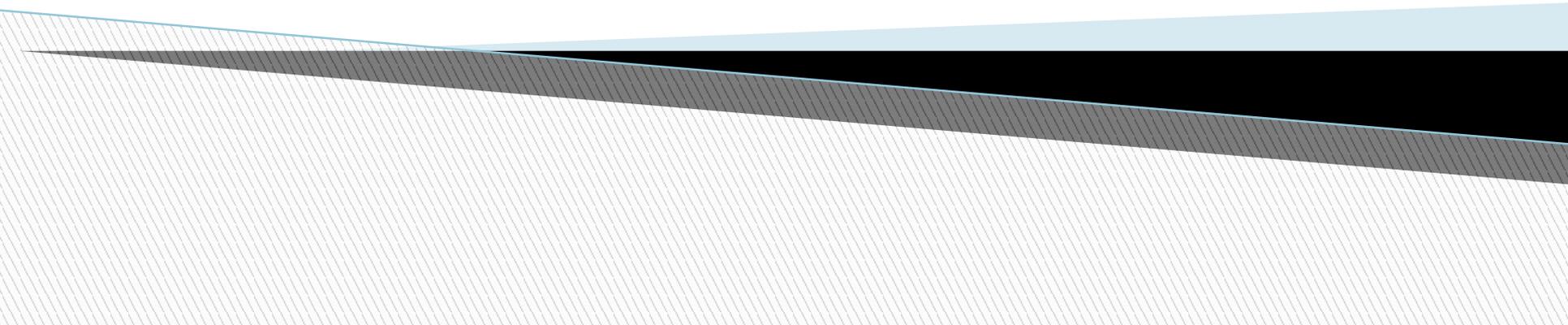


Mansfield Public Schools

Staff Development
Accommodations for Disabled Students



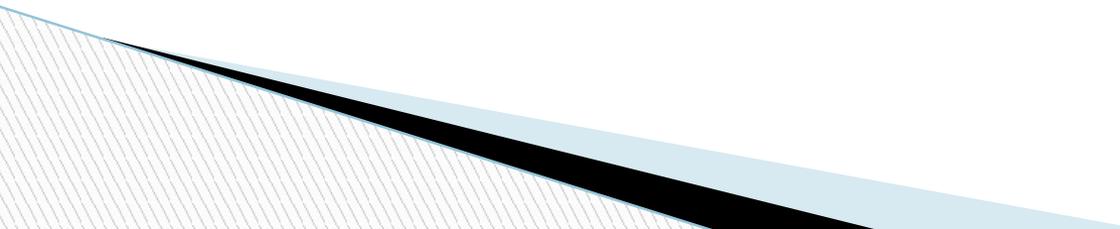
How to Prepare for a 504 mtg.

- ▶ Initial Meeting
 - Progress Notes, checklists, teacher evaluation form (rating scale #3).
- ▶ Review Meeting
 - All of the above plus accommodations sheets such as math reference and graphic organizers.
 - Data on each accommodation used

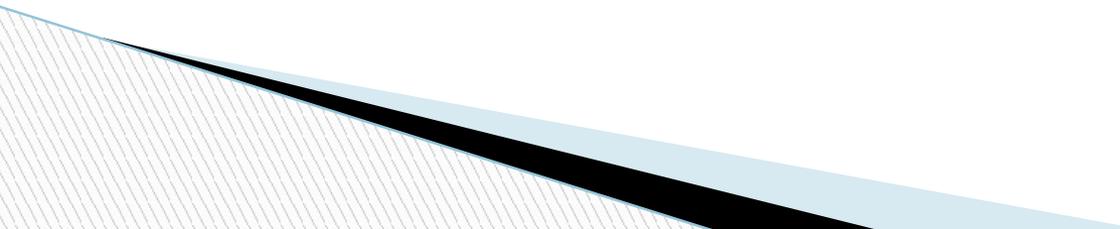
Section 504

- ▶ While the law (Section 504 of the Rehabilitation Act of 1973) does not specifically mention learning disabilities, “major life activities” can include a broader definition of disability and so it pertains to many more people.
- ▶ 504 includes students that otherwise may not qualify under the IDEA criteria for service. As defined in Section 705(20) of this title, a student shall not, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits, or be subjected to discrimination under any program or activity receiving Federal financial assistance.....

