504 Plans

A brief guide to 504 Plans for parents, guardians, and advocates

CHILDREN'S LAW CENTER

What is a 504 Plan?



A 504 Plan helps a child with a disability fully participate and succeed within the general education environment. A 504 Plan should include specific accommodations, modifications, supports, or services that meet a child's individual needs and increase the child's ability to access education.

Who is eligible for a 504 Plan?

A child is eligible for a 504 Plan if the child has a physical or mental impairment that substantially limits one or more major life activities. A physical or mental impairment can be wide ranging, such as ADHD, ADD, allergies, anxiety, asthma, bipolar disorder, cerebral palsy, diabetes, dyslexia, epilepsy, and beyond. Major life activities include learning, self-care, walking, sitting, talking, seeing, hearing, eating, concentrating, thinking, communicating, and much more.

How do I get a 504 Plan?

Step 1: Identification/Referral

Schools are required to identify children with disabilities and refer them for evaluation. Parents or guardians can also identify concerns with their child and require the school to evaluate their child. A school district and parents/guardians work together to determine the reasons for the referral and the evaluations necessary to determine the child's potential disabilities.

Step 2: Evaluation

Once a parent has consented to an evaluation, the district must complete the evaluation on time (within 60 calendar days in Ohio or 60 school days in Kentucky). Qualified professionals must conduct the evaluation(s) at no cost to the child or family. Parents have a right to obtain results of the evaluation(s). If the child already has a diagnosis from an outside provider such as their pediatrician, the parents can give this documentation to the child's school.

Step 3: Eligibility and Creating the 504 Plan

Generally, a 504 Team consisting of school personnel, parents/guardians, and the child (if appropriate) will meet to discuss the evaluation and develop the 504 Plan if the child is eligible. The law does not guarantee parent participation in this process but *you should always ask the school to be involved*.

Step 4: Review and Reevaluate

Each school district should have procedures that explain when and how they review a child's 504 Plan. Ask the child's school for more information and always feel free to request a review if the child's needs change.

What about an IEP?

A child may also be eligible for an Individualized Education Program (IEP), to get additional special-education services, progress-monitoring, and specially-designed instruction. Check out our handout on IEPs at https://bit.ly/IEP_guide.

Note: The term "parent" is used to represent the person who can legally advocate for a child's educational needs

This guide is for informational purposes only. It does not constitute legal advice or create an attorney-client relationship. Every person's situation is different. For an individualized assessment or answers to specific questions, consult an attorney.

Examples of 504 Plan Accommodations, Supports, & Modifications

*504 Plans and Individualized Education Programs (IEP) are **free** for families, require a **disability**, and should meet **educational needs**. But there are some differences below.*

You can ask the school for accommodations, supports, or modifications that will increase the child's education access, in light of their physical or mental impairment. Be creative and ask for what the child needs. These are some examples that could be included in a 504 plan:

Testing:

- Taking tests in a different location
- Provide extra time on tests and assignments
- Provide a sample or practice test
- Allow the child to test orally rather than taking a written test

General Classroom:

- Change seating type or location within the classroom
- Provide a visual timer for each assignment
- Access additional printed notes
- Record lessons so the child can listen to them again
- Assist in maintaining a neat workspace
- Simplify or repeat instructions
- Provide fidget items during instructional times
- Provide peer tutoring or an aide
- Adapt the classroom environment to avoid distractions
- Supply rewards for positive behaviors
- Allow increased access to bathroom facilities
- Avoid withholding physical activity or recess time as a punishment
- Provide a calm-down space for the child

Scheduling:

- Provide a written or picture schedule
- Adjust class schedule
- Allow built-in breaks throughout the day
- Schedule subjects that require greater concentration earlier in the day
- Allow for extra time when transitioning between classes

Other Settings:

- Adapt/adjust non-academic times such as lunch, recess, study hall, or physical education
- Modify the amount of homework
- Establish a home/school communication system for behavior monitoring
- Provide supervision during transitions

504 Plan

- Overseen by the US Department of Justice's Office of Civil Rights, under the Rehabilitation Act of 1973
- For any disability or impairment
- Provides accommodations and modifications, but generally not a different curriculum
- Has limited rights and recourse if a parent is not satisfied
- No goals/progress monitoring
- Timing of reviews/updates can vary
- School does not always have to include parent



IEP

- Overseen by the US Department of Education, under the Individuals with Disabilities Education Act (IDEA)
- Only for IDEA's disability-eligibility categories (one or more of 13 listed disabilities, which significantly impacts educational performance)
- Provides accommodations, modifications, services, and specialized instruction or curriculum
- Has robust legal safeguards if parents are not satisfied
- Goal setting, progress monitoring
- Must be reviewed yearly
- School must include parent

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