

**SECTION 504
PARENT and EDUCATOR GUIDE**



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What is Section 504?

Section 504 of the Rehabilitation Act ensures that the education system provides services necessary for a student with disabilities to participate in and benefit from public education programs and activities. Section 504 allows for modifications and accommodations for a student with disabilities. The Office for Civil Rights oversees Section 504. Section 504 is designed for those students having any physical or mental impairment that substantially limits one or more major life activities such as seeing, hearing, reading, concentrating, thinking and learning. Students who have physical or mental disabilities that limit the ability to access and participate in the education program are entitled to rights (protection from discrimination) under Section 504.

What Can Parents Do?

- Complete a referral for 504 evaluation and eligibility, with documentation of any mental or physical disabilities
- Attend scheduled meetings
- Ask educators to explain evaluation results and records
- Share information about the child's activities at home and in the community as part of the parent evaluation
- Bring other useful information about the child, such as health records or reports from other agencies

What is the Section 504 Plan?

The Section 504 Plan is a written document identifying the student's disability, and the major life activity negatively impacted, and the way the school district plans to address that impact. The 504 Plan documents the modifications and accommodations necessary for the student to access the education program, services related to the impairment, instructional methods, and/or equipment which are needed for the eligible student, to provide him or her a more successful experience in the school.

How is the 504 Plan Written?

Before the Section 504 Plan can be developed, the Section 504 Eligibility Committee will meet to determine if the student's disabilities substantially limit one or more major life activities. The student's parents are invited but not required to attend this meeting. Educators will bring information about the student's progress in class, test results, educational needs, and suggested areas for accommodations.

Parents will provide information about their child, such as health records, medical records, outside evaluations, interests and activities at home and in the community, parental view on school progress, and future goals. The Section 504 Committee will discuss the student's specific educational needs. The parents will give input to the committee about the child's needs. The committee will also determine how the Section 504 Plan will be provided. A case manager is assigned as the person responsible for insuring that the 504 Plan will be appropriately implemented. A date to review the success of accommodations is determined.

Parent/Student Rights in Identification, Evaluation and Section 504 Placement

- Right to have your child with disabilities take part in, and receive benefits from public education programs without discrimination because of his/her disability.
- Right to receive all information in the parent's or guardian's native language or primary other mode of communication.
- Right to have your child receive a free and appropriate public education which includes the right of the child to be educated with students without disabilities to the maximum extent appropriate.
- Right to have your child have equal opportunity to participate in school programs and extracurricular activities sponsored by the school.
- Right to receive notice a reasonable time before Kanawha County evaluates, identifies, or changes your child's placement.
- Right to inspect and review all of your child's educational records, including the right to obtain copies of educational records and the right to amend the record if you believe information contained in the record is inaccurate or misleading. If Kanawha County Schools refuses to amend the record, you have a right to request a hearing.
- Right to have educational evaluation and placement decisions made based on information from a variety of sources and by persons who know the needs of the student, meaning of evaluation data, and placement options.
- Right to periodic reevaluation and evaluation before any significant change in placement.
- Right to an impartial hearing if you disagree with the Kanawha County

Schools' proposed action. You will be an active participant. You have the right to be represented by counsel in the impartial hearing process. You have the right to appeal the impartial hearing officer's decision.

As required by federal laws and regulations, the Kanawha County Board of Education does not discriminate on the basis of sex, race, color, religion, disability, age or nation of origin in its employment practices or in the administration of its education programs and activities. Inquiries may be directed to Title IX Coordinator, Kanawha County Board of Education, 200 Elizabeth Street, Charleston, WV 25311-2119, phone: 304-348-1379, ext. 219; to Lauren Winter, Section 504 Coordinator, Kanawha County Board of Education, 200 Elizabeth Street, Charleston, WV 25311-2119, phone: 304-348-7770, ext. 347; to the Executive Director, Office of Special Programs, WV Department of Education, Building 6 Room 304, 1900 Kanawha Boulevard East, Charleston, WV 25305, phone: 304-558-2696; or to the Office for Civil Rights, Regional Office III, phone: (215) 596-6787; Fax (215) 596-4862; TDD (215) 596-6794.