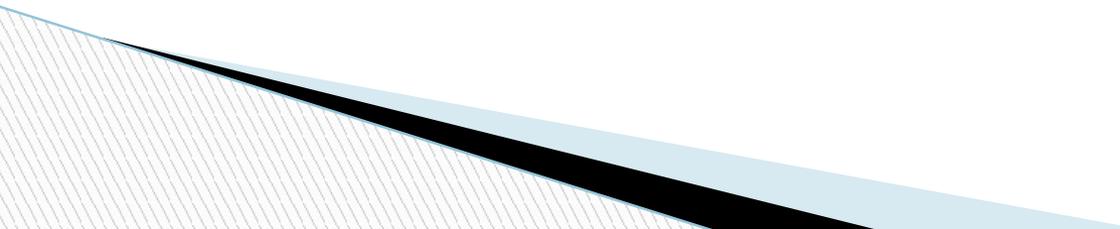
Under 504

- ▶ A student is disabled if he/she has a physical or mental impairment that substantially limits a major life activity
 - ▶ A student is entitled to accommodation under Section 504 if the disability poses an impediment to access to the curriculum
 - ▶ Section 504 accommodations do not consist of specially designed instruction, but permits access to the curriculum
 - ▶ Section 504 levels the playing field by removing impediments to that access
- 

IDEA

- ▶ A child will be determined eligible if he/she is disabled AND
 - ▶ As a result, is unable to
 - Progress effectively in general education without specialized instruction or accommodations or modifications
 - Access the general curriculum without a related service or accommodations
- 

504 Eligibility

- ▶ Must have an identified disability
 - ▶ The disability “significantly limits them in performing one or more major life activities”
 - ▶ To be eligible a student must meet the requirements for these two prongs of the law in order to be served
 - ▶ Data collection is essential for parents/guardians and educators to make a correct determination
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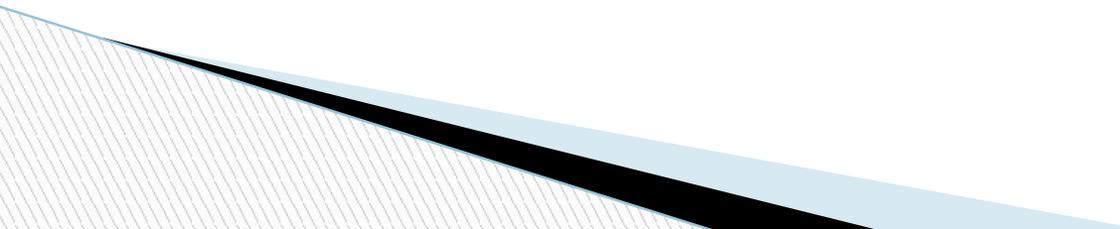
What about a short term 504?

- ▶ Principals are able to put a temporary 504 in place if the student has a need (i.e. when a student has an arm in a cast a scribe can be put in place.)

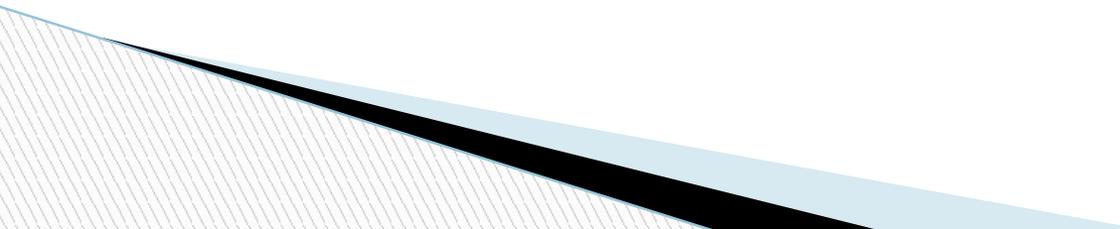
504's function under IDEA

- ▶ IDEA: Specially designed instruction to support students to make effective progress in curriculum. Adapting as appropriate the content methodology or delivery of instruction
 - Section 504 accommodation provides for access to the curriculum: same content, same standards or achievement as general education. 504 accommodations are just in a different way of getting there

