



Procedural Safeguards under Section 504?

The intent of the law is to keep parents/guardians fully informed concerning the district's decisions to identify, evaluate and/or make accommodations for their child.

Parents/Guardians of a student with a disability have the right to:

- ◆ Receive written notice of the district's intent to identify, evaluate, and/or provide a 504 Plan for their child.
- ◆ Review all relevant records regarding their child.
- ◆ Appeal/disagree with the district's decision regarding the identification, evaluation or 504 Plan accommodations or file a complaint concerning allegations of a violation of Section 504 policy/procedures or disability-based discrimination/harassment.
- ◆ Request an impartial hearing if they disagree with their child's identification, evaluation or 504 Plan.
- ◆ Review the decision of the impartial hearing.

Grievance Process

An individual student, or parent/guardian on behalf of the student, who feels they have been discriminated against on the basis of a disability may file a grievance. The Grievance Process provides a prompt and equitable resolution of complaints that could not be resolved at the building level. The grievance should be submitted in written form to the school district's Section 504 District Coordinator. At any time, parents can contact OCR to file a complaint:

Office of Civil Rights
61 Forsyth Street S.W., Suite 19T10
Atlanta, GA 30303-8927
Telephone: (404) 974-9406
Fax: (404) 974-9471
Email: OCR.Atlanta@ed.gov



Need more information?

Your School — Contact the Section 504 Coordinator, School Counselor, or School Administrator

District Office — Contact the Office of Compliance, Section 504 and ADA
1040 Kingway Drive
Lithonia, GA 30058
678-676-1817
678-676-2161

Watina April, District 504 Coordinator III
Allison Marks, District 504 Coordinator II
Kiandra Tyus, 504 Liaison
Section 504@dekalbschoolsga.org
www.dekalbschoolsga.org

DeKalb County
School District
Inspire Achieve Excel

DeKalb County School District does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs and activities, and provides equal access to the Boy Scouts and other designated youth groups.

Office of Compliance Section 504 and ADA



A Guide to Understanding Section 504

Section 504 of the Rehabilitation Act of 1973 is a federal law that protects the rights of individuals with disabilities to equal opportunity in programs and activities supported by federal funds.





What is Section 504?

Section 504 of the Rehabilitation Act of 1973, is a federal civil rights law that prevents intentional or unintentional discrimination against persons with disabilities. This legislation protects the civil rights of disabled persons.

Section 504 states: “No otherwise qualified individual with a disability in the US, as defined in section 706(8) of this title, shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”[42 U.S.C. § 794]

School districts are required to provide students equal access to a Free and Appropriate Education (FAPE) by eliminating all barriers—not just physical barriers, but all learning barriers as well—to allow full participation for persons with disabilities. Eligible students cannot be subjected to discrimination, including participation in nonacademic and extracurricular activities.

How does Section 504 define “disability”?

Disability describes anyone who has a physical or mental impairment which substantially limits one or more major life activities.

What are “Major Life Activities”?

Major life activities include, but are not limited to: Caring for oneself, Performing manual tasks, Seeing, Hearing, Eating, Sleeping, Walking, Standing, Lifting, Bending, Speaking, Breathing, Learning, Reading, Concentrating, Thinking, Communicating, and Working.

What is a “Substantial Limitation”?

A substantial limitation is the inability to perform a major life activity in comparison to same-age, non-disabled peers.

What are Common Accommodations?

The 504 Plan focuses on identifying and implementing specific accommodations. Accommodations are intended to “level the playing field” and give the student an equal opportunity to participate in the general education program.

Common Accommodations

extra time on tests • preferential seating • frequent breaks • extra set of books • written instructions for assignments • extra time to get to class • adaptive equipment • written material in alternative format • enlarged print • reduced number of problems

The Section 504 Accommodation Plan is reviewed at least once a year.

Does a physician’s diagnosis automatically result in Section 504 eligibility?

No. A physician’s medical diagnosis should be considered as valuable information, but a medical diagnosis alone does not result in 504 eligibility.

Can a student be exited from Section 504?

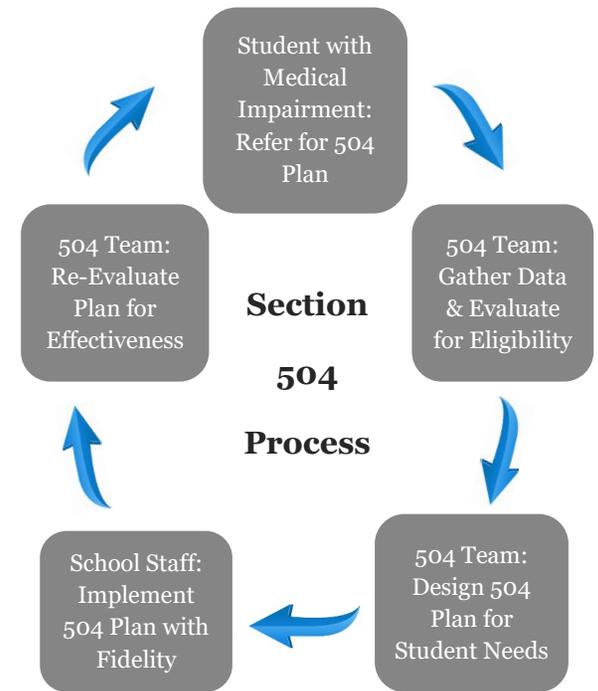
Yes. With notice to the student’s parent/guardian of the change in eligibility status and the procedural safeguards, a knowledgeable team can redetermine 504 eligibility and may exit the student.

Access NOT Advantage

Section 504 is not designed to directly improve grades, raise test scores, or reduce homework responsibilities. Section 504 provides EQUAL ACCESS to educational programs and services.



Section 504 Compliance is required of all schools in DeKalb County School District.



Section 504 Evaluation Process

The process begins with a referral. Anyone can refer a child for evaluation under Section 504.

- ◆ The school 504 Coordinator may receive a referral for a 504 evaluation from staff members.
- ◆ Parents/guardians may request a 504 evaluation by notifying the school’s 504 Coord, school counselor, or admin. Written requests are advised.

A school team, including persons knowledgeable about the student, will conduct a Section 504 evaluation. Formal testing is not required. The student may need accommodations in the general education setting due to the disability in order to ensure equal opportunity.

The 504 Team will:

- ◆ Evaluate the nature and impact of the student’s medical impairment on the student’s education;
- ◆ Consider all available information about the student drawn from a variety of sources; and
- ◆ Develop a Section 504 Plan if the student meets the criteria, and accommodations are needed to have equal access to educational programs and school activities.

Determinations of eligibility, accommodations, and services are made by the 504 Team.