

Section 504 Plans

- Section 504 Plans are focused on providing educational access meaning it is intended to provide fair and effective access to an education by an eligible student.
- It requires schools to provide appropriate, reasonable adaptations to the general education learning environment to meet the needs of the eligible student as adequately as those of students without disabilities.
- These changes and services are provided at no cost to the parents.
- A 504 Plan has no set timeline for a review, but it's a generally accepted practice that the Plan is reviewed annually.

Rehab Act

504 Plans are governed by Section 504 of the Rehabilitation Act of 1973 (Rehab Act). The Rehab Act is a federal civil rights law that protects qualified persons from disability-based discrimination by any program, entity or activity that receives federal funds. Providing they receive federal monies; this law applies to schools, school districts, and post-secondary education institutions. A Section 504 Plan is under the coordination of general education.

Eligibility

Under Section 504 disability means that an individual must have a physical or mental impairment that substantially limits one or more major life activities. Because of this broad definition, students who do not meet the criteria for an IEP will often qualify for a 504 Plan. For 504 Plan purposes an impairment by itself is not a disability; it becomes a disability only if it substantially affects one or more major life activities. Even a condition that is temporary in nature, e.g., a broken leg, can be a disability under Section 504 if it significantly disrupts the student's education during its duration.

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**DISABILITY RIGHTS
NORTH DAKOTA**

Major Life Activities

- Caring for one's self
- Seeing
- Hearing
- Speaking
- Communicating
- Reading
- Thinking
- Concentrating
- Learning
- Working
- Eating
- Breathing
- Sleeping
- Walking
- Major bodily functions:
 - Immune system
 - Normal cell growth
 - Digestive System
 - Bowel
 - Bladder
 - Neurological
 - Brain
 - Respiratory System
 - Circulatory System
 - Endocrine System
 - Reproductive System
- Standing
- Lifting
- Bending
- Performing manual tasks

This project was supported in part by U.S. taxpayer funding through multiple federal agencies. The content does not necessarily represent the official views of these agencies and is not an official government document.

504 Plan Evaluation

- An evaluation of the student is required to determine eligibility for services.
- Parents must consent to the evaluation.
- Evaluations are designed by the team working with the student and are limited to the specific questions the team needs to address.

504 Plan Team & Meetings

- There are no set requirements for who serves on the team.
- Team members should be persons who know the student and understand the student's disability.
- Members typically include the parents, the student's general education teacher, other educators who work with the student, a school administrator, and the student when appropriate
- It's best practice to have a meeting that involves the parents and student (if appropriate) in discussions and decisions about the 504 Plan content.
- A team meeting is not required unless a significant change in placement is being considered.
- Many schools have a policy that requires meeting.
- Schools must designate a 504 Coordinator.