



What Is a 504 Plan and How Can It Help My Teen?

Tip Sheet 10

Transitions RTC

Sept 2016

As a parent of a teenager with a disability, you may have heard the term **504 plan** or **Section 504** before, but not really understood what it means and how it can help your son or daughter. Section 504 is a civil rights federal law that public school districts are required to follow.¹ In this tip sheet, we offer parents and guardians some information on 504 plans.

A 504 plan is...

- Based on Section 504 of the Rehabilitation Act of 1973. This federal Act prohibits the discrimination of students with disabilities in public school systems and ensures these students receive the educational supports they need to succeed in school.
- An **education plan** which:
 1. Identifies the modifications and/or accommodations needed to remove learning barriers for a student within mainstream education.
 2. Outlines the responsibilities of all stakeholders (e.g. parents, student and school) in removing these learning barriers.
- Not just for academic purposes and can be used for extracurricular activities and athletics.

To qualify for a 504 plan, a student must...

- Generally be between the ages of 3 and 22 (which can vary by program and state/federal laws).
- Have an enduring, documented health-related, learning or behavioral disability which has been evaluated as substantially limiting one or more **major life activities** (e.g. reading, concentrating, thinking, communicating, etc.).²

What are the benefits of a 504 plan?

- Legally requires public schools to provide accommodations and modifications to qualified students with disabilities (including mental health conditions or learning disabilities).
 - Examples: Counseling, preferential seating, adjusted class schedules, assistive technology like “smart pens”, voice recorders or computers for taking notes, extended time for assignments, quiet space for test taking, etc.



- Can be helpful throughout your student’s lifetime as evidence of having a disability in order to qualify for some disability services (e.g. housing, transportation, vocational rehabilitation, Social Security determination).

What is the difference between a 504 Plan and an Individualized Education Plan (IEP)?

504 Plan	IEP
Students who do not qualify for special education services under IDEA, but who have an ongoing, documented disability that have been evaluated as requiring accommodations to succeed in school, as provided by the Rehab. Act of 1973. ³	Students with one or more disabilities outlined within the Individuals with Disabilities Education Act (IDEA) who have been evaluated as needing special education services. ⁴
A 504 plan does not have to be a written document and is less comprehensive than an IEP. No due process is outlined in Section 504 legislation – schools districts are left to define this for themselves. ⁵	An IEP must be a formal, written document. It must meet many due process requirements by law (i.e. detailed plans and timelines for the evaluation, specialized instruction, and educational services of a student, etc.). ⁵ An IEP has many procedural safeguards and rights.
Students with 504 plans receive accommodations and/or modifications to curricula in a mainstream classroom. ⁶	Students with IEPs may receive specialized instruction and other educational services in a mainstream classroom or special education classroom depending on their needs. ⁶

Should my student ever get a 504 plan instead of an IEP plan, or get both?

- If a student's disability does not impair them enough to need specialized education services then a 504 may be obtained (if the student is qualified) instead of an IEP.
- In most cases it is not necessary to have both an IEP and a 504 plan while in school. Get a 504 plan if your teen doesn't qualify for, or doesn't want, special education services.
- Because some students may perceive special education services as stigmatizing, getting a 504 plan is an alternate way to acquire necessary accommodations.

How can my teen get a 504 plan in high school (or earlier)?

- A 504 plan evaluation process may be started by a parent/guardian or the school. If you believe your teen is qualified, you should ask your teen's school to provide a 504 plan.
- To get a 504 plan, your teen must be evaluated to see if he or she is deemed to have a qualified disability.⁷ This evaluation process includes:
 - Documentation of the disability (such as a doctor's diagnosis),
 - Evaluation results (if the student was recently evaluated for an IEP),
 - Observations by the student's parents and teachers,
 - Academic record, and
 - Any independent evaluations (if available).⁷
- If your teen has a qualified disability, a 504 plan can be created and implemented by a 504 committee. This committee may include the teen, their parents, teachers, and school administrators.

- Parents and students should check in with the school about the 504 plan as updates are not required by law.

Can my teen use their 504 plan in college?

- Neither a 504 plan nor a high school IEP apply directly to college; but either can be helpful.
- To get accommodations in college, students must apply to student disability services. The accommodations described in a high school 504 plan can help a student advocate for their needs with student disability services in college.
- It is important to note that colleges are not required to provide accommodations just because a student had a high school 504 plan or an IEP.
- A student can still apply for and receive accommodations in college even if they didn't have an IEP or 504 Plan in high school. Colleges are required to provide accommodations to students with a disability who qualify for them under the Americans with Disabilities Act.

References

1. Durheim, M. (2015, October 30). *A Parent's Guide to Section 504 in Public Schools*. Retrieved from <http://www.greatschools.org/gk/articles/section-504-2/>
2. Izzi, M. (2014, August 24). *Definition of Disability under the Rehabilitation Act*. Retrieved from <http://www.legalmatch.com/library/article/definition-of-disability-under-the-rehabilitation-act.html>
3. Stanberry, K. (n.d.). *Understanding 504 Plans*. Retrieved August 16, 2016, <https://www.understood.org/en/school-learning/special-services/504-plan/understanding-504-plans>
4. Fenell, Z., Gilchrist, J., Katz, B., Kirkpatrick, S., & Makofsky, S. (n.d.). "About SpecialEducationGuide.com." *Special Education Guide*. Degree Prospects, LLC. Retrieved August 16, 2016, <http://www.specialeducationguide.com/disability-profiles/>
5. Disability Rights Center – NH. (2016, March 15). *Individualized Education Programs (IEPs) and 504 Plans: What's the Difference?* Retrieved August 31, 2016, <http://www.drcnh.org/IDEA504.pdf>
6. KidsHealth. (n.d.). *504 Education Plans*. Retrieved August 31, 2016, <http://kidshealth.org/en/parents/504-plans.html>
7. U.S. Department of Education. (2015, October 16). *Protecting Students with Disabilities: Frequently Asked Questions about Section 504 and the Education of Children with Disabilities*. Retrieved from <http://www2.ed.gov/about/offices/list/ocr/504faq.html>



Suggested Citation: Bryer, M., Golden, L. & Logan, D. (2016). What is a 504 plan and how can it help my teen? Tip Sheet 10. Worcester, MA: University of Massachusetts Medical School, Department of Psychiatry, Systems and Psychosocial Advances Research Center (SPARC), Transitions Research and Training Center.

The contents of this tip sheet were developed under a grant with funding from the National Institute on Disability, Independent Living, and Rehabilitation Research, and from the Center for Mental Health Services of the Substance Abuse and Mental Health Services Administration, United States Department of Health and Human Services (ACL Grant# 90RT5031, The Learning and Working Transitions RRTC). NIDILRR is a Center within the Administration for Community Living (ACL), Department of Health and Human Services (HHS). The contents of this tip sheet do not necessarily represent the policy of NIDILRR, ACL, HHS, or SAMHSA and you should not assume endorsement by the Federal Government.

This publication can be made available in alternative formats upon request