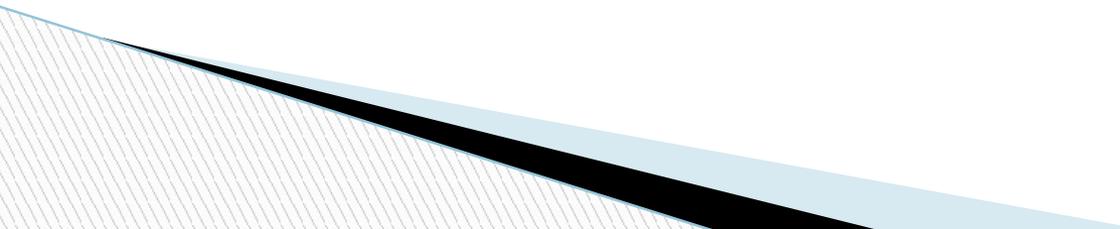
504 Regulation Expectations

- ▶ Do not exclude on basis of disability
 - ▶ Do not harass on basis of disability
 - ▶ Do not permit harassment on basis of disability
 - ▶ Provide accommodations that are necessary for access
 - ▶ Do not retaliate for assertion of rights
 - ▶ Do not permit retaliation for assertion of rights
- 

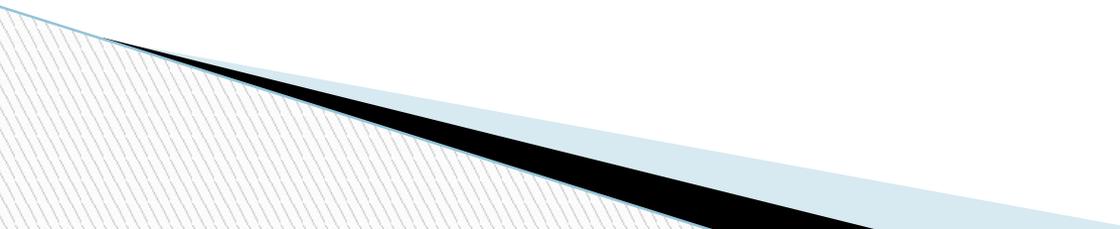
Examples of Accommodations

- ▶ Oral rather than written (or vice versa)
 - ▶ Wheelchair Ramps
 - ▶ Elevator Access
 - ▶ Untimed or extended time tests or assessments. This includes accommodating curriculum access due to absence or tardiness directly related to a student's disability care.
 - ▶ Motor breaks
 - ▶ Counseling
 - ▶ Access to the nurse for medication
- 

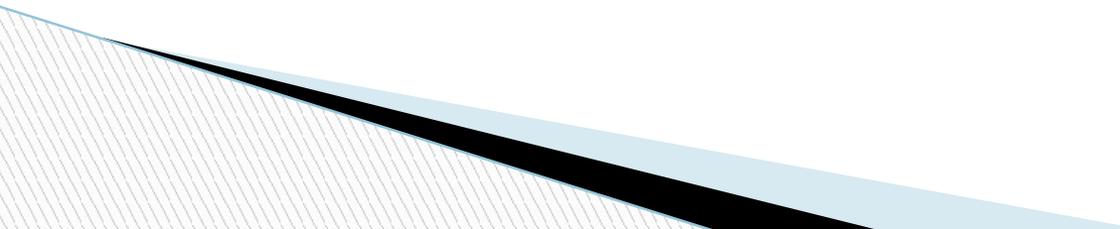
Accommodation Procedure

- ▶ Referral
 - ▶ Evaluate
 - ▶ Draft an IAP (individual accommodation plan) these MUST align directly to the disability. The accommodations should make sense. 504's are unique for each student.
 - ▶ The 504 team meets and decisions are by consensus: individual disagreements are OK at the table, but the final decisions must be honored after the meeting
 - ▶ Implement the IAP: direct participation in intentional refusal could expose employees to liability and damages for civil rights violations
 - ▶ Monitor and Review ongoing and at minimum annually
- 

