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Administrator Perceptions on Service Strengths and Challenges regarding the Implementation of Section 504 Services for Public Education Students in South Texas

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ADMINISTRATOR PERCEPTIONS ON SERVICE STRENGTHS AND CHALLENGES
REGARDING THE IMPLEMENTATION OF SECTION 504 SERVICES
FOR PUBLIC EDUCATION STUDENTS IN SOUTH TEXAS

A Dissertation

by

DORA DIANA RODRIGUEZ

Submitted to the Graduate College of
The University of Texas Rio Grande Valley
In fulfillment of the requirements for the degree of

DOCTOR OF EDUCATION

August 2019

Major Subject: Educational Leadership

ADMINISTRATOR PERCEPTIONS ON SERVICE STRENGTHS AND CHALLENGES
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August 2019

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ABSTRACT

Rodriguez, Dora Diana, Administrator Perceptions on Service Strengths and Challenges Regarding the Implementation of Section 504 Services for Public Education Students in South Texas. Doctor of Education (Ed.D.), August 2019, 138 pp., 17 tables. 76 references.

As part of their contemporary role as the campus instructional leader, administrators are currently managing special education matters previously managed by the school system's directors of special education [(Boscardin, 2005; Patterson, Marshall, & Bowling, 2000) cited by Lynch, 2012]. School administrators must not only understand the legal requirements of Section 504, but they must understand how Section 504 services will influence their programs, decisions, facilities, and budgets (Trevino, 2001, p. 87). At a time of economic constriction and change, complying with the unfunded mandate of Section 504 and the Americans with Disabilities Act Amendment Act presents a challenge to K-12 public schools (Zirkel, 2009 b, p.260). In an era of accountability which includes meeting progress standards on state-mandated assessments, school administrators must be able to meet the needs of a growing population and sufficiently allocate resources so that eligible Section 504 students are assured the provision of a free and appropriate public education (FAPE). This study examined perceptions of current public school administrators in elementary and secondary educational settings regarding strengths and challenges in district Section 504 services. The research intended was to add to the body of knowledge regarding what policy and procedures need to be further examined regarding students with disabilities receiving Section 504 Only services. The review of the literature reflected the current increase in the number of students that meet the eligibility

criteria for Section 504 accommodations and services when applying the new standards to the evaluation process under Section 504 in k-12 public education. The selected survey instrument used to collect data from the participants was an adapted version of the Section 504 School-Based Administrator Survey Blueprint (Maydosz, 2009). The rationale for utilizing a survey design was due to the type of data needed in regards to quantifying descriptions of perceptions and opinions of selected participants in the study. Data collection consisted of disseminating online surveys to school staff who participate in campus Section 504 decision-making processes in two large and three small school districts in a regional education area of South Texas.

DEDICATION

First and foremost, I wish to dedicate this dissertation to my two lovely daughters, Andrea Diane, and Diandra Michelle. They have been the most important individuals encouraging me along this journey. Each of my two daughters sacrificed their time away from me as I continued to work on my project. I thank them for never faltering and never complaining about all those evenings I needed to spend away from home. Although he may not know this yet, little Emile, my beautiful five-year old grandson, has served as my inspiration all along the way since his birthday in March of 2014. He set me on a path of conviction regarding advocating for supports for children with disabilities who may be needing early intervention services in public schools. Born with a disability, he reminds me every day of those small voices that do not get heard unless someone steps up and speaks out for them. A beautiful smile greets me with laughter and giggles every time I see him reminding me that daily struggles can come in many ways. I wish to acknowledge my siblings, Rachel, Rick, and Pete. Thank you for helping me and understanding when life got a little overwhelming for me due to my commitments. I also want to acknowledge my parents, Guadalupe and Manuela. Thank you mom, and dad, for being patient with me when I could not make those weekend visits due to my obligations. Through humble beginnings, both of you have taught me and reminded me the value of hard work and dedication.

ACKNOWLEDGEMENTS

With my deepest gratitude, I wish to thank Dr. Velma Menchaca for serving as my advisor, committee chair, mentor, and role model. Thank you for your continued encouragement and support and never letting me give up when at times I may have felt a little discouraged. I wish to also thank my additional dissertation committee members for their contributions and support. Dr. George Padilla, thank you for your time and expertise. I learned a lot from your guidance. Thank you for your patience with me. Dr. Karen Watt, and Dr. Fred Guerra, I wish to also acknowledge and thank you for sharing your wisdom and expertise as I worked on this project. Each of my dissertation committee members served as pillars of guidance in each of their areas of research knowledge. I learned so much from each of you, and I humbly thank you for your assistance.

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CHAPTER I

INTRODUCTION

Scholars who address special education issues within school systems today show that the practice of social justice in public school entails addressing issues that impact marginalizing conditions affecting individuals with disabilities. This is fundamental to a school leader's ability to advocate for students with disabilities when he or she applies the duties of leadership in education. Current issues in education—reform in instructional leadership, student achievement, student accountability, and resource availability—can create significant challenges for educational leaders. Within this multitude of critical demands, legal compliance with Section 504 of the Rehabilitation Act of 1973 to assure non-discrimination and equal opportunity for all students in our public schools can overwhelm school administrators as they participate in decision-making procedures for students with disabilities who require support services (Pazey & Cole, 2012).

There is a very limited amount of research available that addresses the perceptions of stakeholders involved in the Section 504 process (Chiasson & Olson, 2007). Recent research is only beginning to uncover some of the challenges and conflicts school administrators are confronted with when they engage in social justice work in our school systems (DeMatthews & Mawhinney, 2014). In pursuit of social justice, school districts and school district administrators must develop and implement processes that assure a free and appropriate public education

(FAPE) to all students. Schools that do not provide FAPE may run the risk of losing federal funding. Current laws that support FAPE and govern non-discrimination for students with disabilities in our public schools are Section 504 of the Rehabilitation of 1973, The Americans with Disabilities Act of 1990 and The Individuals with Disabilities Education Act of 2007. This study primarily addressed the existing literature and research on Section 504 of the Rehabilitation Act of 1973 and attempts to identify and assess the perceptions of school leaders regarding current strengths and challenges in the implementation process of Section 504 services and supports for students in our public-school systems.

Background

In 2008, the United States Congress passed into law the Americans with Disabilities Act Amendment Act (ADAAA). This law was enacted to restore the intent and protections of the original Americans with Disabilities Act (ADA) of 1990. The ADAAA 2008 was a response to a series of previous supreme court decisions that Congress viewed as a very narrow interpretation of the ADA of 1990 (Kiviniemi & Sanjo, 2012). This amendment vastly influenced public schools because the new broadened interpretation of this law expanded the eligibility criteria for civil rights protection under the revised statute (Cortiella & Kaloi, 2010). The ADAAA of 2008 significantly reversed prior judicial interpretations of the definition of an “individual with a disability” under the Americans with Disabilities Act and its sister statute, Section 504 of the Rehabilitation Act of 1973 (Zirkel, 2009c). It included a conforming statement to its sister law, Section 504 of the Rehabilitation Act of 1973. The ADAAA 2008 and

Section 504 of the Rehabilitation Act 1973 are interpreted as parallel laws, which means the expanded coverage under one law also applies to the other.

Specifically, Section 504 of the Rehabilitation Act of 1973 states:

“No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance . . .” (29 U.S.C §794(a)).

Section 504 regulations apply to all entities receiving federal funding aid, including public school systems. Local education agencies set forth processes and procedures by which students with disabilities requiring accommodations, services, and supports are identified and evaluated by a group of knowledgeable individuals comprising a Section 504 committee. Recommended supports and services are based on equitable needs so that the students have opportunity to receive an appropriate public education despite physical or mental impairments that impact and substantially limit major life activities such as breathing, learning, concentration, reading, thinking, walking, etc.). An individual service plan is developed by this group of knowledgeable individuals for the eligible student for the provision of equal opportunity and the provision of a free and appropriate public education, also known as FAPE (U.S. Department of Education Office of Civil Rights, 2018). Under Section 504, FAPE is the provision of General and Special Education and related aids and services designed to meet the individual education needs of students with disabilities as adequately as the needs of their non-disabled peers. This is

based on adherence to procedures governing educational setting decisions, evaluation procedures, placement options, and procedural safeguards (U.S. Department of Education Office of Civil Rights, 2016a, pg. 10). The parents of children receiving Section 504 services are provided with procedural protections, such as being provided notice and a right to due process (Richards, 2017). A written Section 504 plan is a way districts use to document their engagement regarding procedures for identifying and addressing the needs of students with disabilities and the communication to school personnel, the information needed for its implementation (U.S. Department of Education Office of Civil Rights, 2016a, p. 10). This is encouraged by the Office of Civil Rights (2016a) for districts to avoid potential misunderstandings or confusion about what supports are being offered to the student by the school district.

Because of these legal changes brought forth by the ADA of 2008, more students in school systems are now eligible for services and supports in the public education setting (Cortiella & Kaloi, 2010). School districts have been adjusting to the effects of the ADA of 2008 (Zirkel, 2009a) and its impact on public schools. Recent legislation in Texas, Senate Bill 1153, was signed by the state governor in June of 2017 amending SECTION 4. Section 42.006 of the Texas Education Code by adding a subsection (a-4) that reads as follows: The commissioner by rule shall require each school district and open-enrollment charter school to annually report through the Public Education Information Management System information regarding the total number of students enrolled in the district or school to whom the district or school provided aids, accommodations, or services under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), at any time during the year for which the report is made. The agency shall maintain the information provided in accordance with this subsection. This Act was

to become applicable beginning with the 2017-2018 school year (SB 1153, 2017). The Department of Education, in conjunction with the Office of Civil Rights, recently found it necessary to produce various publications regarding these statute changes jointly. The recently released publications served to clarify information available to both parents and educators (U.S. Department of Education Office of Civil Rights, 2016a).

Additionally, due to confusion regarding the two sister laws ADAAA, 2008 and Section 504 of the Rehabilitation Act of 1973, publications specifically for parents and educators have been released by the Department of Education to clarify the intent of these laws. One such guide is the Parent and Educator Resource Guide to Section 504 in Public Elementary and Secondary Schools published by the Department of Education Office of Civil Rights in December of 2016. One purpose of this resource guide was to remind educational institutions that receive financial assistance from the department of education of their obligation to ensure compliance with Section 504 and other federal statutes that protect the rights of students with disabilities. Another purpose was to help parents and educators understand the obligations imposed by Section 504 (U.S. Department of Education Office of Civil Rights, 2016a). The ADAAA and Section 504 of the Rehabilitation Act have direct application to students with disabilities in the kinder-to-twelfth grades, as the regulations cover any qualified person with a disability (Madaus & Shaw, 2008). The ADAAA 2008 has the potential to increase the number of individuals considered disabled significantly. As a result, there are now more students evaluated through Section 504 procedures and more students who meet the eligibility criteria as disabled in our public schools (Bowman, 2011). Since its passing in 2008, the ADAAA lowered the threshold for what constitutes standards regarding substantial limitations to a major life activity. It has clarified the beneficial

effects of mitigating measures and why they should not be considered when determining the degree to which a disability impacts a major life activity. The ADAAA 2008 has also expanded the list of major life activities to include reading, thinking, and concentrating (Kiviniemi & Sanjo, 2012). More students in our public school systems are now able to satisfy the definition of disability under Section 504, gain access to reasonable accommodations and also be protected from discrimination (Cortiella, 2011). A recent study conducted by two law professors demonstrated increasing numbers of students accessing supports under Section 504 protection (Weathers & Zirkel, 2016). This study also noted that students with disabilities in public schools fall into two groups. One group includes students with individualized education plans (IEPS), who are eligible for support services under the Individuals with Disabilities Act (IDEA) and are protected from discrimination under the Section 504 of the Rehabilitation Act. The second group includes students who meet eligibility criteria for Section 504 services and are eligible for individual accommodation plans (IAPs). This second group of 504 students does not qualify for the IDEA services but are nevertheless protected from discrimination (Zirkel & Weathers, 2016). These students are referred to as 504-Only students (Zirkel and Weathers, 2016). This study focused on school campus administrator perceptions regarding Section 504-Only students and the current service strengths and challenges experienced by administrators on the implementation and the provision of a free and appropriate public education (FAPE) for students receiving Section 504-Only services in our public schools.

In comparison, the Individuals with Disabilities Education Act, also known as the IDEA, (20 U.S.C.A. § 1400–1485) is an education law which requires states to also provide a free, appropriate public education to children who are disabled, whereas Section 504 of the

Rehabilitation Act is a non-discrimination statute. Unlike IDEA, Section 504 of the Rehabilitation Act is unfunded and includes no specific guidelines for district implementation. It is unclear how many districts have locally developed policy and procedures in their respective school districts.

Capper and Young (2014) explain that laws focused on social justice include a lack of coherence in policy and practice and poor fluency among practicing educators who must enforce policies and follow practices. These limitations in federal and state policies make it challenging for educators attempting to meet the needs of their schools (Caper & Young, 2014). School leaders are expected to implement social justice practices by raising student learner outcomes standards, by promoting structural reform in their schools, by building human resource capacity in their schools and by strengthening their school culture in manners that support students that are traditionally marginalized such as individuals with disabilities (Theorharis, 2014). In the case of Section 504-Only students with disabilities, school leaders may receive little to no guidance in Section 504 interpretation and application to help meet the instructional and environmental needs of this group of students. While creating socially-just school environments is the responsibility of the campus administrators, other staff members, school teams, and community members are also involved in assuring social justice for all students (Capper & Young, 2014). The lack of procedural coherence and fluency in schools touches many and not just the school administrator. At a time when the most recent trend in educational leadership is social justice, the absence of training in Section 504 is overly concerning (Pazey & Cole, 2012). Social equity-oriented issues are also becoming increasingly acknowledged by agencies and the public in general. The preparedness of public-school administrators in disability awareness and the availability of

professional development regarding decision-making procedures when addressing issues of serving students with disabilities with Section 504 individual accommodations plans (IAPs) should be of great concern. Also, at a time when accessibility to human and financial resources is limited, these circumstances make already difficult problems even more complicated when school administrators who participate in Section 504 decision-making procedures must develop service and support plans for eligible students. The fact remains that very little consistent guidance is provided to school districts regarding procedures for the implementation of an unfunded mandate. Districts are not provided procedures for the implementation of Section 504 services at the federal or the state level. Districts generally develop their procedures for the implementation of services, and these may vary from one district to another.

Statement of the Problem

In one state, research shows that the number of students identified as Special Education (IDEA) eligible has gradually declined in the last ten years (TEA, 2016) while the general population of students enrolled in the state's school districts has increased. Consequently, campus administrators search for other support services available for students who do not meet eligibility criteria for special education services and do not meet the need for specially designed instruction required to access services under the IDEA. As part of the contemporary role of campus instructional leaders, administrators are now managing special education matters that were previously managed by school system directors of special education [(Boscardin, 2005; Patterson, Marshall, & Bowling, 2000) cited by Lynch, 2012]. School administrators must not only understand the legal requirements of Section 504, but they must understand disability law

and how Section 504 services will influence their programs, decisions, facilities, and budgets (Trevino, 2001). At a time of economic constriction and change, complying with the unfunded mandate of Section 504 of the Rehabilitation Act and the Americans with Disabilities Act Amendment Act of 2008 presents a challenge to K-12 public schools (Zirkel, 2009 b). Despite the lack of research on 504-Only students, two recent parallel Civil Rights Data Collection (CRDC) studies conducted in conjunction with the Department of Education were compared. These studies reflected findings of 1.48% of students identified nationwide as 504-Only eligible in the academic school year of 2011-2012. It was compared to 1.02 % in the academic school year of 2009 -2010 (Weathers & Zirkel, 2016). A more recent national estimate completed by Civil Rights Data Collection in 2013-2014 demonstrated wide variability in the percentage of 504-Only students reported by schools, ranging from 0% to as high as 92% (Kline, Bocchino, Herseim, Slater & Watson, 2017)

In Texas, very recent legislation has been passed that will now require local district data collection through the state's public education information management system (PEIMS) of the number of students identified as eligible for Section 504-Only service plans (Senate Bill 1153, 2017). In an era of accountability which includes meeting progress standards on state-mandated assessments, school administrators must be able to meet the needs of a growing population and sufficiently allocate available resources so that eligible Section 504 students are assured the provision of a free and appropriate public education (FAPE). These recent changes prompt questions regarding the perceived knowledge and expertise of administrators who participate in Section 504 committee decision-making processes and actively engage in problem-solving activities about students with disabilities with individual accommodations plans also known as

504 IAPs. Administrators do have the responsibility of coordinating school resources, and school organizational processes with the obligation of assuring both ethical and socially-just environments for all their students. Administrators must also ensure fair and equitable practices in day-to-day routines involving their campus culture. These assurances require administrators to be mindful of what can be potentially discriminatory practices. Administrators who refuse to risk changing organizational structures and processes to assure equitable practices might be accused of ethical laxness, given how some practices have the potential to discriminate against certain students (Starratt, 2005).

Across Texas, districts have reported an increase in requests for Section 504 evaluations. Some districts are reporting the doubling of numbers of students identified as eligible for Section 504-Only services over the last few years, and the demands on the administration to process the written accommodation plans are also growing (Kline et al., 2017). It is increasing the demands and tasks required such as planning meetings, staffing, utilizing increased financial resources, human resources and documentation preparation time, regardless of what type of systems (automated or hand-written documents) are in place, if any, in local education agencies (Kline et al., 2017). Districts and schools are required to provide these services, but no funding sources are made available. In contrast, almost thirteen billion dollars are allocated each year to help fund special education services under the IDEA (Kline et al., 2017). It is important that the current conditions and needs are identified to begin to recognize the need for consistency in procedures and quality of services for students with disabilities who do not meet the eligibility criteria for services under the IDEA.

Purpose of the Study

The purpose of this study was to determine the perceptions of elementary and secondary level public school administrators in school settings regarding the strengths and challenges in the implementation of services for Section 504-Only K-12 students on the provision of a free and appropriate public education. Research shows that elementary and secondary level public school administrators are the driving force in creating organizational change for school improvement and more equitable school practices (Theoharis, 2014). A recent report cited a survey conducted in six surrounding school districts near Carroll County Public Schools (Maryland) that provided a breakdown of the personnel who were case managing 504-Only students. Results indicated that 43.1% percent of their principals and assistant principals were acting as case managers for their 504-Only students. The study also showed that 25.1% were guidance counselors, 20.9% were others such as academic facilitators and teachers, and 10.9% were school nurses (Kline et al., 2017). This study examined how school administrators and administrative support staff perceived their strengths and challenges in implementing Section 504 services for students with service plan in six districts. This research also examined the differences between the perceptions of elementary and secondary education administrators and support staff regarding their strengths and challenges related to the procedural implementation of Section 504 services.

Research Questions

This mixed methods study involved examining the perceptions of elementary and secondary level administrators and administrative support personnel in public schools regarding the strengths and challenges in the implementation of Section 504 services and

procedures. The study also examined differences in the responses between secondary level and elementary level participants. A statistical methodology was used to compare the two groups with an alpha level of .05 for all statistical tests. This study was guided by five quantitative questions and one qualitative research question (RQ3a.):

RQ1. What concerns do school administrators participating in 504 committees perceive about 504 procedures?

RQ2. What areas of training do current school elementary and secondary education administrators in public education setting perceive as most needed in applying district 504 procedures?

RQ3a. What are the currently perceived concerns of elementary and secondary administrators in public education settings regarding the implementation of 504 supports and services for students with Section 504 plans?

RQ3b. Are there significant differences in currently perceived concerns between elementary and secondary administrators in public education settings regarding the implementation of 504 supports and services for students with Section 504 plans?

RQ4. What is the degree of utilization of various 504 student services by school administrators participating in 504 committees?

RQ5. Is there a difference between elementary and secondary level school administrators participating in 504 committees in their perceptions of strengths and challenges related to the Section 504 decision-making process?

