

**REHABILITATION ACT OF 1973  
COMPLIANCE: SECTION 504**

Effective: April 29, 2025

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**I. Referral, Evaluation, and Eligibility**

- A. A referral/request for services for a student will be delivered to the Section 504 Team. Upon receiving a referral, the team will review information from a variety of sources and determine whether the student is eligible for a Section 504 Plan or whether additional information, such as assessments/testing, is necessary.
- B. Parents will be provided notification of the time and place of all Section 504 Team meetings concerning their child. A copy of the Howard County Public School System (HCPSS) Notice of Procedural Safeguards Under Section 504 of the Rehabilitation Act of 1973 will be provided to the parents prior to or at the Section 504 Team meeting.
- C. If a Section 504 Team determines assessments/testing are necessary, parental consent will be obtained.
- D. If parental consent is obtained, all assessments/testing should be completed within guidelines established by the HCPSS Procedures and Guidelines for Implementing Section 504 of the Rehabilitation Act of 1973.
- E. The HCPSS will provide any assessments/testing deemed appropriate by the Section 504 Team.
- F. The HCPSS will consider any private evaluations submitted by the parents that are provided in whole to the Section 504 Team.
- G. The benefits of mitigating measures, with the exception of ordinary eyeglasses and contact lenses, will not be considered when determining whether an impairment substantially limits a major life activity. If the Section 504 Team determines a student has a disability, then the student's use of mitigating measures may be considered in determining whether or not the student requires a Section 504 Plan.
- H. If a student meets eligibility requirements for a Section 504 Plan, the Section 504 Team will develop the Section 504 Plan. The accommodations and/or reasonable modifications of that Section 504 Plan should be designed to afford the student with a disability the opportunity to receive the benefits from programs and activities to the same extent as a non-disabled student.

- I. Meetings of the Section 504 Team will take place either to review Section 504 Plans or to determine eligibility for students. Minutes will be kept for each Section 504 Team meeting. Minutes will include:
  1. Name of student
  2. Date of meeting
  3. Names of participants and their titles
  4. Statement that parent received the Notice of Procedural Safeguards
  5. Proposals from team members, reason for acceptance or rejection, and data to support the decision
  6. Team decision on Section 504 eligibility, reason for decision, and data to support the decision.

## **II. Implementation and Review**

Implementation and distribution of a Section 504 Plan will be in compliance with HCPSS Procedures and Guidelines for Implementing Section 504 of the Rehabilitation Act of 1973.

- A. After a Section 504 Plan has been approved, a timely implementation date will be chosen by the Section 504 Team.
- B. The Section 504 Plan will be accessible to appropriate HCPSS employees who provide services to the student.
- C. The principal or assistant principal will ensure that all substitute teachers, both long- and short-term, receive appropriate information regarding their students' Section 504 Plans.
- D. Section 504 Plans will be reviewed during transition school years (grade 3, grade 6, and grade 9) or when requested by the parent, HCPSS employee, or eligible student, to determine whether accommodations, and/or reasonable modifications remain appropriate.
- E. Within three years of the initial evaluation or most recent reevaluation meeting, the Section 504 Team will conduct a reevaluation to determine whether or not the student remains eligible under Section 504.

## **III. Discipline of Section 504 Eligible Students**

A student with or eligible for a Section 504 Plan should be disciplined consistent with the appropriate provisions of HCPSS Policy 9200 Student Discipline and the HCPSS Student Code of Conduct.

#### **IV. Extracurricular Activities**

- A. A student eligible for a Section 504 Plan will have the same opportunity to participate in extracurricular activities as any HCPSS student.
- B. The Section 504 Plan may include accommodations and/or reasonable modifications for the student to access extracurricular activities, as necessary.
- C. A high school student eligible for a Section 504 Plan must meet the academic eligibility requirements consistent with the appropriate provisions of HCPSS Policy 9070 Academic Eligibility For High School Extracurricular Activities.

#### **V. HCPSS School-Based Directives**

In order to ensure compliance with this policy and federal law, The Department of Student Well-Being will review, maintain, and update the HCPSS Procedures and Guidelines for Implementing Section 504 of the Rehabilitation Act of 1973. These procedures and guidelines provide guidance on Section 504 procedures for HCPSS school-based employees and families.

#### **VI. Designation of HCPSS Section 504 Coordinator**

The HCPSS Section 504 Coordinator is the Coordinator, Section 504 and Student Services Implementation or designee.

#### **VII. Monitoring**

Policy 9060 implementation procedures will be overseen by the Division of Schools.

#### **VIII. Definitions**

Within the context of these implementation procedures, the following definitions apply:

- A. Assessments/Testing – Psychological, educational, speech, language, or other professionally administered instruments considered by the Section 504 Team in making eligibility, accommodation, or reasonable modification determinations.
- B. Mitigating Measures – Devices or practices that a student uses to correct or reduce the effect of his/her mental or physical impairment.

## IX. History<sup>1</sup>

ADOPTED: October 14, 1999  
REVIEWED: February 24, 2022  
MODIFIED: December 5, 2022  
April 29, 2025  
REVISED: February 10, 2011  
April 14, 2016  
EFFECTIVE: April 29, 2025

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<sup>1</sup> Key: ***Adopted***-Original date the Board took action to approve a policy; ***Reviewed***-The date the status of a policy was assessed by the Superintendent's Standing Policy Group; ***Modified***-The date the Board took action to alter a policy that based on the recommendation of the Superintendent/designee did not require a comprehensive examination; ***Revised***-The date the Board took action on a that policy based on the recommendation of the Superintendent/designee needed a comprehensive examination; ***Effective***-The date a policy is implemented throughout the HCPSS, typically July 1 following Board action.