

So, What is 504?

The following has been compiled by [Mary Anne Fleury, M.A.](#) The source of information used for this area was the Parent Guide to Section 504 of the Rehabilitation Act of 1973, Colorado Department of Education, June, 1995.

Section 504 of the Rehabilitation Act of 1973 is more than a boring legislative document. To many parents, it is the lifesaver in the sea of drowning educational issues. Exactly what is it, who does it cover, how is it implemented, and who regulates it?

Section 504 is a civil rights act which protects the rights of persons with disabilities. Basically, it states that a qualified person with a disability cannot be excluded from any program which receives federal financial assistance.

Remember when places became handicapped accessible? I remember (when I was a teenager) buildings installing ramps, towns cutting the curbs, and those great big rest rooms we could go in and dance around! All of that was a result of the implementation of 504, which took place around 1977.

In 1973, Congress also required that school districts make their programs and activities accessible and usable to all individuals with disabilities.

In the last few years, the Office of Civil Rights has further defined the term, "access". Not only does the term mean physical access, but it also means educational access. A student may now require special accommodations such as the modification of assignments in order to benefit from his or her education.

SO, WHO IS COVERED?

Any person with a disability. For a student to qualify for an educational plan under Section 504, one of the major life activities has to be hindered.

The Major Life Activities are:

~CARING FOR ONE'S SELF ~LEARNING
~WALKING ~SEEING
~HEARING ~SPEAKING
~BREATHING ~WORKING
~PERFORMING MANUAL TASKS

A medical diagnosis of Attention Deficit Disorder qualifies a child for services under Section 504, as learning is typically impaired in ADD children. (Other major life activities may also be impaired by Attention Deficit Disorder)

SO, HOW IS 504 IMPLEMENTED?

Section 504 is implemented through regular education. It does NOT fall within the jurisdiction of special education.

Each school sets up their own 504 plans. A written plan is created by a team of educators, parents, and possibly administrators. The written plan includes information about the student's disability, how the student learns best, when the student has the most difficulty learning, and other important data about the way the student learns.

The written 504 plan also includes goals and objectives to meet the individual learning needs of the student. Accommodations for assignments are usually included within this plan.

SO, WHO REGULATES 504?

The Office of Civil Rights (OCR) regulates Section 504. Each school district has a 504 coordinator to make sure that 504 is carried out, but, ultimately, any complaints are made to OCR. Follow this procedure if you have a disagreement regarding 504:

- ~Request a follow-up meeting with the school and staff to discuss concerns.
- ~Meet with the school's 504 coordinator.
- ~File a 504 grievance with the school.
- ~Request mediation or an impartial due process hearing.
- ~File a complaint with the Office of Civil Rights.

Seek out that Common Ground!

I always recommend that parents first seek out a "common ground" with the professionals working with their children BEFORE filing grievances. This helps all involved, especially the child. Positive communication benefits children better than feuding.

See future issues of The Colorado Advisory Network's Parentline for ways to work with professionals.

Concerned about ADHD on the job?

The following is a government-sponsored resource for accommodations for ADHD on the job:

Job Accommodation Network (JAN)

1.800.526.7234

visit them at www.jan.wvu.edu