Methodology

The method selected for this study involved a transformative convergent parallel mixed methods design (Creswell, 2013) based on data gathered from a cross-sectional survey that included a stratified sample of participants from 5 randomly selected school districts. In this design, the researcher converges quantitative and qualitative data to provide a comprehensive analysis of the research problem (Creswell, 2013). The participants included district supervisors, campus principals, assistant principals, and campus counselors serving as campus administrative support staff. This mixed methods study explored the perceptions of elementary and secondary administrators and administrative support personnel from different school districts regarding their perceived strengths and challenges in their practices of Section 504 procedures and services. Campus administrators and campus administrative designees serving on Section 504 committees from the six school districts in one regional area were provided access to an online survey for completion. This amount included a conducted pilot study in one separate school district. Three of the districts were of student populations larger than 20,000 and three were of student populations of fewer than 1,000. The survey included open-ended questions to identify and triangulate themes and patterns to question responses that aided in increasing confidence in the reliability of this study. The pilot survey was conducted with a school district of a population of more than 20,000 students. The pilot study was conducted to aid in the identification of themes for the final data collection survey. It also helped in the design of a more reliable survey (Fink, 2013). The pilot survey helped reveal whether participants understood the directions that were provided for the completion of the survey and how much time it took each participant to

complete the survey (Fink, 2013). The pilot survey also helped the investigator identify questions that may not have been suited for the study.

The intent of the researcher was to examine the differences between the selected participating groups. Both descriptive and inferential statistics formed the basis of the analysis of the survey as the researcher intended to examine frequency distributions (numbers and percentages), summaries about the sample and responses to the survey questions (Fink, 2013). Measures of central tendencies and measures of variations were also calculated. Descriptive statistics is described as a collection of methods for classifying and summarizing numerical data. Inferential statistics is a collection of methods for making inferences about the characteristics of the population from the knowledge of the corresponding attributes of the sample (Hinkle, Wiersma and Jurs, 2003). Use of this methodology supported the enhancement and emphasized the furtherance of human rights and social justice from an ethical stance (Mertens, 2012). The selected survey instrument used to collect data from the participants was an adaptation of Section 504 School-Based Administrator Survey Blueprint (Maydosz, 2009). Permission was granted from the developer to adapt and administer the survey for this study. Adaptations were made to the survey to align with the data collection needs for the intent of this study. The rationale for utilizing the survey design was due to the type of data needed regarding quantifying descriptions of perceptions and opinions of selected participants in the study. The benefits of selecting such a design administered in an online-format were the rapid turnaround, efficiency, and availability of the data results (Creswell, 2003). A survey also allowed for strict confidentiality of the research participants, a quick collection of responses and limited researcher influence (Berthelsen & Nilsson, 2009).

Data collection consisted of collecting completed surveys from administrators and administrator designees of two large and three small school districts who participate or are informed of the Section 504 decision-making process for their respective districts in a regional area in South Texas. An additional participating larger school district served as the basis for the pilot study. Strict confidentiality of the individual participants was intended to be maintained through the collection of the data. School campus and school district information were collected, but pseudo- names for the school districts and campuses were used to protect district confidentiality. All aggregated reports include only pseudo-names.

Generalizations and inferences were drawn from the data gathered for this study through descriptive and inferential analysis. As applied to this study, the expected independent variable is the current participants who are elementary and secondary education administrators participating in campus Section 504 committee decision-making processes. The dependent variables for this study were the perceptions of strengths and challenges in implementing Section 504 processes as identified by the participants.

Significance of the Study

The Americans with Disabilities Act Amendment Act 2008 essentially reversed the previous interpretation of the Section 504 eligibility standards for general education students in public school settings creating an increase in the number of students that are now potentially eligible for 504 services in public-school systems (Kline et al., 2017). This study addresses the current perceptions of school administrators and supportive administrative personnel in public schools of the strengths and challenges regarding the implementation of services for students

with disabilities in general education settings when applying interventions for students under the protection of Section 504 of the Rehabilitation Act of 1973. This study attempted to identify the perceptions of school administrators in applying Section 504 local procedures. The underlying intent of this study was to call attention to the expansion of roles and responsibilities of administrators regarding services of 504-Only students with individual accommodation plans and determine if a need for additional resources should be examined, as Section 504 Only Services for students with disabilities and/or suspected disabilities are currently unfunded.

There is also a current need to examine whether the significant changes in the eligibility standards have created an impact in the number of students identified for Section 504 protection and if elementary and secondary administrators perceive supports and services for 504-Only students are adequately provided and financially supported. Texas has only recently begun to collect formal Section 504-Only data through the Public Education Information Management System (PEIMS) with the passing of SB 1153 in 2017. It is challenging to know the consistency of services from one district to another. Although there are state laws mandating non-discrimination in public schools, there are no uniform policies and procedures defined for students receiving 504 services as provided for students receiving IDEA services. Given the lack of policy uniformity, services for students with disabilities may vary from state to state, district to district and, school to school. Adding to the complexity of a potential growing population of students requiring services and supports, districts may not have the resources, both human and financial, to adequately process documentation and district data. Additionally, the use of documented accommodations on state-administered assessments for Section 504-Only students has increased as these students are permitted to access locally designated supports provided, they

are documented in their Section 504 individual accommodation plans (IAPs). These designated supports and accommodations “level the playing field” for students with disabilities, thus having the potential to raise standard scores for students taking statewide mandated assessments.

The literature reflects that there is an expected increase in the number of students that will now meet the criteria for Section 504 accommodations when applying the 2009 standards to the eligibility process under Section 504 in public schools (Cortiella & Kaloi, 2010). The question arises as to whether campus leaders who participate in Section 504 placement committees have been sufficiently trained to apply the new standards for Section 504 eligibility. Under the changes set forth by the ADAAA of 2008, the definition of disability is to be interpreted broadly, so determining whether a student has a disability should not demand extensive analysis, and the determination shall be made without regard to the ameliorative effects of mitigating measures. If districts fail to implement the changes made by the Amendment Act of 2008, districts may be unlawfully denying Section 504 coverage to students (U.S. Ed.gov., 2012). Given that Section 504 of the Rehabilitation Act is an unfunded mandate, it is expected that the increase in the identified population will become a focus both at the federal and state levels.

Assumptions

The assumptions related to this study included relying on the truthfulness, honesty, and accuracy of each of the administrators who completed the self-reporting online survey instrument designed for this study. It was expected that the individual completing the survey independently

completed it based on his/her current level of personal knowledge. It was also assumed that the participants have active district email accounts that were checked periodically.

Limitations of the Study

The researcher recognized that this study would be limited to administrators and designated administrative 504 case managers in six public school districts that are recipients of federal funds in one regional area of South Texas. Due to time and distance constraints, a full national or state sample was not gathered. The participants in the data gathering process were limited to school administrators and administrator designees from both secondary and elementary grade levels. The data sampling did not include classroom teachers, students, or parents. The study did not measure the quality of how the regulations were implemented as there are no standard procedures at this time, and procedures can vary from district to district, and state to state. Given that this was a voluntary online survey, some participants did not respond to all the survey questions, while some declined to respond at all.

Delimitations of the Study

This study was conducted with the assistance of administrators and administrative support staff of five school districts that met state accountability standards for the 2017 school year. Administrative personnel from eighty-three campuses were sent the survey via Qualtrics. The time and data collection for this study were conducted over one academic semester during the Fall of the 2018- 2019 academic school year. The survey was limited to a stratified random sample of principals, assistant principals, supervisors, and counselors currently employed in K-12 public schools in one region of one state. This study was limited to one region in South Texas.

Definitions of Terms

This section provides a list of terms that are related to this study. These terms are commonly used in the field of disability law and support services in public education.

Administrator. An administrator, as referred to in this study, is a school individual that participates in campus Section 504 meetings.

Americans with Disabilities Act (ADA). Civil Rights Act enacted in 1990, which provides equal access to employment to disabled persons who, with or without reasonable accommodations, can perform the essential functions of an employment position. It provides broad non-discrimination protection in employment, public services, public accommodations, services operated by public entities, transportation, and telecommunications for individuals with disabilities. Its purpose is to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities (Kiviniemi and Sanjo, 2012).

Americans with Disabilities Act Amendment Act of 2008 (ADAAA). Public Law 110-325. Enacted in 2008 to amend the ADA definition of disability. On March 25, 2011, the Equal Employment Opportunity Commission (EEOC) issued final regulations implementing the ADAAA. The final regulations provide several clarifying interpretations, including the operation of major bodily functions in the definition of major life activities. It adds rules of construction for determining when impairment substantially limits a major life activity. It also interprets the use of mitigating measures and interprets the “regarded as” prong of the definition (Kiviniemi and Sanjo, 2012).

Equal access. Equal opportunity of a qualified person with a disability to participate in or benefit from educational aid, benefits, or services (U.S. D.O.E. Protecting Students with Disabilities, 2011).

Free and Appropriate Public Education (FAPE). Under Section 504, FAPE is the provision of general or special education and related aids and services that are designed to meet the individual educational needs of students with disabilities as adequately as the needs of non-disabled students are met and are based on adherence to procedures governing educational setting, evaluation, placement and procedural safeguards (34 C.FR.§104.33).

Individuals with Disabilities Education Act 2004. The Individuals with Disabilities Education Act (IDEA) (20 U.S.C.A. §§ 1400–1485) requires states to provide a free, appropriate public education to children who are disabled. Formerly known as the Education of the Handicapped Act or the Education for All Handicapped Children Act, the law was established in 1975 in response to studies showing that more than half of all disabled children were receiving an inappropriate public education, and about one-eighth of those children were simply excluded from public education altogether (Nissman, 2017).

Office of Civil Rights. The Office for Civil Rights (OCR) is a sub-agency of the U.S. Department of Education that is primarily focused on protecting civil rights in federally assisted education programs and prohibiting discrimination based on race, color, national origin, sex, sexual orientation, gender identity, handicap, age, or membership in patriotic youth organizations.

Procedural safeguards. Under Section 504, school districts are required to develop and implement a system of procedural safeguards to address FAPE concerns specifically, such as the identification, evaluation, and educational placement of students with disabilities. Procedural safeguards include notice; an opportunity for records review by parents or guardians; an impartial due process hearing, with an opportunity for participation by the student’s parents or guardian and representation by counsel; and a review procedure (D.O.E. Parent & Educator Resource Guide, 2016).

Response to Intervention. The educational practice of providing high-quality instruction and intervention matched to student need, monitoring progress frequently to make important decisions about a change in instruction or goals and applying child response data to important educational decisions (Nissman, 2017).

Related services. A term used in the elementary and secondary school context to refer to developmental, corrective, and other supportive services, including psychological, counseling and medical diagnostic services and transportation (U.S. D.O.E. Protecting Students with Disabilities, 2011).

Section 504 coordinators. School districts with fifteen or more employees must designate an employee (sometimes referred to as a Section 504 Coordinator) to coordinate the district’s efforts to comply with Section 504. In addition to coordinating and monitoring compliance with Section 504 within a school district Section 504 Coordinators will often distribute Section 504 related forms, documents, and information to parents; provide staff with information about Section 504 policies, practices, and procedures to help ensure that they fulfill their responsibilities in a timely

and appropriate manner; respond to parent complaints; and complete other Section 504-related tasks within schools as necessary (D.O.E. Parent & Educator Resource Guide, 2016).

Section 504 of the Rehabilitation Act of 1973. The Rehabilitation Act of 1973 (19 U.S.C.A. §§ 791, 793, 794) prohibits disability discrimination by federal agencies, federal contractors, and other recipients of federal financial assistance. Types of prohibited discrimination include employment; education; building accessibility; and health, welfare, and social services.

State of Texas Assessment of Academic Readiness (STAAR). The State of Texas Assessments of Academic Readiness commonly referred to as STAAR is a series of state-mandated standardized tests used in Texas public schools to assess student achievement and knowledge learned in the grade level. It tests curriculum taught by public schools in the state of Texas.

Summary

In summary, this study explores the current perceptions of principals, assistant principals and designated administrative support staff in public school settings regarding the changes to the Americans with Disabilities Act Amendments Act 2008 and Section 504 of the Rehabilitation Act 1973. The study also examines how legal changes have impacted districts in a regional area in south Texas and how these changes have affected procedures regarding services to students receiving Section 504-Only supports. The study addresses the perceptions of administrators regarding perceived fiscal and consultative supports.

Additionally, the study helps identify needed areas for professional development in public schools regarding awareness and implementation of the broadened standards for Section 504 eligibility in public schools. The ADAAA of 2008 significantly reversed prior judicial

interpretations of the definition of an "individual with a disability" under the Americans with Disabilities Act and its sister statute, Section 504 of the Rehabilitation Act (Zirkel, 2009c). As a result, in the public educational setting, more students are now eligible for services and supports (Cortiella & Kaloi, 2010). The Department of Education, in conjunction with the Office of Civil Rights, has recently produced various publications regarding these statutes and their impact on services to students with disabilities. Since its passing in 2008, The ADAAMA achieved the following:

- lowered the threshold for what constitutes “substantially limits a major life activity.”
- clarified that the beneficial effects of “mitigating measures” should not be considered when determining the degree to which a disability impacts a major life activity.
- expanded the list of “major life activities” to include reading, thinking, and concentrating.

In their study, Zirkel and Weathers (2016), indicated that national data regarding Section 504 students are limited. Without this national, state, or locally collected data, policy makers and practitioners currently can only guess at the magnitude of the Section 504-Only student population. Additionally, Zirkel and Weathers note the gap in the research literature regarding Section 504-Only students and encourage future research not only in examining the national counts regarding identified Section 504-Only students but the examination of the relationships in identified student characteristics such as race, gender, and ethnicity. School characteristics such

as Title One status could also be analyzed with the additional collection of data (Zirkel & Weathers, 2016). The fact that there is little research in this area acknowledges there is a need to continue studies in this field. School districts all must meet compliance with federal mandates, yet there are no standard procedures set forth by neither federal nor state education agencies. It is left up to the local education agencies to interpret procedures for implementation to comply with federal law. In Texas, allowable accommodations considered accessibility features and designated supports on state-mandated assessments are delineated in the Texas Education Agency's District and Campus Coordinator Resources Accessibility section. This section specifically requires district documentation for assuring the individuals with disabilities meet very clear and specific eligibility criteria for the use of instructional accommodations in the classroom and on the state-mandated assessments for grade levels three to twelve (T.E.A., 2018).

Given that there is no consistent process at the state or federal level, school districts and public charter schools must determine how to develop the Individual Accommodation Plan (IAP). This information may vary from one district to another as there are no regulatory guidelines as in the IDEA. Although, there are few studies that currently exist that provide an approximate percentage of students receiving 504-Only Individual Accommodation Plans, the included information cited in this study do indicate the number of students meeting eligibility criteria is increasing.

The ADA of 2008 broadened the eligibility standards regarding eligibility, so it is anticipated that the number of identified students will continue to increase. In Texas, very recent legislation has passed to begin the collection of data regarding the number of students identified as 504-Only students. School administrators must acquire the knowledge and skills to advocate

for appropriate services of all students enrolled in their schools as mandated by federal and state accountability standards for economically disadvantaged students, students from major racial and ethnic groups, children with disabilities and English language learners in the public-school systems receiving federal funds (Roberts & Guerra, 2017). This research is intended to contribute to the body of knowledge currently available in Section 504 services for 504-Only students in public education. The researcher also hopes to call attention to strengths and needs from school administrators' perceptions regarding the implementation of Section 504 Services in public schools today. It is the hope of the researcher that attention will be paid to the availability or lack of availability of resources not just for the administrators facilitating the committee meetings, but for students receiving general education 504-Only services who may not be receiving access to additional resources. Finally, as the state commences the collection of data of these students, it is the hope that the information gathered from this study will bring forth attention to equity factors that the state currently holds districts accountable for in Special Education but are not currently being examined in the general education 504 process which presently focuses on equal access.

CHAPTER II

LITERATURE REVIEW

The literature review serves the purpose of sharing with the reader results of a conceptual framework related to the study that is currently being undertaken. This literature review relates this study to the ongoing dialogue in the current literature and fills in the gaps by extending to some prior studies [Cooper, 2010; Marshall & Rossman, 2011(cited by Creswell 2014)]. This review of literature will be organized into several sections. These sections include the theoretical frameworks that support this study in the areas of social justice in education and effective educational leadership. Incorporated into the study is the historical information regarding the evolution of disability laws and a description of current services regarding students with disabilities in public education.

Conceptual Framework

The conceptual framework for this study is founded in transformative and social science theory (Creswell, 2014). It emphasizes that research inquiry needs to be intertwined with politics and a political change agenda to confront social oppression at whatever levels it occurs [Mertens, 2010 (cited by Creswell 2014)]. It also provides a voice for participants, raising their consciousness, or advancing an agenda for change to improve their lives (Creswell, 2014). In this study, the needs of administrators in the public school setting are considered regarding decision-making processes and procedures for students with disabilities

in public schools. In an essay, Bogotch (2000) wrote social justice requires an ongoing struggle [i.e., to share power/knowledge/resources equitably] and cannot be separated from how educational theories and practices are being [re]defined and practiced by professionals within schools, academic disciplines, and governmental agents. Laws about educational practice are founded in the theory of historical leaders who have paved the groundwork for today's available policies and practices in education. Educators adhere to federal and state policies when allocating available resources and addressing placement decisions for available support services. From a social justice perspective, it is essential to make these connections transparent and visible in day-to-day practices in our school systems. Administrators not only serve as campus leaders and decision makers, but they also take on the role of a student advocate when addressing day-to-day decisions. As part of their role, administrators must be prepared to make sound, ethical, moral, and equitable decisions while assuring students' civil rights and appropriate educational services are not denied.

Mertens (2010) explains that a transformative paradigm serves as an umbrella for research theories and approaches that place a priority on social justice and human rights. The transformative paradigm provides guidance concerning clarification of ethics and values and consequent decisions that are related to ontology, epistemology, and methodology. Mertens (2010) also asserts that transformative paradigms have relevance for marginalized individuals who experience discrimination and oppression, such as the disabled and other populations characteristically associated with social justice such as ethnicity and poverty. The transformative paradigm applies to the study of the power structures that perpetuate social inequities. The transformative theory applies to this study as the intent is to call attention to

the perceived strengths and needs of current practices that are applied by education administrators regarding Section 504 of the Rehabilitation Act as it applies to our public education system.

Social Justice in Education

Potgieter, Van Deveneter, & Van der, Westhuizen (2015) describe social justice as the belief that all people, irrespective of belief, and societal position, are entitled to be treated according to the values of human rights, human dignity, and equality. They describe social justice as an act of fairness, equality, and justness towards others. For this study, the conceptual framework regarding social justice in educational leadership builds upon the exemplary and philosophical viewpoints of Plato, Karl Marx, and Pablo Freire (1970). Plato, for example, regarded education to achieve both individual justice and social justice. Plato believed that individual justice could be obtained when each develops his or her ability to the fullest. He also believed that virtue could be achieved through three stages of development of knowledge: knowledge of one's job, self-knowledge, and knowledge of the Idea of the Good. Plato believed that all people could easily exist in harmony when society gives them equal educational opportunity from an early age to compete fairly with each other. These philosophical views can be extended to our current laws that apply to public education and current non-discriminatory practices in education.

Philosophical viewpoints of education. This study can build from the philosophical viewpoints of Karl Marx and Paulo Freire. In his writings, Marx stressed the provision of education to all sections of society, i.e., universal education (Freire, 1970). The Marxist

educational goal is equalization of educational opportunity. The goal of Marxist education was to provide the maximum good to as many as possible by ensuring social advancement through the provision of education. Freire's theory follows Karl Marx view regarding ensured social advancement through education. Freire's (1970) work portrayed a practical and theoretical approach to emancipation through education. He wanted people to develop a theory of existence. This belief views people as subjects, not objects, who are continually reflecting and acting on transforming their world, so it can become a more equitable place for all to live. Freire believed that the essence of social justice existed in "praxis," which he described as reflection and action upon the world to transform it (Freire, 1970). It is doing the right thing despite barriers one may encounter. They are meant to meet the needs of all students and understand the differences between diversity and equity (Magdelano, 2016).

