



The 504 Bulletin

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A Tip of the Hat!



As many of you are aware, the Section 504 program is very fortunate to have an outstanding support staff in Nancy Bertino. Nancy provides the “details” for so much of the 504 program; serves as an immediate source of information and guidance for those of you who may be struggling with the requirements, and in general keeps the program moving forward on a daily basis.

Nancy has been a force behind getting the new forms developed and available on line, obtaining the license(s) for each school and in helping with the development of the 504 Administrative Guideline book, etc. Her skills in the “techie areas” are greatly appreciated (and serve as a counterbalance to mine). And, she does all of this along with her almost full time duties as support staff for the Director of Federal Compliance, Eudora Fraczek. Did I say that she is also the person who gets the Bulletin to you each month?

If you have questions about the 504 program and I am unavailable or if you need information regarding 504 information on the web, etc., call Nancy @ 742-4272.

Burl Oliver
Compliance Coordinator

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504 Data

While each 504 coordinator has building-level knowledge of their 504 students, the district-wide data can best be stated as incomplete. Efforts at collecting, analyzing and coalescing the data into something useful have been limited in the past. The new online system will allow the ASD to collect more timely and accurate information about each school, the district as a whole and enable staff to obtain more meaningful training and guidance.

Section 504 Building-Level Coordinators

A list of building-level Section 504 Coordinators is available online via the ASD District Connection. Listed are the names and schools of each coordinator and their contact telephone number. Do not be shy about using your fellow coordinators to obtain information and utilize their expertise! A number of the coordinators have been at this activity for a while and have become “resident experts” about the processes, paperwork, accommodations, communications, disabilities and compliance. While every potential 504 student needs to be individually assessed and individual plans developed, there are many commonalities, and the collective experience of numerous ASD staff can be a significant source of support and knowledge. Remember, if it is new to you, someone else has probably already dealt with a similar situation.

Section 504 Plan Development Issues

A review of 504 plans submitted this year is underway. During this process a number of recurrent issues have been identified. The following is a list of some of the more frequent items. Take a look at the statements below and see if you can determine the problems such statements might represent.

1. The use of special education decertification as the reason for 504 eligibility.
2. Failure to identify a link between a disability and a major life activity.
3. Use of accommodations which do not seem to be pertinent to the student's academic issues.
4. Continuing use of 504 plans for the sole purpose of testing (HSGQE).
5. Use of 504 plans from previous schools, without review or modification to fit the new setting.
6. Students continue to be placed on both 504 plans and IEP's.

Section 504 Statistical Data

Preliminary information concerning the number of students on Section 504 plans in the Anchorage School District indicates the following:

	<u># of 504 Students in VAX</u>	<u># of 504 Plans on File</u>
<u>Elementary Schools</u>	98	75
<u>Middle Schools</u>	63	57
<u>High Schools</u>	197	191
<u>Other</u>	27	26
<u>Charter Schools</u>	55	52
TOTALS	440	401

Several schools, primarily elementary have not submitted copies of their current 504 plans to this office. These schools have been notified. Your efforts providing copies to this office and ensuring your student number is correct is greatly appreciated!



§504 Questions and Answers

1. My daughter was recently decertified from Special Education. When I requested a 504 plan to replace the Sped services, I was told that there is no automatic eligibility for former Sped students and that a completely new eligibility determination would have to take place before a plan could be established. Why? I thought 504 is simply a step down from Special Education to ensure that she doesn't fail when placed in regular education classes.
2. A student just transferred to our school from another district (his family is military). Can I just use the 504 from his old district, or do I have to reevaluate the student's 504 eligibility in ASD?
3. Mom has requested a 504 plan for her daughter who has been newly-diagnosed with cerebral palsy. I suggested that we establish a medical plan in lieu of a 504 plan since the daughter is an outstanding student who has no academics concerns, participates in school activities and is doing well in all other aspects of her schooling. Mom demanded a 504 plan since she now has a firm diagnosis of her daughter's medical issues. How do we address this issue if Mom won't agree to "simply" having a medical plan in place?

Disability Information

ANXIETY

Who hasn't gotten anxious when about to take an important test? How about a job interview? Meeting the new in-laws? There are many normal situations in life where anxiety seems to just take over; we just aren't ourselves in those situations. But, what happens when anxiety takes over and dominates aspects of your life? When "test anxiety" becomes "life anxiety"? If that happens you are not alone. However, from a clinical perspective, it can be debilitating. What's the cause of this far from normal anxiety? Is there a way to control it? Cure it?

