



## RESOURCE GUIDE AND FACT SHEET FOR PARENTS/GUARDIANS

▶▶▶▶ This guide and fact sheet describes the requirements of Section 504 of the Rehabilitation Act of 1973 for each public school district to provide a free appropriate public education (FAPE) to students with disabilities and is designed to assist parents to better understand Section 504.

### WHAT IS Section 504?

Section 504 is a federal civil rights law that is designed to eliminate disability discrimination in programs and activities that receive federal funds. Since all public school districts must comply with Section 504, denying a disabled student a free appropriate public education (FAPE) is disability discrimination.

A school-aged student is considered a disabled student under Section 504 for the purposes of FAPE if the student has a physical or mental impairment that substantially limits one or more major life activities.

See reverse side to learn more about Section 504, including information on referral, evaluation, plan and parent/guardian rights.

Dear Parent/Guardian,

The Dubuque Community School District is dedicated to equitable treatment of all students. Section 504 prohibits discrimination against persons with a disability and focuses on ensuring that students with disabilities are able to access the same Dubuque Community School District curriculum and learning opportunities available to all students. Unlike special education, Section 504 does not provide specialized instruction or a different curriculum for eligible students. Instead, the Section 504 Program ensures that eligible students with disabilities receive the reasonable accommodations and/or related services that they need in order to access the Dubuque Community School District curriculum and learning opportunities.

The Act defines a person with a disability as anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working);
2. has a record of such impairment; or
3. is regarded as having such an impairment

Parents/Guardians are invited to refer their student to the 504 process if they believe that their student has a physical or mental impairment that could make their student eligible for Section 504. You may contact your school's 504 Liaison(s) who will facilitate the process from identification, evaluation, planning for services, review and re-evaluation, and grievance (if necessary).

Visit [www.dbqschools.org/section-504](http://www.dbqschools.org/section-504) for more information and to locate the 504 Liaison for each building.

If you should have additional questions, please contact:

Allie White  
Lead Nurse  
2300 Chaney Road  
Dubuque, IA 52001-3095  
Phone: 563/552-3084  
Fax: 563/552-3102  
[awhite@dbqschools.org](mailto:awhite@dbqschools.org)

Sincerely,

Amy Hawkins  
Superintendent of Schools



OUR MISSION IS TO DEVELOP  
**world-class learners**  
AND **citizens of character**  
IN A **safe and inclusive**  
LEARNING COMMUNITY

### **What is Free Appropriate Public Education under Section 504?**

A free appropriate public education (FAPE) is an education that is designed to meet a disabled student's individual educational needs and is based upon procedures that satisfy Section 504's identification, evaluation, placement, and due process requirements. An appropriate education can consist of education in regular classes, education in regular classes with related aids or services, special education, or a combination of such services. Related aids and services include but are not limited to the following: school health services; counseling; environmental, instructional and behavioral accommodations; and transportation.

### **What does "Appropriate" Mean?**

Under Section 504, appropriate means that it is designed to meet the individual educational needs of a disabled student as adequately as the needs of non-disabled students are met. A district must provide sufficient individualized services to ensure a disabled student receive educational benefit.

### **Who Can Refer a Student for a Section 504 Evaluation?**

Any person can refer a student for evaluation under Section 504. Parent(s)/guardian(s) and school staff should refer a student for evaluation if they suspect that, due to a disability, the student needs special education or related aids or services to participate in or benefit from a district's educational program.

### **What Should a District Do When it Receives a Section 504 Referral?**

After receiving a Section 504 referral, a district should decide whether to evaluate the student and must notify the student's parent(s)/guardian(s) of its decision.

### **What is an Evaluation under Section 504?**

Evaluations under Section 504 are individually designed and may be broad (including aptitude and achievement data, medical and psychological data, social and cultural information, and more) or narrow (medical data). A Section 504 evaluation may be conducted by a district or conducted by an outside agency and reviewed by a district. It is the responsibility of a district to determine the scope of each student's Section 504 evaluation. A district must obtain parent/guardian consent before a student's first evaluation and first placement on a Section 504 Plan.

### **What is a Section 504 Plan?**

A Section 504 Plan describes the educational and related aids or services that a district determines a disabled student needs to receive FAPE. The content of a Section 504 Plan may change within a school year or between school years if the student's needs and services change. A district must provide the services identified in a student's 504 Plan.

### **What is a Section 504 Team?**

A Section 504 team makes decisions regarding the evaluation and placement of students under Section 504. A team must consist of at least two people and include people who are knowledgeable about the student. Parent/guardian should be included on the team after district determination of 504 eligibility.

### **What Due Process Rights Do Parents/Guardians have under Section 504?**

Under Section 504, a district must notify a student's parent/guardian before taking any action regarding the identification, evaluation, or placement of a child and parent/guardian has the opportunity to challenge the action if they disagree. District action includes the decision not to evaluate or deny placement of a student. Due process rights include prior written notice of any action, right to inspect records, impartial hearing with a right to representation by counsel, and a review procedure. If a parent/guardian disagrees with a Section 504 Plan or has a grievance with accommodation implementation, he/she may do the following:

- » Contact the school's Section 504 Liaison or the school's administrator

*For a listing of Section 504 Liaisons by building, visit:* [www.dbqschools.org/section-504](http://www.dbqschools.org/section-504)

- » Contact the Dubuque Community School District Section 504 Coordinator

*The person in the Dubuque Community School District who coordinates compliance with Section 504 matters is:*

Allie White, Lead Nurse

2300 Chaney Road, Dubuque, IA 52001-3095

P: 563/552-3084 F: 563/552-3102 [awhite@dbqschools.org](mailto:awhite@dbqschools.org)

- » Contact the Area Education Agency (AEA) for mediation

*Parents and guardians are encouraged to resolve issues concerning Section 504 without first resorting to formal hearings and civil suits. The Area Education Agency (AEA) provides an informal resolution-to-conflict with the assistance of a trained mediator. For information on the AEA mediation process, visit:*

[educateiowa.gov/pk-12/special-education/dispute-resolution/aea-mediation-process-dispute-resolution](http://educateiowa.gov/pk-12/special-education/dispute-resolution/aea-mediation-process-dispute-resolution)

- » If resolution is not a result, the parent should follow the district Section 504 grievance procedures or due process procedures.

*For information on the district's grievance procedure, visit:* [www.dbqschools.org/section-504](http://www.dbqschools.org/section-504)

---

The Office of Civil Rights is the federal entity with primary responsibility for ensuring compliance with Section 504 of the Rehabilitation Act of 1973. More information including links to Section 504, OCR guidance, and how to file a complaint at the federal level is available by first going to <http://www.ed.gov/about/offices/list/ocr/index.html> and clicking on "Office Contacts."

The Dubuque Community School District will not discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity and socioeconomic status (for programs) in its educational programs and its employment practices. There is a grievance procedure for processing complaints of discrimination. Please direct inquiries about this statement to: Brian Kuhle, Dubuque Community Schools, 2300 Chaney Road, Dubuque, Iowa 52001-3095, [bkuhle@dbqschools.org](mailto:bkuhle@dbqschools.org), 563/552-3000.