Furman (2012) emphasizes three central concepts for social justice for administrators. Furman's conceptual framework for social justice leadership organizes around three fundamental concepts stemming from Freire's frame of thought. First, leadership for social justice is conceived as praxis in the form of reflection and action, as noted. Second, it can involve several dimensions that include personal, interpersonal, communal, systemic, and ecological dimensions. Third, these various dimensions require certain capacities demonstrated by the administrator leader (Furman, 2012). In other words, the practice of social justice is applied through personal thought reflection and explicit, intentional action in our daily practices that includes setting an example for our colleagues. Furman shared the belief that administrators should understand, promote and enact social justice through a heightened critical awareness of oppression, exclusion, and marginalization that may be

experienced by their students [(Freire, 2004) as cited by Potgieter, Van Deveneter, & Van der, Westhuizen, 2015]. According to Freire, education is the key to enacting social justice because it provides venues for students to achieve freedom, both intellectual and physical—the indispensable condition for the quest for human completion (Hahn-Tapper, 2013).

Contemporary theorists in social justice. Contemporary theorists such as Rawls, Starrett, Bandura, and Bogotch build their philosophical viewpoints on the previously named identifiers. John Rawls theory of *justice as fairness* describes a society of free citizens holding equal basic rights and cooperating within an egalitarian economic system (Potgieter, Van Deveneter, & Van der, Westhuizen, 2015). His writings on *the law of peoples* set out a liberal foreign policy that aims to create a permanently peaceful and tolerant international order. Rawls' theory of justice emphasizes fairness of opportunity with the provision of the greatest benefit to the least advantaged in society such as those in our institutions of government such as education (Cornelius & Harrington, 2014). Rawls theorizes that a well-ordered society is governed by the relational conduct of individuals who can make judgments on what is right versus what is good. This is done by decision-making processes that consist of value-based conduct that benefits both the student and the school community (Potgieter, Van Deveneter, & Van der, Westhuizen, 2015).

Equity in Education

Every student should have an opportunity to achieve his or her fullest capability. Educators should strive to be equitable by recognizing individual differences and adjust the allocation of resources accordingly (Gorski, 2013). In his work, Gorski notes that people with

disabilities face inequities that limit their opportunities. Scholars have long argued that students with disabilities have been marginalized concerning access to curriculum, peers, teachers, and social standing within public schools (DeMatthews & Mawhinney, 2014). Rates of employment and poverty among people with disabilities, and especially among people with two or more disabilities are among the highest of any identity group [(Palmer, 2011, Stapleton, O' Day, Livermore, & Imparato, 2006) as cited by Gorksi]. By recognizing these factors that impact our society, administrators can rationalize the importance of investment of time and resources for all students to reach their potential as productive citizens in our society, including students with disabilities.

The Formation of the ADA and Section 504

There has been nearly a 200-year history of educating disabled students in American schools, dating back to 1823. Some individuals, advocacy groups, and federal court cases have impacted the treatment of disabled students in public schools (Schraven & Jolly, 2010). Between 1948 and 1967, the number of disabled students who were receiving public education increased from 12% to 33% (Schraven & Jolly, 2010). In the early 1970s, approximately 238 pieces of federal legislation passed by Congress to protect the rights of people with disabilities (Ballard, Ramirez and Weintraub, 1982). Between the years of 1964 and 1973, during the Civil Rights Movement and President Johnson's Great Society initiatives, an additional 72 new acts were mandated by the federal government. The Civil Rights Movement of the 1960s, a highly influential factor in the protection of students with disabilities, paved the way for cases addressing both the classification, unethical and in some cases, illegal assessment practices for minority students.

Several laws were passed to address and protect children in our school systems because of the Civil Rights Movement (Schraven & Jolly, 2010).

Elementary and secondary education act of 1965. The education law, the Elementary and Secondary Education Act of 1965 (ESEA), originated because of the Civil Rights Act and President Lyndon Johnson's War on Poverty initiative. Its goal was to strengthen economically-disadvantaged schools by emphasizing the government's commitment to equity and equal educational opportunity by providing funding and resources to states and school districts for providing high-quality education (Mathis & Trujillo, 2016). The ESEA has undergone reauthorization in Improving America's Schools Act (IASA) of 1994, the No Child Left Behind Act (NCLB) of 2001, and the most recent Every Student Succeeds Act of 2015 (ESSA). The most recent reauthorization, ESSA, continues to provide its provisions embedded in the law for children with disabilities. ESSA continues to ensure access to the general education curriculum and access to accommodations on assessments (ESSA, 2015).

Section 504 and the idea. The federal government expanded civil rights protections to disabled students with the implementation of the Rehabilitation Act in 1973, which incorporated the Section 504 statute (Schraven & Jolly, 2010). Section 504 of the Rehabilitation Act of 1973 is considered a civil rights statute aimed at ending disability based-discrimination. There are significant differences between the laws that protect from discrimination due to disability. Unlike the Individuals with Disabilities Education Act (IDEA), a Special Education law, Section 504 does not provide any funding to school districts. The Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act each contain specific requirements for schools that receive federal funds to ensure disabled students receive reasonable accommodations that enable

them to benefit from the public education experience fully. The Individuals with Disabilities Act is highly specific, with more robust procedural requirements that schools must follow, and Section 504 is deemed more flexible (Taylor, 2010). IDEA and its amendments are designed to ensure that students with disabilities have maximum access to the educational benefits of the public-school system. Section 504 prevents programs that receive federal financial assistance from excluding individuals with disabilities—whether by denying such individuals the benefits of the program or by otherwise discriminating against individuals with disabilities (Taylor, 2010). It is important to note that students protected under the IDEA are also protected by Section 504 of the Rehabilitation Act of 1973. Section 504-Only students, however, must be evaluated for eligibility under the IDEA and must also require specially designed instruction for special education services to be accessible. The evaluation process may be the same under Section 504 and IDEA. An evaluation could reveal that the student is eligible for services under IDEA and Section 504, Section 504 Only, or that the student is not a student with a disability under Section 504 or is a student with a disability under Section 504 who does not need special education services (DOE, 2016). In other words, Section 504 Only students are not eligible for IDEA services, but IDEA-eligible students are also 504 students.

Section 504 definition of a disability. Section 504 defines disability as the “presence of,” “record of,” or “perception of” (i.e., “regarded as”) (a) a physical or mental impairment that (b) substantially limits (c) a major life activity. For example, a student who is demonstrating characteristics of dyslexia may find it challenging to read required classroom materials and may require extra time to complete his/her assignments due to additional time and effort needed to complete his/her work because of the disorder. Alternatively, a student who is diagnosed with

depression may be substantially limited in his/her ability to concentrate and think while completing school assignments (DOE, 2016). The Office for Civil Rights (OCR), which administers Section 504 and the ADA in the schools, clarifies that eligibility for accommodations and services under Section 504 requires that a student currently meet eligibility criteria. The “record of” and “regarded as” alternatives serve as a shield against removal based on disability from the same services that other students receive (Zirkel P. A., May-June 2009c).

Historical Eras of Section 504

Since its inception in 1973, the Section 504 statute has undergone changes regarding its interpretation that have been primarily triggered by the Americans with Disabilities Act and the subsequent amendment in 2008.

First era. The first era occurred during the 1970s through the 1990s. Students were required to meet a two-part eligibility criterion. This era was characterized by awareness raising, as OCR enforcement, student litigation, staff development programs, and professional literature stressed Section 504’s broader definition of disability entitling some students to Section 504 Plans, even if they did not qualify for Individualized Education Programs (IEPs) under IDEA. The 1990 passage of the Americans with Disabilities Act, the sister law, included the same definition of disability as in Section 504 of the Rehabilitation Act.

Second era. The second era of the statute is considered a constriction period. It reflected a major political change that occurred in the 1990s that included court decisions that constricted interpretation of the criteria for Section 504 eligibility, which also covers employment protections. The two court case decisions *Sutton v. United Airlines, Inc.* (1999) and *Toyota*

Motor Manufacturing v. Williams (2002) had a major impact on the law. In the Sutton case, the Supreme Court ruled that the “substantially limits” criterion is not met if mitigating measures, such as medication, are being used to ameliorate the effects of an impairment. For example, if a student with attention-deficit hyperactivity disorder (ADHD) or asthma, whose major life activity of learning or breathing is substantially limited, would not be eligible for a 504 Plan if the use of medication (a mitigating measure) reduced his or her impairment to the point of a negligible or moderate impairment, rather than a substantial limitation. In the Toyota case, the Supreme Court interpreted congressional intent as limiting Section 504 of the Rehabilitation Act of 1973 and the ADA to a “demanding” eligibility standard by defining a major life activity as only activity of central importance to daily living (2002).

Following the Supreme Court’s decisions on these two cases, lower courts narrowed their interpretation of disability in Section 504 and ADA eligibility accommodations for K–12 and postsecondary students, based on the general applicability of the Sutton and Toyota decisions. During this era, districts were advised not to over-identify students under Section 504 because, unlike the IDEA, 504 Plans do not provide additional funds for services, accommodations or “transaction costs” such as meetings, litigation, and OCR complaint processes (Zirkel P. A., May-June 2009c). A national study was conducted of Section 504 eligibility in K–12 education that determined approximately 1.2 percent of public-school students had 504 Plans, and some of these students did not fit into the constrictive interpretive standards that the courts had established. The study also found that 504 Plans were more common in the secondary grades than the elementary grades (Zirkel P. A., May- June 2009c).

Third era. The third era occurred during the expansion of The Americans with Disabilities Act Amendments Act (ADAAA) in 2008 that essentially reversed the previous narrow judicial interpretations by rejecting the Supreme Court’s interpretation of disability in the Sutton and Toyota cases. A conforming statement was included in the amendment that paralleled the impact to Section 504 of the Rehabilitation Act. The amendment dramatically expanded K–12 student eligibility under Section 504. The effect of this legislation on each of the three elements of the disability definition follows. First, the ADAA retained the open-ended interpretation of physical or mental impairment, confirming by the omission of a limited list of impairments (as is found in the IDEA) that Section 504 includes a vast and ever-expanding array of conditions. Second, the ADAAA expands the list of major life activities to include reading, concentrating, thinking, sleeping, eating, and major bodily functions. The amendment further codified all of these items into legislation, rather than only specifying them in regulations, which were less effective in courts and easier to eliminate. Third, the ADAAA significantly expanded the criteria for substantial limitation by (a) requiring impairments that are episodic or in remission to be measured when they are active; (b) directing that the use of mitigating measures not be considered; (c) providing an expansive list of mitigating measures, including low-vision devices (except eyeglasses or contact lenses), hearing aids, cochlear implants, assistive technology, learned behavioral or adaptive neurological modifications, and reasonable accommodations; and (d) clarifying that eligibility determinations need not entail “extensive analysis” and should be expansive, rather than narrow (Zirkel, P. A., May-June 2009c). Under these new standards, it is expected to see a notable increase in the number of students claiming disability coverage for

limitations to major life activities that are learning related, such as concentrating, and those beyond learning, such as eating (e.g., diabetes and food allergies) (Zirkel P. A., May-Jun 2009c).

During this new era, questions may arise about the extent of schools' obligations to this expanded pool of eligible students, particularly given the constricted resources of the public schools and the "unfunded mandate" nature of Section 504 and the ADA (Zirkel P. A., May-Jun 2009c). It is noted that the Office of Civil Rights focuses on procedures, such as documentation, rather than substance, such as the appropriateness of the accommodations or services that the school has provided. Whether concessions offered to students meet the reasonable accommodation and appropriate education standards of Section 504 is determined through impartial due process hearings (Zirkel P. A., 2009c). Despite Section 504 civil rights legislation, school districts continue to face civil rights lawsuits on behalf of students with disabilities. For nearly 40 years, Section 504 has taken a "backseat" to the mandated and federally funded IDEA within public schools. Some reasons are due to the strong emphasis that is placed on the following IDEA procedures with less placed on Section 504 mandates. Teachers and administrators lack extensive knowledge about Section 504 because they are typically more trained in implementing IDEA. Other reasons may be caused by the "double-edged sword" that Section 504 plays in public education. When civil rights violations of students with disabilities are demonstrated, federal funds can be pulled, whereas, under the IDEA, only those specific IDEA funds will be revoked for violations. Ironically, administrators tend to pay more attention to special education implementation rather than follow Section 504 procedures even though a "hit" from a civil rights violation could potentially affect a school district at a much broader level, including within general education itself (Schraven & Jolly, 2010). The Americans with

Disabilities Act Amendments, which went into effect on January 1, 2009, have made significant changes in the interpretive standards for student eligibility under Section 504 of the Rehabilitation Act, expanding the pool of eligible students. Schools must adjust their policies and procedures to conform to this new era (Zirkel P. A., May-June 2009c).

The Americans with Disabilities Act of 1990

The advent of the Americans with Disabilities Act of 1990 is sometimes cited as a critical moment in securing civil rights for people with disabilities, not the least for students in public schools (Lafee, 2011). Public schools fall under the purview of Section 504 mandates, which are enforced by the U.S. Department of Education. Like IDEA, Section 504 requires schools to provide free and appropriate education (FAPE) to every student, regardless of that student's abilities (Taylor, 2010).

Free and Appropriate Public Education (FAPE)

Section 504 of the Rehabilitation Act of 1973, Individuals with Disabilities Education Act (IDEA) and their associated regulations created the rights to equal access, free appropriate public education (FAPE), in the least restrictive environment, and procedural protections for students who historically had been excluded or underserved in public schools (Maydosz, 2009). For purposes of Section 504, the Office of Civil Rights at the Department of Education defines a free appropriate public education (FAPE) in the elementary and secondary school context as the provision of regular or special education and related aids and services that are designed to meet individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met and is based upon adherence to procedures that satisfy the Section

504 requirements pertaining to educational setting, evaluation and placement, and procedural safeguards (U.S. Ed.gov., 2011).

ADAAA Broader Coverage and Protection

ADAAA, passed in 2008, changed the definitional terms of the ADA of 1990 and Section 504 of the Rehabilitation Act of 1973. It explicitly disapproved the major Supreme Court cases that limited the coverage of the ADA and Section 504. It declared that the definition of disability would now be construed in favor of a more broader interpretation of coverage of individuals with disabilities (ADA Amendments Act, 2008). It clarified that Congress intended that the primary object of attention in cases brought under the ADA should be whether the entities covered under the ADA complied with obligations of eligibility (ADA Amendments Act of 2008), rather than whether an impairment meets the definition of a disability.

Additionally, it made the legislative disapproval of the Supreme Court's views more concrete. The statute included impairments that were episodic or in remission as a disability if it would substantially limit a major life activity when active. The determination of whether an impairment substantially limited a major life activity was now to be made "without regard to the ameliorative effects of mitigating measures" (ADA Amendments Act of 2008). The only exceptions were the use of ordinary eyeglasses or contact lenses. Some examples of mitigating measures to be disregarded were specified as medications, hearing aids, cochlear implants, mobility devices, assistive technology, reasonable accommodations, auxiliary aids, and services, as well as learned behavioral and adaptive neurological modifications (ADA Amendments Act of 2008). The ADAAA of 2008 set out a non-exclusive list of major life activities drawn from

examples previously found in regulations promulgated under the ADA. It's broader expansion included sleeping, reading, concentrating, thinking, and communicating, performing manual tasks, seeing, hearing, eating, walking, speaking, learning, and working. Major life activities were further defined to cover major bodily functions such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. A person would now meet the definition of being regarded as having an impairment that substantially limits a major life activity if the person establishes that he or she has been subjected to a prohibited action "because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity" (Weber, pg. 618, 2012).

The definitional changes in the ADA Amendments Act have expanded the coverage of the ADA and section 504 concerning elementary and secondary students. Children who achieve an adequate level of educational performance, but who need medical and other therapies or supplemental devices, aids, or services are now covered by section 504 and the ADA, as long as their impairments would substantially limit a major life activity if the impairments were not mitigated. The list of major life activities now explicitly includes several activities that are closely tied to education: reading, concentrating, thinking, and communicating, as well as hearing, speaking, and learning (U.S.D.E. 2016b).

Differences in the ADA, IDEA and Section 504

The Individuals with Disabilities Education Act (IDEA), the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act are federal mandates designed to protect

the rights of individuals with disabilities. Because these laws are similar in their intent, it is often difficult to understand how they are applied. In some cases, these laws may be confused.

Essentially, the IDEA and Section 504 of the Rehabilitation Act are categories under the broader law of the Americans with Disabilities Act. To be eligible under Section 504, an individual must have a disability that substantially interferes with a major life activity and function. To be eligible for IDEA, an individual must meet eligibility criteria in at least one of the thirteen categories of disabilities. Texas identifies Autism, Specific Learning Disability, Speech or Language Impairments, Emotional Disturbance, Traumatic Brain Injury, Visual Impairment, Auditory Impairment, Intellectual Disabilities, Deaf-Blindness, Multiple Disabilities, Orthopedic Impairment, Other Health Impairment, and Non-Categorical Early Childhood (H.R. 1350, Individuals with Disabilities Education Improvement Act 2004). Some districts will train district personnel on the differences between the IDEA, and Section 504 to assure a clear understanding of the two laws. Specifically, Section 504 is an unfunded non-discrimination law while IDEA is funded education law. Section 504 plans are considered as Individual Accommodation Plans (IAPs) and are not considered as intensive as Individual Education Plans (IEPs) (Kline et al., 2017). Other differences between the two laws are listed in the table below.

Table 1. Comparison of IDEA and Section 504 Regulations

	IDEA	Section 504
PURPOSE	To ensure that all children with disabilities have available to them a Free and Appropriate Public Education.	To prohibit discrimination on the basis of disability in any program receiving federal funds.

	IDEA	Section 504
WHO IS PROTECTED?	Thirteen categories of qualifying conditions.	Much broader terms. A student is eligible so long as she/he meets the definition of a qualified disabled person, i.e., has a physical or mental impairment that substantially limits a major life activity, and has a record of or is regarded as handicapped by others. Parents are also protected.
DUTY TO PROVIDE A FREE AND APPROPRIATE PUBLIC EDUCATION (FAPE)	Both require the provision of free appropriate education to students covered. Requires the district to provide IEPs. "Appropriate education" means an individualized program designed to provide educational benefits.	Appropriate means an education comparable to the education provided to non-handicapped students.
SPECIAL EDUCATION vs. GENERAL EDUCATION	A student is eligible to receive IDEA services only if the IEP Team determines that the student has one of the categories of disability; the disability causes an adverse effect to the child's education, and the child requires special education.	A student is eligible so long as s/he meets the qualifying definition, i.e., has a physical or mental impairment that substantially limits a major life activity; has a record of such an impairment, or is regarded as having such an impairment. The student does not need special education to be protected.
FUNDING	If a student is eligible for IDEA services, the district receives additional funding.	Additional funds are not provided.
ACCESSIBILITY	Not specifically mentioned, although if modifications must be made to provide a free appropriate education to a student, IDEA requires it.	Detailed regulations regarding building and program accessibility.
CHILD FIND	Both require child find activities.	
GENERAL NOTICE	Requires notification of parental rights. Both require notice of the parent or guardian concerning identification, evaluation, and placement.	Districts must include notice of nondiscrimination in its employee, parent, and student handbooks, and must designate the district's 504 coordinator(s).
NOTICE AND CONSENT	Requires written notice.	Requires written notice.
	Notice provisions are more comprehensive and specify what the notice must provide.	
	Written notice is required before any change in placement.	Requires notice before a "significant change in placement".
	Requires consent for initial evaluation and placement.	Consent not required, by if a handicapping condition under IDEA is suspected, those regulations must be followed.
EVALUATIONS	The regulations are similar.	
	Requires consent before initial evaluation is conducted.	Requires notice, not consent.
	Reevaluation must be conducted at least every three (3) years.	Requires periodic reevaluation.
	Provides for independent evaluations.	Not required.

