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**Accessibility/504/Parent Training for
Virtual Programs
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WELCOME....

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Overview 

This session will explore legally appropriate practices for determining eligibility and providing FAPE for students who qualify under Section 504.

This session will also show where health plans and other interventions “fit” in relation to Section 504 & IDEA.

Finally, case law under Section 504, IDEA and the ADA will be included as illustrative support.

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Session Objectives 

- Understand how laws & regulations relate to student support services & shape policy, procedure & program development.
- Be able to identify an appropriate framework of student support services for implementation in online programs.
- Receive solutions to dilemmas facing staff & administrators in online programs in Ensuring that individual student needs are met in a timely, appropriate & practical manner.

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Overview of Federal Laws & Regulations

- Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794;
- Implementing Regulations at 34 CFR Part 104



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Overview of Federal Laws & Regulations

- Amendments to Title II ADA regulations effective 2011, 28 CFR Part 35, as published in the Federal Register;
- ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools;
- Family Educational Rights and Privacy Act ("FERPA"), 20 U.S.C. § 1232(g); and,
- Implementing Regulations at 34 CFR Part 99.

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IDEA & Section 504

- When a student is eligible under the IDEA, the child is still entitled to the Section 504 protections against discrimination and equal access.
- A district has no discretion to provide services and accommodations in a 504 plan instead of an IEP when a student is IDEA-eligible.
- A student who is eligible under the IDEA for some disabilities but not for others may attempt to claim eligibility under Section 504 for the disabilities not covered by the IDEA, but the Section 504 services may often be provided as related services in the IEP.

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IDEA & Section 504

- The IDEA identifies 13 disabilities for eligibility for special education
- Many conditions that aren't listed as disabilities under the IDEA (such as food allergies, asthma, and ODD *per se*) may qualify as disabilities under Section 504.
- Section 504 accommodations may be included as related services on the IEP.

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Section 504

- Section 504 of the Rehabilitation Act - Section 504 prohibits discrimination based on disability in federally funded and federally conducted programs or activities in the United States, including employment programs.
- No otherwise qualified individual with a disability in the United States ...shall, solely by reason of his or her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance...

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Section 504 Eligibility

A child is eligible under Sec. 504 or the ADA as a student with a disability if he or she:

1. has a physical or mental impairment that substantially limits one or more of his major life activities,
2. has a record of such an impairment, or
3. is regarded as having such an impairment.

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Section 504 Eligibility

To determine whether an impairment substantially limits a major life activity, courts consider:

1. the nature and severity of the impairment;
2. the duration or expected duration of the impairment; and
3. the permanent or long-term impact, or the expected permanent or long-term impact of or resulting from the impairment.

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SECTION 504 LRE REQUIREMENT

A recipient shall educate, or shall provide for the education of, each qualified handicapped person in its jurisdiction with persons who are not handicapped to the maximum extent appropriate to the needs of the handicapped person.

A recipient shall place a handicapped person in the regular educational environment operated by the recipient unless it is demonstrated by the recipient that the education of the person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily.

Whenever a recipient places a person in a setting other than the regular educational environment, it shall take into account the proximity of the alternate setting to the person's home.

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Admissions



Quillayute Valley (WA) School District No. 402, Office for Civil Rights, (Washington) (2007)

- A district's failed to monitor an online high school's admissions procedures.
- OCR found that the school improperly denied admission to students with disabilities.
- OCR ordered the district to take steps set forth in a resolution agreement.
- The school's written admissions criteria stated that it would not provide certain accommodations to students with disabilities.
- Students limited to 40 hours a week of specialized instruction, the school stated that it would not provide counseling, paraeducator support, tutoring, or a modified curriculum.
- The school excluded students who had a documented inability to complete assignments independently or were unable to read and write at a sixth-grade level.
- Criteria only applied to nondisabled students.
- No evidence that the admissions criteria were necessary for the school to achieve its goals.
- School violated Section 504 and the ADA. The district, as the school's operator, was also liable for discrimination.

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Section 504 & Child Find

- Section 504 includes a child find requirement that is distinct from the child find requirement of the IDEA.
- Section 504 requires districts to annually undertake to identify and locate every qualified [individual with a disability] residing in [the district's] jurisdiction who is not receiving a public education.
- Section 504's child find obligation extends to students attending private schools, children residing in hospitals and universities, and homeless children.
- Child Find is an affirmative obligation and exists regardless of whether Parent requests the evaluation.

