

SECTION 504/ADA COORDINATOR

Background

Under Section 504 of the Rehabilitation Act of 1973, each school district that receives federal financial assistance must designate at least one employee to coordinate the district's compliance with its responsibilities under Section 504. If a district has 50 or more employees, it must also designate at least one employee to coordinate the district's compliance with Title II of the Americans with Disabilities Act (ADA). Most school districts designate one employee to serve both of these roles. This employee is often known as the Section 504/ADA Coordinator.

Similarly, under Washington state law, all school districts must designate at least one employee to monitor and coordinate the district's compliance with state nondiscrimination laws (chapters 28A.640 and 28A.642 RCW, and chapter 392-190 WAC). This employee is often known as the Civil Rights Compliance Coordinator.

The district's Section 504/ADA Coordinator may also serve as the district's Civil Rights Compliance Coordinator. However, if a district assigns different coordinators for these roles, they should regularly collaborate with one-another, particularly on issues related to disability discrimination.

While school districts may determine additional job requirements, the Section 504/ADA Coordinator is, at a minimum, responsible for:

1. Coordinating and monitoring the district's compliance with Section 504 and Title II of the ADA, as well as state civil rights requirements regarding discrimination and harassment based on disability;
2. Overseeing prevention efforts to avoid Section 504 and ADA violations from occurring;
3. Implementing the district's discrimination complaint procedures with respect to allegations of Section 504/ADA violations, discrimination based on disability, and disability harassment; and
4. Investigating complaints alleging violations of Section 504/ADA, discrimination based on disability, and disability harassment.

The district should document that it has communicated these responsibilities to the Section 504 Coordinator. One way of accomplishing this is to have the Section 504 Coordinator sign and date their job description.

Choosing a Section 504/ADA Coordinator

The Section 504/ADA Coordinator should be sufficiently knowledgeable about the requirements under state and federal disability discrimination laws, regulations, and guidance (including Section 504, Title II of the ADA, and chapters 28A.642 RCW and 392-190 WAC) to advise the district about its policies, procedures, and practices and to investigate complaints alleging violations of Section 504/ADA, discrimination based on disability, and disability harassment.

The school district should ensure that the Section 504/ADA Coordinator receives appropriate and ongoing training. The district should clearly communicate the responsibilities and expectations of the position with the Section 504/ADA Coordinator, and should provide them with the time and resources needed to effectively perform these duties.

Sample Section 504/ADA Coordinator Job Description

Note: If the Section 504/ADA Coordinator also serves as the district's Civil Rights Compliance Coordinator and/or Title IX Officer, please see the sample job descriptions for these roles for additional responsibilities.

In coordination with Civil Rights Compliance Coordinator, the Section 504/ADA Coordinator is responsible for monitoring and implementing the district's compliance with state and federal laws prohibiting disability discrimination, including Section 504, Title II of the ADA, and chapters 28A.642 RCW and 392-190 WAC. The major responsibilities are (1) to prevent discrimination against students, employees, and others of the basis of disability; and (2) to ensure compliance with all procedures and procedural safeguards required under Section 504/ADA. Particularly when indicated below, the Section 504/ADA Coordinator should coordinate closely with the district's Civil Rights Compliance Coordinator.

The Section 504/ADA Coordinator's duties include, but are not limited to, the following:

Knowledge of Section 504/ADA Requirements

- Develop a working knowledge of current laws, regulations, and guidelines related to disability discrimination in public schools, including Section 504, Title II of the ADA, and chapters 28A.642 RCW and 392-190 WAC, as well as rules and guidelines adopted by OSPI and the U.S. Department of Education's Office for Civil Rights (OCR)
- Become familiar with resources and information available from OCR and OSPI's Equity and Civil Rights Office, and request technical assistance when needed
- Attend trainings on Section 504/ADA, such as those offered by OSPI's Equity and Civil Rights Office and the Northwest ADA Center, and share information with district administrators and staff

OSPI Reporting

- Serve as the district's liaison to OSPI's Equity and Civil Rights Office and OCR for issues regarding Section 504/ADA, and disability discrimination generally
- Update Section 504/ADA Coordinator contact information with OSPI's Equity and Civil Rights Office, as needed

District Policies and Procedures

- Facilitate the implementation of the district's policies and procedures related to Section 504/ADA, and ensure that they are applied consistently across the district and at each school building
- Coordinate revisions to district policies and procedures related to Section 504/ADA, as necessary, to ensure that they are up-to-date and consistent with current requirements under these laws

Nondiscrimination Notices

In coordination with the district's Civil Rights Compliance Coordinator:

- Regularly review district and building publications to ensure that they include a consistent nondiscrimination statement with all of the necessary protected classes and the name (or title), phone number, and address of the district's Section 504 Coordinator, Title IX Officer, and Civil Rights Compliance Coordinator
- Ensure that the district uses effective methods to annually inform all students, parents, and employees about the district's discrimination complaint procedure, such as in staff and student handbooks

- Ensure that copies of the complaint procedure and any related forms are available in each school building to provide to students, parents, staff, and others who allege discrimination or discriminatory harassment