	IDEA	Section 504
DETERMINATION OF ELIGIBILITY, PROGRAM, AND PLACEMENT	Done through an ARD Committee meeting. Parent is a member of the ARD Committee.	Done by a group of persons knowledgeable about the child, the evaluation data, and placement options. Parental participation is not mentioned in the regulations, but a district could invite the parent to the meeting.
GRIEVANCE PROCEDURE	IDEA does not require a grievance procedure or a compliance officer at the local educational agency level. The state educational agency (DPI) must post the complaint procedures.	Districts with more than 15 employees must designate an employee to be responsible for assuring district compliance with Section 504 and provide a grievance procedure (an informal hearing before a district staff member) for parents, students, and employees.
DUE PROCESS	Both require access to impartial hearings for parents or guardians who disagree with the identification, evaluation, placement, or provision of FAPE for a student with disabilities.	
	Hearings conducted by a state hearing officer (Administrative Law Judge). Decisions may be appealed to the State Review level, and then to court.	Hearings conducted at the local level by an impartial person not connected with the school district. The person need not be an attorney. Decisions may be appealed to a court.
ENFORCEMENT	Compliance is monitored through TEA. TEA also receives and resolves complaints regarding IDEA. The Office of Civil Rights does not enforce.	Enforced by the Office for Civil Rights by complaint investigation and monitoring activities.
EMPLOYMENT	No provisions.	Employment of person with disabilities is regulated.

Table 1. IDEA vs. Section 504 Comparison Chart. Retrieved from csd.wp.uncg.edu/wp-content/.../Handout_3_IDEA_504_Comparison_Chart.doc

Section 504 is considered a civil rights statute while IDEA is a federal programmatic statute that provides federal funds to state and local education agencies. While Section 504 does not receive federal funds, it does pertain to all public facilities, including schools. IDEA pertains only to schools and eligibility standards for IDEA are more specific than for Section 504. Some students who qualify under Section 504 may not meet the narrower criteria to be eligible under IDEA (Romano, Paradise & Green, 2009).

For years, the use of 504 plans has been inconsistent from district to district. It is unclear how many students have individual accommodation plans because the numbers are not required to be reported to the federal government, unlike for special education students who have formalized IEPs (Shah, 2012). School leaders should be knowledgeable about school law that governs students with disabilities in public schools and about the benefits of inclusion for all students in academic and non-academic settings to assure reasonable accommodations for students with disabilities are made accessible. Testing accommodations, for example, are among the modifications that individuals with disabilities can access to demonstrate their skills. Accommodations can alter important aspects of the test administration procedures (Lovett, 2014). Many students with disabilities—and their parents and guardians—are already familiar with the tools, adaptive technologies, and other resources that can help them participate in activities (Taylor 2011). School leaders are familiar with the IDEA, but they also need to be legally literate about Section 504 of the Rehabilitation Act. This need is particularly pressing in the wake of significant changes in Section 504 as a result of the Americans with Disabilities Amendments Act of 2008 (Hardcastle & Zirkel, 2012). Public schools Head Start agencies and all other programs that receive federal dollars, either directly or indirectly, are bound by the requirements of Section 504. If a school district or other program receiving federal funds, either directly or indirectly, offer a pre-k program, Section 504 requires that it provides Pre-K children with disabilities equal access to that program, with reasonable accommodations and modifications. A school district that does not operate a public Pre-K program is not obligated under Section 504 to provide a program or services to Pre-K children with disabilities. Like

IDEA, Section 504 requires a school district to provide FAPE in the least restrictive environment.

Educational Leadership Theory

As the role of the administrator is examined in this study, it is important also to consider the leadership styles that lend themselves to the ethical and moral considerations when addressing the needs of students with disabilities as evident in the educators 'code of ethics. Texas educators are bound by a code of ethics stipulated in the Texas Administrative Code regarding ethical conduct towards students. Part 3 standard 3.4 in this Code indicates that an educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status or sexual orientation (TAC 247.2). Administrators in our school systems make decisions in the day to day functions of their schools. Many decisions are made on the spot, but most require careful thought and knowledge regarding local, state, and federal policy. The administrator must be prepared and conscientious to make ethical decisions regarding school matters. The administrator must demonstrate a certain level of knowledge and skills that can be emulated by his/her subordinates in the school setting. The administrator will set the tone for the campus in his/her philosophical viewpoints regarding services for marginalized populations such as students with disabilities. Campus personnel looks towards the campus leadership to set the cultural groundwork regarding supports for marginalized students. The leadership style demonstrated by the administrator should model one of the socially just and ethical moral standards for his/her subordinates. It should also include capacity building by instilling socially

just practices in subordinates. Two theories in leadership that explain leadership style as they relate to responsible and ethical leadership are explained in the works of Northouse (2013).

Transformational leadership. Transformational leadership is described as a process where a leader engages with others and creates a connection that raises the level of motivation and morality in both followers and leaders. Ryan White and Mohandas Gandhi are examples of transformational leaders. Northouse (2013) describes Transformational Leadership as a visionary type of leadership style that involves moving followers to accomplish more than what is expected of them. This form of leadership is based on the leader modeling behaviors regarding the treatment of students, particularly the most marginalized such as or students with disabilities. Administrators model ethical and legal expectations in school, highlighting the need for superior knowledge in adequate supervision of regular and special education programs (Roberts & Guerra, 2017). Transformational Leadership involves very specific attempts to influence followers. It can be a one-on-one type of situations, or it can involve large groups or organizations (Northouse, 2013).

Transformation leadership emerged from the studies of Burns (1978) and Bass (1985), which viewed it as a model that inspires and stimulates followers. Burns found that the transformational leadership approach significantly contributed to increased levels of performance and advanced job satisfaction [(Bass 1985) as cited by Dembowski, 2007]. Hoyle (n.d.) contends the definitions of leadership have gradually changed, from the focus being on forcing others to comply to modeling the way for others using empowerment, persuasion, professional development, and encouragement. Through various legislation (Civil Rights Movements, women's rights, rights of the disabled), the meaning of leadership and personal obligation toward

inclusion of others and the sharing of power and resources have contributed to the shift of leadership to a transformational model. Transformational leaders may also be considered as authentic transformational leaders due to the characteristic qualities observed. Authentic transformational leaders demonstrate a form of socialized leadership which is concerned with the collective good and the sake of the good of others. Northouse (2013) discussed the value of charismatic leaders and the effect they have on their followers. Charismatic leaders demonstrate the characteristics of being dominant, self-confident, and of strong moral value. Charismatic leaders demonstrate types of behaviors that include being strong role models and competent individuals. The followers will trust the leader's ideology and share in beliefs. Leaders who demonstrate this type of leadership have strong values and beliefs and can motivate followers to support the greater good. Transformational Leadership is demonstrated by the following characteristics:

- Followers want to emulate this type of leader.
- Inspirational motivation is descriptive of leaders who communicate high expectations to followers, inspiring them through motivation and vision.
- Intellectual stimulation is descriptive of leaders that stimulate followers to be creative and to challenge their own beliefs.
- The individualized consideration represents leaders who provide a supportive climate in which they listen carefully to the individual needs of followers. The leader acts as a coach or advisor.

Transformational leaders set out to empower followers and nurture them in change. To create change, leaders become role models and social architects. The leaders are effective in

working with people. They build trust and foster collaboration with others. Transformational Leadership has been widely researched from many different perspectives and is effective with an intuitive appeal. It also provides a broader view of leadership that augments other leadership models and places a strong emphasis on the follower's needs, values, and morals. It suggests that it involves attempts by leaders to move people to higher standards (Northouse, 2013).

Ethical leadership. Northouse (2013) explains ethics in leadership as what leaders do and who leaders are when they respond to given circumstances. Ethics is concerned with virtues, values, and morals, an individual or a society find appropriate. Ethics are guiding principles that leaders use in making decisions about what is right or wrong or good or bad in a given situation. Ethics provide the basis of what is being a decent human being. Burn's Theory (1978) contended that it is important for leaders to engage themselves with followers and help them in their struggles regarding conflicting values. Ethical leaders are concerned with fairness and justice (Northouse, 2013). An ethic of justice involves fair and equitable treatment of all. In a school environment with an ethic of justice apparent, decision-making is shared and democratic, and there is an overall culture of collaboration amongst staff (Starratt, 1996). Ethical leadership involves respectful relationships between student, teacher, and parents and the development of learning communities that are inclusive and engage in critical inquiry (Starratt, 2014).

Administrators participating in student assistance teams such as Section 504 committees are expected to make recommendations regarding the allocation of resources, student services, and placement decisions. Decision-making procedures require background knowledge on the issues at hand, such as understanding the impact of the disability in the instructional setting.

Administrators must be prepared for the questions that may arise regarding services and supports that are appropriate, reasonable, just, and non-discriminatory.

Social Justice and Educational Leadership

Hernandez and Marshall (2017) point out that the literature on social justice leadership has consistently defined one goal as being the reduction in the achievement gap that has existed between students of lower socio-economic status (SES) and their affluent peers and between students of color and their White peers. While schools in the United States are becoming more ethnically and linguistically diverse, and the white population decreases, the achievement gap continues to expand (Hernandez and Marshall, 2017). The works of Bogotch (2000), Starratt (2005), Cambron-McCabe and McCarthy (2005) and Furman (2012) are in the forefront regarding visionaries in support of social justice in educational leadership.

School administrators face moral dilemmas and decisions daily and are often required to make difficult choices between competing for ethical demands and values. They are expected to offer solutions tailored to each student and community [Epstein, 1995 as cited by Starratt, 2005] while simultaneously embracing powerful government regulations and adhering to uniform standards [(Watson and Supovitz, 2001) as cited by Starratt, 2005]. In his work, Bogotch (2000) stated that education promotes heroic individuals in school administration who can articulate paths to rid schools of the many societal frustrations that go along with being a public-school system. Cambron-McCabe and McCarthy (2005) state that social justice leaders must reconstruct roles and relationships at the school level around a vibrant core purpose focused on social justice and directed at improving student learning. They additionally state that social justice leaders

must possess high-quality instructional skills that will support the learning of both students and adults in schools. They must raise critical issues concerning equity and privilege and provide leadership that promotes collective responsibility for school improvement (Cambron-McCabe and McCarthy, 2005). Bogotch, however, notes that educational systems may not support individually-minded educational leaders and may perceive them as being disloyal to the system. Bogotch also believed that the educational system does not lend itself to promoting individual differences and punishes whole classes and whole schools for the failures of a few (2000). Current accountability systems penalize school districts for performance standards of marginalized students on state-mandated tests. In his work, Starratt (2005) grounds his framework in theories of transformational leadership. He crafts a multidimensional model of interrelated ethics and emphasizes dignity and worth of all human beings. In his work, Starratt stressed that as citizens with obligations to seek the common good, educational leaders must respect the rights of one's fellow citizens as they are entrusted with the responsibilities to provide certain services to the public (Starratt, 2005). He also stressed that educators are the "state in action" and that violations of rights and trust in the school setting can be legal or ethical violations regarding their roles as citizens and public servants (Starratt, 2005). Furman (2012) concluded that leadership for social justice is "action-oriented" and involves identifying and undoing oppressive and unjust practices and replacing them with more equitable, culturally appropriate ones.

School leaders must not only recognize inequality but must also have the necessary competencies to take actions in ways that replace pre-existing structures of inequality with more equitable structures (Furman, 2012). Social Justice Leadership is demonstrated through ongoing

actions, skills, habits of mind, and competencies that are continually being created, questioned, and refined (DeMatthews & Mawhinney, 2014). In his work, Starratt called on school leaders to cultivate responsibility by attending to neglected issues of social justice in the education of traditionally marginalized students by promoting values of justice, care, and critique. Starratt emphasized that in a school environment where an ethic of justice is apparent, decision-making is shared and democratic, and there is an overall culture of collaboration amongst the staff (Ehrich & Klenowski, 2016).

Educational leaders must ensure that the structures and procedures that support and channel the learning process reflect a concern for justice and fairness for all students (Starratt, 2005). They must also have the ability to assess and restructure school resources to support inclusive programming, the maximization of resources and staff expertise and develop programs that foster collaboration and culturally relevant pedagogies (DeMatthews & Mawhinney, 2014).

Compliance and the Availability of Resources

The Office of Civil Rights enforces Section 504 of the Rehabilitation Act of 1973 (Ed.gov., 2012). The Individuals with Disabilities Education Act is largely credited with the creation of a more inclusive culture in American schools. The two additional federal enactments, the Americans with Disabilities Act and Section 504 also are at the heart of the nation's inclusive culture. The Americans with Disabilities Act Amendments Act (ADAAA), which took effect in January 2008, created a change in the inclusive culture as state departments of education, individual school districts, and educators begin to find they are facing even more students with greater variety of disabilities requiring individual accessibility accommodations in instructional

and environmental settings. Educators may find they are without the guidance or resources to adequately provide services in compliance with all of these laws (Smith and Bales, 2012).

A recent article appearing in a monthly publication known as the Section 504 Compliance Advisor (Kline et al., 2017) featured a cover story noting the increase in the number of Section 504 students being identified in school districts and how it is straining district resources because of the increased demands on district personnel. The article summarizes the increased demands for district administrators trying to meet compliance demands without the availability of federal funding. Various district 504 coordinators were interviewed that noted the increased demands on district personnel were due to the broadened eligibility standards stemming from the ADA and its impact on Section 504 services for students in public schools. These coordinators cited that despite measures taken by the districts, such as switching from paper to electronic automated systems, the caseloads are continuing to grow due to the increased awareness of the law and increased incidences of chronic health conditions (Kline et al., 2017).

While the ADA broadens the definition of disability, the IDEA has retained a conservative construction of the term. Because the ADA broadens the definition, the court cases in the future will turn primarily upon the reasonableness of the decisions made by recommendations of the educators participating in the decision-making in the process of developing written accommodation plans. The disability analysis under the ADA no longer considers performance with mitigating measures or devices, and a child's performance is no longer compared with the average. At the same time, provisions of the IDEA prescribe procedures for identifying more "subtle" learning disabilities that require long-term observation

of a student, which is known as “child find” provisions. However, the recent Supreme Court decision in *Forest Grove School District v. T.A.* leaves schools without time to comply with more long-term methods required to identify specific learning disabilities (SLD). Thus, schools are left with potential increased liability because of students with disabilities, especially subtle or newly diagnosed learning disabilities that do not necessarily manifest in obvious achievement deficiencies, now have more protection under the ADA (Smith and Bales, 2012).

Procedural Gaps Regarding Section 504

Although most schools seem to be addressing several of the procedural mandates of Section 504, it is possible that there are gaps in how the regulations are appropriately implemented, particularly related to policies and procedures regarding the determination of eligibility. The department of education does not provide policy nor procedure for the implementation for 504-Only student services as it does for 504 students found eligible under the IDEA. Districts are required to implement a law that does not provide state and local agencies with procedural and policy practices. Districts are required to develop their procedures and documentation. Many local agencies seek guidance from specializing attorneys in the field of special education. Districts are generally advised to follow the procedures as implemented by the IDEA for special education students as the safest way to assure compliance with the Section 504 mandate. It is therefore imperative that school personnel receive adequate training in the implementation of Section 504. It is the collaborative responsibility of many school professionals, such as principals, general educators, and campus personnel. School districts need to make a major commitment to include staff development on Section 504 for all school

personnel as an area of emphasis for their staff development, school improvement teams, and child study teams. This is also a topic that may need to be addressed in personnel preparation programs for a broad array of professionals preparing to work in public school settings.

Administrators may complete their graduate training with the belief they have been adequately prepared until they are faced with accusations of inappropriate services or are confronted with a lawsuit which may potentially trigger substantial costs to the school district [(Burton, 2008; Cooner, Tochtermann, & Garrison-Wade, n.d.; Davidson & Algozinne, 2002; Militello, Schimmel, & Eberwein, 2009; Strader, 2007) as cited by Pazey & Cole, 2014].

Discussions of children with disabilities are rarely a part of leadership preparation programs, and disability issues remain outside of the leadership discourse (Pazey & Cole, 2012). Personnel preparation programs have, with good reason, focused on the very prescriptive requirements of the IDEA. Unfortunately, Section 504 and the related Americans with Disabilities Act and the Amendment Act have received little attention. It is necessary for programs preparing special education personnel to include specific instruction on the implementation of Section 504 as part of the required program of study. Specific areas in need of examination include how different components of the regulations are implemented, and the responsibilities of various school-based professionals serving as 504 coordinators in the coordination and implementation of the Section 504 regulations (Madaus & Shaw, 2008).

The No Child Left Behind Act, recently replaced with Every Student Succeeds Act (ESSA), continues to require states to disaggregate data by race and wealth but does not provide for added resources of sub-groups. It does, however, provide for the reporting of non-academic indicators that will help bring attention to the nation's broader educational purposes (Mathis &

Trujillo, 2016). Mathis and Trujillo (2016) recommend that states ensure that students have adequate opportunities, funding, and resources to achieve state goals. They also suggest that funds be available in an equitable manner and must be sufficient to meet student's needs. They stress that schools and school personnel should not be evaluated on elements where they are denied the learning resources and supports. Note must be taken of the civil rights groups' reservations and concerns on these same issues. Disaggregation of state testing data by race and socioeconomic levels remains (and has been expanded), but the re-introduction of the standard setting by states and accountability decision-making will more than likely result in more state expectations, funding and technical support and improvement that will more than likely vary from one state to another (Mathis and Trujillo, 2016).

Student Services

Over the last few years, the state agency in Texas, the Texas Education Agency (TEA), has recognized the expansion criteria of the ADAAA and has been addressing the provisions of the laws by creating changes in student access to accommodations on state exams (T.E.A., 2018). Typically, children who are eligible for Section 504, but not IDEA, need accommodations and related services, but not special education services. Examples of accommodations are instructional, environmental accessibility, materials, behavioral, and testing accommodations. This can also include accommodations for students such as the need for physical barrier removal, adjusted program schedule, and use of accommodated books and writing instruments. Examples of Section 504 services may also include administration of medication, behavioral plans, occupational therapy services, and physical therapy services. In addition to mandating the

provision of services, Section 504 requires programs receiving federal funds to remove obstacles that prevent students from attending school and participating in the same activities like their typically developing peers (Boylan & Goldman, 2010).

In recent years, the state agency began to streamline its procedures regarding the alignment of allowable instructional accommodations on statewide assessments, such as the State of Texas Assessment Academic Readiness (STAAR) exam that is administered to students in grade levels 3rd through 12th. Depending on the grade levels, students are required to meet passing standards on specific tests in the content areas of Reading, Math, Writing, Science, Social Studies, and English Language Arts. The Texas Education Agency has also expanded the accessibility to statewide testing accommodations by permitting more access to accessibility features and more intensive accommodations currently identified as designated supports on state exams. Another major change in accessibility features available on statewide testing is the state-mandated test has an online version. The STAAR test is now available for students requiring accommodations such as text to speech features for students requiring oral administration of assessments.

During the 2016-2017 academic school year, students were permitted to access additional supports on state exams provided that these additional accommodations had been documented in service plans such as a Response to Intervention Plan (IIP) or a Section 504 Accommodation Plan (IAP). Reasonable accommodations that were previously only available to students identified as eligible for special education services are now accessible to students identified as struggling learners and students with suspected disabilities under the protection of Section 504. The Texas Education Agency annually produces an accessibility manual that delineates the allowable

accommodations on state exams such as oral administration of tests, extra time on the exams, structured reminders, calculation aids, use of manipulatives, and others such defined accommodations. The manual also indicates that the student must be routinely and effectively accessing the recommended accommodations in their instructional settings. The manual defines the process for obtaining the accommodations falls on the locally established decision-making processes through needed supports and services identified in student assistance teams such as Response to Intervention committees (RtI IIP), Student Assistance Teams, the Section 504 (IAP) committee, Individual Education Plan (IEP) committees and Language Proficiency Assessment (LPAC) committees (Texas Education Agency, 2018).