A number of students are victims of anxiety so profound that it prevents them from achieving academically, socially and emotionally. The following information concerning anxiety is provided courtesy of the American Academy of Child and Adolescent Psychiatry.

The Anxious Child

All children experience anxiety. Anxiety in children is expected and normal at specific times in development. For example, from approximately age 8 months through the preschool years, healthy youngsters may show intense distress (anxiety) at times of separation from their parents or other persons to who they are close. Young children may have short-lived fears, (such as fear of the dark, storms, animals or strangers). Anxious children are often overly tense or uptight. Some may seek a lot of reassurance, and their fears might interfere with activities. Parents should not discount a child's fears. Because anxious children may also be quiet, compliant and eager to please, their difficulties may be missed. Parents should be alert to the signs of severe anxiety so they can intervene early to prevent complications. There are different types of anxiety in children.

Symptoms of separation anxiety include:

- ① Constant thoughts and intense fears about the safety of parents/caretakers
- ① Refusing to go to school
- ① Frequent stomachaches and other physical complaints
- ① Extreme worries about sleeping away from home
- ① Being overly clingy
- ① Panic or tantrums at times of separation from parents
- ① Trouble sleeping or nightmares

Symptoms of phobia include:

- ① Extreme fear about a specific thing or situation (dogs, insects, needles)
- ① The fears cause significant distress and interfere with usual activities

Symptoms of social anxiety include:

- ① Fears of meeting or talking to people
- ① Avoidance of social situations
- ① Few friends outside the family

Other symptoms of anxious children include:

- ① Many worries about things before they happen
- ① Constant worries or concerns about family, school, friends or activities
- ① Repetitive, unwanted thoughts (obsessions) or actions (compulsions)
- ① Fears of embarrassment or making mistakes
- ① Low self esteem and lack of self confidence

Severe anxiety problems in children can be treated. Early treatment can prevent future difficulties, such as loss of friendships, failure to reach social and academic potential, and feelings of low self-esteem. Treatment may include a combination of the following: individual psychotherapy, family therapy, medications, behavioral treatments, and consultation to the school.

If anxieties become severe and begin to interfere with a child's usual activities, (for example separating from parents, attending school and making friends) parents should consider seeking an evaluation from a qualified mental health professional or a child and adolescent psychiatrist.



§504 Questions and Answers

1. Section 504 and Special Education are separate programs. While students who are qualified for Special Education are covered under the antidiscrimination aspects of Section 504, the programs differ in a number of ways. Section 504 does not have the categorizations and regulatory requirements that special education does; school districts do not receive any federal funds for Section 504; students who qualify for special education must receive those services under special education and not under 504. One of the major differences is that 504 accommodations are intended to “level the playing field” in the **regular education setting** for qualified students, so they can compete with their non-disabled peers. No student can have both an IEP and a Section 504 plan; 504 is not a “stop gap” until an IEP can be put into place and 504 is not a “step down” from special education. Each program has its own eligibility criteria and staff must conduct a separate analysis of a student’s needs for each program.
2. A 504 plan from another district is not acceptable on a long term basis. However, the receiving school must have time to determine the needs of the new student and assess whether the services provided and the student’s need for services under the old plan are appropriate for the new setting. There is no specific timeframe for this to occur, but the evaluation and changes to the current school’s 504 format should occur as soon as practical and not later than the end of the first term for the transferring student.
3. You should move ahead with an evaluation of the student’s qualifications for a 504 plan. Mom’s insistence that a 504 plan be developed should be treated as a referral and the new medical information used to help determine the need for a plan. However, as in most situations, a medical diagnosis does not necessarily translate into a need for academic assistance. As noted, the student is having no academic difficulties and it is currently unknown if the onset of cerebral palsy will create such difficulties for her. That is not to say that the school should wait for the student to fail before providing supports. It simply means that the student does not currently qualify for Section 504. In this case, a medical plan can address her needs in the school setting and allow information to be shared as appropriate with staff to ensure her safety and well being in the school setting.

Changes to Americans with Disabilities Act



Effective January 1, 2009 several changes were effective concerning the Americans With Disabilities Act. These changes, made via S. 3406: ADA Amendments Act of 2008, also impact the Section 504 program in a variety of areas. Next month’s bulletin will contain a synopsis of the changes to the ADA and the resultant impact on ASD’s Section 504 program, including any required adjustments to your student’s plans.

The ADA changes will not cause significant changes because ASD has previously adopted a relatively broad policy of determining “eligibility”, “qualifications”, “disability” and “impairment”.

In the interim, if you have any questions or concerns, please feel free to contact me, Burl Oliver, at 742-4272 or via email at oliver_burl@asdk12.org.