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FAPE

- Districts provide education and related services designed to meet the needs of students with disabilities as adequately as the district meets the needs of students without disabilities.
- Appropriate education is "the provision of regular or special education and related aids and services that (i) are designed to meet individual educational needs of [students with disabilities] as adequately as the needs of [nondisabled] persons are met and (ii) are based upon adherence to Section 504 procedures."
- 504 FAPE requires that the district provide services that will confer a meaningful educational benefit to the student.
- In examining whether a district has failed to provide FAPE under Section 504, consider whether:
 1. the district evaluated the student per Section 504 requirements;
 2. the student's needs were determined on an individual basis; and
 3. the related aids and services necessary to meet the student's individual needs were provided.

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FAPE

- FAPE under the IDEA differs from FAPE under Section 504 in connection with the type of educational benefit required.
- IDEA FAPE centers on students' progress in relation to their own potential
- Section 504 FAPE involves consideration of whether students with disabilities are receiving educational services as effective as those made available to their nondisabled peers.

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Section 504 and Related Aids and Services

- Related aids and services are part of an appropriate education and must be provided to the extent that they enable the school district to meet the individual educational needs of students with disabilities as adequately as it meets the needs of nondisabled students. 34 CFR 104.33(b).
- Section 504 regulations do not list specific types of related services. Identification of specific related services are substantially similar under IDEA & 504.

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ESY/Summer Programs

Pursuant to IDEA:

- (1) Each public agency must ensure that extended school year services are available as necessary to provide FAPE.
 - (2) Extended school year services must be provided only if a child's IEP Team determines, on an individual basis that the services are necessary for the provision of FAPE to the child.
 - (3) In implementing the requirements of this section, a public agency may not --
 - (i) Limit extended school year services to particular categories of disability; or
 - (ii) Unilaterally limit the type, amount, or duration of those services.
- Pursuant to 34 CFR 300.106(b), the term "extended school year services" means special education and related services that --
- (1) Are provided to a child with a disability--
 - (i) Beyond the normal school year of the public agency;
 - (ii) In accordance with the child's IEP; and
 - (iii) At no cost to the parents of the child; and
 - (2) Meet the standards of the SEA.

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ESY/Summer Programs

- Districts do not have an obligation *per se* to provide summer programming for students. However, districts cannot deny access to summer programming to students on the basis of the student's disability.
- An Alabama district cannot completely deny students with disabilities access to programs made available to regular education students over the summer or utilize summer programs to ameliorate the failure to provide FAPE during the school year.
- Documentation is key in decision-making.
- E.g. A student's parent filed an OCR complaint alleging that the district discriminated against her son and other students with disabilities in providing summer programs for nondisabled students, but not to students with disabilities.
- Title II and Section 504 mandate that districts provide students with disabilities with access to educational programming that's commensurate with that of their nondisabled peers.
- The district demonstrated through documentation that its one summer program, a math and science program, was available only to its elementary school's rising third-, fourth-, and fifth-graders. Five out of 17 third-grade program attendees, eight out of 26 fourth-grade attendees, and one out of 27 fifth-grade attendees had disabilities. There was insufficient evidence that the district denied students with disabilities access to the summer program. Troy (AL) City Schs., 58 IDELR 202 (OCR 2011).

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Pitfalls of One Size Fits All Approach

- Caution against removal of a child with a disability from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.
- Avoid one size fits all programs or standard accommodations that are not tied to the student's need or what the Team plans to accomplish with the Student.

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Nonacademic & Extracurricular

- In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in 34 CFR 104.37 (a)(2), a district shall ensure that students with disabilities participate with nondisabled students to the maximum extent appropriate. 34 CFR 104.34 (b)

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Extracurricular Activities

- Districts must provide an equal opportunity to participate in extracurricular activities. It does not mean every student with a disability has the right to be on an athletic team, and it does not mean that school districts must create separate or different activities just for students with disabilities.
- Districts are encouraged by OCR to develop additional opportunities for students with disabilities, which could include separate or different activities where appropriate. In re: Dear Colleague Letter of Jan. 25, 2013, 62 IDELR 185 (OCR 2013).