Over the last decade, school district accountability standards have required evidence of progression on state and federal accountability reports. The Department of Justice emphasizes some major points about testing accommodations, which require that testing entities' requests for disability documentation be reasonable and limited to the need for the accommodation(s). The Department of Justice also emphasizes that testing entities consider applicants' requests for accommodation, and also give considerable weight to the documentation of past accommodations, including those from the individualized education programs provided in special education. It also requires that testing entities respond promptly to requests for accommodations (Lovett, 2014). The U.S. Department of Education's office for civil rights warns school districts that the way they define which students should get special services under federal disability laws may not be broad enough. The guidance, along with a detailed list of questions and answers clarifies district responsibilities under amendments in effect since 2009 that were passed to broaden the Americans with Disabilities Act. The guidance opened the door

for more students to be evaluated for special education services or accommodations provided under Section 504 of the Rehabilitation Act of 1973 (Shah, 2012).

In January of 2012, three years after the enactment of the ADAAA, a *Dear Colleague Letter* was issued by Russlin Ali, the Assistant Secretary from the Office of Civil Rights (OCR). Through its civil rights enforcement activities and growing request for technical support, the office of civil rights determined that additional guidance was needed on the requirements of the Americans with Disabilities Act Amendment Act of 2008 and Section 504 in the public-school context. The Office of Civil Rights prepared a seventeen question and answer information sheet that helped clarify questions about the changes in the ADA. The letter also explained Congress's intention for the law was to ensure a broad scope of protection under ADA and to convey that the question of whether an individual's impairment is a disability under the ADA and Section 504 should not demand extensive analysis. In its Question and Answer section, the letter advised school districts to update their policies and procedures to incorporate the new legal standards of the modern broader interpretation of a disability (Ed.gov., 2012).

Agency Supports

In the state of Texas, there is evidence of a decline in services for students eligible under the special education law of IDEA. In Texas, data was collected and analyzed regarding the number of students that were identified as eligible for serves under the IDEA within the last ten years. The evidence was clear regarding the decline in eligibility for Special Education Services between 1999 and 2014. In Texas, it was reported that the percentage of students identified as eligible under the IDEA in 1999 was 11.7% in comparison to a national average of 12.8%. In

2014, Texas reported a total percentage of 8.6% of its students eligible for Special Education Services in comparison to the national average of 13.4% (National Center for Education Statistics at the U.S. Department of Education, 2016). Although currently expired, IDEA continues to provide federal dollars to states and ultimately school districts in Texas. Given the decline in the identification of Special Education students in Texas, more students are now eligible for 504 services, and other instructional support strategies such as Response to Intervention support also called RtI (Nissman, 2017). Districts must respond to the increase regarding the eligibility of students with Section 504 service plans. Section 504 plans require planning time by a group of knowledgeable individuals that should be ready to make decisions and plan for services for students with disabilities who previously may have been eligible for services through special education with the access of additional services such as related services and related services personnel.

Given that Section 504 is an unfunded mandate, district leaders must make decisions regarding services for children receiving section 504 services with little to no resources available. Federal funding criteria under the IDEA may limit districts from accessing services and supports from related service personnel for students not receiving special education services. Due to funding constraints, related services personnel (i.e., occupational therapists, physical therapists, school psychologists, social workers, and speech pathologists) may only be directly accessed by students identified under the IDEA. This limits options for campus administrators regarding service supports to students who would have otherwise qualified for special education services. Students who qualify under the IDEA gain access to direct and related services if found eligible for the services, while students who do not qualify under the IDEA do not gain access to

these federally funded related services. It is up to the local school district to provide the funding for the service should it provide it to the student. Students with a disability who only needs a related service and not special education services are not considered eligible under IDEA, so, therefore, may not be considered eligible for the additional related services. Given the decline in eligibility in this state, students who are eligible for Section 504 Only services have limited accessibility to the specialists for students who qualify under the IDEA. Examples include Audiology services, Special Education Counseling Services by school psychologists, psychological services, social worker services, parent counseling and training, direct speech therapy services, occupational therapy services, and physical therapy services.

Summary

This review of the literature has provided supporting information about the conceptual framework for leadership skills that relate to the advocacy and protection of students with disabilities in public education. This section also includes the basis of the theoretical framework supporting the study in social justice in the field of public education and effective transformational and ethical educational leadership. A review of the historical information on disability law is included to help build an understanding of its evolution and the impact on public education today. As stated in the information provided, the most recent changes in these laws have triggered an increase in student identification for services in our school systems. Lack of clarity in procedural requirements has prompted the Office of Civil Rights together with the Department of Education to publish various publications to minimize the confusion that these recent law changes have created. In January of 2012, a *Dear Colleague Letter* was published to

reaffirm the changes of the ADA of 2008. In July of 2016, *Another Dear Colleague Letter* was published by the Department of Education in conjunction with the Office of Civil Rights that guided services under Section 504 to students identified with Attention-Deficit/Hyperactivity Disorder (ADHD). This thirty-four-page guide highlighted the academic and behavioral challenges that students with ADHD were experiencing in schools while also addressing the thousands of complaints that the Agency has received since 2011. It stresses that many administrators take appropriate action to ensure that students with ADHD receive protections to which they are entitled under federal law, but many others are not familiar with this disorder, or how it can impact a student's equal access to a school district's programs (Ed.gov., 2016b).

In December of 2016, another jointly published informative document was released by the Department of Education and the Office of Civil Rights that clarified Section 504 Services. The publication titled "Parent and Educator Resource Guide to Section 504 in Public Elementary and Secondary Schools" was published to remind all educational institutions receiving Federal financial assistance from the Department of Education must vigilantly work to ensure compliance with Section 504 and the other Federal laws that protect students with disabilities. The publication was also meant to aid parents of students with disabilities to understand the obligations imposed by Section 504 (Ed.gov., 2016a). These recently released publications have heightened the awareness of Section 504 services for both educators and parents. As mentioned earlier, a new law in Texas was passed during the recent 85th legislature that will now require the collection of 504 data across Texas.

CHAPTER III
RESEARCH METHODS AND PROCEDURES

Introduction

This study examined the perceptions of elementary and secondary education administrators and administrative support staff who participate in decision-making procedures regarding Section 504 services in five school districts in one regional area in South Texas. This chapter describes the methods and procedures used in conducting and completing this study. This chapter is organized into the following sections: Research Design, Confidentiality, Instrumentation Process, Demographic Data of Participating Districts, Research Questions, Data Collection Procedures, and Data Analysis. Pseudo-names were used for each of the districts participating in the study in order to maintain strict confidentiality.

Research Design

The intent of the researcher was to identify and examine the perceptions of elementary and secondary education administrators and administrative support staff who participate in decision-making procedures regarding Section 504 services and compare perceptions between selected participating groups and between elementary and secondary public-school settings. The research design selected for this study included a transformative convergent parallel mixed methods design based on data gathered from a cross-sectional one-time self-administered online survey that measured perceptions of administrators and administrative support staff regarding

Section 504 services for students in public education. In this design, the researcher typically collects both qualitative and quantitative at about the same time and integrates the information in the interpretation of the results (Creswell, 2013). A self-administered electronic survey was used for information collection on the perceptions of administrators regarding Section 504 services and programming, program supports, and program needs. Both descriptive and inferential statistics formed the basis of the analysis of the survey as the researcher intended to examine frequency distributions and measures of central tendencies (Fink, 2013). The research design selected for this study can be justified by literature that rationalizes the philosophical framework through its focus on ethics regarding cultural responsiveness, recognizing dimensions of diversity associated with power differences, building trusting relationships, and developing mixed methods that are conducive to social change (Mertens, 2012b). Use of this design supports the enhancement and emphasizes the furtherance of human rights and social justice from an ethical stance (Mertens, 2012). The presentation of both strengths and challenges through multiple methods is one of the ways that mixed methods can contribute to social change (Mertens, 2011). Creswell (2003) notes that a quantitative study is the best approach to test a theory or provide an explanation. Creswell (2003) also states that a survey can provide a quantitative description of varying trends, opinions, and attitudes of the targeted population by studying a sample of a population. A survey allows for anonymity of the research participants, a quick collection of response process, and limited researcher influence (Berthelsen & Nilsson, 2009).

Research Questions

This mixed methods study involved examining the perceptions of elementary and secondary level administrators in public schools regarding the strengths and needs of Section 504 procedures supports and services. This study was guided by five quantitative questions and one qualitative research question (RQ3a). The research questions for this study include the following:

RQ1. What concerns do school administrators participating in 504 committees perceive about 504 procedures?

RQ2. What areas of training do current school elementary and secondary education administrators in public education setting perceive as most needed in applying district 504 procedures?

RQ3a. What are the currently perceived concerns of elementary and secondary administrators in public education settings regarding the implementation of 504 supports and services for students with Section 504 plans?

RQ3b. Are there significant differences in currently perceived concerns between elementary and secondary administrators in public education settings regarding the implementation of 504 supports and services for students with Section 504 plans?

RQ4. What is the degree of utilization of various 504 student services by school administrators participating in 504 committees?

RQ5. Is there a difference between elementary and secondary level school administrators participating in 504 committees in their perceptions of strengths and needs related to the Section 504 decision-making process?

Variables

As applied to this study, the two independent variables were the school level, elementary and secondary, and the school district size of the participants involved in campus Section 504 committee decision-making processes. The dependent variables for this study were the perceptions of strengths and challenges in implementing Section 504 processes as identified by the participants. The dependent variables consisted of characteristics, such as knowledge awareness levels regarding the Section 504 services, professional development accessibility, and student support services.

Sample and Demographic Data

The sample for this study consisted of principals, assistant principals, counselors, and supervisors from five school districts. Selection of the participating districts was based on similarities in demographic data collected from the Texas Education Agency's 2017 snapshot process. Six school districts, three large and two small, agreed to participate in the study, including a pilot study school district (Table 2). All the participating school districts met accountability standards based on the Texas Education Agency's Performance Reporting (TAPR) for the 2017-2018 academic a school year (TEA, 2018). A central office contact person was assigned to support the research by some of the participating school districts. District A participated as the pilot district and consisted of over 30 campuses. Districts B and C had over

thirty campuses. Districts D, E, and F had student populations of less than one thousand. A recruitment email (Appendix B) was completed and included an explanation of the intent of the study and an internet address to access and complete the questionnaire.

Each district had an assigned district facilitator who provided the researcher with the district emails of the participants. The researcher sent a recruitment email (Appendix B), which included an explanation of the intent of the study and an internet address to access and complete the questionnaire. The recruitment letter was submitted and approved by the Institutional Review Board.

Table 2. Demographic Data of Participating Districts Based on Texas Education Agency Snapshot Information 2017-2018

District	# Schools	Population Approximation
A ISD (Pilot)	30+	20,000+
B ISD	30+	20,000+
C ISD	30+	20,000+
D ISD	5+	<1,000+
E ISD	5+	<1,000+
F ISD	5+	<1,000+

Confidentiality

This research required and gained approval from the University of Texas Rio Grande Valley Institutional Review Board (IRB) to conduct the research. Required materials were submitted to IRB, and final approval was received on June 16, 2018. All signed district consent letters were provided to the IRB, as part of the approval process. All collected survey

information is to be maintained at the university doctoral lab and will be destroyed after a storage period of three years. Assigned letter codes and pseudo-names were given to the participating school districts and to the participants of the study to maintain protection of strict confidentiality.

Access to Data

Authorization to conduct the surveys was received from superintendents of six school districts that included permission from one district to conduct a pilot survey (Appendix A). Permission was granted to conduct the research by the one pilot school district and the five school districts participating in the actual study. Face-to-face meetings were set up with the superintendents and/or superintendent designees to request staff information and emails. Two of the districts derived consent through a district committee review process.

Instrumentation

Permission was granted by the developer of the survey. The survey was adapted for the needs of the current study related to Section 504 concerns identified in the literature reviewed. The survey was developed in three parts adapted from the Maydosz Blueprint Survey (2009). Part I of the survey collected demographic and characteristic information regarding the Section 504 roles of the participants. Part II collected information regarding attitudes on professional development and access to support from district personnel on Section 504 matters. Part III addressed questions related to beliefs and attitudes regarding services accessed by students requiring 504 supports. Three open-ended questions were included at the end of Part III of the survey to help the investigator determine insights and opinions on the current needs of the participants regarding professional development.

Pilot survey. A pilot survey for this study was deployed during the first two weeks of the 2018-2019 academic school year to administrators and administrative support staff from a large school district, A ISD, of more than 20,000 students located in South Texas. Fink (2013) recommends that all surveys be pilot tested before being put into practice. The preliminary pilot online survey was conducted to determine the clarity of the language and the ease of understanding the survey directions. The pilot study included participants that were similar in roles to the participants who were to eventually complete the survey in the final study (Fink, 2013). This pilot survey, deployed on August 16, 2018, through Qualtrics, was separate from the study. Qualtrics is a web-based software system available through the university system for assisting in developing and conducting research surveys. Data was closed and collected after three weeks of the dissemination date. The pilot survey consisting of twenty-eight questions included three open-ended questions. The pilot survey was collected in the form of ordinal, nominal scales, and Likert-type scales related to participant demographics, professional development, and student support services. A reminder email was sent to staff members three days and eight days after the initial email contact was made along with a recruitment email. Two-hundred and one surveys were emailed via Qualtrics from the University of Texas Rio Grande Valley to the pilot district's campus administrators and identified Section 504 campus case managers. A total of seventy responses were collected from the pilot survey.

A review of the responses from the pilot school district (A ISD) allowed the researcher to determine which questions could be eliminated or adjusted. The pilot survey results yielded minor revisions to the survey and the deletion of five items. Informal information gathering was also collected from some of the respondents of the pilot survey to determine ease of answering

and accessing the pilot survey. The study's survey questionnaire was adjusted based on the pilot study's responses and respondents' feedback.

Survey. In preparation for the distribution of the survey, a phone call was made to the district assisting facilitator about the deployment date for the survey. The final survey comprised of three parts; 1) Demographic Information; 2) Professional Development, and; 3) Student Supports.

The final survey was disseminated to the five participating school districts for the study on October 6, 2018, via Qualtrics from the University of Texas Rio Grande Valley. The electronic survey consisted of twenty-three questions to be completed by participants through an online administered method. The study included both open-ended and closed questions utilizing a combination of nominal, ordinal, and Likert-type rating scale questions. The final question of the survey was open-ended to provide the participant with an opportunity to include qualitative input to the collected data. Three hundred and fourteen surveys were emailed to potential participants. The emailed surveys included a consent to participate statement. Individuals who responded "no" were not permitted to continue to view or proceed with the survey. Participants willing to participate were required to respond "yes" to the consent statement to proceed with the survey. The electronic survey remained open for invited participants until December 14, 2018. Reminder emails were sent to the potential participants who had not yet responded after the first invitation was sent. From the 314 surveys sent, 12 did not reach their destination and were determined to be undeliverable.

Data Collection

Data collection consisted of collecting completed electronic on-line surveys from district campus leaders (i.e., assistant principals, principals and supporting administrative staff) of two large and three small school districts in a South Texas region who participate in the Section 504 committee meeting decision-making processes for their respective campuses and districts. The collection of the surveys was done via Qualtrics, which is available through the university system. A description letter with instructions was included in the disseminated on-line surveys explaining the purpose of the data collection. The turnaround on the receipt of the disseminated surveys was expected to be approximately a month. Reminders sent to participants extended the process to the end of the 2018 Fall semester.

Data Analysis

Data collection for the online survey was ceased at the end of December 2018. Collected data were reviewed and coded for further data analysis. The coding system was developed based on participant responses. The data were coded to provide numerical values to non-numeric categories of the variables included in the survey questions to facilitate analyses. Descriptive and inferential statistics formed the basis of the analysis of the survey results as the researcher intended to examine frequency distributions, measures of central tendencies and measures of variance in group means by using a t-test statistical method (Fink, 2013). Measures of central tendencies and cross-tabulations which aid in describing two variables at the same time for better insight were used to analyze and compare frequencies and means among responding groups (Fink, 2013).

Inferential statistics were primarily utilized for the analysis of the continuous interval scales in the survey to generalize responses about the sampled population. A two independent sample t-test was used to calculate the differences between the means in some of the survey questions for secondary level participants and elementary level responding participants. This allowed the researcher to determine if the probability of differences existed and not just due to chance (Fink, 2013). Statistic books indicate that at least 20 to 30 participants per group can be used for a t-test (Fink, 2013). Generalizations and inferences were expected to be drawn from the data gathered for the study. As applied to this study, the expected independent variable was the school level, elementary or secondary, of the administrators or administrative support personnel who participate in campus 504 committee decision-making processes. The intent was to determine if there was a difference in the perceptions of elementary and secondary school staff who participated in the study. The dependent variables consisted of characteristics, such as knowledge awareness levels regarding the Section 504 services, professional development accessibility, and student support services.

Summary

In summary, this study examined the perceptions of elementary and secondary education administrators and administrative support staff who participate in decision-making procedures regarding Section 504 services in five school districts in one regional area in South Texas. This chapter has described the methods and procedures used in conducting and completing this study. A convergent parallel mixed method design was used to analyze data collected from a cross-

sectional online survey. The researcher used the collected survey data to answer the five research questions. The next chapter addresses the research results and findings of the analyzed data.

CHAPTER IV
RESEARCH RESULTS AND FINDINGS

Introduction

The purpose of this study was to examine the perceptions of elementary and secondary education administrators and administrative support staff who participate in decision-making processes regarding strengths and challenges for Section 504 services. This chapter begins with a restatement of research questions and the null statement, followed by an explanation of the variables. This is then followed by a description of the sample and the results of the data analysis. The chapter concludes with a summary of the results.

Research Questions

This mixed methods study involved examining the perceptions of elementary and secondary level administrators in public schools regarding the strengths and needs of Section 504 procedures, supports, and services. The researcher had five quantitative questions and one qualitative question (RQ3a). The research questions for this study include the following:

RQ1. What concerns do school administrators participating in 504 committees perceive about 504 procedures?

RQ2. What areas of training do current school elementary and secondary education administrators in public education setting perceive as most needed in applying district 504 procedures?

RQ3a. What are the currently perceived concerns of elementary and secondary administrators in public education settings regarding the implementation of 504 supports and services for students with Section 504 plans?

RQ3b. Are there a significant difference in currently perceived concerns between elementary and secondary administrators in public education settings regarding the implementation of 504 supports and services for students with Section 504 plans?

RQ4. What is the degree of utilization of various 504 student services by school administrators participating in 504 committees?

RQ5. Is there a difference between elementary and secondary level school administrators participating in 504 committees in their perceptions of strengths and needs related to the Section 504 decision-making process?

Variables

As applied to this study, the two independent variables were the school levels, elementary and secondary, and the school district size of the participants involved in campus Section 504 committee decision-making processes. The dependent variables for this study were the perceptions of strengths and challenges in implementing Section 504 processes as identified by the participants. The dependent variables consisted of characteristics, such as knowledge awareness levels regarding the Section 504 services, professional development accessibility, and student support services.

Description

The sample for this study consisted of principals, assistant principals, counselors, and supervisors from five school districts. Selection of the participating districts was based on similarities in demographic data collected from the Texas Education Agency's 2017 snapshot process. All the participating school districts (Table 2) met accountability standards based on the Texas Education Agency's Performance Reporting (TAPR) for the 2017-2018 academic a school year (TEA, 2018). A central office contact person was assigned to support the research by some of the participating school districts. A ISD participated as the pilot district and consisted of over 30 campuses. B ISD and C ISD had student populations over 20,000 and were considered large school districts. D ISD, E ISD, and F ISD had student populations of less than 1,000 and were considered small school districts. A recruitment email (Appendix B) was completed and included an explanation of the intent of the study and an internet address to access and complete the questionnaire.

The sample data for this study was derived from five school districts in South Texas. Approximately 45.5 % (n=30) were campus counselors, 25.8% (n=17) were current campus principals, and 22.7% (n=15) were current campus assistant principals. More than half of the responding participants 51.5% (n=34) were from elementary level campuses while 45.5% (n=30) were from secondary level campuses and 3% (n=2) were from district level staff. Forty- six campuses participated, of the eighty-three campuses that were sent surveys. Of the 66 participants, 29 (43%) participants were from B District, 19 (28.8%) participants were from C District, 4 (6%) participants were from D District, 9 (13.6%) were from E District and 1(1.5%) were from F District. Four participants (6%) participated in the survey but did not provide district identifiable information.

