504 Conclusions

When disability-based discrimination occurs within the school setting, it can be the result of an error, oversight, or misunderstanding, as opposed to an intentional desire to break the law. Regardless of cause, however, the effect on a student with a disability can be both profound and devastating. Therefore, schools must ensure that students with disabilities are properly identified in a timely manner and are consistently provided the services and other protections to which they are entitled under the law.

OCR notes that representatives from schools and districts around the country are adopting a wide range of possible approaches to help facilitate this outcome. For example, via trainings, parent meetings, and in other informal settings, school and district administrators often encourage staff and parents to:

(i) Promote early identification and evaluation of students by attending to and reporting signs and indicators of a possible disability;

(ii) Secure detailed and comprehensive information from various sources (for example, family members, doctors, school nurses, teachers, social workers) prior to making eligibility and service-related decisions on behalf of a student who may have a disability;

(iii) Communicate with appropriate teachers and non-classroom staff members (for example, coaches, gym teachers, librarians, cafeteria workers) about the aids and services to which a student with a disability may be entitled;

(iv) Consider the context within which different school staff interact with students (for example, a gymnasium versus a classroom) when making decisions about the aids and services that will be most effective in meeting a student’s needs;
Monitor implementation of aids and services in order to assess effectiveness and ensure consistent provision of these aids and services by all school staff (for example, by teachers in different classrooms);

Encourage communication on a regular basis between home and school, and among relevant school staff, regarding all students, but in particular, students with disabilities;

Observe interpersonal relationships among students and interactions between staff and students in order to identify and address signs of a hostile school environment and bullying;

Document, via emails, letters, notes, or other means, important information (for example, key meetings and conversations, relevant dates, decisions, and actions taken) relating to parent and staff efforts to secure or provide aids and services to a Page 45 Parent and Educator Resource Guide to Section 504 Conclusion student with a disability; address incidents of bullying and harassment; or raise and resolve disagreements and disputes;

Attend to the issue of accessibility when considering structural changes and improvements to buildings and facilities; the purchase of new instructional technology; the placement or location of curricular and extra-curricular programs and activities both on and off campus; and the use of certain curricula or particular instructional methods, tools, and devices; and

Stay informed about parent and student rights, staff responsibilities and obligations, and other policies and procedures that must be adhered to in order to comply with Section 504 and other disability rights laws. In these and many other ways, parents and school staff are working to help reduce the likelihood that disability-based discrimination will occur in our schools and classrooms.