

Section 504, COVID-19 and More with Perry Zirkel

Expand your knowledge of Section 504!

Two Programs on March 2 & 3

Presenter: Perry A. Zirkel, Lehigh University Professor Emeritus of Education & Law

Audience: General and Special Education Teachers and Administrators, School Counselors, and Student Support Services Professionals

Program One: The Basics

March 2

9am-12pm

\$75

This three-hour virtual program, intended for but not limited to novice 504 coordinators, focuses on the basic building blocks of an effective school program for students in relation to Section 504 and its sister statute, the Americans with Disabilities Act (ADA). The questions it will address include the following:

- What are the key differences between Section 504, the ADA, and the Individuals with Disabilities Education Act (IDEA)
- What is the required grievance procedure?
- What are the latest student eligibility standards?
- What are the reasons for avoiding under- or over-identification?
- What are the required elements of the procedural safeguards notice?
- What are the practical recommendations for 504 plans?
- What are the alternative avenues for enforcement?

This session will also include illustrative forms, recommended procedures, and ample opportunity for Q-and-A.

[Register for Program 1](#)

Program Two: The Nuances: Including but not Limited to Experienced 504 Coordinators

March 3

9am-12pm

\$75

This 3 hour virtual program scheduled for September 23, 2021 intended for but not limited to experienced 504 coordinators, focuses on addressing the latest, more nuanced legal issues under Section 504 and the Americans with Disabilities Act (ADA) for: (1) students who are not also covered by the IDEA (i.e., "504-only") and (2) students also covered by the IDEA (i.e., "double-covered").

In the "504-only" context, this program covers:

- Does Child Find apply under Section 504?
- What revisions did the Department of Justice's September 2016 regulations make to the Section 504 eligibility standard?
- What is the current operational meaning of "substantial" limitation, including, for example, its application to students with concussions or student with "long" COVID-19?
- Is determination of the contents of a 504 plan with or without mitigating measures?
- Are some students only technically eligible under Section 504?
- How can a 504 coordinator say "No" in a way that is both legally and educationally effective to the parents of the student who is not eligible for a 504 plan?
- Are students entitled to special education as part of a 504 plan?
- What is the courts' standard and trend for "appropriate" 504 plans? Post-pandemic, are students on 504 plans entitled to "compensatory services" upon resumption of full in-person learning?
- What are the current differences between the Office for Civil Rights (OCR) and the courts in applying Section 504/ADA?
- Does compliance with IDEA requirements automatically fulfill the corresponding requirements under Section 504/ADA?
- Are parents required to "exhaust" the step of a due process hearing under (a) the IDEA or (b) Section 504 before filing suit in court?
- What has been the trend in judicial rulings for claims specific to (a) service animals, (b) bullying, (c) CART, and (d) retaliation?
- Are individual school employees, such as teachers and Section 504 coordinators, subject to liability under Section 504/ADA?
- What is the prevailing standard for district liability under Section 504/ADA?
- Are students under IEPs entitled to rights under Section 504 beyond those provided under the IDEA?

Register for Program 2