Results

The following are the results of the responses collected from five school districts that participated in the survey. The participating districts varied in size. Approximations of district populations and district pseudo-names were used to provide strict confidentiality. Two of the districts were of larger proportion student populations, as well as the pilot study district. Three of the participating districts were of a smaller proportion of student populations. District permissions to conduct the research included a total of 83 total campuses. Forty-six campuses of the 83 (55.4%) campuses chose to participate in the study. From the 46 participating campuses, 156 emails were sent to potential participants. As indicated earlier, 66 surveys were received (42.3%). One small school district had a higher participation rate than a large school district, so response bias is not due to district size. The researcher attributes the low campus participation to recent changes in data reporting to the Texas Education Agency regarding Section 504 (H.B. 1153, 2017) that may have made participants reluctant to share data in the study.

Additionally, campus leadership may have experienced a potential concern with disclosure of district information due to uncertainty in local confidence of program organization and support. Furthermore, United States Department of Education Office of Special Education Programs (OSEP) cited Texas Education Agency with problems related to professional development, Child Find, and Free and Appropriate Public Education (Texas Education Agency, July 18, 2018). This issue created much concern in many Texas public educational leaders. Low rate of return from potential participants in participating schools may have been reluctant to participate due to the possibility that some of the survey recipients were not currently overseeing

Section 504 cases at their respective campuses and also to uncertainty in local confidence of program organization and support. The last concern specifically provides a response bias directly related to the study's aim. This may be considered a limitation to the study.

Research Question 1.

RQ1. What concerns do school administrators participating in 504 committees perceive about 504 procedures?

Survey Question #6. What has been your concern regarding processing campus Section 504 individual accommodation plans?

Six of the total participants chose “No Response” to this question. Of the 60 responding participants, time constraints for planning and preparing for Section 504 meetings was perceived as the area of most concern with a percentage rate of 41.7% as noted in Table 3. Knowledge of available resources and supports was also identified as concerns by 33.3% of the participants. Procedural requirements were found to be a concern to 18.3% of participants.

Table 3. Concerns Regarding Developing Section 504 Accommodation Plans N=66

Concern	f	Percentage
Time constraints for planning and preparing Section 504 meetings	25	41.7%
Knowledge of available resources / supports for various categories of disabilities	20	33.3%
Procedural requirements regarding documentation	11	18.3%

Other:	4	6.7%
Total	60	100%

Survey Question #6 directly addressed Research Question 1 (RQ1) of the study, so further analysis was conducted. A cross-tabulation table was completed for Survey Question #6 to examine the results of the responses further. This was undertaken to determine if significant differences existed amongst the participants and between elementary and secondary level participants. Based on cross-tabulation results (Table 4), further analysis was conducted through a comparison of group means (Table 5) by conducting a two independent sample *t*-test (Table 5). The independent Samples *t*-test was conducted for Survey Question #6 to test for statistical significances in the differences between the means of the two school level groups by using the Statistical Package for the Social Sciences (SPSS) software. The independent sample *t*-test revealed that no statistically significant differences between the mean scores of elementary level participants (M=2.79) and secondary level participants (M=2.30), $t=1.832$, $p=0.72$. Thus, in response to Research Question 1, no statistical differences were found in the concerns identified by elementary and secondary participants. Therefore, the null statement for Research Question 1 was not rejected.

Table 4. Section 504 Concerns by School Levels N=66

	Procedural Requirements	Knowledge of Available Resources	Time Constraints	Other	No Response	
All Level	0	0	1	0	1	2
Elementary	4	11	12	2	5	34

Secondary	7	9	12	2	0	30
Total	11	20	25	4	6	66
Percentage	17%	30%	38%	6%	9%	100%

Table 5. (RQ1) Research Question #1 Group Statistics N=66

Level	Number of Participants	Mean	Standard Deviation
		μ	SD
Elementary	N=34	2.79	1.200
Secondary	N=30	2.30	.915

N=66 Independent Samples Test: t-test for Equality of Means

Category	F	Significance	t	df	P. Value Sig. (2 tailed)	Mean Difference	Std. Error of Difference	95% confidence interval of the Difference	
								Lower	Upper
504 Concerns	.937	.337	1.832	62	.072	.494	.270	-.045	1.033

Research Question 2.

RQ2. What areas of training do current school elementary and secondary education administrators in public education settings perceive as most needed in applying district 504 procedures?

Survey Questions #21 through #22 permitted participants to express and specify their responses freely. The participant responses were thematically categorized by two practicing special education trained specialists and the researcher, who is also a special education trained

specialist. The frequency of the thematic responses was converted to percentages. Each question and its findings are presented below (Table 6 and Table 7).

Survey Question #21. What type of training do you feel you need most regarding Section 504 services and who can provide the training?

Survey Question #21 yielded the following responses from the participants. Even though most participants had indicated they were comfortable with making decisions ($\mu=4.15$) at Section 504 meetings in Survey Question #20, one-fifth (20%) of the participants still indicated they felt they personally needed more training on the Section 504 process, while 16% reported they needed more training on 504 laws (Table 6). Another 12% indicated they needed more training on resource allocation.

Table 6. Summary of Responses to Open-Ended Survey Question #21

Area	f	Percentage
504 Process	10	20%
504 Laws	8	16%
Resource Allocation	6	12%
504 Eligibility	4	8%
504 Forms	4	8%
504 Basics	3	6%
Accommodations	3	6%
Behavior Supports	2	4%
Problem Solving	2	4%
Policy	1	2%
Strategies	1	2%
Dyslexia	1	2%
504 Updates	1	2%
GEH Services	1	2%
Health Services	1	2%
Parent training	1	2%
RtI Process	1	2%
Total	50	100%

Survey Question #22. What type of training do you feel your campus needs most regarding Section 504 services and who can provide the training?

Survey Question #22 yielded the responses presented in Table 7 from the participants regarding perceived training needs for their campus. Over one-third, (34.9%) of participants responded that their campus needed more training on accommodations. Close to one-fifth (18.6%) of the participants also indicated that their campus needed more training on the general 504 processes.

Table 7. Summary of Responses to Open-Ended Survey Question #22

Area	f	Percentage
Accommodations	15	34.9%
504 Process	8	18.6%
504 Basics	4	9.3%
504 Laws	3	7%
504 Plans	3	7%
Behavior Supports	2	4.7%
504 Eligibility	1	2.3%
Resource Allocation	1	2.3%
Dyslexia	1	2.3%
504 Updates	1	2.3%
504 Forms	1	2.3%
GEH Services	1	2.3%
Related Services	1	2.3%
Special Ed. Process	1	2.3%
Total		100%

Research Question 3.

RQ3a. What are the currently perceived concerns of elementary and secondary administrators in public education settings regarding the implementation of 504 supports and services for students with Section 504 plans? In Survey Question #14, participants were asked how often they sought

assistance in various categories of 504 supports for students: Eligibility, Discipline, Dispute Resolution, Accommodations, Related Services, and Consultative Services.

Survey Question #14. How often do you seek assistance on 504 issues?

Survey Question #14 yielded the following responses from the participants:

- Over half (57.6%) of the participants indicated that they sought assistance on 504 issues approximately 1 to 4 times per semester,
- Over one quarter (27.3%) of participants reported they sought assistance about 5-15 times per semester, and
- Only 3% indicated they sought weekly support on 504 issues.

Survey Question #23. Any additional recommendations?

Creswell (2013) defines qualitative research as an approach for exploring and understanding the meaning individuals or groups ascribe to a social or human problem. Data analysis involves inductive building from information to generalized themes and the researcher making interpretations of the data (Creswell, 2013). Survey Question #23 is presented through a qualitative approach. Creswell (2013) specifies that a qualitative approach includes open-ended questions, emerging approaches, text, or image data. In this approach, the researcher tries to find the meaning of a phenomenon from the views of the participants. Survey Question #23 was the final question of the administered online survey. The item was intentionally placed at the end of the electronic survey to allow participants the opportunity to freely comment regarding concerns, challenges, and/or personal observations on Section 504 procedures. The analysis of the data for

Survey Question #23 involved the process of aggregating the data into smaller themes (Creswell, 2013).

Only nine of the 66 participants provided comments for Survey Question #23, seven participants indicated “No comment,” and 50 participants did not respond. The comments provided were categorized into broad themes. With the assistance of two assessment experts in the field of Special Education, the researcher was able to identify and categorize the responses into general themes. Results of the collected comments are as follows:

- 504 Process
 - “We need to better distinguish RTI as a documentation form that helps with labeling student as 504 or other Resource Program.”
 - “Procedural implementation of all services.”
 - “There is confusion in my part because I hear district personnel say that students should not be in 504 forever. They need to be recommended for Special Ed or exited after a while.”
 - “Seems like everyone, including parents, want to have their child under 504.”
- Structured designation of 504 campus case management by the state
 - Designees besides school counselors to be in charge of the program.”
 - “If the state has designed the 504 programs, who should be the designated case manager for these cases? Can there be one designee assigned across

the state? For example: make all assistant principals the designee instead of 504 being tossed around to whomever they feel like.”

- 504 Planning time
 - “More time to plan.”
 - “Too much paperwork.”
- 504 Forms
 - “How to fill forms.”

Although this qualitative open-ended survey question produced a few responses, the researcher included the responses as they address current concerns some participants perceived regarding 504 concerns. As stated earlier, the researcher attributes the low response rate to changes in staff assignments, state law, and uncertainty in local confidence of program organization and support. These factors may be considered a limitation to the study as the open-ended question yielded few responses.

RQ3b. Are there significant differences in currently perceived concerns between elementary and secondary administrators in public education settings regarding the implementation of 504 supports and services for students with Section 504 plans?

Survey Question #15 addressed the frequency of requested support for students with Section 504 plans and what specific categories were generally the areas of needed support. Participants were asked how often they sought assistance in various categories of 504 supports for students: Eligibility, Discipline, Dispute Resolution, Accommodations, Related Services, and Consultative Services.

Survey Question #15. On a scale of 1-5, how often do you seek assistance in the following areas?

Survey Question #15 was comprised of an ordinal Likert type scale that measured how often participants sought assistance in various areas of 504 support: Eligibility; Discipline; Dispute Resolution; Accommodations; Related Services, and Consultative Services. The following table includes the means and standard deviations of the responses of the three school-level groups (Table 8).

Table 8. Frequency of Assistance Sought in Areas of 504 Support Group Statistics

Category: Eligibility

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
			μ	SD
Total Group	N=66	100%	3.02	1.03
Elementary	N=34	51.5%	3.06	1.278
Secondary	N=30	45.5%	2.93	.691
All Level	N=2	3.0%	3.50	.707

Category: Discipline

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
			μ	SD
Total Group	N=66	100%	2.74	1.114
Elementary	N=34	51.5%	2.91	1.240
Secondary	N=30	45.5%	2.53	.973
All Level	N=2	3.0%	3.00	.000

Category: Dispute Resolution

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
			μ	SD
Total Group	N=66	100%	2.62	1.262
Elementary	N=34	51.5%	2.88	1.387
Secondary	N=30	45.5%	2.30	1.088
All Level	N=2	3.0%	3.00	.000

Category: Accommodations

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
			μ	SD
Total Group	N=66	100%	3.08	1.194
Elementary	N=34	51.5%	3.41	1.395
Secondary	N=30	45.5%	2.73	.828
All Level	N=2	3.0%	2.50	.707

Category: Related Services

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
			μ	SD
Total Group	N=66	100%	2.85	1.099
Elementary	N=34	51.5%	2.94	1.324
Secondary	N=30	45.5%	2.77	.817
All Level	N=2	3.0%	2.50	.707

Category: Consultative Services

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
			μ	SD
Total Group	N=66	100%	2.67	1.219
Elementary	N=34	51.5%	2.88	1.452
Secondary	N=30	45.5%	2.43	.898
All Level	N=2	3.0%	2.50	.707

An independent samples t-test was conducted for Survey Question #15 to test for statistical significances in the differences between the means of the two school level groups by using the Statistical Package for the Social Sciences (SPSS) software. For statistical significance in the differences between the means of elementary and secondary participants, see Table 9 below. The elementary level group means were compared with the secondary level group means for each of the support categories. Of the six categories indicated, “Assistance with Accommodations” was determined to be statistically significant with a $P=.023$ at the $p =.05$. The mean of the participants for this category from the elementary level (N=34) was 3.41, while the mean of the participants for the secondary level (N=30) was 2.73. The mean difference for

elementary level minus the secondary level was determined to be .678 with a 95% confidence interval of these differences falling within .095 and 1.262. The values used for the calculations included a *t* value of 2.325, degrees of freedom = 62 and a standard error of difference of .292. In the category of accommodations, the null statement was rejected as there was a statistical difference identified between elementary and secondary participants.

Table 9. Frequency of Assistance Sought in Areas of 504 Support Independent Samples Test: t-test for Equality of Means

Category	F	Significance	t	df	P. Value Sig. (2 tailed)	Mean Difference	Std. Error of Difference	95% confidence interval of the Difference	
								Lower	Upper
Eligibility	4.681	.034	.479	62	.633	.125	.262	-.398	.649
Discipline	.024	.878	1.345	62	.183	.378	.281	-.184	.941
Dispute Resolution	.425	.517	1.851	62	.069	.582	.315	-.047	1.211
Accommodations	7.865	.007	2.325	62	.023	.678	.292	.095	1.262
Related Services	.973	.328	.624	62	.535	.175	.280	-.384	.733
Consultative Services	1.601	.210	1.464	62	.148	.449	.307	-.164	1.062

Equal variances assumed

Research Question 4.

RQ4. What is the degree of utilization of various 504 student services by school administrators participating in 504 committees?

Survey Question #16. On a scale from 1-5, what type of supports are generally accessed by the campus 504 students?

Survey Question #16 was comprised of an ordinal Likert type scale that measured how often participants accessed 504 support in the following areas: Behavior Intervention Plans;

Accommodations; Health Services; Special Transportation; Special Education Consultations, and Related Services. Table 10 presents the means and standard deviations of each 504 support for all participants and the school-level groups. The data shows Accommodations as the support most used by participants, followed by Health Services and Behavior Intervention Plans.

Table 10. Frequency Accessing Section 504 Student Supports Means and Standard Deviations

Student Supports	Mean	Standard Deviation
Accommodations	4.35	.920
Health Services	3.65	1.157
Behavior Intervention Plans	3.44	1.165
Related Services	3.17	1.319
Special Education Consultation	3.08	1.339
Special Transportation	2.80	1.395

Survey Question #17. On a scale of 1-5, what types of consultative services have been accessed by your campus for the support of Section 504 only students?

Survey Question #17 addressed what type of consultative services the participant’s school had access to support Section 504 Only students: Speech Consultation, Psychological, Behavioral Support, Occupational Therapy, Procedural Consultation, and other types of consultative services. Table 11 presents the means and standard deviations found for Survey Question #17 data.

Table 11. Consultative Supports Access Mean Scores and Standard Deviations

Consultative Supports	Mean	Standard Deviation
Behavior Supports	3.36	1.211
Psychological Services	3.03	1.381
Procedural Consultations	2.82	1.346
Speech Consultations	2.74	1.428
Occupational Therapy Consult	2.62	1.476
Other Supports	1.74	.951

Research Question 5.

RQ5. Is there a difference between elementary and secondary level school administrators participating in 504 committees in their perceptions of strengths and needs related to the Section 504 decision-making process?

Survey Question #20. On a scale from 1 to 5, how comfortable are you in making recommendations in 504 committee meetings?

Survey Question #20 was a Likert type an ordinal scale question that asked participants how comfortable they were in making recommendations during Section 504 committee meetings about Eligibility, Resource Allocation, Related Services, Legal Requirements, Monitoring Of 504 Plans, and Accommodations. Results reflected in Table 12 indicate a total mean score of 4.15, which suggests that most participants were very comfortable with making recommendations in Section 504 committee meetings. Further analysis was conducted through a two independent pair *t*-test (Table 13) to test for statistical significances in the differences between the means of the two school level groups by using the Statistical Package for the Social Sciences (SPSS) software. No statistical differences were identified amongst the mean scores within the mean scores of the two groups.

Table 12. Comfort in Making Recommendations in Section 504 Committee Meetings Means and Standard Deviations

Comfort Level: Eligibility

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	4.15	1.268

Elementary	N=34	51.5%	4.00	1.303
Secondary	N=30	45.5%	4.30	1.264
All Level	N=2	3.0%	4.50	.707

Comfort Level: Resource Allocations

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	4.00	1.359
Elementary	N=34	51.5%	3.97	1.314
Secondary	N=30	45.5%	4.00	1.462
All Level	N=2	3.0%	4.50	.707

Comfort Level: Related Services

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	4.05	1.318
Elementary	N=34	51.5%	4.06	1.179
Secondary	N=30	45.5%	4.03	1.520
All Level	N=2	3.0%	4.00	.000

Comfort Level: Recommendations concerning legal requirements

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	3.74	1.450
Elementary	N=34	51.5%	3.62	1.393
Secondary	N=30	45.5%	3.83	1.555
All Level	N=2	3.0%	4.50	.707

Comfort Level: Monitoring Section 504 Plans

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	4.29	1.147
Elementary	N=34	51.5%	4.24	1.156
Secondary	N=30	45.5%	4.33	1.184
All Level	N=2	3.0%	4.50	.707

Comfort Level: Recommendations for Accommodations

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	4.38	1.106
Elementary	N=34	51.5%	4.29	1.115
Secondary	N=30	45.5%	4.47	1.137
All Level	N=2	3.0%	4.50	.707

Table 13. Comfort in Making Recommendations in Section 504 Committee Meetings Independent Samples Test t-test for Equality of Means

Category	F	Significance	t	df	P. Value Sig. (2 tailed)	Mean Difference	Std. Error of Difference	95% confidence interval of the Difference	
								Lower	Upper
Eligibility	.080	.778	-.932	62	.355	-.300	.321	-.942	.342
Resource Allocations	.843	.362	-.085	62	.933	-.029	.347	-.723	.664
Related Services	2.870	.095	.075	62	.940	.025	.338	-.650	.701
Legal Requirements	.631	.430	-.585	62	.560	-.216	.369	-.952	.521
Monitoring 504 Plans	.003	.957	-.335	62	.739	-.098	.293	-.684	.488
Accommodations	.045	.833	-.612	62	.543	-.173	.282	-.736	.391

Equal variances assumed

Survey Question #16. On a scale from 1-5, what types of supports are generally accessed by your campus Section 504 students?

Table 14 addresses the differences in mean groups between elementary and secondary level participants regarding the level of supports generally accessed by the participant’s campus. An independent sample t-test was conducted to test for statistical significances in the differences between the means of the two school level groups by using the Statistical Package for the Social Sciences (SPSS) software (Table 15). Of the six student access categories, one was determined to be statistically significant: “Student Supports: Special Transportation” with a $p=.030$ (Table 15). Thus, the null statement was rejected in the category of Special Transportation.

