

Essex County Vocational Schools
Section 504
Annual Publication of Notice to Parents/Guardians
Policy of Nondiscrimination on the Basis of Disability in Programs and Activities

1. Section 504 of the Rehabilitation Acts of 1973 is federal civil rights legislation for person with disabilities. The legislation is designed to prevent any form of discrimination based on disabilities.

Under Section 504, a person is considered to have a disability if that person

- 1) has a physical or mental impairment which **SUBSTANTIALLY LIMITS** one or more of such person's **MAJOR LIFE ACTIVITIES**
- 2) has a record of such impairment, or
- 3) is regarded as having such an impairment

The act defines **MAJOR LIFE ACTIVITY** as functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

Dual Eligibility: Many students will be eligible for educational services under both Section 504 and the Individuals with Disabilities Education Act (IDEA). Students who are eligible under the IDEA have many specific rights that are not available to students who are eligible solely under Section 504. "Parents Rights in Special Education" (P.R.I.S.E.) is a handbook prepared by the New Jersey Department of Education and is available through the school district's Special Education Department and sets out the rights assured by the IDEA. It is the purpose of this document to set out the rights assured by Section 504 to those disabled students who do not qualify under the IDEA.

If you as a staff member believe a child is eligible for Section 504 services:

1. Contact the principal to make a formal request for assistance. Be prepared to discuss the student's special needs, and how it is affecting one or more major life activities, or contact Dr. Michael Zelkowitz the Essex County Vocational Schools' 504 Compliance Officer, at (973)-412-2220 to receive 504 information and guidance concerning the district's 504 procedures.
2. Once you provide the necessary information, and after further investigation and assessment, a decision will be made about whether the student is eligible for Section 504 services. You will be asked to participate in the assessment(s) and determination of eligibility. You will be informed of the decision within 30 days of the determination.
3. If the student is eligible for Section 504 services, a 504 Accommodation Plan will be developed to insure implementation and documentation of services.
4. If the parent/guardian disagrees with the determination made by the district they have the right, under Section 504 to procedural safeguards. Section 504 regulations include but are not limited to the following rights for parents and students.
 - . right to be informed by the district of specific due process rights
 - . right for the child to have access to equal academic and non-academic school activities
 - . right for the child to have an appropriate education in the least restrictive setting, which includes accommodations, modifications and related services
 - . right to notice regarding referral, evaluation, and placement
 - . right for the child to have a fair evaluation conducted by a knowledgeable person(s)
 - . right to an administrative appeal process
 - . right to examine and obtain copies of all school records

