



# The 504 Bulletin

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## Snapshot of the new 504 form

During the past several months a committee of individuals from throughout the ASD has worked to redesign the Section 504 forms, making the format more "user friendly" and preparing the new format for conversion to an electronic format with the beginning of the 2008-09 school year. While there is a considerable amount of work remaining, the new form, instructions and other documents regarding the 504 program will be available for staff use upon your return for the 2008-09 school year.

Details concerning the new forms, instructions, questions and answers, new parent handouts and program data will be available within the next few weeks. It is anticipated that the new format will enable ASD to maintain "real time" data at the building level and provide verifiable counts of utilization of the program. Attached to the electronic version of this edition is a "sneak peek" of the revised forms. If you have comments or suggestions please forward them to one of the committee members listed below.

### Committee Members

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## 2007-08 504 Wrap Up

As the 2007-08 school year nears the end it is important for each school's 504 Coordinator to review all Section 504 Plans for which they have responsibility. This activity should include updating the plans as needed, reviewing changes of placement which will be occurring for almost all students with the beginning of the 2008-09 school year and ensuring that all 504 plans have been submitted to the office of Special Education at the Boniface Education Center. Submission to special education is a one-time process to provide ASD with updated copies of all current 504 plans and verifiable counts of 504 students in each building.

It is important to note that each school must maintain a copy of the student's 504 plan and all backup documentation. Copies forwarded to Boniface should only be of the actual plan. If you have any questions please contact Burl Oliver, ASD Compliance Coordinator @ X4293.



## Technical Assistance

Technical assistance, in the form of training, small group discussions and specific problem-guidance is available upon request from the Section 504 office. If you are interested in learning more about how to deal with the day-to-day realities of Section 504 and covered students, contact Burl Oliver and set up a consultation for your school. Burl can be contacted by phone at 742-4293, email at [Oliver\\_Burl@asdk12.org](mailto:Oliver_Burl@asdk12.org), or in the Special Education office at the Boniface Center.



## Section 504 Myth? Reality?

- 1) A student is taken off a 504 plan since he has ceased to exhibit any of the symptoms of a disability or substantial limitations caused by the disability. What are the options for the parents who disagree with the ASD decision to remove the plan?
- 2) What is the annual deadline for implementation of 504 plans in the ASD?
- 3) All 504 plans need to have an annual review. What does that mean?
- 4) A student with a 504 plan from ASD is transferred to a private school in Anchorage by his parents. Is he entitled to continue receiving services outlined on his plan?

(see back page)

## Section 504 and ADHD

Important federal mandates protect the rights of eligible children with disabilities such as Attention Deficit Hyperactivity Disorder (ADHD). These mandates include IDEA and Section 504 of the Rehabilitation Act of 1973. The regulations for Section 504 may be found at CFR 34.104. The regulations implementing Section 504 require school districts to provide a "free appropriate public education" to students who meet eligibility criteria. A student with ADHD may not be eligible for services under IDEA, but may meet the requirements of Section 504. It is important to note that Section 504 is NOT "Special Education Lite", but a separate and distinct program.

The requirements and qualifications for IDEA are more stringent than those of Section 504. While students who are eligible under IDEA must have an IEP, students eligible under Section 504 are not required to have an IEP but must be provided regular or special education and related aids or services that are designed to meet their individual educational needs as adequately as the needs of non-disabled students are met.

Section 504 was established to ensure FAPE for all children who have an impairment-physical or mental-that substantially limits one or more major life activities. If it can be demonstrated that a child's ADHD adversely affects their learning-a major life activity-the student may qualify for service under Section 504. To be considered eligible for Section 504, a student must be evaluated to ensure that the disability requires special education or related services or supplementary aids or services. Therefore, a child whose ADHD does not interfere with their learning process may not be eligible for services under Section 504.

Section 504 requires schools to provide accommodations for students whose ADHD adversely affects their educational performance. Eligible children with ADHD must be placed in regular education classrooms to the maximum extent appropriate to their educational needs, with the use of supplementary aids and services if necessary.

## Accommodations for 504 Students

### What are accommodations?

Accommodations are alterations in the way tasks are presented that allow children with disabilities to complete the same assignments as other students. Accommodations do not alter the content of assignments, give students an unfair advantage or in the case of assessments, change what a test measures. They do make it possible for students to show what they know without being impeded by his or her disability.

### How does a child receive accommodations?

Once a child has been identified as having a disability which substantially impacts one or more major life activities, a parent, the student, a teacher, a counselor may make a referral for a 504 evaluation. Parents and the student should be invited to be a part of the 504 team, to help determine eligibility and to help determine appropriate accommodations to address the student's disabilities in the classroom. Any accommodations that are appropriate must be written into the 504 plan.

Here are a few examples of possible accommodations for a 504 team to consider when evaluating what type of accommodations they should place in the student's 504 plan:

#### Presentation:

- ...Provide an audio tape
- ...Provide in large print
- ...Reduce number of items per page or line
- ...Provide a designated reader
- ...Present instructions orally

#### Response:

- ...Allow for verbal responses
- ...Allow for answers to be dictated to a scribe
- ...Allow the use of a tape recorder to capture responses
- ...Permit responses to be given via a computer
- ...Permit answers to be recorded directly into test booklet

#### Timing:

- ...Allow frequent breaks
- ...Extend allotted time for a test

#### Setting:

- ...Provide preferential seating
- ...Provide special lighting or acoustics
- ...Provide a space with minimal distractions
- ...Administer a test in small group setting
- ...Administer a test in private room or alternative test site

#### Test Scheduling:

- ...Administer a test in several timed sessions or over several days
- ...Allow subtests to be taken in a different order
- ...Administer a test at a specific time of day

#### Other:

- ...Provide special test preparation
- ...Provide on-task/focusing prompts
- ...Provide any reasonable accommodation that a student needs that does not fit under the existing categories.

### Should accommodations have an impact on how assignments are graded?

School assignments and tests completed with accommodations should be graded the same way as those completed without accommodations. After all, accommodations are meant to "level the playing field", provide equal and ready access to the task at hand, and not meant to provide an undue advantage to the user.

### What if accommodations don't seem to be helping?

Selecting and monitoring the effectiveness of accommodations should be an ongoing process, and changes (with involvement of students, parents and educators) should be made as often as needed. The key is to be sure that chosen accommodations address students' specific areas of need and facilitate the demonstration of skill and knowledge.



## Dispel The Myths

- 1) The ASD policy for this type of situation was outlined in a policy memo dated December 6, 2007, a copy of which is attached to the electronic version of this document. The parents may appeal the decision of the 504 team informally by: requesting a reconsideration of the decision of the 504 team; requesting a meeting with the 504 team to provide additional information or by a complaint to the building principal. Additional, more formal due process requests may also be filed.
- 2) There is no deadline for implementation of a 504 plan. However, a number of factors such as the ability of the school to put the accommodations in place before the end of the school year, the impending change of placement of the student, the actual conditions on which a 504 plan would be based, etc. all need to be examined to determine how a plan needs to be implemented.
- 3) ASD policy is that all 504 plans are to be reviewed annually. This means that each 504 coordinator should ensure that each 504 plan for which they are responsible be evaluated as to the content and required actions on the part of the district. This should be completed prior to the end of the school year. Additionally, all 504 plans must be reviewed not later than the end of the first quarter each year by the coordinator to ensure the plans are current and all accommodations have been implemented.
- 4) No. Students enrolled in private schools by their parents are no longer eligible for a 504 plan through the ASD.