

10. What is the process for referring a student for consideration as to whether they require accommodations under Section 504?

A student who has an identified and documented disability or suspected disability, and is struggling to access general education, can be referred or can refer themselves to a 504 educational team. This team will attempt to meet at a mutually convenient time to discuss the student's needs and follow a process to determine whether or not the student requires a 504 plan. Parents, educators, and in some cases, students, are important members of this team.



Contact the school counselor in your school for more information regarding 504 or to make a referral.

SECTION 504



Frequently Asked Questions

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1. What is Section 504?

Section 504 refers to a section of the Rehabilitation Act of 1973. The purpose of this law is to provide equal access for people with disabilities.

The basic premise as it applies to public schools: A student has an **identified and documented** disability or suspected disability, which **substantially limits** a major life function (caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning or working) and requires **reasonable accommodations** in order to **access** education.

2. How is Section 504 different from Special Education?

For both, a student requires a documented disability. A student who needs **accommodations** to access regular education may qualify for a 504 accommodation plan. Students who need **modifications and specialized instruction** may require special education services and should be referred to a special education team.

3. What's the difference between Accommodations and Modifications?

Accommodations are changes in course presentation, location, timing, student response, or other attributes which are necessary to provide access for a student with a disability to participate and which **do not fundamentally alter** or lower the standard or expectations.

Modifications are changes in these areas which are necessary to provide access for a student with a disability to participate but which **fundamentally alter** and/or lower the standard or expectations of the course.

4. What do we consider to be “reasonable accommodations”?

Reasonable accommodations are the necessary steps that teachers need to take to ensure that a student with a disability has access to classroom information and instruction. These might include presentation of materials using a different modality or the use of extended time for assignments. These accommodations do not significantly alter the subject matter that is being taught. Some examples may be:

- Adaptive equipment
- Additional or alternative textbooks
- Enlarged print or Braille materials
- Wheelchair ramp
- Auditory Trainer

5. Does a student need a 504 accommodation plan to get reasonable accommodations?

No. Many of the accommodations that parents and students look for when considering a 504 accommodation plan can be met without one through good teaching and differentiated instruction. Parents, students and teachers can work together to develop an individual plan that will help a student succeed. Some examples are:

- Preferential seating
- Extended times on tests and homework
- Shortened assignments
- Ability to excuse oneself from class to address personal or health issues
- Alternative forms of assessment
- Use of class notes or outlines

6. When is an impairment substantially limiting?

The word substantial clearly does not mean impairments that interfere in only a minor way with the performance of a major life activity. The Supreme Court has said that the impairment must “prevent or severely restrict” the individual from performing the major life activity in question. The student must be severely restricted in his or her ability to read, or to write, or to undertake some other important area of learning or major life activity. The proper comparison in determining whether there is a substantial limitation is not with the student’s own theoretical potential, either now or at some point in the past, but instead with the average member of the general population.

7. Are all students who are referred to special education and do not qualify automatically designated as needing a 504 plan?

No. Again, a student needs to have a diagnosed disability that is impacting the student’s ability to access school. Generally, a grade of C is considered to be average, and a student who is receiving mostly C’s, performing in the average range on assessments, and completing similar work as their peers is accessing the general education curriculum in an average way and may not require a 504 plan.

8. Can a Doctor prescribe or automatically qualify someone for a 504?

For example: “504 for Jane Smith, signed Dr. Doe”

For 504, there does have to be some medical or mental health diagnosis that substantially limits the student’s ability to access his or her education. A diagnosis is needed and notes can be helpful in starting the process but they do not guarantee that a student will qualify for 504 accommodations. Only an educational team can decide whether a student qualifies for accommodations provided under Section 504. Parents, and often students, are important members of this team.

9. Does a diagnosis of ADHD, depression, or other disability mean a student should be identified as eligible for 504 accommodations?

An attention deficit disorder, emotional, or other disability, may or may not meet the criteria for 504 accommodations, depending on whether it substantially limits a major life activity such as walking, talking, learning, etc. When compared to the average student, if the student with a disability is significantly restricted from performing the same activity as compared to the condition, manner, or duration under which the average person in the general population can perform that same major life activity, they may require a 504 plan. For example, if a student with ADHD is still able to obtain average grades in the same classes that the average student would take in school, then it is likely that they would not require 504 accommodations as the ADHD is not substantially limiting a major life activity (learning).