Table 14. Student Support Access Means and Standard Deviations

Student Supports: Behavior Intervention Plans

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	3.44	1.165
Elementary	N=34	51.5%	3.44	1.186
Secondary	N=30	45.5%	3.4	1.163

All Level	N=2	3.0%	4.00	1.414
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Student Supports: Accommodations

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	4.35	.920
Elementary	N=34	51.5%	4.41	.957
Secondary	N=30	45.5%	4.27	.907
All Level	N=2	3.0%	4.50	.707

Student Supports: Health Services

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	3.65	1.157
Elementary	N=34	51.5%	3.56	1.160
Secondary	N=30	45.5%	3.73	1.172
All Level	N=2	3.0%	4.00	1.414

Student Supports: Special Transportation

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	2.80	1.395
Elementary	N=34	51.5%	3.12	1.365
Secondary	N=30	45.5%	2.37	1.326
All Level	N=2	3.0%	4.00	1.414

Student Supports: Special Education Consultation

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	3.08	1.339
Elementary	N=34	51.5%	3.26	1.286
Secondary	N=30	45.5%	2.83	1.367
All Level	N=2	3.0%	3.50	2.121

Student Supports: Related Services

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	3.17	1.319
Elementary	N=34	51.5%	3.26	1.286
Secondary	N=30	45.5%	3.03	1.351
All Level	N=2	3.0%	3.50	2.121

Table 15. Independent Samples Test t-test for Equality of Means

Category	F	Significance	t	df	P. Value Sig. (2 tailed)	Mean Difference	Std. Error of Difference	95% confidence interval of the Difference	
								Lower	Upper
Behavior Intervention Plans	.061	.806	.140	62	.889	.41	.294	-.547	.629
Accommodations	.684	.411	.620	62	.537	.145	.234	-.323	.613
Health Services	.021	.885	-.598	62	.552	-.175	.292	-.758	.409
Special Transportation	.082	.775	2.226	62	.030	.751	.337	.076	1.425
Special Education	.070	.793	1.300	62	.198	.431	.332	-.232	1.095
Consultation Related Services	.000	.983	.701	62	.486	.231	.330	-.428	.891

Equal variances assumed

Survey Question # 17. On a scale from 1-5, what types of consultative services have been accessed by your campus for the support of Section 504 Only students?

Table 16 addresses the differences in mean groups between elementary and secondary level participants regarding the level of consultative supports generally accessed by the participant's campus to support Section 504 students. An independent Samples *t*-test was conducted for Survey Question #17 to test for statistical significances in the differences between the means by using the Statistical Package for the Social Sciences (SPSS) software. The elementary level group means were compared with the secondary level group means for each of the categories. Of the six categories indicated, one was determined to be statistically significant. For the category of "Speech Consultative Services," the determined two-tailed P value was .023 and considered to be statistically significant (Table 17). The mean of the participants for this category from the elementary level (N=34) was 3.15, while the mean of the participants for the secondary level (N=30) was 2.33. Only Speech Consultative Services included a significant

difference between secondary-and elementary-level groups ($p = .023$). In this category, the null statement is rejected.

Table 16. Consultative Services Access Means and Standard Deviations

Consultative Services: Speech Consultation

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	2.74	1.428
Elementary	N=34	51.5%	3.15	1.329
Secondary	N=30	45.5%	2.33	1.470
All Level	N=2	3.0%	2.00	.000

Consultative Services: Psychological Services

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	3.03	1.381
Elementary	N=34	51.5%	3.24	1.327
Secondary	N=30	45.5%	2.73	1.413
All Level	N=2	3.0%	4.00	1.414

Consultative Services: Behavioral Supports

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	3.36	1.211
Elementary	N=34	51.5%	3.44	1.284
Secondary	N=30	45.5%	3.27	1.172
All Level	N=2	3.0%	3.50	.707

Consultative Services: Occupational Therapy

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=66	100%	2.62	1.476
Elementary	N=34	51.5%	2.91	1.401
Secondary	N=30	45.5%	2.23	1.524
All Level	N=2	3.0%	3.50	.707

Consultative Services: Procedural Consultation

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
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Total Group	N=66	100%	2.82	1.346
Elementary	N=34	51.5%	3.06	1.324
Secondary	N=30	45.5%	2.60	1.380
All Level	N=2	3.0%	2.00	.000

Consultative Services: Other Supports

Level	Number of Participants	Percentage of Group	Mean	Standard Deviation
Total Group	N=7	100%	1.71	.951
Elementary	N=4	57%	2.25	.957
Secondary	N=3	43%	1.0	.000
All Level	N=0	0%	0.00	000

Table 17. Consultative Services Access Independent Samples Test: t-test for Equality of Means

Category	F	Significance	t	df	P. Value Sig. (2 tailed)	Mean Difference	Std. Error of Difference	95% confidence interval of the Difference	
								Lower	Upper
Speech Consultative	.252	.617	2.326	62	.023	.814	.352	.109	1.512
Psychological Services	.142	.708	1.465	62	.148	.502	.343	-.183	1.187
Behavioral Supports	.231	.633	.565	62	.574	.175	.309	-.443	.792
Occupational Therapy Consults	.145	.704	1.855	62	.068	.678	.336	-.052	1.409
Procedural Consultation	.183	.671	1.356	62	.180	.459	.338	-.217	1.135
Other Services	9.643	.027	2.207	5	.078	1.250	.566	-.206	2.706

Equal variances assumed

Findings

In considering the data results of the survey questions collected, the following findings can be derived from the analysis of the data and generalization of the survey question responses.

Generally, participants indicated:

- time constraints for planning and developing Section 504 plans and knowledge of available resources were the most significant concerns by elementary and secondary participants;
- the availability of resources and supports for personnel was a concern;
- participants sought assistance for Section 504 matters approximately one to four times a year;
- receiving Section 504 training within this current year was reported to be helpful to very helpful;
- training was generally conducted by their district personnel;
- participants felt knowledgeable to very knowledgeable on Section 504 decision making;
- participants still perceived they needed more training in the area of the 504 processes, 504 laws, and available resources;
- participants perceived that campus training needs was in the area of accommodations;

Summary

This chapter presented the analysis of the data collected for this mixed methods study. Data were analyzed from 66 participants serving 43 campuses in South Texas. A total of 45.5%

(n=30) were campus counselors participating in Section 504 meetings, 25.7% (n= 17) were campus principals, 22.7% (n=15) were campus assistant principals and 4.5% (n=3) were categorized as “Other” participants. Approximately half (51.5%) were from the elementary level, and less than half (45.5) were from the secondary level.

Based on the interpretation of the collected data of survey questions, elementary participants reported seeking assistance more frequently on 504 issues than secondary level participants regarding concerns in all of the six categories surveyed. However, in comparing the means of two groups in the six categories, elementary and secondary administrators and administrative support staff, it was determined that a statistical difference existed in the category of seeking assistance regarding accommodations. Participants were also asked to rate the types of supports accessed by Section 504 students on their campus. By examining the means of six categories, the researcher was able to determine that the responding participants perceived accommodations and health services were more frequently accessed by their campus Section 504 students. Elementary participants perceived their 504 students accessed accommodations more frequently than secondary level personnel. Secondary level participants perceived that their 504 students accessed health services more frequently than the elementary level participants. In comparing the means of two groups in the six categories, elementary and secondary administrators and administrative support staff, it was determined that a statistical difference exists in the category of special transportation. Thus, elementary 504 students needed special transportation more than secondary 504 students.

As part of the survey, participants were asked to rate the types of consultative services accessed by Section 504 students on their campus. By examining the means of six categories, the

researcher was able to determine that the responding participants perceived behavioral supports and psychological services were more frequently accessed by their campus Section 504 students. Interestingly, elementary participants perceived that their students accessed behavior supports and psychological services more frequently than secondary level participants. In comparing the means of elementary and secondary administrators and administrative support staff, it is noted that a statistical difference exists in the category of speech consultation services. Elementary participants indicated seeking consultative services more frequently than secondary level participants.

CHAPTER V
SUMMARY, CONCLUSIONS, IMPLICATIONS, AND RECOMMENDATIONS

Introduction

The purpose of this study was to examine the perceptions of elementary and secondary education administrators who participate in decision-making processes regarding the strengths and challenges in Section 504 services. The review of the literature in Chapter II produced information regarding an increase in the number of identified students who are now eligible for Section 504 services due to the ADAAA of 2009 (Cortiella & Kaloi, 2010). The underlying concerns discussed in Chapter II also reflected addressing the needs of this growing population of students under the protection of Section 504 of the Rehabilitation Act of 1973. The literature cited concerns regarding the lack of funding for Section 504 services (Zirkel, 2009 b) and a need for professional development in schools (Madaus & Shaw, 2008). The conceptual framework for this study is founded in transformative and social science theory (Creswell, 2014). It emphasizes that research inquiry needs to be intertwined with politics and a political change agenda to confront social oppression at whatever levels it occurs [Mertens, 2010 (cited by Creswell 2014)]. It also provides a voice for participants, raising their consciousness, or advancing an agenda for change to improve their lives (Creswell, 2014). In this study, the needs of administrators in the public school setting are considered regarding decision-making processes and procedures for students with

disabilities in public schools. In an essay, Bogotch (2000) wrote social justice requires an ongoing struggle [i.e., to share power/knowledge/resources equitably] and cannot be separated from how educational theories and practices are being [re]defined and practiced by professionals within schools, academic disciplines, and governmental agents. Laws about educational practice are founded in the theory of historical leaders who have paved the groundwork for today's available policies and practices in education. Potgieter, Van Deveneter, & Van der, Westhuizen (2015) describe social justice as the belief that all people, irrespective of belief, and societal position, are entitled to be treated according to the values of human rights, human dignity, and equality. They describe social justice as an act of fairness, equality, and justness towards others. For this study, the conceptual framework regarding social justice in educational leadership builds upon the exemplary and philosophical viewpoints of Plato, Karl Marx, and Pablo Freire (1970). Plato believed that all people could easily exist in harmony when society gives them equal educational opportunity from an early age to compete fairly with each other. These philosophical views can be extended to our current laws that apply to public education and current non-discriminatory practices in education (Potgieter, Van Deveneter, & Van der, Westhuizen (2015). Freire also believed education was the key to enacting social justice because it provided venues for students to achieve freedom, both intellectual and physical—the indispensable condition for the quest for human completion (Hahn-Tapper, 2013). A well-ordered society is governed by the relational conduct of individuals who can make judgments on what is right versus what is good. This is done by decision-making processes

that consist of value-based conduct that benefits both the student and the school community (Potgieter, Van Deveneter, & Van der, Westhuizen, 2015).

Similarly, educators must adhere to federal and state policies when allocating available resources to address placement decisions for available support services. However, from a social justice perspective, it is essential that educators make the connections between resources and needed services strongly transparent and visible in day-to-day practices in our school systems. Administrators serve as campus leaders and decision makers, and they also must serve as student advocates when addressing day-to-day decisions. As part of their role, administrators must be prepared to make sound, ethical, moral, and equitable decisions while assuring students' civil rights and appropriate educational services are not denied. School leaders and staff must promote social justice in our schools for all students, including 504 students. It is therefore imperative that school personnel receive adequate training in the implementation of Section 504. It is the collaborative responsibility of many school professionals, such as principals, general educators, and campus personnel to obtain such trainings. School districts need to make a major commitment to include staff development on Section 504 for all school personnel as an area of emphasis for their staff development, school improvement teams, and child study teams. This is also a topic that may need to be addressed in personnel preparation programs for a broad array of professionals preparing to work in public school settings. Personnel preparation programs have previously focused on prescriptive requirements of the IDEA. Section 504 and the related Americans with Disabilities Act and the Amendment Act, however, have received very little attention. It is necessary for programs preparing special education personnel to include specific instruction on the implementation of Section 504 as part of the required program of study.

Specific areas in need of examination include how different components of the regulations are implemented, and the responsibilities of various school-based professionals serving as 504 coordinators in the coordination and implementation of the Section 504 regulations (Madaus & Shaw, 2008).

This study and its five research questions were guided by the review of the literature. Chapter V provides a description of the study's data collection, and additional insights into the significance of the study by providing a summary of the findings, implications for further studies and recommendations for current practices.

Summary

In designing this study, a convergent parallel mixed methods approach was used. In this approach, a researcher collects both quantitative and qualitative data, analyzes them separately and then compares the results to assess if the findings confirm or disconfirm each other (Creswell, 2013). A twenty-three-question electronic survey was created and utilized to examine the perceptions of the participants regarding their work experience and needs related to 504. Two large and three small school districts in South Texas agreed to participate in the study. The five school districts included 83 total campuses. Of these campuses, 46 campuses included participants to the study—a 55.4% participation among all campuses. A total of 314 invitation emails to participate were sent that yielded 34 participants from elementary schools, 30 participants from secondary schools, and 2 participants from district-level staff. The researcher attributes the low return rate to the possibility that some of the survey recipients were not currently overseeing Section 504 cases at their respective campuses. Including recent changes in

data reporting to the Texas Education Agency regarding Section 504 (H.B. 1153, 2017) may have made participants reluctant to share data in the study, and potential concerns with disclosure of district information or possible restrictions from campus and/or district administration due to uncertainty in local confidence of program organization and support. In addition, the researcher attributes the low campus participation to recent changes in data reporting to the Texas Education Agency regarding Section 504 (H.B. 1153, 2017) and the recent review of the Texas Education Agency regarding Special Education Services in Texas (Texas Education Agency, July 2018). This may have made participants reluctant to share data in the study. Regarding job classification, just under half of the participants were counselors (45.5%), about one-fourth were principals (25.7%), over one-fifth were assistant principals (22.7%), and only 3% were district-level supervisors. Data collected in the study was presented in the previous chapter utilizing both descriptive and inferential statistics to measure perceived attitudes of the responding participants to answer the following questions.

Research Question 1 asked what concerns school administrators participating in 504 committees perceive about 504 procedures. The concluding information found that participants indicated time constraints in preparing for Section 504 meetings was a concern. Another concern was the current knowledge of available resources. Survey question #23 included open-ended information and yielded responses pertaining to planning time and too much paperwork as concerns. This is consistent with findings from a study conducted in another region in Texas (Kline, et. al, 2017)

Research Question 2 asked what areas of training current school elementary and secondary education administrators in public education setting perceive as most needed in applying district 504 procedures. Survey questions provided quantitative data to identify the professional development needs of the participants by asking what type of training the responding participant personally perceived they needed most regarding Section 504 services and who could provide the training for them. Based on the responses, the highest perceived needs in training by participants were in 504 process in general, Section 504 Laws, and resource allocations. A survey question provided an open opportunity for the participants to provide additional information on what type of training they perceived their respective campuses needed most regarding Section 504 services and who could provide such training. The participants indicated that their campuses needed additional training in instructional accommodations and training in the 504 processes.

RQ3a asked what are the currently perceived concerns of elementary and secondary administrators in public education settings regarding the implementation of 504 supports and services for students with Section 504 plans. Based on the collection of comments on an qualitative open-ended question, it was determined that participants want better distinguishable and structured procedures for the implementation of Section 504. Participants also indicated more planning time and training for document completion procedures.

RQ3b asked are there significant differences in currently perceived concerns between elementary and secondary administrators in public education settings regarding the implementation of 504 supports and services for students with Section 504 plans. Based on

the interpretation of the collected data for related survey questions, elementary level participants reported seeking assistance more frequently on 504 issues than secondary level participants in all of the six categories surveyed: Eligibility, Discipline, Dispute Resolution, Accommodations, Related Services, and Consultative Services. In comparing the means of elementary and secondary level groups in the six categories, it was determined that elementary level participants statistically and significantly sought more assistance regarding Accommodations than secondary level participants. No other significant differences were found.

Research Question 4 asked what is the degree of utilization of various 504 student services by school administrators participating in 504 committees. Participants were asked to rate the access to six types of Section 504 direct supports by students on their campus: Behavior Plans/Support, Accommodations, Health Services, Special Transportation, Special Education Consultation, and Related Services (Table 14). By examining the means of the six categories, the researcher was able to determine that the responding participants perceived Accommodations and Health Services were more frequently accessed by Section 504 students. In comparing the mean rates of access for Section 504 students for these six types of support, elementary and secondary administrators, it was determined that Accommodations and Health Services were utilized more frequently than the other categories (Table 17).

As part of the survey, participants were asked to rate the types of consultative services accessed by Section 504 students on their campuses: Speech Consultation, Psychological Services, Behavioral Supports, Occupational Therapist, and Procedural Consultation. By examining the means of these six consultative services, the researcher determined that the

responding participants perceived consultative Behavioral Supports and consultative Psychological Services as more frequently accessed by their campus Section 504 students.

Research Question 5 asked is there a difference between elementary and secondary level school administrators participating in 504 committees in their perceptions of strengths and needs related to the Section 504 decision-making process? Participants reported their comfort levels with making Section 504 recommendations in the six categories identified below. Results indicated elementary and secondary level participants as equally comfortable in making recommendations in the following categories from highest to lowest overall order of comfort: Recommending Accommodations; Monitoring Section 504 Plans; Eligibility; Related Services; Resource Allocation and Legal Recommendations. (Table 12). The category mean scores indicated that elementary participants reported comfort levels in making recommendations for their students similar to secondary level participants in all six categories. In comparing the means of elementary and secondary administrators, no statistical differences were found in any of the six categories (Table 13).

Participants also reported Section 504 students accessed the following Section 504 supports from highest to lowest order: Accommodations; Health Services; Behavior Intervention Plans; Related Services; Special Education Consultative Services and Special Transportation. By examining the means of these six categories, the researcher was able to determine that the responding participants perceived Special Transportation was more frequently accessed by their campus Section 504 students. Elementary participants perceived their 504 students accessed at the elementary level. Accommodations were more frequently accessed than secondary level participants at the elementary level. Secondary level participants perceived their 504 students

accessed Health Services more frequently than the elementary level participants (Table 14). The mean scores indicated elementary participants reported their students accessing Section 504 supports more frequently than secondary level participants in all categories except for Health Services. In comparing the means of elementary and secondary participants, it is noted that a statistical difference existed in the category of Special Transportation. Special Transportation was more often utilized as a support service by Section 504 students at the elementary level than at the secondary level (Table 15).

In reviewing additional responses, participants reported Section 504 students were provided with consultative supports: Behavior Supports; Psychological Services; Procedure Consultations; Speech Therapy Consultations; and Occupational Therapy Consultations (Table 16). The mean scores indicated elementary campuses reported accessing Section 504 consultative supports for their students more frequently than secondary campuses in all the categories.

When participants rated the types of consultative services accessed by Section 504 students on their campus—Speech Consultation, Psychological Services, Behavioral Supports, Occupational Therapist, and Procedural Consultation—the results showed that responding participants perceived Behavioral Supports and Psychological Services as more frequently accessed. Interestingly, elementary participants perceived that their students accessed Behavior Supports and Psychological Services more frequently than secondary level participants. In comparing the differences in means between elementary and secondary administrators, it was noted that a statistical difference existed in the category of speech consultation services (Table 17). More speech consultative services were significantly perceived to be sought at the

elementary level than the secondary level by participants seeking consultative services for Section 504 students.

In review, there were statistical differences between elementary and secondary administrators in some areas investigated and not in other areas. Based on the interpretation of the collected data for Survey Question #20 (Table 13), elementary and secondary participants reported similarly comfortable in making recommendations for Section 504 students since no statistical significance was found. Statistically significant differences between elementary and secondary level administrators were found in perceptions pertaining to the frequency in seeking assistance related to Accommodations and access to Special Transportation and Speech Consultative Services. These findings may help schools provide strategic support to elementary and secondary schools in supporting students with disabilities.

Conclusions

Inferences suggest that participants perceived time constraints and knowledge of available resources as the most significant areas of concerns regarding Section 504 services. Most participants reported receiving training on Section 504 services within the last two years, provided by their local district personnel and Regional Service Center, and perceived it as very helpful. Also, most participants rated themselves as knowledgeable to very knowledgeable on Section 504 matters. Additionally, more elementary participants felt knowledgeable about Section 504 matters than secondary participants. Over half of the participants indicated they sought assistance on Section 504 issues at least 1 to 4 times per year in the categories of: Eligibility, Discipline, Dispute Resolution, Accommodations, Related Services, and Consultative

Services. Elementary level participants sought assistance more frequently in all categories than secondary level participants.

Among the six categories of support—Behavior Intervention Plans, Accommodations, Health Services, Special Transportation, Special Education Consultations, and Related Services--Elementary participants reported their students were accessing student support services more frequently than indicated by secondary level participants in all categories except Health Services. Accommodations as support was reported to be utilized more frequently than any other category among all participants. In only one category, Special Transportation, elementary level participants included a statistically, significantly higher access than secondary level participants.

Regarding the categories of Speech Consultation, Psychological Services, Behavioral Supports, Occupational Therapy, Procedural Consultation, and other types of consultative services, elementary level participants reported their students were more frequently accessing consultative supports than secondary level participants. Behavior Supports were utilized more frequently among all categories. Additionally, elementary level participants access Speech Consultations statistically, significantly higher than secondary level participants.

