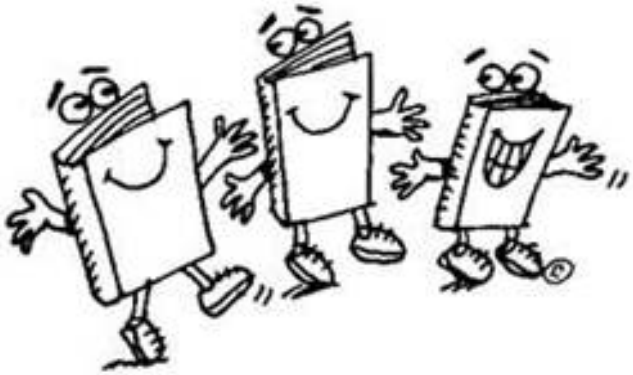
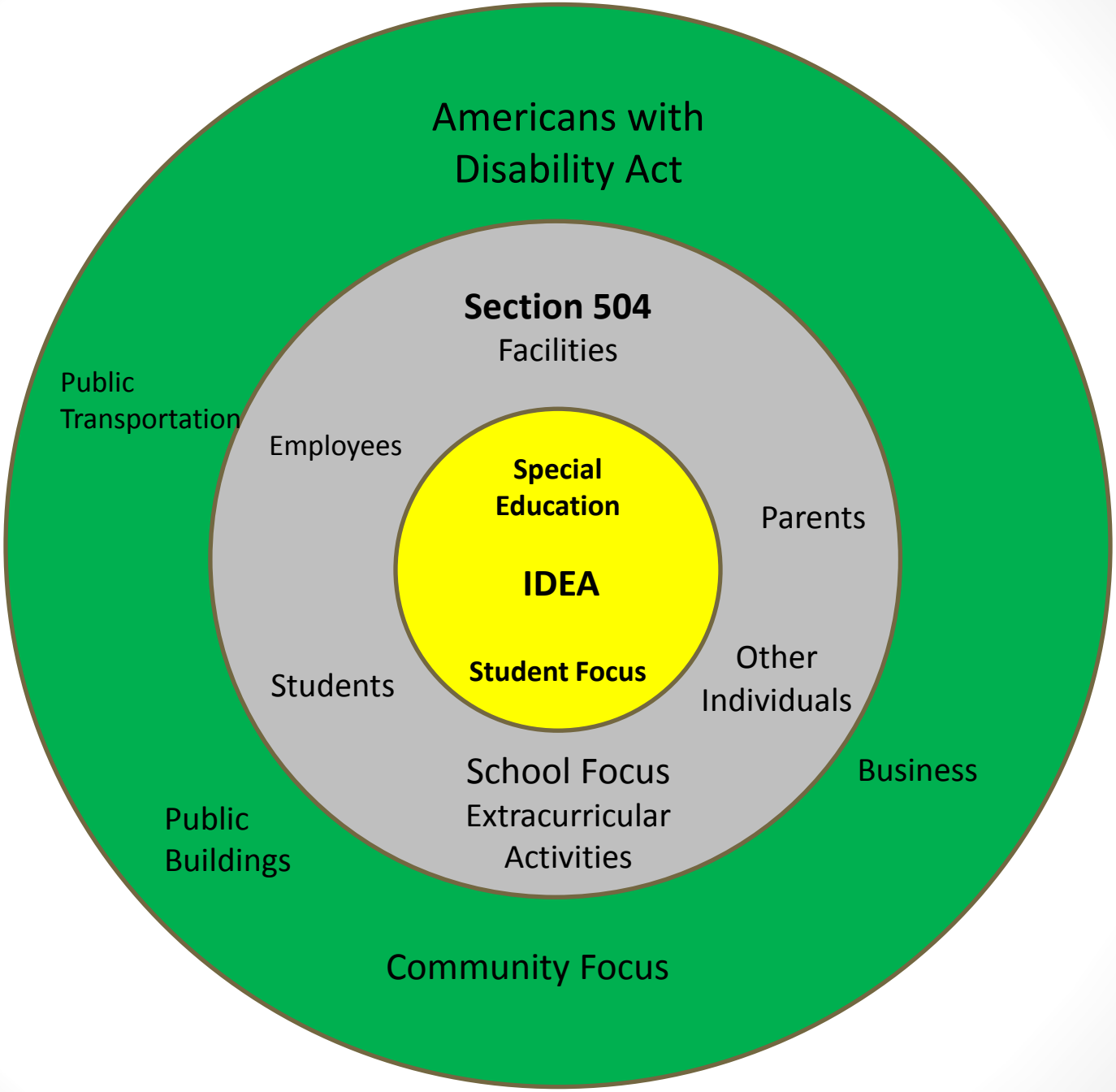
Utah State Office of Education Section 504 Training