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Section 504 Grievance and Coordinators

- Establish grievance procedures that can be followed in the event of a possible violation of ADA or Section 504.
- Section 504 and ADA coordinators are the individuals who are at the helm of Section 504 and ADA compliance in any given school district. Every district must have one.

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Notices & Policies



- Annually Publish Non-Discrimination Notice and Notice of School's Coordinators.
- Policies and Procedures Important
- A public residential school in had a notice of nondiscrimination stating that it does not tolerate discrimination on the basis of disability and other prohibited bases but the notice failed to state that the school itself did not discriminate on the basis of disability in its programs and activities. OCR concluded that the school was noncompliant with Title II. *Alabama Sch. of Math and Science*, (OCR 08/25/14).

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OCR's Resolution with Virtual Community School of Ohio

On November 6, 2013, the OCR announced that it entered into an agreement with Virtual Community School of Ohio to ensure compliance with Section 504 and the ADA.



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Virtual Community School of Ohio v. Office for Civil Rights

- OCR reinforced the importance of complying with the IDEA, Section 504, and the ADA
- Experts say this is a case that will have a significant impact on the way virtual schooling occurs
- Although an Ohio virtual charter school's website advertised that it was an "ideal setting" for students with disabilities, its approach to evaluating and placing them suggested that it was falling well short of its claim.

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Virtual Community School of Ohio v. Office for Civil Rights cont.

OCR's review revealed that the school performed no testing at all before placing students on 504 plans. Instead, it referred parents to outside providers, leaving the parents to bear the cost. Those findings aligned with the school's Section 504 coordinator's statements that she wasn't aware of the school ever having completed or paid for an evaluation of any student.

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Virtual Community School of Ohio v. Office for Civil Rights cont.

OCR also pointed out that the school didn't draw upon a variety of sources in making placement decisions, but rather relied on parental input, and, where available, information from the student's prior school. In addition, OCR found violations with respect to the school's treatment of transfer students who entered the school with an existing 504 plan.

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Virtual Community School of Ohio v. Office for Civil Rights cont.

- Furthermore, the school violated 504, OCR concluded, by failing to utilize a group of persons knowledgeable about a student in making placement decisions.
- Based on its investigation, OCR identified compliance problems in each of the examined areas. OCR concluded that the School is in violation of Section 504 and Title II.

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OCR's Resolution with Virtual Community School of Ohio

- The agreement provides that the school will:
 - Develop Section 504 policies and procedures so that students with disabilities are appropriately identified, evaluated, , and provided services to ensure they receive a FAPE;
 - Notify parents, guardians, and students of the revised Section 504 policies and procedures;
 - Evaluate or reevaluate students with disabilities enrolled in the last two years to determine whether they need compensatory special education and/or related aids or services and, based on this evaluation, promptly provide compensatory services;
 - Publish contact information for the school's Section 504/Title II coordinator and ensure that the coordinator is appropriately trained;

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OCR's Resolution with Virtual Community School of Ohio

- Develop and publish grievance procedures that provide for the prompt and equitable resolution of disability discrimination complaints;
- Provide training to staff involved in the evaluation and placement of students with disabilities;
- Develop policies and procedures to ensure that the school's online technologies are accessible, including the adoption of technical standards to ensure accessibility;
- Revise its website and on-line learning environment so that they are accessible to individuals with disabilities, including students with visual, hearing, or print disabilities and those who otherwise require use of assistive technology;
- Monitor the accessibility of the school's online technologies; and
- Provide annual training for staff responsible for online technologies about the school's accessibility policies and procedures and their roles and responsibilities.

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OCR's Resolution with Virtual Community School of Ohio

- "Online schools also must take steps to ensure that the websites and online classrooms they use to promote their services and to educate students are accessible to individuals with disabilities"
- "Online education environments such as this in which students reside across the state and go to school together in a totally on-line environment, may present unique challenges. Nevertheless, these online schools must comply with the civil rights laws. I commend Virtual Community School of Ohio for agreeing to address these issues as part of its agreement with OCR."
- Catherine Lehman - OCR

Resolved

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Americans with Disabilities Act (ADA)

The ADA prohibits discrimination and ensures equal opportunity for persons with disabilities in employment, State and local government services, public accommodations, commercial facilities, and transportation.



