

For additional information please contact your campus Section 504 coordinator:

Name: _____

Campus: _____

Phone: _____

or

LISD Special Programs Executive Director:
Kim Kassaw

936-630-4361

OFFICE FOR CIVIL RIGHTS:

The contact information of the Regional Office with jurisdiction in Texas is:

Office for Civil Rights, Region VI
1999 Bryan Street, Suite 1620
Dallas, Texas 75201

214-661-9600 (telephone)

214-661-9581 (fax)

Section 504 of the Rehabilitation Act of 1973 states in part:

“No otherwise qualified individual with a disability shall, on the basis of the disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under “any program or activity which receives or benefits from federal financial assistance”
(34 C.F.R. 104.4(e))

Lufkin Independent School District

Section 504



101 Cotton Square
Lufkin, Texas 75902
(936) 634-6696

What is Section 504?

Section 504 of the Rehabilitation Act of 1973 is a federal law that prohibits discrimination on the basis of disability. Unlike the Individuals with Disabilities Education Act (IDEA) that governs special education, Section 504 is not an education, service, or funding statute. The purpose of Section 504 is to ensure that individuals with disabilities are given the same opportunity to participate in programs and activities as are their non-disabled peers. It is the responsibility of Lufkin Independent School District to identify and serve students who, within the intent of Section 504 of the Rehabilitation Act of 1973, are considered disabled and who, because of disability, need special services within the general education program.

Who is Eligible under Section 504?

Students must have a physical or mental impairment which substantially limits one or more major activities or bodily functions; have a record of such impairment; or be regarded as having such an impairment.

What is Meant by “Substantially Limits”?

Under judicial interpretation, a major life activity is substantially limited when a person is “unable to perform a major life activity that the average person in the general population can perform.” In referencing the “general population”, the intent of the law was to compare each person’s performance against the general population in the community and the nation – not the population at a particular school.

What is a Major Life Activity?

Major life activities refer to functions such as, but not limited to, caring for oneself, eating, sleeping, reading, walking, seeing, hearing, bending, standing, speaking, breathing, thinking, concentrating, communicating, and performing manual tasks. Major life activities also include major bodily functions of the immune system, bladder, bowel, brain, respiratory, circulatory, and endocrine functions, as well as, normal cell development.

What are the Referral Procedures? Any student may be referred for a 504 evaluation by a parent, teacher, counselor, administrator, or other District employee who is knowledgeable about the student and has reason to believe that the student has a disability that is substantially limiting one of life’s major activities. All referrals must be submitted in writing to the Campus 504 Coordinator who will prepare and send all required notices.

What Constitutes an Evaluation Under Section 504?

An evaluation under Section 504 usually does not involve testing. It consists of a review and analysis of existing records such as vision and hearing screening, STAAR and/or STAAR EOC scores, attendance records, discipline records, educational history, current academic performance, teacher observations, and behavior. Data provided from external sources is also considered, but within the context of the school. The campus Section 504 Committee is responsible for reviewing and analyzing the evaluation data and for making decisions regarding a student’s eligibility based upon current legal standards.

How is Placement Defined?

In the context of Section 504, “placement” refers to the general education classroom or program with individually planned accommodations or interventions. A student who qualifies to receive Section 504 services is entitled to the same access to programs and activities as any other student. The District is not required to alter requirements or standards for participation. There is no modification of the essential knowledge and skills for 504 students. Eligibility under Section 504 is not intended to reduce expectations for students with disabilities. The intent of Section 504 is to provide eligible students with reasonable accommodations that will give them an equal chance to achieve educational success.

What are my Legal Rights as a Parent?

Upon referral to Section 504, parents will receive a Notice of Rights for Disabled Students and their Parents, which outlines the procedural safeguards in place for Section 504 students.

Who Makes Up the Membership of the Section 504 Committee?

The federal regulations governing Section 504 do not specify the titles or classifications of individuals who must participate in a Section 504 Committee. The regulations state that the Section 504 Committee must include “a group of persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.” While parents are not required members of a Section 504 meeting, LISD encourages our parents to be active members of the Section 504 process.

What are Section 504 Accommodations?

Accommodations will be written to address the needs of each individual student, based on his/ her disability. The intent of an accommodation is to provide the student with the same access to education as other students without disabilities. They are not intended to give the student an advantage or to modify the state curriculum.

Can Eligible 504 Students be Exempt from STAAR?

No. Section 504 students cannot be exempt from STAAR or STAAR EOC. Therefore, since graduation is conditioned on passing the STAAR and STAAR EOC, eligible Section 504 students must be held accountable for the same curriculum requirements and standards as their non-disabled peers. To do otherwise would not give eligible Section 504 students an equal opportunity to earn a diploma. Eligible Section 504 students may be entitled to limited testing accommodations as allowed by the Texas Education Agency (TEA).

What if a Parent Refuses IDEA Services and Requests Section 504 Instead?

The Office of Civil Rights, the agency responsible for enforcement of Section 504 regulations, has made it clear that students eligible for services under IDEA must be served under that statute. If a parent refuses special education services for an eligible student, Lufkin ISD has no obligation to offer the student services and/or accommodations under Section 504.