2013

Utah State Office of Education
Educational Equity Section
Jennifer Slade, Education Specialist/Section 504 Monitoring Officer

What you need to know about Section 504




Americans with Disability Act
Section 504
Facilities
Public Transportation
Employees
Special Education
IDEA
Student Focus
Parents
Students
Other Individuals
School Focus
Extracurricular Activities
Business
Public Buildings
Community Focus

What are the parts of the Section 504 regulations?

- **Section 504 has several areas of particular importance for schools:**
  - Subpart B – Employment Practices
  - Subpart C – Program accessibility
  - ***Subpart D – Requirement for pre-school, elementary secondary education***
- ***Subpart E – Requirements for Post Secondary Education***

Is Section 504 funded like other federal programs?

- **NO**… There is no State or Federal funding provided to assist in complying with section 504.

- **All** costs are the obligation of the general school district/charter budget.

- **Many schools** have established a Section 504 line item in their general fund budget to cover necessary accommodations for individuals with disabilities.

Section 504 Requirements

- **Child Find:** 34 CFR 104.32 (a))], to identify, locate and evaluate children that might have a disability.

- **FAPE:** 34 CFR 104.33 (c) *Free education* -- (1) *General.* For the purpose of this section, the provision of a free education is the provision of educational and related services without cost to the handicapped person or to his or her parents or guardian, except for those fees that are imposed on non-handicapped persons or their parents or guardian. It may consist either of the provision of free services or, if a recipient places a handicapped person or refers such person for aid, benefits, or services not operated or provided by the recipient as its means of carrying out the requirements

How does Section 504 relate to Schools?

- Students in school settings fall under the protection of Section 504, which prohibits discrimination on the basis of disability from all school programs and activities in both public, charter and private schools receiving direct or indirect federal funding.

How does Section 504 relate to Schools?

- Section 504 is the other service option available to students with disabilities **who are not already eligible and receiving special education services under the eligibility requirements of the Individuals with Disabilities Education Act (IDEA).**

- Section 504 is designed to provide equal access and fairness in general education to students with disabilities, thereby **leveling the playing field** for them through what is known as a **Section 504 Accommodation Plan.**

- It is **NOT** a plan designed to enhance a student's performance. It is only a plan to provide **fairness and equal access** to education.

Who is Eligible under Section 504

- **The student is** *"disabled"* if (i) the student has a physical or mental impairment that substantially limits one or more major life activities, (ii) the student has a record of such impairment, or (iii) the student is regarded as having such an impairment.

34 CFR 104.3(j)(1)

- Most often an impairment with a duration of 6 months or less **is NOT** a disability, however obtain duration of the injury data from the doctor.
  - **Serve students with temporary injuries regardless of expected duration.**

Source: Section 504 Compliance Advisor, 10/2009

Who is eligible for a Section 504 Accommodation Plan?

- **A student is eligible for a Section 504 Accommodation Plan** if an evaluation shows that the student has a mental or physical impairment that substantially limits one or more major life activities- major bodily function and it impacts the student's education.
- **NO** medical diagnosis is required for Section 504 eligibility.
  - "Section 504 does not require that a school district conduct a medical assessment of a student who has or is suspected of having ADHD unless the district determines it is necessary in order to determine if the student has a disability."

Williamson County (TN) Sch. Dist., 32 IDELR261 (OCR 2000).

