

Chapter 15 Section 504

Section 504 of the Rehabilitative Act of 1973 and Chapter 15 of the Regulations of the Pennsylvania State Board of Education

What Is a 504 Plan? 504 plans are formal plans that schools develop to give kids with disabilities the supports they need. These plans prevent discrimination and protect the rights of kids with disabilities in school. They're covered under Section 504 of the Rehabilitation Act, which is a civil rights law.

What is the difference between a Section 504 Plan and an Individualized Education Plan through Special Education?

- Section 504 is a broad federal civil rights law that protects all individuals with a disability.
- IDEA (the Individuals with Disabilities Education Improvement Act) only applies to students who require special education because they have one of the specified types of disabilities.
- Students who qualify under section 504 must have a 504 plan that outlines the services to be provided. Some students will also qualify under the more stringent IDEA. These students will have an IEP (Individualized Educational Plan) rather than a 504 plan.

What are some examples of disabilities under Section 504?

- Student breaks their arm in 5 places and cannot write; the district provides someone to take notes or write the homework
- Student is deaf and plays sports. The district provides an interpreter for the classroom and any school sports activities they are involved in
- Student has cancer, diabetes, epilepsy, migraines, allergies or asthma; the student is allowed to obtain treatment or medication, as needed. Student uses a wheelchair; student is permitted to leave classes early to avoid hall traffic
- Student is under a doctor's care for depression or anxiety, frequent behavioral problems, ADHD; the student is given additional time for completing assignments and allowed to sit in the front of the classroom

What is the difference between a 504 plan and Special Educational programming? 504 plans are not part of special education, so they don't provide individualized instruction like IEPs do. The central purpose of 504 plans is to give kids

with disabilities access to the same education their classmates are getting. ACCESS is the key phrase in 504 plan determination. A student is eligible for the protections of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and Chapter 15 of the regulations of the Pennsylvania State Board of Education if:

- A physical or mental impairment is one of developmental, physiological, or environmental origin, or any cosmetic disfigurement or anatomical loss, that has an objectively observable effect on the ability of an otherwise qualified student to access or participate in some aspect of the academic, non-academic, extracurricular, or ancillary programs, including food service, of the public schools, whether provided free of charge or for a fee or admission
- The disability must affect a major life activity. A major life activity includes, but are not limited to:
 - Caring for oneself, performing manual tasks, seeing, hearing,
 - Eating, sleeping, walking, lifting, bending, speaking, breathing,
 - Learning, reading, concentrating, thinking, communicating,

The term also includes the operation of a major bodily function, including but not limited to:

- Functions of the immune system, normal cell growth, digestive,
- Bowel, bladder, neurological, brain, respiratory, circulatory,
- Endocrine, and reproductive functions.

What is the evaluation process and timelines for a Section 504 plan to be completed? Within sixty (60) calendar days of receipt of signed *permission to evaluate form*.

What could a 504 plan do for my child? 504 plans outline and ensure accommodations occur for the student. An example may be extended time on tests or the ability to leave the classroom for short breaks due to student needs. Some students may also get related services through a 504 plan, like Occupational or Physical therapy or study skills classes.

Additional examples of accommodations in 504 plans include:

- preferential seating.
- extended time on tests and assignments.
- reduced homework or classwork.
- verbal, visual, or technology aids.
- modified textbooks or audio-video materials.
- behavior management support.
- adjusted class schedules or grading.
- verbal testing.

What are the final definitions?

Qualified student with a disability – a student who has a physical or mental disability that substantially limits or prohibits participation in or access to an aspect of the district's educational programs, nonacademic services or extracurricular activities.

Section 504 Team – a group of individuals who are knowledgeable about the student, the meaning of the evaluation data, and the placement options for the student. This could include, as appropriate, documentation or input from classroom teachers, counselors, psychologists, school nurses, outside care providers, and the student's parents/guardians.

Section 504 Service Agreement (Service Agreement) – an individualized plan for a qualified student with a disability that sets forth the specific related aids, services, or accommodations needed by the student, which shall be implemented in school, in transit to and from school, and in all programs and procedures, so that the student has equal access to the benefits of the school's educational programs, nonacademic services, and extracurricular activities.

For more information on the Bellefonte Area School District Chapter 15/Section 504 topics, please reach out to Jennifer Butterworth, Special Education Director, in one of the following ways:

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