Section 504 Procedures and Procedural Safeguards

- Develop a systematic process for monitoring both district- and building-level compliance with Section 504 requirements, including but not limited to:
 - Child find responsibilities
 - Parental consent before all initial evaluations and initial placements
 - Written notice to parents, including notice of procedural safeguards, before any actions are taken regarding identification, evaluation, or placement under Section 504
 - Team-based decision-making regarding evaluation and placement of students under Section 504
 - Dissemination of Section 504 plans to appropriate staff
 - Periodic re-evaluations of all students who are eligible under Section 504, at least every three years
 - Manifestation determination requirements for disciplinary changes in placement under Section 504
- Participate on Section 504 teams as needed
- Coordinate training for building-level Section 504 designees, and ensure that they are informed about their job responsibilities (listed below)
- Collect and maintain all Section 504 data, such as Section 504 plans, evaluation reports and related records, lists of eligible students, discipline records, etc.
- Coordinate due process hearings when requested

Accessibility and Requests for Accommodations

- Continually monitor the reduction of architectural barriers for individuals with disabilities
- Receive and process requests for reasonable accommodations at school and district events
Coordinate with the district's human resources office to facilitate the provision of reasonable accommodations for district employees with disabilities

Training and Consultation

In coordination with the district's Civil Rights Compliance Coordinator:

- Provide ongoing support and training to administrators and district- and building-level staff about requirements under Section 504/ADA, staff responsibilities, complaint procedures, and related district policies and procedures
- Disseminate information and coordinate training for students and/or parents about their rights under Section 504/ADA, and the district's complaint procedures
- Advise the superintendent and school board regarding the status of the district's compliance with Section 504/ADA
- Receive and respond to inquiries from students, parents, staff, administrators, and others regarding Section 504/ADA, disability discrimination, and harassment based on disability
- Serve as a resource for administrators, district- and building-level staff, and Section 504 teams about Section 504/ADA and disability discrimination

Complaints and Investigation

In coordination with the district's Civil Rights Compliance Coordinator:

- Respond to students, parents, staff, administrators, and others who report suspicion of Section 504/ADA violations, disability discrimination, or harassment based on disability. The coordinator should investigate these concerns, institute corrective actions when appropriate, inform the individual about the district's complaint procedures, and assist individuals in filing complaints when needed
- Implement the district's discrimination complaint procedure with respect to allegations of Section 504/ADA violations, disability discrimination, and harassment based on disability; receive and process complaints; and oversee the step-by-step process to be sure that timelines are met
- Conduct and/or coordinate investigations of Section 504/ADA complaints in accordance with the district's discrimination complaint procedures. This may involve interviewing complainants, respondents, and witnesses; reviewing documents and other relevant materials; and researching legal standards and requirements relevant to the complaint. If the Section 504/ADA Coordinator has identified a conflict of interest with respect to a particular complaint, the coordinator should recommend that the district hire a neutral outside investigator to investigate a particular complaint
- Upon completion of the investigation, provide the superintendent with a written report of the complaint and the results of the investigation in time for the superintendent to respond to the complainant within 30 days after the district initially received the complaint
- Organize and maintain records of all Section 504/ADA and disability discrimination complaints filed, including all formal and informal complaints. At least annually, review complaint files to ensure that the district's complaint procedures and timelines are consistently being followed, and to identify any patterns and repeat offenders

Textbooks and Instructional Materials

In coordination with the district's Civil Rights Compliance Coordinator:

- Participate in the development and implementation of the school district's instructional materials policy and bias review criteria with respect to bias pertaining to disability in all textbooks and instructional materials
- Ensure that the district evaluates all textbooks and instructional materials for bias, update bias review criteria when needed, and participate on the instructional materials committee when appropriate

Reviewing Systemic Barriers

In coordination with the district's Civil Rights Compliance Coordinator:

- Participate in the development and implementation of the school district's process to routinely review disaggregated student discipline data and course and program enrollment data to identify and address potential disparities and systemic barriers based on disability
- Continually monitor school programs, activities, and services (including, but not limited to, Advanced Placement courses, Highly Capable Programs, Career and Technical Education courses, Alternative Learning Experiences, extra-curricular activities, etc.) to ensure that all students are given an equal opportunity to participate without discrimination based on disability
- Coordinate with the district's human resources office to evaluate employment criteria, recruitment, compensation, job classification, benefits, and advertising to ensure that they are not discriminatory on the basis of disability

Sample Section 504 Building Designee Job Description

- Maintain building records and documentation for all students eligible under Section 504 and provide copies to the district Section 504 Coordinator
- Ensure the implementation of Section 504 procedures in the school building, including:
 - Coordinating referrals
 - Determining appropriate Section 504 team composition and participating on Section 504 teams as needed
 - Facilitating Section 504 evaluations and development of Section 504 plans
 - Providing notices and documenting parental consent
 - Distributing Section 504 plans to appropriate staff
 - Monitoring the implementation of Section 504 plans
 - Scheduling annual reviews of each Section 504 plan
 - Scheduling period re-evaluations of all students eligible under Section 504 at least every three years
 - Assuring that Section 504 plans move with the student to the next grade level and to new schools
 - Coordinating training of building staff on Section 504 requirements
 - Conducting manifestation determinations when required for students eligible under Section 504
- Serve as a daily resource to the building administrators, teachers, and staff regarding Section 504
- Serve as a liaison between the school building and other district staff regarding Section 504 issues
- Maintain contact with the district Section 504 Coordinator and request assistance and training when needed
- Attend periodic district Section 504 trainings as needed to stay informed about current district requirements to comply with Section 504