List of Substantially Limiting Disabilities

- **List Includes: (list is non-exhaustive, meaning it can be added to)**
  - Autism, Cancer, Cerebral Palsy, Diabetes, Epilepsy, HIV & Aids, Attention Deficit Disorder, Attention Deficit Hyperactivity Disorder, **Central Auditory Processing Disorder**, **Obesity,** Multiple Sclerosis, Muscular Dystrophy, Major Depression, Bipolar disorder, Post-traumatic Stress disorder, and Schizophrenia *(Obesity is different because it affect each individual differently, some individuals may be very limited by their impairment while it may not affect others.)*

➢ **Likely but NOT obviously** *"Substantially Limiting":* Reaching, sitting, interacting with others, hemic, lymphatic, & musculoskeletal systems

List of Substantially Limiting Disabilities

- **Major Life Activities: (42 U. S. C. 12102) In general (A) major life activities include, but are not limited to,** Caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending speaking, breathing, learning, reading, concentrating, thinking, communicating & working.

- *(B)* **Major bodily functions: a major life activity also includes the operation of a major bodily function, including but not limited to**, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. *(ADA amendments act update, 1-8-2010)*

Students who are obese may qualify for Section 504

- Determine whether Obesity impacts major life activity
- Do not provide accommodations that worsen obesity
  - Instead of giving them a key to the elevator, give them extended passing time so they can use the stairs
  - Encourage teachers to not use food as an incentive
  - Schools/Districts should encourage activity through recess or PE
- Be aware of physical and mental health risks-i.e. diabetes and heart problems.
- Also be aware of tendency for students who are obese to be bullied

Adapted from Section 504 compliance advisor, vol. 16 Iss.9, p.4

Section 504 Evaluation, What information should you consider?

- You may choose to use the same process to evaluate students for Section 504 as students are evaluated for IDEA.
- Tests used for a Section 504 evaluation should be selected so the test results accurately reflect the student's aptitude or achievement.
- The 504 team should draw information from a variety of sources. All sources must be documented and significant factors to the students learning must be documented.
- The sources and factors may include aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background and adaptive behavior.

Who Makes Up a Section 504 Team?

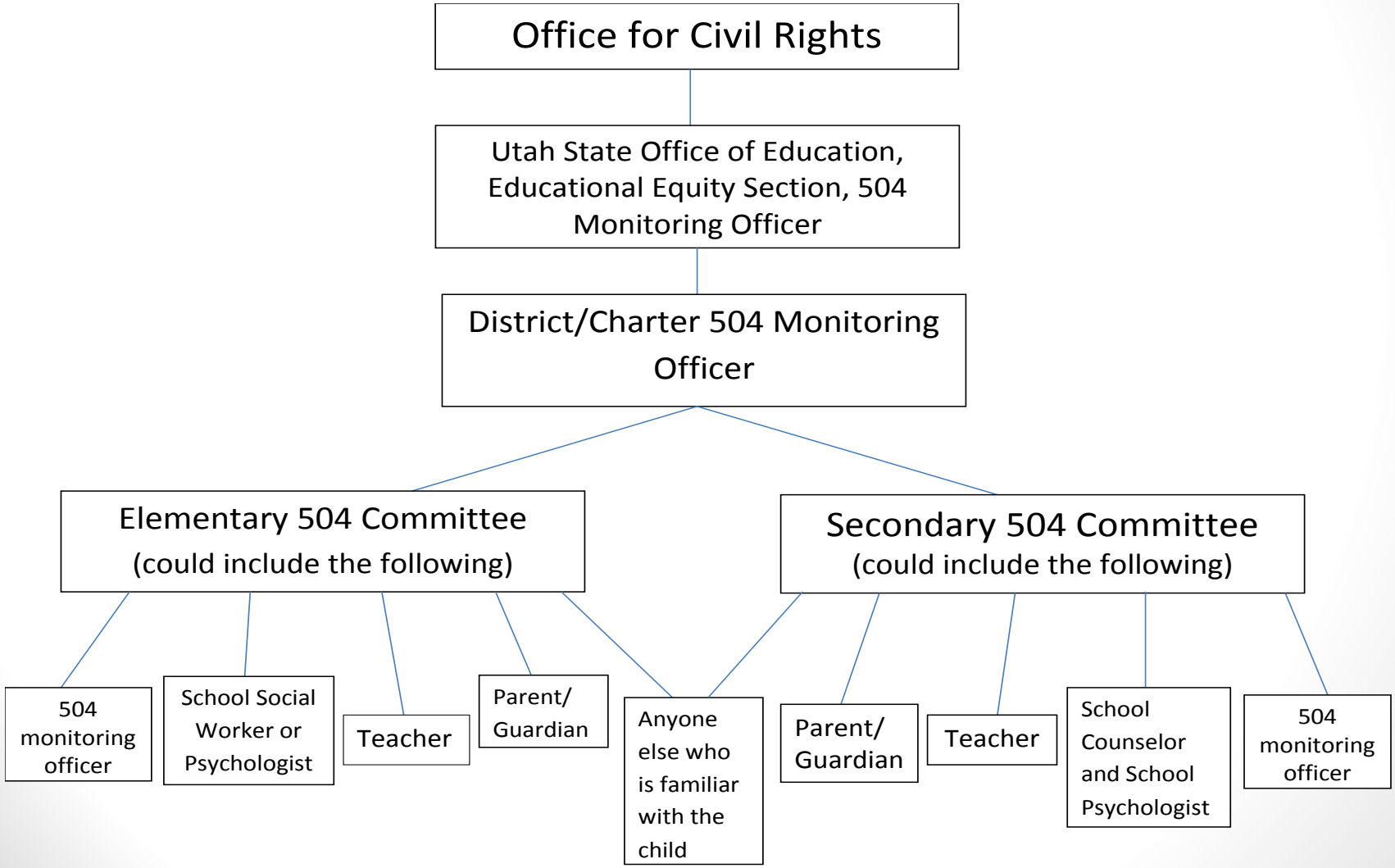
- **Responsibility for considering and developing a section 504 Accommodation Plan** consists of a core group that includes the school; *principal or administrator, referring and/or classroom teacher, school counselor, and parent – virtually the same as the core members of EIT*.

