

What if I have a concern about a 504 Plan? Who is the school 504 Plan representative?

Your first contact with the school should be to the Principal. This person is knowledgeable about Section 504 requirements. Considering the nature of the concerns, the principal should be able to either resolve the concerns or direct you to someone who can address them. If you are not satisfied, you may contact the 504 Coordinator

What if I have a concern or complaint? If a parent has a concern or complaint, then contact should be made to the 504 Coordinator for the school. At this point, you may be asked to put your concerns into writing to formalize the complaint process.

What if my concern or complaint remains unresolved?

In the event that the school or district is unable to resolve your concern, you can locate someone in the local office of Civil Rights (OCR). This office deals with the details of the application and enforcement of the Rehabilitation Act of 1973. The Office of Civil Rights will ask you to explain the situation, specify the issue and cite the area of discrimination (if any). The Office of Civil Rights will then contact the school district to investigate the complaint.

Office of Civil Rights (Region II)

Office of Civil Rights
U.S. Department of Health and Human Services
Jacob Javits Federal Building
26 Federal Plaza – Suite 3312
New York, New York 10278
Phone (212) 264-3313
Fax (212) 264-3039

**EAST RUTHERFORD
BOARD OF EDUCATION**

**Board of Education and
Administrative Offices**

**Uhland and Grove Streets
East Rutherford, NJ 07073
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**EAST RUTHERFORD
SCHOOL DISTRICT**

**A GUIDE TO
504 Plans**



What is a 504 Plan?

A “504 Plan” is a legal document falling under the provisions of the Rehabilitation Act of 1973. The 504 Plan is designed to plan a program of instructional services to assist students with special needs who are in a regular education setting. A 504 Plan is not an Individualized Education Program (IEP) that is required for special education students. However, a student moving from a special education placement to a regular education classroom could be placed under a 504 Plan.

How or why would a student be considered eligible for a 504 Plan?

A student with a physical and/or emotional disability, or who is recovering from a chemical dependency or who has an impairment that restricts one or more major life activities may be eligible for a 504 Plan.

What are “major life activities”?

Major life activities include caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, working **and learning**. 504 Plans, in schools, primarily offer ways to accommodate conditions that affect learning and achievement.

What is the process for placing a student on a 504 Plan?

There are four (4) steps to placing a student on a 504 Plan:

1. A student is referred by the teacher, support staff, parent/legal guardian, physician or therapist. On occasion, a student may initiate a self-referral.
2. A 504 Plan meeting is held.
3. A Plan for the student is developed.
4. A Plan review date is established.

Who is involved in the 504 Plan process?

The student, parent/legal guardian, teachers, administrators, nurse, school counselor, psychologist, speech therapist and physician are a few of the individuals who may be involved in the 504 Plan process.

What would the teachers' role be in the process of developing a 504 Plan?

The classroom teacher should be ready to supply pertinent data and documentation such as test scores, grades, discipline referrals and anecdotal information to assist in the writing of the Plan.

What accommodations might be included in a 504 Plan?

There are numerous examples of the kind of accommodations that could be included in a 504 Plan. For example, a diabetic child may be permitted to eat a snack in the classroom, a student's seat may be changed or a student's assignments or testing conditions may be adjusted. *Note:* the accommodations may extend beyond an individual classroom or activity and may require that all members of the school staff that interacts with the student have some responsibility to fulfill the requirements of the 504 Plan.

The accommodations should place the student with a disabling condition on an equal starting level with students who do not face that condition or difficulty. Some accommodations are successful and remain in the Plan from year to year; others may be needed only temporarily and may be discontinued or included in the Plan on an "as needed" basis.

What are "reasonable accommodations" under a 504 Plan?

Schools are required to make "reasonable accommodations" for students with disabling conditions under Section 504 of the Rehabilitation Act of 1973. Schools are required to make these reasonable accommodations unless it can be demonstrated that the accommodation(s) would cause an undue hardship on the operation of the educational programs of the school or school district.

Accommodations must address the functional limitations of the student as well as the alternative methods of performing tasks or activities which would permit students of varying abilities to participate without jeopardizing outcomes.

Does a 504 Plan require an IEP?

No. Section 504 requires a written plan describing placement and services, but does not require an IEP. The 504 Plan is designed by a group of persons knowledgeable about the needs of the student.

What responsibilities do teachers have in following a student's 504 Plan?

Teachers are legally responsible to implement designated accommodations listed in a 504 Plan.

What procedural safeguards are in place in the East Rutherford school District?

To be in compliance with Section 504, school district must: provide a listing of written assurances of non-discrimination and a notice of non-discrimination; designate a 504 Coordinator; annually identify all qualified children with disabilities; annually notify parents of the school district's responsibilities under Section 504; and, provide parents with notification of their due process rights.