

# Protecting the Rights of Students with Disabilities in Afterschool Settings and During Extended Learning

21st CCLC Annual Subgrantee Training

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1:10pm-2:25pm

# Georgia's Systems of Continuous Improvement



# Contact Information

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# What is the Individuals with Disabilities Education Act (IDEA)?

- Specifically for:
  - Implementation guidance
  - Identifying eligibility
  - Compliance
  - Addressing multiple areas of services and supports
    - Assistive technology
    - Goals
    - Related services
    - Counseling
    - Accommodations, etc.

# What is Section 504 of the Rehabilitation Act of 1973?

- A civil rights law to prohibit discrimination on the basis of disability in programs and activities, public and private, that receive federal financial assistance
- Governed by the Office of Civil Rights (OCR)
  - The Georgia Department of Education has no authority for the supervision of implementation
- Limited guidance giving great flexibility to district
  - Must be documented in district created procedures
  - Not necessarily supervised by special education

# Eligibility

## IDEA

- The student's educational performance must be adversely affected by the disability and he or she must be in need of special education services (i.e., specialized instruction)
- Documentation is required
  - Individual Education Program (IEP)

## Section 504

- Person (1) has a physical or mental impairment that substantially limits one or more major life activities, (2) has a record of such an impairment or, (3) is regarded as having such an impairment
- Documentation is not required
- May be eligible for protection, but not need an education plan (Section 504 Plan)

# Does This Affect 21<sup>st</sup> Century Community Learning Centers (21<sup>st</sup> CCLC)?



- Both plans cover students in extracurricular, non-academic, and afterschool activities
- All students are covered under the Family Educational Rights and Privacy Act (FERPA)

# What You Need to Know

- Identify which participants have an IEP, a Section 504 Plan, or is protected under Section 504
  - Cannot make this known to students or anyone not working with the student
- Communicate with the district and/or school 504 contact
- Communicate with the district special education director or school special education contact
- Know which accommodations and/or modifications the students need
  - Consider using Universal Design for Learning (UDL) techniques for all students



# What You Need to Know

## Accommodations (How)

- Changes how a student learns the material or accesses an activity
  - Can help kids learn the same material or activity as their peers.
  - Allows them to meet the same expectations.

## Modifications (What)

- Changes what a student is taught or is expected to learn or do
  - In some cases, this could be appropriate

# What You Need to Know

- Does not mean:
  - Changing essential elements that affect the fundamental nature of the activity/game
  - Giving a student with a disability an unfair advantage over others
  - Changing the nature of selective teams
    - Must legitimately earn their place on a team
  - Compromising student safety

# Let's Talk About It!



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Transition Postschool Outcomes and Section 504

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