- **Every person on the team should be knowledgeable** or *"personally familiar with the child"*

- **The appropriate Team members must be able to correctly interpret data and accurately explain data findings** to other team members and parents.

- **Evaluation and Placement Decisions** made by anyone other than the appropriate IEP team or Section 504 Committee are in violation of *34 CFR 104.35(c).*

Section 504 Flow Chart



Streamline your Section 504 meetings

- Have a designated school based 504 contact
- Staff should be trained on how to plan 504 meetings.
- Slow down meeting and take time to analyze all information.
- Encourage staff to follow up with team members not in attendance.
- Staff should be prepared for unexpected.
- Designate a school based contact for 504.
- Give 504 updates to school personnel.
- Bring evaluations and 504 forms to the meeting.

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Streamline your Section 504 meetings

- Give the parents legal and regulatory information.
- Invite all school staff with knowledge of the student as well as the LEA and parents.
- Coordinate the 504 accommodation plan.
- Contact the principal and district coordinator regarding unresolved issues.

Although a school based 504 monitor is not required by law, they can;

- Provide yearly 504 updates to the staff
- Compile and bring evaluations and forms to the meeting

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Ensure a highly effective and productive 504 meeting

- Train staff how to plan a 504 meeting.
- Review 504 guidelines on who should attend the meeting.
- Send a notice of meeting to parents and staff.
- If parents cannot attend suggest they attend through phone conference or video conferencing.
- Encourage parents to bring a prioritized list to meeting.

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Ensure a highly effective and productive 504 meeting

- Also, encourage them to give you evaluations and other information prior to the meeting.
- Review evaluation data and have all forms, data, student work samples and any other resources ready for the meeting.
- Make sure staff knows they are to attend the entire meeting.
- Prepare a meeting agenda

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Slow down, Give "due diligence" the student information deserves

- Introduce the meeting participants
- Pass out the meeting agenda
- State the meeting time limit
- Give the purpose of the meeting
- Review the pertinent regulations, such as; eligibility, selection of accommodations and services.
- Gather and discuss evaluations
- Allow parents to share information
- Provide "Procedural Safeguards"

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Parents at Section 504 Meeting

- At the 504 planning meeting, eligibility, denial of services or developing a 504 plan: Parents should be given the opportunity to examine “relevant records”. Which include evaluation results, test results, teacher’s input, and any other information used to determine students eligibility.

Determining 504 Accommodations

- Require only what student needs
- **Write out the accommodation(s)** rather than create a check list
- Remember accommodations should relate back to the data
- Annual review of 504 plan is “best practice” (do not continue plan if student no longer needs it. If student is moving to new school, just make them aware of previous plan.)

Remember: Section 504 requires a level playing field for students with disabilities, not an unfair advantage.

Follow up with team members not in attendance.