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ADA

Under the ADA Amendments Act, whether an impairment substantially limits a major life activity is to be determined without reference to the ameliorative effects of mitigating measures such as:

- Medication,
- Medical supplies,
- Equipment or appliances,
- Low-vision devices (which do not include ordinary eyeglasses or contact lenses),
- Prosthetics including limbs and devices,
- Hearing aids and cochlear implants or other implantable hearing devices,
- Mobility devices,
- Oxygen therapy equipment and supplies;
- Use of assistive technology;
- Reasonable accommodations or auxiliary aids or services; or
- Learned behavioral or adaptive neurological modifications.

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ADA vs. IDEA

- In *K.M. v. Tustin Unified School District*, (9th Cir. 2013), cert. denied, *Poway Unified School District v. D.H.*, 134 S. Ct. 1494, 114 LRP 9909 (2014), cert. denied, *Tustin Unified School District v. K.M.*, 134 S. Ct. 1493, 114 LRP 9688 (2014), the 9th U.S. Circuit Court of Appeals held that although the district complied with the IDEA, it failed to comply with its obligations under the ADA.
- "In some situations, but not others, schools may be required under the ADA to provide services to deaf or hard-of-hearing students that are different than the services required by the IDEA. ... We must reject the argument that the success or failure of a student's IDEA claim dictates, as a matter of law, the success or failure of her Title II claim. As a result, courts evaluating claims under the IDEA and Title II must analyze each claim separately under the relevant statutory and regulatory framework."

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ADA vs. IDEA

- While the IDEA requires districts to provide a "basic floor of opportunity" to students with disabilities, Title II requires districts to take appropriate steps to ensure that communications with individuals with disabilities are as effective as communications with others.
- Furthermore, the 9th Circuit observed, Title II requires districts to provide appropriate auxiliary aids and services, including "real-time computer-aided transcription services," when necessary to provide individuals with disabilities an equal opportunity to participate in district programs and activities.
- Title II's effective communication requirement differed significantly from the IDEA's FAPE requirement.
- The 9th Circuit thus remanded the cases of two students with hearing impairments to their respective District Courts for further proceedings on whether each student's district complied with Title II's effective communication requirement.

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ADA & Accessibility

- If a district offers a program or activity in an existing facility, it must ensure that the program or activity is readily accessible to individuals with disabilities when viewed in its entirety. Districts have a wide range of options for ensuring program access.



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ADA & Accessibility

- Ensure that school's web page meets Web Content Accessibility Guidelines
- Consider alternative text tags on graphics, consider color and contrast in a Web page color scheme, use appropriate captioning on videos, link to accessible websites outside of a learning management system
- Consider online course content standards, such as iNACOL and Quality Matters.
- Make content, PDFs and graphics capable of being "read"

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ADA & Accessibility

- Train teachers on accessibility features.
- Inform parents, students, and staff about how to contact district personnel if they encounter an accessibility issue. Be proactive and do not wait for a student with a disability to report an accessibility problem.

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ADA & Accessibility

- The Justice Department has known for a while that inaccessible websites are a problem.
- The Justice Department is considering proposing the Web Content Accessibility Guidelines 2.0 Level AA as the technical standard for website accessibility.

See Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities, supplemental advance notice of proposed rulemaking issued May 9, 2016. <https://www.federalregister.gov/articles/2016/05/09/2016-10464/nondiscrimination-on-the-basis-of-disability-accessibility-of-web-information-and-services-of-state>

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Section 508

- In 1998, Congress amended the Rehabilitation Act of 1973 to require Federal agencies to make their electronic and information technology (EIT) accessible to people with disabilities. Inaccessible technology interferes with an ability to obtain and use information quickly and easily.
- Section 508 was enacted to eliminate barriers in information technology, open new opportunities for people with disabilities, and encourage development of technologies that will help achieve these goals.
- The law applies to all Federal agencies when they develop, procure, maintain, or use electronic and information technology. Under Section 508 (29 U.S.C. "794 d), agencies must give disabled employees and members of the public access to information that is comparable to access available to others.

