

New Mexico Section 504 Training



Tip Sheet Related Services under Section 504

Schools must provide related services, as necessary, to students who are identified for Section 504. (See 34 CFR 104.33(b).) Unlike the IDEA, there is no educational need component in Section 504 in order to be eligible for related services. So the only “service” a student identified under Section 504 may need is a related service.

What is a Related Service?

Related service means a service to a student with a disability that he or she need to benefit from and/or access a school’s education program. For example, ones that without the service, the student with a disability would not be able to attend school, achieve passing grades, or advance from grade to grade. Related services include, but are not limited to, these:

- School health services
- Counseling/social work services
- Transportation
- Audiology services
- Speech-language services
- Physical and occupational therapy
- Psychological/behavioral services
- Assistive technology device and/or service
- Orientation and mobility services

Is an Evaluation Needed?

Yes. When the school suspects that a student with a disability under Section 504 needs related services in the school setting, then it must conduct a relevant and appropriate evaluation. The evaluation must take place before the school takes any action with regard to related services. The evaluation requires written parental consent.

Then What?

When the evaluation is complete, the student’s Section 504 team meets to review all relevant data from a variety of sources and determine if the student needs the related service. Parental consent is needed before beginning the service. The student’s Section 504 Plan, which may include related services, is monitored and reviewed at least annually, sooner if needed.

How are the Related Services Delivered?

Generally there are two basic kinds of service delivery as follows:

1. **Direct**—hands on, face-to-face with the service provider; individual or small group sessions
2. **Indirect**—teaching, on-going training, and/or consulting with school staff/parents to carry out and monitor therapeutic activities

The student's Section 504 Team determines the frequency, duration, and location of the related services on a case-by-case basis. In some cases, a student might receive both direct and indirect services.

Who Pays for Related Services under Section 504?

The district or the school. There is no state or federal funding provided to assist in complying with Section 504. All costs are the obligation of the general school or district budget. Many districts or schools have established a Section 504 line item in their general fund budget to cover necessary evaluations, accommodations, and related services for individuals with disabilities. Districts and schools may provide the services through their own personnel resources, or they may contract with another public or private agency.



Scenarios

- Laurette is a 6th grader with a hearing impairment. She does not require special education, but has been identified under Section 504. As one of the accommodations in her Section 504 plan, Laurette's teacher uses an FM auditory trainer system which transmits the sound of the teacher's voice through a lapel microphone directly to Laurette's single hearing aid. This amplifies the teacher's voice and reduces classroom background noise. The 504 plan also includes audiology services. The school's audiologist periodically provides indirect service by consulting with the teacher and Laurette, as well as checking the batteries and the settings of the system.
- Wells is a 2nd grader with an orthopedic impairment and identified under Section 504. In addition to direct physical therapy, his Section 504 plan provides assistive technology (AT) services. The district's AT carpenter/technician adapts Well's desk chair to add extra cushioning and custom armrests to accommodate his ability to stay balanced while sitting in the chair. He also adapts Well's desk to provide a tilted work surface.