

Section 504 Scenarios

Read the following scenarios and answer the questions. Please send your responses to Jennifer.Slade@schools.utah.gov and I will provide feedback and answer any further questions that you may have. The scenarios have been developed based on current guidance from OCR

1. A 4th grade student diagnosed with Attention Deficient Hyperactivity Disorder (ADHD) and Post Traumatic Stress Disorder (PTSD), has a current Section 504 accommodations. The accommodations are to help the student with his behavior issues. The student was attending an afterschool program. The principal and teacher of the afterschool program decided to expel him from the program due to his behavior. Is this a violation of Section 504?

Yes/no, explain:

2. A student with diabetes has an Individual Health Plan (IHP) in place that provides for student to test blood sugar levels, give insulin injections and receive a snack if needed. Is this all the student needs or does it violate "Child Find" and/or Civil Rights of the child?

Yes/no, explain:

3. A parent brings a doctors diagnosis of Asperger's Syndrome for their child to the school counselor at school. Does the doctor's note automatically make the student eligible for a section 504 plan?

Yes/no, explain:

4. A student with a section 504 plan has had multiple behavior infractions for which they have been suspended. They are at 11 days of suspension overall. Has the school violated the student's Section 504 rights? If so what procedures should have been followed?

Explain:

5. The school has multiple students who are determined obese. Should all of those students be given a Section 504 plan based on operation of "major life activity" based on obesity being on a list of limiting disabilities?

Explain:

6. A student who has been struggling in school academically as well as demonstrating inappropriate behavior. The school has been using Response to Intervention (RTI) accommodations with no academic or behavior change. The parents have asked that their child be evaluated for IDEA/Section 504. The school refused to do the evaluation as requested by the parents of the student and continued with their previous interventions on the RTI plan? Is the student receiving Free Appropriate Public Education (FAPE) and is the school following Child Find regulations? If not what procedures should the school follow?

Explain:

7. There is a student attending your school, their grades have been continually dropping and behavior incidents have increased dramatically. Should this student be evaluated for IDEA/Section 504?

Why or why not? Explain: