

**Special Education Fact Sheet**  
**Section 504 Accommodation Plans & Charter Schools**

**What is Section 504?**

Section 504 of the Rehabilitation Act of 1973 (Section 504 or §504) is a federal law designed to protect the rights of individuals with disabilities in any program or activity that receives federal financial assistance.

**What makes a person eligible for Section 504 protections?**

Section 504 is very broad. For a student to be eligible, s/he need only have a physical or mental impairment that “substantially limits one or more major life activities,” as determined by the “504 team.” For more information on what disabilities may fall under this scope, see NYLPI’s [Section 504 Accommodation Plan factsheet](#).

**Does Section 504 apply to charter schools?**

Yes. Section 504 applies to New York City public schools and charter schools.

**What if my charter says they receive funding only from local or state agencies, and not directly from the federal government?**

Section 504 still applies. Indirect federal financial assistance through a local or state educational agency counts as federal financial assistance for the purposes of Section 504.

**What does Section 504 actually require of my charter school?**

Section 504 focuses on nondiscrimination and a free appropriate public education (FAPE). Under Section 504, charter schools must provide assistance that will ensure students with disabilities an equal opportunity to participate in school services and activities. This is called providing Section 504 accommodations. Parents with disabilities may also qualify for Section 504 accommodations so that they can effectively participate in their child’s education.

**What types of school operations does Section 504 apply to?**

Because it focuses on nondiscrimination and the provision of a FAPE, Section 504 can extend to many areas including educational services and testing, extracurricular activities (for example, participating in sports, clubs, or school trips), making buildings and technology more accessible, and disciplinary measures. These are simply examples provided to make you aware that Section 504 is not limited to purely academic supports.

**What should a charter school have in place to help me seek Section 504 accommodations?**

A Charter School should be able to point you to their Section 504 Coordinator. This is a person who should be knowledgeable about the Charter School’s Section 504 responsibilities as well as its policies and procedures regarding Section 504.

**How do I request Section 504 accommodations?**

If you believe you or your child might need an accommodation, you should submit a request for accommodations in writing to the Section 504 Coordinator. You may also need to submit documentation from your child's medical provider.

**What happens after I make a request?**

Within 30 days of receiving your written request, the Section 504 Coordinator should put together a "504 team" and schedule an assessment meeting. The Coordinator will contact you to arrange a mutually agreeable time and place for the meeting, and provide written notice of the meeting. If, after receiving notice, you do not attend the meeting, the team may decide issues related to accommodations without your participation, but to implement a plan, they require your consent. For more information on the 504 Team, of which you should be a member, see NYLPI's [Section 504 Accommodation Plan factsheet](#).

**What happens if the 504 team finds my child eligible for Section 504 accommodations? Will I get accommodations right away?**

It depends. If the Team determines that your child has a disability under Section 504 that also affects his/her learning, the Team will refer the student to the Committee on Special Education (CSE), who will evaluate your child for special education services. If your child's Section 504 needs do not affect his/her learning, the 504 Team will still need to develop a plan to ensure that programs and services are fully accessible to a child. This plan will then be reviewed annually.

**What could this plan look like?**

It depends. A child's services will depend on his or her individual needs. Here are some examples of services and accommodations a child may receive:

- transportation
- speech and language services
- computer-aided instruction
- adapted software
- behavior support
- administration of medication
- assigned readers or interpreters

A school might also be able to make programs or services accessible simply by holding classes or other programs in places that are physically accessible, redesigning equipment used in academic and non-academic programs, providing an individual aide, or changing existing facilities.

**What if I or my child are not found eligible for Section 504 accommodations?**

You can file a written complaint seeking review by the Network Health Liaison or you can immediately file for due process hearing. For more information on this, see NYLPI's [Section 504 Accommodation Plan factsheet](#).

## **TIPS**

- **Keep a notebook**
  - Record all phone conversations and in-person conferences and meetings
  - Keep all the papers you received from the DOE
  - Keep letters and envelopes
  - If documents are not dated, note the date you received the document on the back of the document or envelope
- **Send all communications by certified mail or hand deliver them, asking the receiver to initial and date your copy**
- **Always**
  - Keep a copy of everything you give to the DOE
  - take the name of the DOE person you're dealing with
    - If you can, get title, office, and detailed contact information
    - write it all down for future use
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**THIS FACT SHEET GIVES ONLY GENERAL INFORMATION. IT IS NOT LEGAL  
ADVICE.**