



# Ipswich Public Schools

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## Section 504 Plans

Section 504 of the Rehabilitation Act is an anti-discrimination initiative that prohibits discrimination against people with disabilities, including students, employees, and other members of the school community. For students, the act is designed to provide access for students with disabilities who require special accommodations, directly related to their disability, that are essential in accessing the curriculum. Accommodations and modifications must be those which do not fundamentally alter or lower the standards or expectations of the learning activity.

### Who is a disabled person?

A disabled person under Section 504 and the Americans with Disabilities Act is characterized by the following:

- Has a “physical or mental **impairment**”
- That **substantially limits**
- One or more **major life activities** of such individual and
- Has a record of such impairment or being regarded as having such an impairment

### What are major life activities?

These include:

- Seeing, breathing, eating, standing, walking, speaking
- Caring for one’s self
- Concentrating, hearing, reading
- Learning, thinking, communicating

### Referral for a Section 504 Evaluation

Section 504 services are a part of the Ipswich Public Schools system of services to support the success of all students in school. Services begin with the General Education Team process. Accommodations are made in the general educational program through the use of the DCAP (District Accommodation Plan) and data are collected to assess the success of these accommodations. If the accommodations are successful, no other supports will be necessary. If the student continues to experience problems the student may be referred for an evaluation to assess his/her eligibility for special education or Section 504 services. Rather than requiring the specialized instruction of special education, students on 504 plans may need modifications or accommodations in accessing learning activities.

### Evaluation Guidelines

In order to determine eligibility for Section 504, evaluations of the student are tailored to assess specific areas of concern. The evaluation focuses on the specific referral questions for the individual student and whether the disability affects the student’s learning as a life activity. No single test is used as the sole criterion for determining eligibility. Rather, a variety of techniques (both formal and informal assessments), including information provided by parents, observation of the student in the classroom, work samples/portfolios, interviews, and review of the record are considered. Students who have been evaluated and have not required special

education services may be considered for a 504 plan, but the two processes are separate. Not all students found ineligible for special education services will require 504 accommodations.

No evaluations are conducted without parental notification and consent.

### **Section 504 Team Meeting**

Section 504 Team Meetings are convened and chaired by the counselors in each school. The Team may include the student, parent(s), teachers and appropriate specialists such as nurses, guidance counselors, psychologists, and therapists. Students are invited to meetings once they reach the age of 14. The Team reviews the evaluation data and develops a plan.

### **504 Accommodations**

Section 504 is an “equal access” provision of a Free and Appropriate Public Education (FAPE) to students. It is designed to “level the playing field” for students with disabilities. A 504 FAPE provides educational services designed to meet the needs of students with disabilities so that they have educational access, as do students without disabilities.

### **Implementation of the 504 Plan**

The 504 Plan is a legally-binding contract between the parent and the District. Teachers and administrators are legally bound to implement every accommodation/modification agreed upon in the plan. Although the law does not require a written plan, it is best practice in the District to issue the plan in writing.

### **Parental Signature of Section 504 Plans**

An attendance sheet with signature is kept with the 504 Plan. A sheet summarizing Parental Rights under Section 504 is sent out to parents with a copy of the plan.

### **Section 504 Reevaluation**

There are no defined reevaluation guidelines for students on 504 plans. According to 34 CFR 104.35 (d), evaluations are to be conducted “periodically.” Best practice is that plans are reevaluated at a minimum whenever a student transitions from one school level to another, and whenever his/her disability needs change.

### **Discipline**

Students on 504 Plans are given the same disciplinary procedures protections as apply to students eligible for special education services. Students must follow the rules outlined in the school handbooks unless the 504 Team has explicitly determined, based on the student’s disabling condition, the necessity of accommodations in this area.