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Section 508

The standards provide criteria specific to various types of technologies, including:

- software applications and operating systems
- web-based information or applications
- telecommunication products
- video and multimedia products
- self contained, closed products (e.g., information kiosks, calculators, and fax machines)
- desktop and portable computers

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Individual Health Plans

- An "individual health plan" generally focuses exclusively on addressing a student's medical needs but is typically according to formal 504 procedures. *Roselle Park (NJ) Sch. Dist., 59 IDELR 17 (OCR 2012).*
- A district may continue to have a duty to evaluate the student and provide the student with a 504 plan.



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Purpose of Individual Health Plans

- To assist staff in the recognizing of medical emergencies as it relates to asthma, diabetes seizure disorder, and anaphylaxis.
- To obtain rapid medical response to the student who has a medical emergency.
- To remind staff to refer to the general first aid guidelines provided each year by the school nurse in collaboration with the school physician.
- To remind staff of the AED (Automated External Defibrillator) and spare Epinephrine (Adult Dose and Junior Dose) location: All Nurse's offices

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Absences/Mental Health & 504 Issues

Lauren G. v. West Chester Area Sch. Dist. 906 F.Supp.2d 375 (E.D. Pa. 2012)

Facts:

- District guidance counselor know about Student's behavior issues
- In the first couple of months, she met with the guidance counselor every week for her transition to the school
- Student told the guidance counselor that she was seeing a psychiatrist, and she was struggling with attendance.
- Later, Student was hospitalized for suicidal ideation.
- Parents informed the District that Student had possible bipolar depression and suicidal thoughts.
- Student was then diagnosed with Depression NOS, OCD, ODD, and possible ADD
- After returning to the District, Student continued to meet with the crisis counselor/guidance counselor once/twice a week.
- Parents requested a 504 Plan, but the District denied it.

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Mental Health Issues/Section 504

Finding/Reasoning:

- District Court upheld Parents' child find claim under the IDEA and Section 504, concluding that Student's psychiatric hospitalizations and failing grades provided reason to suspect disability and that Student is eligible as ED
- The Team only reviewed academics records, student meetings, and written feedback provided by the teachers, but ignored Student's psychiatric diagnosis, her inpatient and outpatient psychiatric hospitalization, and the fact that she cut classes to see the guidance counselor twice/week.
- The District failed to conduct its own evaluation.

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Medical Documentation vs. Evaluations

- FERPA
- Consent to Release & Exchange Medical Information and Records
- Consider need for Evaluation/More Information
- Districts may not require every student who has or is believed to have a disability to undergo a medical assessment but when a medical assessment is required, the district is responsible for arranging and paying for the assessment under the IDEA and 504.

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Section 504 & Allergies

Ridley Sch. Dist. v. M.R. 2011 WL 499966 (E.D. Pa. Feb. 14, 2011)

- Student had severe food allergies and had a Section 504 Plan
- Parent wanted Student to be included in as many activities as possible.
- The Section 504 Plan stated Student could only eat foods that Parents provided. Parents were to be contacted before any activities involving shared food so that alternatives could be supplied.
- The District Court found this to be a reasonable accommodation and because no "isolation" occurred, this does not rise to the level of discrimination under Section 504.

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Section 504 & Behavioral Issues

- Develop an individualized Behavior Intervention Plan for a student with a disability when that student's behavioral difficulties significantly interfere with his or her ability to benefit from his education.
- Ensure that the evaluation process for the creation of BIP meets the FAPE requirements of Section.
- Understand Discipline Process
- Address Cyber Bullying/Bullying

<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-bullying-201410.pdf>

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Section 504 & Retaliation

- Section 504's anti-retaliation provision extends protection to those who advocate on behalf of individuals with disabilities.
- Acts that "intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any [rights he has under Section 504]" are prohibited.
- Acts of retaliation taken against an individual because he has filed a complaint, testified, or otherwise participated in an OCR investigation / advocated on behalf of someone who has, are prohibited.

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Parent as Learning Coach

- Parent Training
- Parent Communications with Providers
- Scheduling Issues
- Retaliation Claims
- Emails
- DPW issues
- Shopping/Private Placements/Unilateral Removals vs. Enrollment Issues

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Parent Training

- Counseling and guidance of parents regarding hearing loss and the related service of audiology. 34 CFR 300.34(c)(1)(v).
- Parent counseling and training. 34 CFR 300.34(c)(8).
 - Parent counseling and training means assisting parents in understanding the special needs of their child.
 - Providing parents with information about child development.
 - Helping parents to acquire the necessary skills that will allow them to support the implementation of their child's IEP or IFSP.
- Planning and managing a program of psychological counseling for children and parents. 34 CFR 300.34(c)(10)(v).
- Counseling of parents regarding speech and language impairments and the related service of speech pathology. 34 CFR 300.34(c)(15)(v).
- Group and individual counseling with the child and family. 34 CFR 300.34(c)(14)(ii).