- Share what happened at the meeting
- Encourage parents to contact the school staff with any concerns.
- The 504 meeting can be reconvened at the request of a parent or school staff.
- If a 504 accommodation plan was developed, provide necessary instructions for responsible teachers.
- Monitor the implementation of the plan.

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Section 504 Plan Implementation

- Design a process that ensures quick delivery and understanding.
- Revise parts and vocabulary of plan if not understood.
- Provide supervision to see if student is successful. If not determine IDEA eligibility.
- Get principal involved incase teacher(s) refuse to implement plan, principal can ensure the plan is followed.

Prepare for the unexpected

- Make sure staff knows that parents have the right to invite others to the meeting
- If parents bring an attorney to the meeting, the chair of the meeting can decide to continue with the meeting or adjourn the meeting and reconvene when a district attorney can be in attendance.
- If parents bring an evaluation the school staff have not seen, they should accept the evaluation. The meeting may need to be adjourned so the staff can have time to review the new information.

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Section 504 Do's and Don'ts

- Common Identification
  - Must have physical or mental impairment that substantially limits a life activity.
- Over Identification
  - Eliminate: attendance, transiency, limited English proficient (LEP), and effects of Divorce, illness etc.
- Focus on students struggles:
  - If no physical or mental impairment, do not qualify
- Must substantially limit:
  - Caring for one's self,
  - Performing manual task,
  - Walking, seeing, hearing, speaking, breathing and learning,
  - Impacts core part of major life of student activity.

Notices Required for Section 504

- General non-description notice
- Annual Child Find/504 duties notification
- Procedural Safeguards
  - Notice of and participation in Section 504 conference
  - Notice of Section 504 evaluation and re-evaluation
  - Notice of Section 504 evaluation and eligibility decisions
  - Notice of Section 504 plan (accommodations, modifications, service placement)
  - Notice of termination of Section 504 eligibility or services
  - Notice of right to due process.

(District or school letter head here)

Section 504
Prior Written Notice
(check all boxes that apply)

Students Name:_____ Date of Birth:_____ Student #:_____
School: _____ District:_____

□ **Evaluation:**
Your child will be evaluated for Section 504 accommodations based on all available evidence. i.e. medical information, state test, teacher evaluation, observations, attendance and any other available information

□ **Implement Accommodations:**
A Section 504 accommodation plan has been developed based on _____which substantially limits life activities which includes access to the school curriculum.

□ **Reevaluation:**
Annually each student qualifying for a Section 504 accommodation plan is reevaluated to assess current student needs. Their Section 504 plan will then be revised or changed according to their current needs.

□ **Exited from Section 504:**
If student no longer qualifies based on a disability which substantially limits life activities they will be exited from Section 504 status.

□ **LEA Decision to not initiate or change Section 504 status:**
LEA will not initiate or change your child's Section 504 at this time.

LEA/504 Monitor's signature_____

Parent/Guardian(s) signature_____

* See Section 504 **Procedural Safeguards** for students/parents' rights (34 C.F.R. Section 104.36)

Mitigating Measures

- **Can the District/Charter school refuse services based on mitigating factors?**

  Decisions to provide services ***must*** be made with ***disregard*** for mitigating factors.

- **ADA List of Mitigating factors:**

- medication
- Medical supplies, equipment or appliances
- Low-vision devices(*which do not include ordinary eyeglasses or contact lenses*);
- Prosthetics
- Hearing aids or implants
- Mobility devices
- Oxygen therapy equipment
- The use of assistive technology and
- Learned behavioral or adaptive neurological modifications
- Surgical intervention (EEOC expanded ADA list by adding)

What steps to take when identifying students who use mitigating measures

- Determine what the evaluation triggers are for students who use mitigating measures.
- Focus data collection on how the student performed prior to using mitigating measures
- Interview parent to get their perspective

What steps to take when identifying students who use mitigating measures

- Get permission to talk to child's doctor
  - Question you might ask;

    1. How long have you treated the child?
    2. What were they treated for?
    3. If an impairment was found how does it effect the child’s learning, thinking ,and reading as well as interaction with others?
    4. Are you more concerned about this child than for the average non-disabled student?

What steps to take when identifying students who use mitigating measures

- If the student is new to your school, contact the previous school to expedite school records

  - Speak to the students previous teacher and ask the following:
    1. Did the student begin taking medication while in your class?
    2. If so, what changes occurred prior to and after medication began?
    3. Did the student have trouble with learning and concentrating more than the average non-disabled student?

