

What are the differences between a 504 Plan and an IEP?

Individualized Education Plan (IEP)

- A full comprehensive evaluation by a multidisciplinary team is required.
- A written individual education program (IEP) is developed.
- The IEP must confer meaningful educational benefit based on the needs of the child.
- Placement may be in a specified combination of special education and general education classrooms.
- Students who qualify have a disability in one of the 13 qualifying conditions (see website for examples).
- The Case Manager is the assigned special education teacher.

504 Plan

- Evaluation for eligibility draws on information from a variety of sources.
- A written Plan describing services is required.
- The District must provide equal access, relative to nondisabled peers, and appropriate services.
- Placement is in general education.
- Students who qualify have a physical or mental impairment that substantially limits one or more major life activities.
- The Case Manager is the assigned counselor or administrator.

504 Coordinators

Drake High School
Redwood High School
Tamalpais High School
Tamiscal High School
San Andreas High School
TUHSD

Katy Foster
LaSandra White
Corbett Elsen
John Carroll
Cory DeMars
Lisa Fredericks

Tamalpais Union High School District

Office of Learning Services

<http://www.tamdistrict.org>

Section 504:

A Guide for Parents

2009-2010

Section 504 is a Civil Rights' Statute that extends protection to individuals with disabilities and is part of the Rehabilitation Act.

Section 504 is an antidiscrimination statute.

Section 504 of the Rehabilitation Act states that all schools are prohibited from:

- Excluding an individual with a disability from participation in any district program or activity;
- Denying an individual with a disability the benefits of any district program or activity; and
- Subjecting an individual with a disability to discrimination solely by reason of his or her disability.

Duty to Provide FAPE

School districts must provide a free and appropriate public education to each qualified handicapped person . . . regardless of the nature or severity of the person's handicap.

Who qualifies for a 504 Plan?

To become eligible for services and protection against discrimination on the basis of a disability, a student must be determined, as a result of an evaluation, to have a "physical or mental impairment" that "substantially limits one or more major life activities." The 504 Team must determine that the student is **substantially limited** in performing a major life activity as compared to same age peers in the general population performing the same major life activity.

Physical or mental impairments may include, but are not limited to, the following: physiological disorders, mental or psychological disorder, hearing impairment, visual impairment, etc. One or more major life activities may include the following: learning, behavior, walking, hearing, speaking, seeing, breathing, working, standing, or caring for oneself.

In determining whether a student's mental or physical impairment **substantially limits** a major life activity, a 504 Team compares the student's academic progress to that of the "average child," not a child of similar intellectual potential. A student is not "substantially limited" simply because the student is not reaching his or her potential. The 504 Team evaluates the impact of the disability on the student's education and determines what accommodations, if any, are necessary. The parent is invited to this meeting.

The 504 Plan is reviewed annually by the Team.

See TUHSD Board Policy 6164.6.

Teacher's Role and Responsibilities?

- 504 Teams usually have at least one of the student's teachers as a participating member.
- Teachers discuss the student's strengths, behavior, participation in the core curriculum and the impact of the student's disability on his/her performance.
- Teachers participate in the review and revision of a student's 504 Plan.
- Teachers provide accommodations and/or modifications in the regular education setting as outlined in the 504 Plan. Teachers will be provided with a written copy of the 504 Plan.

Parent's Rights and Responsibilities?

- The Parent/Guardian has a right to participate in the Team meeting to determine eligibility, program, placement, and discipline related issues. The Parent shall receive advance notice of the Team meeting.
- The Parent/Guardian is not entitled to postponement of the Team meeting but may receive one after initiating a request.
- The Parent's responsibilities for supporting the 504 Plan may include the following: providing a structured homework setting, communicating with Team members, conferences with school staff, weekly progress report checks, etc.
- Should a Parent/Guardian have any concerns or questions concerning rights, the process or any other related issue, the parent is encouraged to contact the counselor or Section 504 Coordinator. If the issue is not resolved at the site and the Parent wishes to discuss the matter further, the Parent may contact the District Compliance Officer, Lisa Fredericks, at (415) 380-3554.

Support Group for Parents

p2p meets monthly, providing parents with information and support. It is organized and run by parents with assistance from the school district. Their website is www.tamdistrict.org/students/sped/p2p.htm
Email address: p2p@tamdistrict.org