This study's data supports that school districts and campuses must provide staff working with 504 services with enough time to complete their 504 responsibilities and effectively complete their other job responsibilities too. Additionally, the schools should provide training to Section 504 administrators to improve their knowledge related to resource/supports in various categories of disabilities. Administrators model ethical and legal expectations in school, highlighting the need for superior knowledge in adequate supervision of regular and special education programs (Roberts & Guerra, 2017). This training should include 504 processes, laws,

available resources, and accommodations based on this study's findings. Research supports legal compliance with Section 504 of the Rehabilitation Act of 1973 to assure non-discrimination and equal opportunity for all students in our public schools can overwhelm school administrators as they participate in decision-making procedures for students with disabilities who require support services (Pazey & Cole, 2012). Limitations in federal and state policies can make it challenging for educators attempting to meet the needs of their schools (Caper & Young, 2014).

It is worth noting that the concerns regarding Accommodations were reflected in both the qualitative and quantitative data collected strongly emphasizing this area of need. Finally, based on the information provided in this study, it is the hope of this investigator that further research can be conducted on the social and financial practices in education regarding students with mild disabilities who are determined eligible for Section 504 Accommodation Plans (Kline et al., 2017). In Texas, some gains regarding financial assistance for Section 504 have been made through the recent passing of House Bill 3. House Bill 3 included funding allotment for students who are currently identified with Dyslexia (House Bill 3, 2019). This is a first in the state's history regarding funding for 504 students identified with dyslexia.

Implications and Limitations

As reported in this study, more students are accessing Section 504 services since the broadening of the eligibility standards through the expansion of the Americans with Disabilities Act Amendment Act of 2009 (Weathers & Zirkel, 2016). Although no Section 504 data was previously required to be collected by the school district in the state of Texas, recent legislation has been passed (S.B. 1153, 2017) requiring Texas school districts to submit counts of identified

students eligible for Section 504 services through the state's Public Education Information Management System (PEIMS). The need to provide staff working with 504 services has become more paramount for schools because of the new transparency that comes with data submittal. The findings in this study imply that administrators do perceive a need for more support in the area of Accommodations. More students are gaining access to what is now known as accessibility features and designated supports on state assessments that are documented on student Section 504 plans. The state of Texas permits the use of these documented designated supports and accessibility features provided that the Section 504 eligible student is using the accommodation(s) routinely in the classroom and the student meets the predetermined eligibility criteria set forth by the Texas Education Agency (2018). It stands to reason as more students are accessing these available supports, more professional development is needed to inform campus leaders and campus personnel on the available supports and their appropriate use. One must consider the possibility that just as we can provide equal access to instructional accommodations for classroom instruction and statewide tests to provide a free and appropriate public education (FAPE) for Section 504 students, we must also consider the implications whether providing too many accommodations may reduce a child's educational opportunity to learn. Testing accommodations are among the modifications that individuals with disabilities can access to demonstrate their skills. Accommodations, however, can alter essential aspects of the test administration procedures (Lovett, 2014). Adequate training and pursuant application of the laws and requirements support avoiding this pitfall.

Although the generated responses from the qualitative question were fewer than expected, information was notable as it supported the concerns identified in the quantitative data.

Given that there is a very limited amount of research available that addresses the perceptions of stakeholders involved in the Section 504 process (Chiasson & Olson, 2007), perhaps further qualitative research should be conducted in this area.

Recommendations

Careful consideration and thought must take place in 504 committee decision making to balance the academic need for the accommodations that are to be provided for instruction and state assessments. It is also important that all committee members be adequately trained in the decision-making process. Section 504 accommodations provide a student with equal access and equal opportunity to learn. The recommended accommodations are not meant to diminish a student's opportunity to learn or alter the grade level curriculum. Ultimately, this could lead to a student's denial of FAPE.

To address the needs of this growing population, it is also essential to consider the needs as they pertain to this unfunded mandate. As more students access these available supports, more funding should be made available for resources for this growing population (Kline, et al., 2017). At the time of this research's completion, the Texas 86 legislature had recently introduced a bill that includes student allotment to be used to provide aids, accommodations or services to students for whom a plan has been created under Section 504 Rehabilitation Act of 1973 or to provide related programs for educator professional development and certification (House Bill 3581, 2018).

This research supports the need for more professional development, especially in the areas of accommodations for administrators participating in Section 504 committee meetings.

Every student should have an opportunity to achieve to his or her fullest capability, and educators should strive to be equitable by recognizing individual differences and adjust the allocation of resources accordingly (Gorski, 2013). This research also supports the needs for the availability of resources for students eligible for Section 504 Services and the support of the administrators and other staff support personnel who conduct Section 504 meetings. To respond to these needs, perhaps more human resources should be made available to campuses, and the state should develop standardized requirements to address the need uniformly across the state. Considering the sophistication of modern-day Section 504 plans and the streamlining of student accommodations, more training and resources must be provided on the development of student Section 504 service plans.

This research was intended to expand the body of knowledge regarding Section 504 Services for students with disabilities who may not meet the eligibility criteria for Special Education Services under the IDEA but may be needing access to additional supports and services that are currently only available to students eligible for services under IDEA. Factors currently analyzed under IDEA include race, gender, and ethnicity. However, these factors are not currently analyzed for Section 504 students. As stated earlier, the state has only recently begun the collection of data regarding students identified as eligible for Section 504 services and supports (SB 1153, 2017). This research has added to the understanding of the needs of Section 504 students who are considered mildly disabled from the perspective of administrators who support and serve these students in our public school systems.

In summary, this study examined the perceptions of elementary and secondary education administrators who participate in decision-making procedures regarding Section 504 services in five school districts in one regional area in South Texas. Analyses were conducted of the collected survey data that included both quantitative and qualitative data. In reviewing the data, this study has shown evidence that Section 504 administrators do share concerns regarding time constraints for completing section 504 service plans and knowledge of resource allocations. Participants also indicated needs for professional development in the areas of the 504 Process, 504 Laws, and Resource Allocations. Therefore, recommendations from this study for campus professional development include training in the use of Accommodations, the 504 Process, and 504 Basics.

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APPENDIX

APPENDIX A:
TEMPLATE: LETTER TO SUPERINTENDENT FOR
PERMISSION TO CONDUCT SURVEY

**APPENDIX B:
ONLINE RECRUITMENT LETTER**

Greetings Administrators and Supportive Administrative Personnel,

My name is Dora Diana Rodriguez and I am a doctoral student from the Department of Educational Leadership at the University of Texas Rio Grande Valley (UTRGV). I would like to invite you to participate in my research study on:

ADMINISTRATOR PERCEPTIONS ON SERVICE STRENGTHS AND CHALLENGES REGARDING SECTION 504 SERVICES FOR PUBLIC EDUCATION STUDENTS IN SOUTH TEXAS.

This research study has been reviewed and approved by the Institutional Review Board for the Protection of Human Subjects (IRB) at the University of Texas Rio Grande Valley and has been approved by your school district superintendent and/or district research committee. Participation in this research is completely voluntary. As a participant, you will be asked to complete an online survey which should take about 10 minutes to complete. All data will be treated as confidential. A link is included below that will allow you to take the short online survey. Simply click on the link and read the consent page carefully. If you would like to complete the survey, click on "I consent" and begin the survey. If not, simply click on "I do not consent" and exit the browser.

If you have questions related to the research, please contact me by telephone by email at doradiana.rodriguez01@utrgv.edu

If you have any questions regarding your rights as a participant, please contact the Institutional Review Board (IRB) by telephone at (956) 665-2889 or by email at irb@utrgv.edu.

Thank you for your cooperation!

Dora Diana Rodríguez, M. Ed.

Dora Diana Rodriguez, M.Ed. (UTRGV Doctoral Student)

APPENDIX C
COVER LETTER TO PARTICIPANTS

ADMINISTRATOR PERCEPTIONS ON SERVICE STRENGTHS AND CHALLENGES REGARDING THE IMPLEMENTATION OF SECTION 504 SERVICES FOR PUBLIC EDUCATION STUDENTS IN SOUTH TEXAS

This survey is being conducted by Dora Diana Rodriguez, doctoral student at The University of Texas Rio Grande Valley (doradiana.rodriguez01@utrgv.edu).

You will be presented with information relevant to Section 504 services and supports and asked to answer some questions about it. Please be assured that your responses will be kept completely confidential. Some questions are district and campus-specific but are only being included for data collection purposes only. The district-specific information will not be indicated in the final reports. You must be at least 18 years old to participate. If you are not 18 or older, please do not complete the survey. The survey should take you around 10 minutes to complete. You may need some relevant campus collected information such as the number of identified male and female 504 students on your campus. By having this information ready, your survey can be completed much quicker. Your participation in this research is voluntary. You have the right to withdraw at any point during the study, for any reason, and without any prejudice.

All survey responses that we receive will be treated confidentially and stored on a secure server. However, given that the surveys can be completed from any computer (e.g., personal, work, school), we are unable to guarantee the security of the computer on which you choose to enter your responses. As a participant in our study, we want you to be aware that certain technologies exist that can be used to monitor or record data that you enter and/or websites that you visit.

Any individually identifiable responses will be securely stored and will only be available to those directly involved in this study. De-identified data may be shared with other researchers in the future but will not contain information about your individual identity.

This research has been reviewed and approved by the Institutional Review Board for Human Subjects Protection (IRB). If you have any questions about your rights as a participant, or if you feel that your rights as a participant were not adequately met by the researcher, please contact the IRB at (956) 665-2889 or irb@utrgv.edu.

Again, If you would like to contact the researcher in this study to discuss this research, please e-mail:

doradiana.rodriguez01@utrgv.edu

By clicking the button below, you acknowledge that your participation in the study is voluntary, you are 18 years of age, and that you are aware that you may choose to terminate your participation in the study at any time and for any reason.

Please note that this survey will be best displayed on a laptop or desktop computer. Some features may be less compatible for use on a mobile device.

APPENDIX D
INSTITUTIONAL REVIEW BOARD (IRB) APPROVAL LETTER

June 18, 2018

To: Dora Rodriguez, M.Ed.

From: Institutional Review Board

Subject: Approval of a New Human Research Protocol

IRBNet ID: 1153209-1

IRB# 2018-066-03

Project Title: ADMINISTRATOR PERCEPTIONS ON SERVICE STRENGTHS AND NEEDS REGARDING THE IMPLEMENTATION OF SECTION 504 SERVICES IN A REGION OF SOUTH TEXAS

Dear Researcher,

The IRB protocol referenced above has been reviewed and **APPROVED ON June 15, 2018**.

Basis for approval: Expedited, Category #7

Approval expiration date: June 14, 2019

Recruitment and Informed Consent: You must follow the recruitment and consent procedures that were approved. If your study uses an informed consent form or study information handout, you will receive an IRB-approval stamped PDF of the document(s) for distribution to subjects.

Modifications to the approved protocol: Modifications to the approved protocol (including recruitment methods, study procedures, survey/interview questions, personnel, consent form, or subject population), must be submitted to the IRB for approval. Changes should not be implemented until approved by the IRB.

Approval expiration and renewal: Your study approval expires on the date noted above. Before that date you will need to submit a continuing review request for approval. Failure to submit this request will result in your study file being closed on the approval expiration date.

Data retention: All research data and signed informed consent documents should be retained for a *minimum* of 3 years after *completion* of the study.

Closure of the Study: Please be sure to inform the IRB when you have completed your study, have graduated, and/or have left the university as an employee. A final report should be submitted for completed studies or studies that will be completed by their respective expiration date.

Approved by:



Laura D. Seligman
Interim Chair, Institutional Review Board

APPENDIX E
CORRESPONDENCE FOR PERMISSION TO USE MAYDOZ 504 BLUEPRINT SURVEY

Maydosz, Ann S. <amaydosz@odu.edu>

Mon 7/10/2017 3:20 PM

Deleted Items

To: Dora Rodriguez <dora.rodriguez@psjaisd.us>;

 1 attachments (3 MB)

out.pdf;

Hi Dora,

A copy of my dissertation is attached. Please do cite me as appropriate. I am on my way out of town, but would love to hear more about your research whenever you have time.

I wish you the best of luck!

Ann

Ann S. Maydosz, PhD

Co-Director

[The Commonwealth Special Education Endorsement Programs](#)

ODU Program Coordinator

[The Virginia Consortium for Teacher Preparation in Vision Impairment](#)

[Virginia Applied Behavior Analysis Consortium](#)

[The Virginia Consortium for Teacher Preparation in Special Education Adapted Curriculum: Supporting Students with Severe Disabilities and Autism](#)

Adjunct Assistant Professor

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[Amaydosz@odu.edu](mailto:amaydosz@odu.edu)

From: Dora Rodriguez [mailto:dora.rodriguez@psjaisd.us]

APPENDIX H
ADAPTED SURVEY

Section 504 School-Based Administrator / Coordinator Survey

(The school-based administrator or administrative support staff that is responsible for the oversight of Section 504 within a school may be a principal, assistant principal or a school counselor, etc.)

PART I-DEMOGRAPHICS

1. What levels of instruction are provided at your campus? *Check all that apply.*

K ___ 1 ___ 2 ___ 3 ___ 4 ___ 5 ___ 6 ___ 7 ___ 8 ___ 9 ___ 10 ___ 11
___ 12 ___

2. What is your school role at your campus? *Check all that apply.*

- Principal
- Assistant principal
- School counselor
- Campus 504 coordinator
- Other: _____

3. How many years of experience do you have in participant in Section 504 Committee meetings?

Check all that apply.

- 0-5
- 6-10
- 11-15
- 15 or more

4. What is your primary responsibility regarding the Section 504 process at your campus?

Check all that apply

- Case manager
- Allocation of resources
- Meeting chairperson
- Other: _____

5. Approximate number of students in school with Section 504 plans? _____

Enter total number of students with 504 IAPs and not a percentage of student population.

6. What has been your concern regarding processing campus Section 504 individual accommodation plans? Check all that apply.

- Procedural requirements regarding documentation
- Knowledge of available resources / supports for various categories of disabilities
- Time constraints for planning and preparing Section 504 meetings
- Other: _____

7. If you need assistance regarding Section 504 issues, who do you primarily contact?

- Campus principal
- Campus assistant principal
- Central office personnel
- Campus counselor
- Other: _____

8. Does your campus have a designated Section 504 Coordinator?

- Yes
- No
- Don't know or unsure

9. Does your *district* have specific forms for Section 504 evaluations, eligibility and Section 504 plans?

- Yes
- No
- Don't know or unsure

PART II-PROFESSIONAL DEVELOPMENT

10. When did you last receive training on Section 504?

- This current school year
- Last school year
- 3 to 5 years or more
- Training has never been provided to this campus
- Don't know or unsure

11. How helpful was the most recent Section 504 training for you?

Very helpful

Helpful

Somewhat helpful

Not at all helpful

No training was offered

12. Who provided the training?

School district personnel

Regional Service Center

Outside Expert / Consultant

Campus personnel

No training has been provided

Other: _____

13. On a scale from 1 to 5, rate your knowledge in the area of Section 504 documentation processes.

1. _____ 2. _____ 3. _____ 4. _____ 5. _____

not knowledgeable somewhat knowledgeable knowledgeable very knowledgeable most knowledgeable

PART III-STUDENT SUPPORTS AND SERVICES

14. How often do you seek assistance on information for Section 504 procedures?

Weekly

5-15 times per semester

1-4 times per semester

Never

Other: (please specify) _____

15. On a scale from 1 to 5, how often do you seek assistance in the following areas?

Please provide an estimation of the frequency.

	<i>(1 = never</i>	<i>2 = rarely</i>	<i>3 = sometimes</i>	<i>4 = often</i>	<i>5 = frequently)</i>
Eligibility	1. _____	2. _____	3. _____	4. _____	5. _____
Discipline	1. _____	2. _____	3. _____	4. _____	5. _____
Dispute resolution	1. _____	2. _____	3. _____	4. _____	5. _____
Accommodations	1. _____	2. _____	3. _____	4. _____	5. _____

Related Services	1. _____	2. _____	3. _____	4. _____	5. _____
Consultative Serv.	1. _____	2. _____	3. _____	4. _____	5. _____

16. On a scale from 1-5, what types of supports are generally accessed by your campus Section 504 students? *Please provide an estimation of the frequency.*
(1 = never used 2= rarely used 3 = sometimes used 4= often used 5 = frequently used)

Behavior Plans / Supports	1. _____	2. _____	3. _____	4. _____	5. _____
Accommodations	1. _____	2. _____	3. _____	4. _____	5. _____
Health Services	1. _____	2. _____	3. _____	4. _____	5. _____
Special Transport.	1. _____	2. _____	3. _____	4. _____	5. _____
Special Ed. Consultation	1. _____	2. _____	3. _____	4. _____	5. _____
Related Services	1. _____	2. _____	3. _____	4. _____	5. _____

17. On a scale from 1-5, what types of consultative services have been accessed by your campus for the support of Section 504 Only students? *Please provide an estimation of the frequency.*
(1 = never used 2 = rarely used 3 = sometimes used 4 = often used 5 = frequently used)

Speech Consultation	1. _____	2. _____	3. _____	4. _____	5. _____
Psychological Services	1. _____	2. _____	3. _____	4. _____	5. _____
Behavioral Supports	1. _____	2. _____	3. _____	4. _____	5. _____
Occupational Therapist	1. _____	2. _____	3. _____	4. _____	5. _____
Procedural Consultations	1. _____	2. _____	3. _____	4. _____	5. _____

18. Due to the ADA 2008, Has your campus experienced an increase in the number of students found eligible for Section 504 Only services?

- Yes
- No
- Don't know or unsure

19. If yes to the previous question, what has your campus done to address the increase in the number of students identified as Section 504 only services? Check more than one, if appropriate. If no, skip this question.

- Balancing the distribution of case load to additional supporting staff members**
- Automated documentation procedures**
- Professional development**
- Not sure or not addressed**

20. On a scale from 1-5, how comfortable are you on making recommendations in 504 committee meeting regarding:

(1= not comfortable 2 = somewhat comfortable 3 = comfortable 4 = very comfortable 5 = extremely comfortable)

Eligibility recommendations	1. _____	2. _____	3. _____	4. _____	5. _____
Resource Allocation	1. _____	2. _____	3. _____	4. _____	5. _____
Related Services	1. _____	2. _____	3. _____	4. _____	5. _____
Legal Requirements	1. _____	2. _____	3. _____	4. _____	5. _____
Monitoring of Plans	1. _____	2. _____	3. _____	4. _____	5. _____
Accommodations	1. _____	2. _____	3. _____	4. _____	5. _____

21. What type of training do you feel you need most regarding Section 504 services and who can provide the training? _____

22. What type of training do you feel your campus needs most regarding Section 504 services and who can provide that training? _____

23. Is there anything you would like to add here related to your responsibilities as a Section 504 committee administrator? _____

BIOGRAPHICAL SKETCH

Dora Diana Rodriguez was born in San Juan, Texas to Guadalupe and Manuela Rodriguez on December 2, 1962. Dora graduated from Pharr-San Juan-Alamo Independent School District in 1981. She attended Texas A & I University in Kingsville, Texas for one year and then transferred to the University of Texas Pan American where she obtained her Bachelor of Arts degree in History with a minor in Special Education. She completed her undergraduate work and received her teaching certificate in 1990. After graduation from college, she began her teaching career with the Pharr-San Juan-Alamo school district as a special education teacher where she taught for three years. She then continued working as a special education teacher with the Monte Alto Independent School District for an additional two years where she received a distinguished award as Teacher of the Year in 1994. Dora continued to further her education and received her Master's in Education as an educational diagnostician in 1995. Dora then began working with the Mercedes ISD Special Education Cooperative until 2009. She continued her studies and obtained additional certification in educational leadership for principal certification. She completed her doctorate degree in August of 2019. She currently lives near her hometown of San Juan TX and is employed with Pharr-San Juan-Alamo ISD. She has served as the district's Section 504 and Dyslexia Coordinator for the last ten years. She has since then also obtained additional certification for Superintendent. Permanent Address: 539 Tulip Circle, Alamo, TX 78516.