What steps to take when identifying students who use mitigating measures

- 4. Did students behavior or academics exhibit “red flags” before he/she used a mitigating measure?
  - (If not they may not be eligible for a Section 504 accommodation plan)

❖ Parents should be provided with an eligibility notice whether they qualify or not and have the opportunity to review any information used in determining eligibility.

Adapted from Section 504 compliance advisor, vol. 16, Iss. 3, pg. 3

Mitigating Measures

- EEOC states: “ if a mitigating measure eliminates or reduces the symptoms or impact of an impairment, that fact cannot be used in determining if a person meets the definition of disability. Instead, the determination of disability must focus on whether the individual would be substantially limited in performing a major life activity without the mitigating measure.”

How significant is the disability, is it substantially limiting?

- **Common definition of substantial limitation**
  - If it substantially ***limits*** the ability of an individual to perform to a major life activity" compared to the average person in the general population

- **Educators must** rigorously review and discuss all available information in regards to the student. Resources consist of current academic status, behavioral performance, progress monitoring, classrooms assessments, work samples, student's progress reports, and school history such as attendance, transiency, students CRT results and/or a medical diagnosis. (Sraga Hauser LLC, © 2011)

How to avoid over-identification

1. Adhere strictly to eligibility criteria
2. Resist pressure to over identify
3. Educate parents and staff
4. Access and utilize medical data.
   - Get permission to speak to Dr. directly not through the parents/guardians interpretation.
5. A medical diagnosis does not automatically give access to 504
6. The same impairment does not effect everyone the same
7. A child on medication itself does not automatically give eligibility

Can a parent elect to have their child served by Section 504, when they are eligible for IDEA?

- **No**, although some parents wish to not have their child labeled as special education recipient. OCR has stated in no uncertain terms that parents have no such flexibility. In a letter to McKethan, 25 IDELR 295 (OCR 1996) OCR stated that it is impermissible for a student's parent to refuse IDEA and require the district to develop an IEP under Section 5o4. A rejection of IDEA is a rejection of Section 504. Also a district has no flexibility to opt to provide services and accommodations under Section 504 when the student is IDEA eligible. Yankton Sch. Dist. V. Schramm, 24 IDELR 704 (8th Cir. 1996)

2012 Circuit Court Decision

- A student cannot be served under Section 504 if the parent/guardian chooses to revoke services under IDEA based on the IDEA Part B regulations 2008. A recent court case Lamkin v. Lone Jack C-6 School District, 58 IDELR 197 (W.D. Mo.2012), takes the position that parents who revoke consent for special education services are also revoking consent for services under Section 504.
  - *Adapted from Section 504 compliance advisor, vol. 16 Iss. 4, p 3*

What if parents revoke their child's right to IDEA/Section 504?

- After receiving written notification of revocation of consent from parents, school must provide prior written notice to parents before stopping special education and related services.
- Martin states: "I tell clients in revocation of consent situations to go a step further and tell parents what services their child will be missing out on if they revoke consent"
- They should be aware of the potential repercussions such as;
  - Lower over all achievement
  - Lack of progress in physical functioning
  - Failure to meet grade-level
  - Curriculum standards

- *Adapted from Section 504 compliance advisor, vol. 16 Iss. 4, p 3*

What if parents revoke their child's right to IDEA/Section 504?

(Continued)

- Also, parents need to know if they revoke IDEA, they are not automatically entitled to a Section 504.
- They need to understand that the district/charter school is not obligated to develop a 504 plan if they revoke IDEA.
- Do not try to force a parent to continue special education services for their child

- *Adapted from Section 504 compliance advisor, vol. 16 Iss. 4, p 3*

What if parents revoke their child's right to IDEA/Section 504?
(Continued)

- If parent(s)/guardian(s) revoke their child's IDEA/Section 504 services, the child is to be treated just like a regular education student who is struggling.
- The school should monitor and evaluate and let parents know how their child is doing.
- Let the parents know they can ask for their child to be evaluated and placed back in IDEA/Section 504 if they qualify.