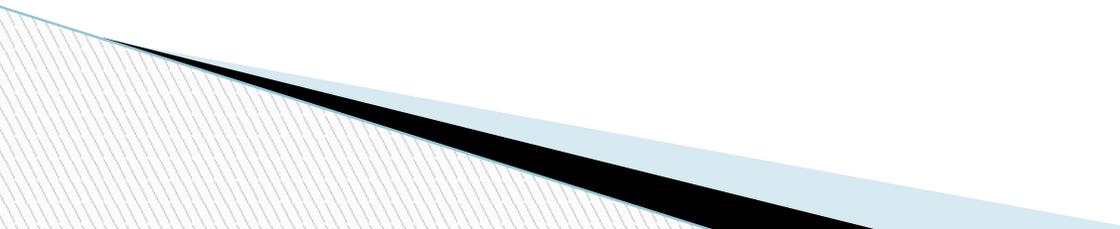
Teacher Involvement in the Process

- ▶ Identification through progress monitoring and data collection
 - ▶ Referral to RTI as a first step to develop an IAP then discuss eligibility for a 504 if a documented disability is identified AND effective progress is not being made
 - ▶ Participate in eligibility determinations
 - ▶ Identification of effective accommodations
 - ▶ Implementation of accommodations
 - ▶ Monitor effectiveness
 - ▶ Report harassment
- 

Where do you find accommodations?

- ▶ If a student is eligible for special education under IDEA, the accommodations are listed in the IEP: PLEP A and B
 - ▶ If a student is eligible for accommodations, but not specialized instruction, accommodations are listed on the Section 504 accommodation plan (Aspen X2)
- 

Must Do

- ▶ Section 504 accommodations are not suggestions
 - ▶ They **MUST** be implemented
 - ▶ A meeting can be called by parent/guardians or school staff
 - ▶ The team must include persons knowledgeable about the student
 - ▶ A 504 team is most effective if other staff is present such as the nurse or counselor, OT, PT, etc. However these members are not required to attend.
- 

Frequent Excuses

- ▶ “It is not fair to the other students.”
- ▶ “I don’t have time.”
- ▶ “The student doesn’t want my help.”
- ▶ “The parents are the real problem.”
- ▶ “The student is just lazy.”
- ▶ “No one informed me so it isn’t my fault.”
- ▶ “The student just wants attention.”

Excerpted from the Northeastern Regional Education Cooperative (REC 4) “What Every General Education Teacher Must Know About Special Education Law” (July 2003): <http://www.rec4.com>

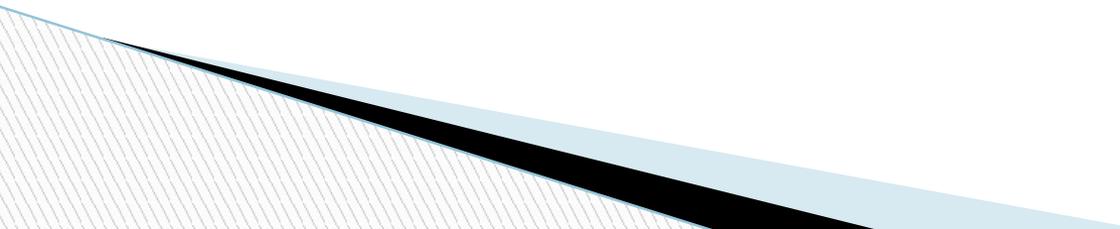
Individual Liability with Accommodations

Discipline/Negative Evaluation

- Failure to implement accommodations
- Refusal to implement accommodations

Litigation instituted by parent is possible when knowingly and willingly refusing to implement accommodations on the basis of civil rights violations and there is a potential for damages

Professional Responsibilities

- ▶ Learn
 - ▶ Know
 - ▶ Implement
 - ▶ Ask
 - ▶ Communicate
 - ▶ Correct
 - ▶ Monitor
 - ▶ Data
 - ▶ If you do not understand an accommodation, ASK an appropriate team member.
- 

Ask Yourself

- ▶ Which students in my class have an IEP or a 504 plan?
- ▶ Have I personally reviewed each IEP and 504?
- ▶ Am I making a good faith effort at implementing the IEP's and 504's?
- ▶ Do I have proof that I am implementing the IEP's and 504's?

Excerpted from: www.harding.edu/dlee/mods.pdf: author Dr. Raymond W. Lee Jr. and the Northeastern regional Educational Cooperative

Need further Incentive?

- ▶ Doe vs Withers

The teacher willingly refused to provide the accommodations listed in a student's 504 plan.

The court in West Virginia awarded \$15, 000 damages against the teacher.