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Parent Information

Elkhart (KS) Unified School District 218, March 26, 2008

- Online school violated Section 504 by failing to provide the information parents needed to request accommodations for students with disabilities.
- OCR determined that district responsible for the school's operations failed to notify parents of their procedural safeguards.
- OCR found that the school did not have established standards and procedures for the evaluation of students with disabilities. The student handbook did not identify the person to contact about accommodations or the method for requesting assistance.

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Transfers and Impact of Environment

New Environment/New Services?

Jana K. v. Annville-Cleland Sch. Dist., 2014 U.S. Dist. LEXIS 114414 (M.D. Pa. Aug. 18, 2014).

- The district court noted that the type and amount of services necessary for FAPE in a Charter School may differ from services necessary for a brick and mortar school.
- The student transferred from her home district to a cyber charter school due to lack of progress. The Hearing Officer concluded, and the district court agreed, that the resident school district had committed a child find violation thereby depriving Jana of a FAPE.
- The Hearing Officer used the related services in the Charter School IEP to determine compensatory education owed for the child find violation. The district court did not affirm that award, finding that the charter school presented fewer behavioral and emotional challenges and Jana would require far more support in a public school setting. The court went on to award full days of compensatory education: "in a situation such as this, where the overall effect of the school district's deficiencies resulted in a widespread loss of educational benefit for the student, it would be futile to attempt to parse out the precise number of hours that the student was denied a FAPE." 2014 U.S. Dist. LEXIS 114414, at 63.

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Transfers Between LEAs

Timothy F. V. Antietam Sch. Dist., CIV.A. 12-2719, 2014 WL 1301955 (E.D. Pa. Mar. 31, 2014)

- Recent cases present cautionary tales regarding students who transfer between and among school entities
- Shortly after the reevaluation, near the end of 2010, Student left the District and enrolled in a cyber charter school. The charter school conducted yet another evaluation of Student that concluded he was eligible under the IDEA. The charter school's evaluation found a primary disability of autism and secondary disabilities related to speech and language impairment, ADHD, and cerebral palsy.
- In so finding, the hearing officer did not thoroughly consider the later charter school evaluation, but did offer the perspective that poor results in the cyber (and therefore at-home) charter evaluation dovetailed with Parents' negative behavior ratings, suggesting, as did other evidence, that the structure of the regular classroom environment encouraged greater focus and lessened Student's difficulties as compared with the home environment

Caution Against Standard Programs

School District of Philadelphia, 15180-1314AS (PA SEA July 25, 2014)

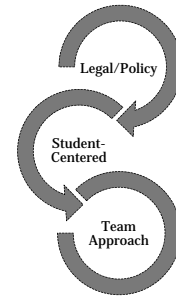
- A hearing officer held that the district denied the student a FAPE in its handling of ESY programming for summer 2014 and that the student was entitled to compensatory education
- In November 2013, after attending a cyber charter school, the student entered the District under the terms of an IEP drafted by the cyber charter school and the district sought to meet to develop a new IEP. The "preponderance of the evidence is that the IEP team's consideration of the student's ESY programming was predetermined to fit within the specific context of the District's ESY programming schedule rather than an individualized consideration of the student's needs with ESY programming designed to meet those needs."
- The standardized ESY program information was supplied to the parent without any IEP meeting having been convened or any consideration of ESY eligibility/programming having been considered by the IEP team
- This is a further indication that decisions were made by the District about ESY programming, and the applicability of its standard ESY program, without any input from the student's IEP team

Damages

- Monetary damages may be available for a denial of FAPE under Section 504.
- IDEA authorizes courts to grant appropriate relief. This provision has been interpreted as permitting awards of compensatory education and reimbursement for private services. See, Forest Grove Sch. Dist. v. T.A. (U.S. 2009).

Latsha Davis & McKenna, P.C. The statements and representations contained herein do not constitute legal advice.

Take Aways



Questions & Answers

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Thank You!

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