Adapted from Section 504 compliance advisor, vol. 16 Iss. 4, p 3

Section 504 Qualifying Scenario

- Group Activity
  - Read the scenario
  - Determine if the student should qualify for Section 504.
    - Is there enough information/data to demonstrate the student has a disability that affects a major life activity such as having an effect on accessing the curriculum, navigating the school building etc.

Why Procedural Safeguards for a 504 Plan

- The Office for Civil Right is the agency responsible for the enforcement of Section 504 in programs and activities the receive federal financial assistance from the US Department of Education, including but not limited to public school districts.

- The OCR does not review all 504 plans as long as a school district complies with the Procedural requirements of Section 504.

Section 504 procedural safeguards (34 C.F.R. Section 104.36)

- Procedural Safeguards should include:
  - Notice,
  - An opportunity for parents/guardians to examine relevant records,
  - An impartial hearing with opportunity for participation by person's parents/guardian and representation by counsel, and
  - A review process

Give notice of section 504 evaluation and re-evaluation decisions

- "When a district, through a student study team (SST) or a similar process, decides to deny a parent request for an evaluation, the district must tell the parents of the decision and how to appeal it under Section 504. *Las Virgenes (CA) Unified Sch. Dist., 55 IDELR 83 (OCR 2010)*

What should your Due Process Include?

- Notice of the procedures, including where complaints may be filed.
- Indicate that it applies to complaints by employees, students, and third parties.
- Procedures should provide for adequate, reliable and impartial investigation of complaints, including the opportunity to present witnesses and other evidence.
- There should be reasonably prompt time frames for the major stages of the complaint process.
- Procedures should provide for notice to be given to the parties regarding the outcome of the complaint.

What should your Due Process Include?

(continued)

- Provide an assurance that the school will take steps to prevent reoccurrence of any harassment and to correct discriminatory effects of the harassment on the complainant and others , if appropriate.
- Procedures should include a provision advising that retaliation against any individual who files a complaint or participates in the grievance procedure is prohibited.
- The complainant should be given a notice of the right to end the informal process and any time and begin the formal stage of the complaint process. *(Sraga Hauser, LLC ©2011)*
- A district must not only respond to a written complaint but also verbal complaints. *(Berlin (NH) Pub. Schs., 54 IDELR 205 (OCR 2009)*

Health Plan vs. Section 504 Plan

- Even if you think a child just needs a health plan to meet their needs, a Section 504 evaluation should be considered.
- If they qualify for section 504 and health plan complete them separately.
- OCR determined that a district's practice of providing health care plans to student with diabetes, instead of determining their eligibility for a 504 plan, was a violation of Section 504 child find requirements. Districts must evaluate a student's eligibility for a section 504 and related aids and services, rather than automatically writing a health care plan. *Tyler (TX) Indep. Sch. Dist., 56 IDELR 24 (OCR 2010)*

Health Plan vs. Section 504 Plan

- A district in Tennessee was found lax in not evaluating students with health plans for further special services such as Section 504 and IDEA.
- It was found that a district may not forgo evaluating a student with Asthma, food allergies, diabetes, or other health issues.
- If there is reason to suspect and student might need special education or related services, a determination must be made for Section 504 services and provided procedural safeguards.

Health Plan vs. Section 504 Plan

Agreed upon corrective action

- Have a policy to send pertinent information to the school nurse when student registers.
- The nurse immediately determines if the student needs more services than a health plan.
- If the **nurse** does determine an evaluation occur, **she/he** meets with other appropriate school or district staff, and parent (best practice) to determine if a Section 504 or IDEA evaluation are needed.

Memphis City (TN) Sch. Dist., 112 LRP 26130 (OCR 04/23/12)

Students with Section 504 plan are protected when involved in any program paid for with federal funds

- "No otherwise qualified individual with a disability shall solely by reason of her or his disability, be excluded from the participation in or be denied the benefits of, or be subjected to discrimination under **any** program or activity receiving Federal financial assistance….."
- U.S. Department of Education (ED). Section 504

Manifestation Determination Office of Civil Rights (OCR) case

- A student with ADHD allegedly punched a counselor. The principal suspended the student for 10 days and referred him to the review committee for possible expulsion. He was expelled and placed in a alternative setting. His parents filed a complaint with OCR because the school district did not determine whether the student conduct was a manifestation of his disability. The OCR determined that the district had violated Section 504 when it expelled a 7th grader with ADHD without conducting a manifestation determination. (*Springfield Sch. Dist. # 186, 55 IDELR 206 June 29, 2010)*

NEBO SCHOOL DISTRICT

SECTION 504 MANIFESTATION DETERMINATION

Student Name: _____ **School:** _____
Date of Birth: _____ **Student No.:** _____ **Grade Level:** _____

Date of Current 504 Plan: _____

Date of Manifestation Determination: _____

Describe the behavior or incident that is subject to disciplinary action:

What relevant evaluation and diagnostic information describes the student's disability?

