Meeting, along with the Section 504 Parent/Guardian/Student Rights. The parent/guardian signs the Notice To Parents Of Section 504 Team Meeting and returns it to the Section 504 designee.
3. The school site Section 504 designee gathers all relevant data in consultation with the teacher, counselor, nurse, parent, and other staff when appropriate. If necessary, the designee obtains parent consent on the Section 504 Authorization To Disclose Or Receive Information.
4. The school site Section 504 designee schedules the Section 504 team meeting to determine if the Section 504 eligibility criteria have been met, reviewing the data collected. To determine whether a student is covered as a student with a disability under Section 504, the team will consider the following:
 - a) Does the student have a potentially limiting mental or physical impairment?
 - b) Does the student's impairment affect a major life activity?
 - c) Does the physical or mental impairment substantially limit a major life activity?

Accommodation Plan

Whether or not the pupil is eligible for 504services will be determined by participating school personnel after consideration of all relevant data, including consideration of any information the parent and pupil wish to provide. If the answer to all three of the questions is YES, the student meets the Section 504 criteria. If the pupil is found to be eligible for Section 504 accommodations, a written 504-accommodation plan of services will be developed. The Section 504 School Designee will provide copies of the 504 accommodation plan to the parent/guardian, all who will implement the plan, and place a copy in the cumulative file.

Review of the Student's Progress

The Section 504 team shall monitor the progress of the student and the effectiveness of the plan. The Section 504 School Designee will periodically review the student's plan and consult with the student's teacher(s) to assess the effectiveness of the plan.