

What are the school district's responsibilities under Section 504?

Section 504 is a program that is administered within the context of the other regular education programs of a school building. School staff members and parents work cooperatively to develop a Section 504 plan that will help the student benefit from the educational program and activities of the school.

To be in compliance with Section 504, the school district must:

1. Designate a 504 coordinator
2. Provide grievance procedures to resolve complaints. (See <http://sts.dpsk12.org/>)
3. Provide notice of nondiscrimination in admission or access to its programs or activities
4. Annually identify and locate all qualified children with disabilities who are not receiving a public education
5. Periodically notify persons with disabilities and their parents or guardians of the district's responsibilities under Section 504
6. Notify parents or guardians of their right to challenge decisions regarding identification, evaluation or placement. (See <http://sts.dpsk12.org/>)
7. Conduct a self-evaluation of school district policies, programs and practices to make sure discrimination is not occurring.
8. Provide parents the opportunity to examine relevant records

How is Denver Public Schools meeting its responsibilities?

- ✓ By providing this pamphlet to parents which notifies them of their procedural safeguards
 - ✓ Section 504/ADA for filing complaints available at each school.
 - ✓ Designation of 504 coordinators at district and school levels
 - ✓ Identification and training of 504 building coordinators at each school site
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If you have questions on Section 504 concerning students call:

Division of Student Services
Denver Public Schools
(720) 423-8086

Additional information can be obtained from the U.S. Department of Education, Office for Civil Rights, Region VIII, Federal Building, Suite 310, 1244 Speer Blvd., Denver, CO 80204-3582; Telephone (303) 844-5695.



Nondiscrimination on the Basis of Disability

A guide to Section 504 of the Rehabilitation Act of 1973 as it relates to students

**Denver Public Schools
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Denver, Co 80203
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What is Section 504?

Section 504 of the Rehabilitation Act of 1973 is a civil rights statute that protects persons with disabilities from discrimination. It states that:

“No otherwise qualified individual with a disability 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.”
The Americans with Disabilities Act of 1990 contains similar prohibitions against discrimination.

Since the passage of the Rehabilitation Act of 1973 and its implementing regulations, school districts are required to make their programs and activities accessible to all individuals with disabilities and to provide students with disabilities a free appropriate public education. Students may require education or related services, accommodations, or modifications to their school programs.

When is a student eligible for protection under Section 504?

A student is eligible for protection under Section 504 when he/she has a physical or mental impairment that substantially limits one or more major life activities, including:

- caring for oneself
- performing manual tasks
- walking
- seeing
- breathing
- hearing
- speaking
- reading
- learning
- concentrating

When a condition does not *substantially* limit a major life activity, the individual does not qualify for protection under Section 504.

What is the Section 504 process in Denver Public Schools?

The school coordinator will:

- Receive concern from teachers, parents, nurses, counselors, students and others
- Convene a group of persons knowledgeable about the student to collect and review information about the student from a variety of sources
- Work with the team to review the data about the student to determine if the student has a physical or mental impairment that substantially limits a major life activity, and thus, is a student with a disability as defined under Section 504
- As a member of the team decide if, because of the disability, the educational needs of the student are not met as adequately as the needs of the non-disabled students in order for the student to be entitled to a free appropriate public education
- After the team determines that a student is eligible for protection under Section 504, work with the team to develop a Section 504 plan for the student
- As part of the team determine the student’s needs as they relate to the identified disability
- Complete the Section 504 plan by outlining the education or services, reasonable accommodations, or modifications that the student requires
- Plan a review meeting date
- Send copies of plan to designated individuals
- Monitor the implementation of the plan
- Reconvene the team on the date agreed upon to review and reassess any change in status
- Hold a transition meeting when the student moves to a new school and/or send the electronic copy of the 504 Plan to the new school for their records

What does making accommodations mean?

Many students who are eligible for protection under Section 504 will require only reasonable accommodations in order to receive the benefits of the school’s educational programs as adequately as their non-disabled peers. Accommodations are adjustments made by the classroom teacher and other school staff members to help students receive such benefit. Other students will require reasonable accommodations to address health concerns in order to access the programs of the District.

Examples of Common Accommodations

- Shortened assignment(s)
- Read tests aloud
- Provide an extra set of textbooks for home
- Seat the student away from computer/hallway noise
- Provide study guides prior to introducing new materials
- Have the student learn to use a planner
- Provide a peer tutor/helper
- Allow the student to use a computer/keyboard for written assignments in class

Accommodations need to take into account both the functional capabilities of the individual and the alternative methods of performing tasks or activities to allow the student to demonstrate his or her learning.

- Accommodations must be individualized
- Accommodations are intended to provide a student with a disability an equal opportunity to benefit from the educational programs of the school.
- Accommodations do not change the educational standards that a student is expected to meet.
- In unique circumstances a student with a disability may be entitled to a modification, or change, in the educational standards that the student will be expected to meet.