

SECTION 504 PLAN

Quick Reference Brief | Civil Rights & Accommodation in Education

WHAT IS A SECTION 504 PLAN?

A Section 504 Plan is a formal civil rights accommodation plan under the Rehabilitation Act of 1973 (29 U.S.C. § 794) and 34 C.F.R. Part 104. It ensures students with disabilities receive equal access to education.

- Provides accommodations and supports in the general education setting
- Does not require specialized instruction (unlike an IEP under IDEA)
- Prohibits disability-based discrimination in federally funded programs

ELIGIBILITY (34 C.F.R. § 104.3(j))

A student is eligible if they have a physical or mental impairment that substantially limits one or more major life activities, including:

- Learning, reading, concentrating, or thinking
- Communicating, walking, breathing, caring for oneself

Common qualifying conditions: ADHD, anxiety/depression, autism spectrum disorder, chronic illness (asthma, diabetes), and temporary impairments (e.g., injuries).

STEP-BY-STEP 504 PROCESS

#	Step	Description	Legal Basis
1	Referral	Written referral submitted by parent/guardian, teacher, school staff, or administrator.	34 C.F.R. § 104.35(a)
2	Notice & Consent	School provides written notice; parent/guardian consent obtained before review proceeds.	34 C.F.R. § 104.36
3	Evaluation Review	The team reviews multiple sources: academic records, teacher input, medical documentation, observations, and assessments. No single measure may be used. Best practice: ~30 calendar days.	34 C.F.R. § 104.35(c)
4	Eligibility Meeting	Team (parent, general ed teacher(s), knowledgeable staff, administrator, and student as appropriate determines eligibility.	34 C.F.R. § 104.35(c)(3)
5	Plan Development	Written accommodation plan created; staff responsibilities identified. A case manager is assigned.	34 C.F.R. § 104.33
6	15-Day Review Period	Parents receive a proposed plan and have 15 calendar days to sign. If not returned, the plan goes into effect on Day 16.	District Policy
7	Implementation	Staff notified; accommodations begin immediately upon parent signature or after a 15-day period.	34 C.F.R. § 104.33(b)
8	Monitoring	Teachers monitor effectiveness and maintain logs. Adjustments made as needed. Parents may request a meeting at any time.	FAPE Standard
9	Annual Review	Plans reviewed at least annually. Updated medical documentation required every 3 years when applicable.	34 C.F.R. § 104.33

EXAMPLES OF ACCOMMODATIONS (All are individualized)

Academic	Behavioral / Environmental	Health & Organizational
• Extended time on tests/assignments • Reduced workload • Preferential seating • Access to teacher notes • Assistive technology	• Scheduled breaks • Counseling access • Check-in/check-out system • Quiet testing location • Flexible seating	• Nurse access / medication administration • Snack & hydration breaks • Modified physical activity • Assignment planners • Task chunking & teacher check-ins

PARENT RIGHTS (34 C.F.R. § 104.36)

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| <ul style="list-style-type: none">• Receive written notice of decisions• Participate in eligibility and planning meetings• Review educational records (FERPA – 20 U.S.C. § 1232g) | <ul style="list-style-type: none">• Request reevaluation at any time• File a grievance or due process complaint• Consent to or withdraw consent for the 504 Plan |
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