

Glossary

(Terms Relative to Section 504 and IDEA)

ACCOMMODATIONS – Adjustments made by classroom teacher(s) and other school staff to enable the students to benefit from their education program. A plan should be developed outlining the accommodations.

BARRIER-FREE ENVIRONMENT – A school environment that contains no obstacles to accessibility and usability by students and other individuals with disabilities. Barriers can be physical and nonphysical.

CONTAGIOUS DISEASES PROTECTED UNDER SECTION 504 – Contagious diseases are those that can be transmitted from person to person. Examples are such diseases as AIDS, HIV, and tuberculosis.

DISABILITY – A “student with a disability” means: Any student who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such an impairment or is regarded as having such an impairment. 34 C.F.R. 104.3(j).

EQUAL ACCESS – Equal opportunity of a qualified person with a disability to participate in and benefit from educational aids, benefits, or services.

HEALTH CARE PLAN (HCP)-students needing medical and academic accommodations will be reviewed and individual HCP’s will be written in collaboration with families and medical consultants. When applicable, school nurses and 504 coordinator will share information to coordinate plans, ensuring all aspects of accommodation are met and aligned.

IMPARTIAL HEARING – A procedural safeguard that allows an impartial hearing with opportunity for participation by the student's parents or guardian, representation by counsel, and a review procedure. Recipient school districts are required to establish and implement procedural safeguards that include notice and an opportunity for parents to review relevant records.

INDIVIDUALS WITH DISABILITIES EDUCATION ACT – Federal special education law and regulations. Amended the Education for All Handicapped Children Act (P.L. 94-142).

LEAST RESTRICTIVE ENVIRONMENT (LRE) – Students with disabilities should be educated along with nondisabled students to the maximum extent appropriate to the

needs of the disabled students. This means that disabled students must be assigned to regular courses or classes if the students' needs can be met there.

MAJOR LIFE ACTIVITY – Functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

OFFICE FOR CIVIL RIGHTS (OCR) – Federal Agency having three primary responsibilities; investigating complaints, conducting compliance reviews, and providing technical assistance. The OCR office for Iowa is located at: Chicago Office, Office for Civil Rights, U.S. Department of Education, Citigroup Center, 500 W. Madison Street, Suite 1475, Chicago, IL 60661, Telephone: 312-730-1560, FAX: 312-730-1576; TDD: 877-521-2172.

PHYSICAL OR MENTAL IMPAIRMENT – (1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or (2) any mental or physical disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

The term “physical or mental impairment” includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction, and alcoholism.

PLACEMENT – Includes any accommodation or service that has been determined necessary for students eligible under Section 504.

PRE-ASSESSMENT TEAM – A group of individuals knowledgeable about the student who work together in trying modifications and accommodations to help assist the student to succeed in his/her educational program. Every effort should be made to keep the student in the regular education program. A referral is made for an evaluation after all efforts have failed.

PROGRAM ACCESSIBILITY – Each school district will ensure programs and activities are accessible to and usable by persons with disabilities. In many instances, programs and activities may be made accessible through slight modifications and/or adjustments in procedures, practices, and policies. In others, building renovation or construction may be required. But structural change is required only in instances where program accessibility cannot be achieved effectively through other means.

PROGRAM OR ACTIVITY – In the context of Section 504, this includes all operations of state and local agencies that receive federal funds. This includes colleges, universities, and/or school systems.

PUBLIC NOTICE – All school districts are required to provide public notice and internal notice (i.e., to staff and students) stating they do not discriminate on the basis of a disability, the name of the 504 coordinator, and procedural safeguards.

QUALIFIED STUDENT OR INDIVIDUAL – Any student or other individual who 1) has a physical or mental impairment which substantially limits one or more major life activities, 2) has a record of such an impairment, or 3) is regarded as having such an impairment.

REASONABLE ACCOMMODATION – This term is more accurately used in employment discrimination cases. A Free and Appropriate Public Education (FAPE) under Section 504 requires that individual needs are met as adequately as those of the nondisabled are met. School districts are required to make adjustments to allow for known physical or mental impairments of students, individuals, or employees with disabilities.

SECTION 504 The part of the Rehabilitation Act of 1973 that guarantees specific rights in federally funded programs and activities to people who qualify as disabled. Section 504 states: “No otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

SECTION 504 COORDINATOR – school districts employing 15 or more persons must assign a person to coordinate compliance with Section 504 regulations. It is recommended that all school districts appoint a Section 504 Coordinator. It is recommended that the same individual serve as the ADA/Equity Coordinator.

SELF-EVALUATION – Section 504 requires that federal fund recipients evaluate their programs, physical accessibility, and employment practices to determine the extent to which programs and activities require modification to ensure full participation by students with disabilities. These evaluations should be updated frequently.

TEMPORARY INJURY-a physical injury is handled as a temporary health condition for 6 months. Any disability transcending 6 months (6 months + 1 day) will be reviewed for a permanent 504 plan. Students will not be refused needed accommodations during the transition from a HCP to a 504.

TRANSITION PLAN – If a recipient determines that structural modifications are necessary to meet Section 504 program accessibility requirements, the school must develop a plan specifying the steps necessary to complete such changes and the time

frame for completion. The document containing these steps and a recipient's schedule for making structural changes is termed a "transition plan." This Transition Plan should not be confused with a "transition plan" under IDEA which outlines an individual student's transition goals and objectives on the IEP.

UNIFORM FEDERAL ACCESSIBILITY STANDARDS – Standards the federal government uses to meet Section 504's accessibility requirements for the design, construction and alteration of buildings.

UNDUE HARDSHIPS – An action requiring significant difficulty or expense. Factors that are considered include; number of employees, number and type of facilities, size of budget, and nature and cost of the accommodation. The OCR has determined that there is no financial standard for undue hardship for education.