Section 504 Placement Process

The following process helps in the determination of eligibility and proper placement of Section 504 students.

(1) Referral—A student, parent, teacher, counselor or administrator believes he/she is observing a student's substantially limited performance in one or more of the major life activities and initiates the referral.

(2) Referral Review—The designated building team reviews the referral and consults with teachers, parents/guardians, peers, professionals, and/or the student.

(3) Decision to be made—Does this student appear to have a disability under Section 504?

(4) Evaluation—Conduct all evaluations deemed appropriate and for which the parent/guardian has given written permission.

(5) Eligibility—A team composed of at least three professionals knowledgeable about the student's disability, the meaning of the evaluation data, and the curriculum meets to determine eligibility.

(6) The Development of an Accommodation Plan—Once eligibility under Section 504 has been determined, the next step is to develop a student accommodation plan.

(7) Parent Permission—Parents are provided with a copy of the student's accommodation plan and give their written permission to initiate the plan.

(8) Educational Services—The educational services are implemented as outlined in the student's accommodation plan.

(9) Annual Review—The team reviews each student's accommodation plan on an annual basis.

Guidance and Counseling Staff

Supervisor of Guidance: Samuel Fierra

Lawrence High School

Marjorie Cobin
Christian D'Angelo
Alexa Gonzalez
Doreen Welsh

Lawrence Middle School

Elizabeth Guarini
Christine Bobb

Lawrence Intermediate School

Patricia Esser
JoAnn Geter
Jennifer Holmes

Elementary Schools

Ben Franklin—Dawn Wolf
Eldridge Park—Tricia Burns
Lawrenceville—Megan Umbach
Slackwood—Melanie Seaman

Department of Guidance and Counseling

Lawrence High School
Department of Guidance and Counseling
2525 Princeton Pike
Lawrenceville, NJ 08648

Phone: 609-671-5515
Fax: 609-671-3450

Lawrence Township
Public Schools

Section 504

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**Department of Guidance and Counseling**

Telephone: 609-671-5515

What is Section 504?

Section 504 of the Rehabilitation Act of 1973 is a national law that protects qualified individuals from discrimination based on their disability. It addresses the needs of students with disabilities in an educational setting and provides a process for providing a free appropriate education for all students with a disability at the preschool, elementary, and secondary levels. The purpose of the Act is to prohibit discrimination and to assure that students with disabilities have educational opportunities and benefits equal to those provided to students without disabilities. Public schools are required to provide a full range of special accommodations and services necessary for students with disabilities to participate in and benefit from public education programs and activities.

Eligibility

A student protected from discrimination under Section 504 is one who is between the ages of 3 and 21 and who:

1. Has a physical or mental impairment that substantially limits one or more major life activities, including learning:

2. Has a record of such an impairment; or

3. Is regarded as having such an impairment.
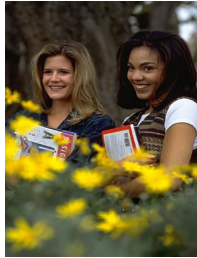
Students, who because of a disability, need or are believed to need reasonable accommodations with the general education program, are addressed under this statute. Students eligible for special education services are not addressed under this policy, as the needs of such students are provided for under federal, state, and local special education law and policy.

There may be circumstances when a student with a temporary disability may be protected under Section 504. However, the temporary impairment must be a physical or mental impairment that substantially limits one or more of the major life activities. Determinations about eligibility and accommodations will be made on an individual basis.

Requirements of Section 504

Any student who needs (or is suspected of needing) special accommodations may be referred by a teacher/administrator or parent/guardian to the team level Intervention and Referral Service team (I&RS). The I&RS will determine if Section 504 consideration is warranted. A referral to the team is strongly encouraged before a more formal Section 504 referral is initiated In this way, appropriate educational accommodations and services can be made in a relatively informal manner without the need for formal qualifications under Section 504.

Referral to the building based I&RS is not intended to deny or delay any necessary referral for special education or Section 504. If at any time it appears likely that a student needs accommodations under Section 504, a direct referral will be made.

Evaluation and Reevaluation

All students referred under Section 504 and who are suspected of having a physical or mental impairment that may substantially limit a major life activity shall receive an evaluation. Evaluation is a broad term and provides consideration of information from a variety of sources. Evaluation data may include but is not limited to: formal and informal test instruments, aptitude and achievement tests, teacher observations, student grades, program reports, medical reports, parent input, and prior IDEA evaluations.

An evaluation must be completed prior to making a significant change in the student's educational program. A student's program will be evaluated on an annual basis, or sooner if circumstances warrant. A reevaluation will always take place before a significant change occurs.

504 Accommodation Plan

If it is determined that a student has a physical or mental impairment that substantially limits one or more major life activities, the school's Section 504 committee will develop an Accommodation Plan designated to meet the individual educational needs of the student. The Plan includes modifications to the general education classroom so that the student has equal access to the educational benefits of the school's programs. The Plan outlines the specific modifications and adjustments that will be made to meet individual student needs. Parents and students are invited to participate in Plan development.

Considerations in Developing a Section 504 Accommodation Plan

- General Curriculum: Accommodations in instructional delivery and in student productivity, but not in content.

- Assessment: There are no exclusions from state or district assessments for 504 students. Only students who routinely receive accommodations in accordance with their Plan are allowed accommodations on state and/or district assessments.

- Placement: The least restrictive environment for 504 students is in the general education setting with accommodations. A 504 student's program will be a combination of general education with supplemental aids and services to meet the student's needs.

- Accommodations: 504 Plans are written to indicate only what the student needs in order to receive the same educational opportunity as a student without disabilities.

- Grades: Section 504 students are not guaranteed passing grades. Students that fail to complete assignments are not entitled to passing grades. They do have an equal opportunity to fail, if they have earned a failing grade.

- Medication: The administration of medication may be a necessary service. Such services should be identified in a student's Plan. Educators cannot make a medical diagnosis, recommend a particular medication, or require parents to make medical appointments regarding their children.

- Athletic Participation: Participation in athletics is an issue of accessibility and equal opportunity. If a student does not meet the essential eligibility requirements of a program, after providing accommodations, the student will not be eligible to participate.

- Behavior Intervention Plans: When a student's behavior impedes his /her learning or the learning of others, a behavior intervention plan should be developed which