



## 504 Plans

A PEATC  
Do You Know  
Factsheet for Virginia's Parents

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Nothing is more unequal  
than the equal treatment of  
unequal people...

Author Unknown

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### Section 504 states....

No otherwise qualified individual with a disability . . . Shall, solely by reason of his or her handicap, 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.

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## Do You Know What a 504 Plan is and How Do I see if my child qualifies?

The "504" in "504 plan" refers to Section 504 of the Rehabilitation Act and the Americans with Disabilities Act, which specifies that no one with a disability can be excluded from participating in federally funded programs or activities, including elementary, secondary or postsecondary schooling.

"Disability" in this context refers to a "physical or mental impairment which substantially limits one or more major life activities." This can include physical impairments; illnesses or injuries; communicable diseases; chronic conditions like asthma, allergies and diabetes; and learning problems.

A 504 plan spells out the modifications and accommodations that will be needed for these students to have an opportunity perform at the same level as their peers, and might include such things as: wheelchair ramps, blood sugar monitoring, an extra set of textbooks, a peanut-free lunch environment, home instruction, or a tape recorder or keyboard for taking notes.

### How do I get a 504 Plan for my child?

The procedure for getting a 504 plan is similar to the one for getting an IEP. If your child doesn't qualify for an IEP (Individualized Education Plan) but still requires some accommodations and modifications to fully participate in the classroom, a 504 plan may be called for.

These steps include the following:

- The student is referred by a teacher, support staff, parent/legal guardian, physician, or therapist. On occasion, a student may initiate a self-referral.
- Evaluations may be considered to determine if special education services are needed instead of accommodations.
- A 504 plan meeting is held.
- A plan for the student is developed
- A review date is set

## Frequently Asked Questions (FAQs)

Can my child have a 504 without an IEP?	YES! Section 504 defines disability more broadly than the IDEA. To be protected under Section 504, a student must have a physical or mental impairment that substantially limits one or more major life activities; <i>or</i> have a record of such impairment; <i>or</i> be regarded as having such impairment.
My child has a disability, shouldn't s/he have a 504 plan?	Not necessarily, your child's disability must "substantially limit" one or more major life activities
The school says my child does not need a 504 plan.	You have the right to request an Independent Educational Evaluation (IEE) on any evaluations that the school initiated and present the results of the evaluation for the school to <i>consider</i> .
My child's teacher is providing accommodations/modifications that are not specified in the plan.	Make a list of accommodations informally provided for your child in the past (e.g., sitting in the front row, study guides). Thank the teacher in writing for providing these accommodations. Ask that the accommodations be included in the 504 plan -OR- Use these accommodations as the basis for a 504 plan.
How can I be sure my child's 504 plan is being implemented?	Provide a copy of the accommodations/modifications to the teacher(s) who work with your child. Meet with your child's teacher(s) to review the plan in the beginning of the school year. Visit the school for a planned observation. Teach your child about the accommodations and how to ask for them politely.
My child's accommodations/modifications are not being implemented.	Contact the teacher directly to discuss the problem first. If this does not change things, make a written request for a meeting to resolve the issue. Request that the school 504 coordinator attend the meeting. Ask for a copy of the grievance procedures in place for resolution of 504 complaints. Take minutes at the meeting and provide all attendees with a copy by email.
HELP! The school wants to take away some of my child's accommodations/modifications.	Children often "outgrow" their accommodations. Discuss with the teacher the reasons why the accommodation is being phased out. Consider your child's long term goals and whether retaining the accommodation is consistent with those goals.
How often should the accommodations be reviewed?	At least annually.

## Resources

[http://www.doe.virginia.gov/federal\\_programs/civil\\_rights/section\\_504.pdf](http://www.doe.virginia.gov/federal_programs/civil_rights/section_504.pdf)

<http://www2.ed.gov/about/offices/list/ocr/docs/dcl-504faq-201109.html>

<http://specialchildren.about.com/od/504s/f/504faq1.htm>



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