What accommodations or services are indicated on the current Section 504 Plan?

Check the following statements that the 504 Team determines to be true:

Yes	No	
☐	☐	The 504 Team has reviewed and considered all of the above information.
☐	☐	The 504 Plan is appropriate for the student.
☐	☐	All of the accommodations/services on the 504 Plan have been provided.
☐	☐	The student's disability does not impair his/her ability to control the misbehavior.
☐	☐	The student's disability does not impair his/her ability to understand the consequences of the misbehavior.

All boxes must be checked "Yes" in order for it to not be a manifestation. If any answer is checked "No," the student's behavior is a manifestation.

Check the following statement that the 504 Team determines to be true:
____ The current behavior under consideration **IS** a manifestation of the student's disability.
____ The current behavior under consideration **IS NOT** a manifestation of the student's disability.

504 Team Participants:

_____ _____

_____ _____

_____ _____

_____ _____

What constitutes a significant change in placement?

- OCR policy states, “that when the exclusion of a child with a disability is permanent (expulsion), or for an indefinite period, or for more than 10 consecutive school days each or fewer in duration may create a pattern of exclusion that constitutes a significant change in placement. The determination of whether the series of suspensions creates a pattern of exclusions that constitutes a significant change in placement must be made on a case-by-case basis.”

How to avoid Section 504 complaints related to athletic tryouts

- Coaches should keep documentation on all students. (Skill set and demonstration of skill set)
- Review polices and eliminate discriminatory policies that may relate to tryouts.
- Parents and students should be notified of the date of tryouts early so they can ask questions and request accommodations for their student.
- Accommodations for tryouts/extra-curricular activities should be discussed at the Section 504 accommodation planning meeting. Ask what activities student might be interested in and what accommodations that would be needed for those activities.

Adapted from Section 504 compliance advisor, vol. 16, Iss. 3, p 6.

How to avoid Section 504 complaints related to athletic tryouts continued

- Accommodations for tryouts/extra-curricular activities should be discussed at the Section 504 accommodation planning meeting. Ask what activities student might be interested in and what accommodations that would be needed for those activities.

Adapted from Section 504 compliance advisor, vol. 16, Iss. 3, p 6.

Group Activity

- Read the Section 504 scenario with your small group.
- Then develop a response through a group discussion
- Designate a spoke person for your group to share whole group

Caution

- Remember to follow FERPA at 34 CFR 99.30. guidelines when dealing with discipline issues with students' who have a Section 504 plan.
- It reads, "personally identifiable information from an education record to appropriate parties including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals.

FYI: Federal Laws Regarding Discrimination

- Title VI prohibits discrimination or harassment on the basis of ***race, color, and national origin***
- Title IX prohibits discrimination or harassment on the basis of ***sex***
- Title II and Sec. 504 of the Rehabilitation Act prohibit discrimination or harassment on the basis of a ***disability***

This means…

- If the abusive behavior is on the basis of ***race, color, national origin, sex, or disability***, and creates a ***hostile environment***, a school is obligated to respond in accordance with the applicable federal civil rights statutes and regulations enforced by OCR.

Dear Colleague Letter October 2010

- Official statement from the department of Education
- Responding to increase in bullying awareness, and misconceptions about discriminatory harassment
- Outlines classes protected from discrimination

OCR regulations

- A school's responsibility is to:
  - Eliminate the hostile environment created by the harassment,
  - Address its effects, and
  - Take steps to ensure that harassment does not recur.
- Put differently, the unique effects of discriminatory harassment may demand a different response than would other types of bullying.

How should the school/district respond?

- Immediately
- By taking appropriate action
  - Steps taken will vary based on the allegations, source of complaint, age of the student(s) involved, size and administrative structure of the school, and other factors. *In all cases, the inquiry should be prompt, thorough, and impartial*

Questions?

Contact Information

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