

Section 504 of The Rehabilitation Act of 1973 protects students with disabilities against discrimination by requiring public schools to provide eligible students reasonable and appropriate accommodations, so they may participate fully in school. This FAQ provides information about Section 504, including process steps, eligibility criteria, required documentation, and developing accommodations.

Parents can learn more about Section 504 by viewing the online resources in this document or by speaking with their child's school-based 504 Coordinator.

## Which Students are Eligible for 504 Accommodations?

A student with a physical or mental impairment that substantially limits one or more major life activities is eligible to receive accommodations under Section 504.

### Physical or Mental Impairments

A physical or mental impairment may include, but are not limited to, physical disabilities or conditions, psychological disorders, and specific learning disabilities.

- **Temporary impairments** may qualify a student for accommodations under Section 504 depending on the nature, duration, and severity of the impairment (e.g. a broken limb).
- **Episodic impairments** may qualify a student for accommodations under Section 504 if they substantially limit a major life activity when active (e.g. asthma).

### Major Life Activities

Major life activities may include, but are not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating, learning, and working.

If a physical or mental impairment prevents the student from performing one or more of the major life activities listed above, the student is considered eligible for accommodations under Section 504. Each student case is reviewed individually.

## What is the Process for Requesting Accommodations?

Parents may request accommodations by completing the [Request for Section 504 Accommodations](#) and/or the [Request for Health/Medical Services](#), as appropriate, and returning it to their child's school-based 504 Coordinator. The 504 Coordinator will contact parents to schedule a meeting within 30 days of the initial request. At the meeting, the school-based 504 Team will review the request and any other relevant information regarding the student and determine whether the student is eligible for

accommodations. If the student is determined to be eligible, the 504 Team will also consider which accommodations are most appropriate.

## Who Participates in the 504 Team Meeting?

The decision to provide accommodations is made by a group of individuals who are knowledgeable about the student's abilities, the meaning of the data and information being reviewed, and the type(s) of accommodation(s) that may meet the student's needs. The school-based 504 Team invites the student's parent(s) to participate, and must include at least two individuals listed below who can:

- **Speak to the student's abilities and skills** (e.g. the student's teacher or guidance counselor)
- **Interpret reports or evaluations** (e.g. the social worker or school psychologist)
- **Share information about the accommodations available to meet the student's needs** (e.g. the Section 504 Coordinator)

## What Information is Reviewed at the Meeting?

The information reviewed by the 504 Team must come from a variety of sources and describe the student's abilities and needs. 504 Teams may review information from assessments, observations, student work samples, report cards, and medical records to understand the student's aptitude, achievement, behaviors, and health/medical needs. Parents and school staff may bring any information they believe best describes the student's abilities and needs.

### Physician Diagnosis and Recommendations

Part 2A of the Request for Section 504 Accommodations form must be completed by the student's physician. Physicians may also recommend that the school provide certain accommodations, but ultimately the 504 Team is responsible for determining whether the recommended accommodations are appropriate and how to provide them at school, if approved by the 504 Team.

### How is Eligibility Determined?

The 504 Team is responsible for considering, on a case-by-case basis, whether a student's impairment substantially limits a major life activity. This determination is based on a review of multiple sources of information. The 504 Team considers whether the student's impairment significantly impacts the student's performance and/or participation in school, based on the information presented.

### Which Accommodations are Available for Eligible Students Under Section 504?

Students may be eligible for health/medical accommodations, educational accommodations, or both.

- **Health/medical accommodations** refer to the administration of medication (e.g. insulin) and/or specialized medical supports (e.g. nebulizer). Parents submit the [Medication Administration Form](#) to their child's school nurse, as appropriate.
- **Educational accommodations** may include classroom supports and/or [testing accommodations](#). Parents submit the [Request for Section 504 Accommodations](#) to their child's school-based 504 Coordinator, as appropriate.

### Can Students Receive Related Services With a 504 Plan?

No. Related services (occupational or physical therapy, speech and language therapy, and counseling services) are not available through a 504 Plan. If a student referred for accommodations under 504 appears to be in need of related services, the 504 Team must refer the student to the school or district Committee on Special Education, as appropriate, for a special education evaluation.

### Do Students Need a 504 Plan for Health/Medical Accommodations?

Not all students who need medication administration require a 504 Plan. Students do not need 504 Plans if taking medication or receiving a health/medical services does not interfere with their ability to participate fully in school.

- **Illustrative Example 1:** a student with diabetes checks (and adjusts, as needed) his insulin levels twice daily in the nurse's office. He does not otherwise require any other supports or accommodations, and therefore does not need a 504 Plan.
- **Illustrative Example 2:** a student with diabetes needs insulin administered at specific times during the school day, which overlaps with time spent in class so make-up work is sometimes needed. She also needs access to snacks, and must take bathroom breaks as needed. This student needs a 504 Plan.

### How are Accommodations Developed?

The 504 Team determines which accommodations are appropriate for each student based on the nature and severity of the student's impairment. In addition, the 504 Team determines which accommodations are needed in order for the student to participate in school on an equal basis with his/her non-disabled peers.

### Once a Student is Determined to be Eligible, is the Student Always Eligible for Accommodations?

No. 504 Plans must be renewed annually by the 504 Team (typically at the end of each school year). As long as the student's impairment continues to substantially limit the student's participation in school, the student remains eligible to receive accommodations. During the annual renewal process, students' 504 Plans may be changed as needed. If, during the annual renewal process, the 504 Team determines that the student's impairment no longer substantially limits his/her ability in a major life activity, the student is no longer eligible for accommodations and the 504 Plan is discontinued.

### What Types of Communications do Parents Receive?

Schools are responsible for communicating with parents about NYCDOE Section 504 policies and procedures. All schools prominently post and share the [Notice of Non-Discrimination Under Section 504](#).

For students determined to be eligible for accommodations by the 504 Team, parents receive:

- **Notice of Eligibility** and an opportunity to review and agree to the school's recommended accommodations on a 504 Plan. If parents do not agree with the 504 Team's determination, they may consult the school's Network Health Liaison. Contact information will be provided by the school.
- **Annual Notice of Reauthorization**, which outlines the steps parents must take in order to have their child's 504 Plan renewed for the next school year.

### RESOURCES

- For information about Section 504 and health/medical accommodations, including forms, please visit: <http://schools.nyc.gov/Offices/Health/SchoolHealthForms/default.htm>
- For information about testing accommodations, please visit: <http://schools.nyc.gov/Academics/SpecialEducation/Classroom/instruction/accommodations.htm>