

9-2020

## Section 504 Support and Implementation of Services: School Administrators' Perceived Strengths and Challenges

Dora Rodriguez  
*Mercedes Independent School District in Mercedes, Texas*

George Padilla  
*University of Texas Rio Grande Valley*

Velma Menchaca  
*University of Texas Rio Grande Valley*

Follow this and additional works at: <https://digitalcommons.lindenwood.edu/ela>



Part of the [Curriculum and Instruction Commons](#), [Educational Administration and Supervision Commons](#), and the [Educational Assessment, Evaluation, and Research Commons](#)

---

### Recommended Citation

Rodriguez, Dora; Padilla, George; and Menchaca, Velma (2020) "Section 504 Support and Implementation of Services: School Administrators' Perceived Strengths and Challenges," *Journal of Educational Leadership in Action*: Vol. 7 : Iss. 1 , Article 7.

Available at: <https://digitalcommons.lindenwood.edu/ela/vol7/iss1/7>

This Article is brought to you for free and open access by the Journals at Digital Commons@Lindenwood University. It has been accepted for inclusion in *Journal of Educational Leadership in Action* by an authorized editor of Digital Commons@Lindenwood University. For more information, please contact [phuffman@lindenwood.edu](mailto:phuffman@lindenwood.edu).

# SECTION 504 SUPPORT AND IMPLEMENTATION OF SERVICES

School Administrators' Perceived Strengths and Challenges

Article by Dora D. Rodriguez, George Padilla, and Velma D. Menchaca

## Abstract

The Americans with Disabilities Act Amendment Act strengthens social justice ensuring students with disabilities are provided proper support and services through Section 504. School staff who implement Section 504 must successfully utilize available program supports and services. A mixed-methods study was completed in two large and three small school districts in south Texas to identify the support and services most utilized by elementary and secondary schools. Statistical differences between elementary and secondary schools were analyzed. School staff working with Section 504 were asked to what support and services they utilized more to assist students. The study findings include the two most accessed Section 504 supports were accommodations, health services, and behavioral intervention plans. Elementary schools accessed special transportation significantly more than secondary schools. Behavioral supports and psychological services were the most frequently accessed consultative services. State and district school leaders must ensure sufficient financial and staff resources to all Section 504 supports and services, but especially to those most frequently utilized in the schools.

**Keywords:** Americans with Disabilities Act Amendment Act, Section 504, school, supports, services

## Introduction

In an effort to increase the understanding of improving Section 504 implementation in order to promote social justice in schools, a research study was conducted in Texas schools designed to identify and assess current strengths and challenges in the implementation process of Section 504 services and supports for students in our public-school systems as perceived by practicing elementary and secondary school leaders. In a previous study, Rodriguez et al. (2020) presented data related to the participating schools, participants, and Section 504 training needs. However, at the end, it is the ability to provide quality Section 504 support services to qualifying students that will

make a difference in their learning and future success. To ensure social justice, actual service is the key.

This study focuses on school campus administrator perceptions regarding Section 504-Only students and the current service strengths and challenges experienced by elementary and secondary school administrators on the implementation and the provision of a free and appropriate public education (FAPE) for students receiving Section 504-Only services in public schools. This report focuses on the conditions and needs related to Section 504 support services and differences between elementary and secondary schools. Differentiating needs based on school levels is critical to strategically improve Section 504 implementation. The great impact Section 504 may have on students with disabilities and on social justice in schools demands its continuous monitoring and improvement.

## Review of the Literature

### Social Justice

Potgieter et al., (2015) describe social justice as the belief that all people, irrespective of belief, and societal position, are entitled to be treated according to the values of human rights, human dignity, and equality. They describe social justice as an act of fairness, equality, and justness towards others. For this study, the conceptual framework regarding social justice in educational leadership builds upon the exemplary and philosophical viewpoints of Plato, Karl Marx, and Pablo Freire (Freire, 1970). Plato, for example, regarded education to achieve both individual justice and social justice. Plato believed that individual justice could be obtained when each develops his or her ability to the fullest. He also believed that virtue could be achieved through three stages of development of knowledge: knowledge of one's job, self-knowledge, and knowledge of the Idea of the Good. Plato believed that all people could easily exist in harmony when society gives them equal educational opportunity from an early age to compete fairly with each other. These philosophical views can be extended to our current laws that apply to public education and current non-discriminatory practices in education.

Contemporary theorists such as Rawls, Starrett, Bandura, and Bogotch build their philosophical viewpoints on the past ideas of social justice. John Rawls theory of *justice as fairness* describes a society of free citizens holding equal basic rights and cooperating within an egalitarian economic system (Potgieter et al., 2015). His writings on *the law of peoples* set out a liberal foreign policy that aims to create a permanently peaceful and tolerant international order. Rawls' theory of justice emphasizes fairness of opportunity with the provision of the greatest benefit to the least advantaged in society; this includes youths in schools (Cornelius & Harrington, 2014). Potgieter et al. (2015) describe social justice as the belief that all people, irrespective of belief, and societal position, are entitled to be treated according to the values of human rights, human dignity, and equality. They describe social justice as an act of fairness, equality, and justness towards others. More specifically, while Theoharis (2007) describes the literature as "rife" with definitions of social justice (p. 222), he defines social justice as

“addressing and eliminating marginalization in schools” (p. 223). Rawls theorizes that a well-ordered society is governed by the relational conduct of individuals who can make judgments on what is right versus what is good. This is done by decision-making processes that consist of value-based conduct that benefits both the student and the school community (Potgieter et al., 2015).

Social justice promotes that every student should have an opportunity to achieve his or her fullest capability. Educators should strive to be equitable by recognizing individual differences and adjust the allocation of resources accordingly (Gorski, 2013). In his work, Gorski notes that people with disabilities face inequities that limit their opportunities. Scholars have long argued that students with disabilities have been marginalized concerning access to curriculum, peers, teachers, and social standing within public schools (DeMatthews & Mawhinney, 2014). Rates of employment and poverty among people with disabilities, and especially among people with two or more disabilities are among the highest of any identity group [(Palmer, 2011; Stapleton et al., 2006) as cited by Gorski]. Social injustice speaks loudly in these social facts involving people with disabilities.

### **Federal Laws and Social Justice**

There has been nearly a 200-year history of educating disabled students in American schools, dating back to 1823. To support social justice, some individuals, advocacy groups, and federal court cases have impacted the treatment of disabled students in public schools (Schraven & Jolly, 2010). Relatively recent federal laws regarding disabled students in public schools relate to Section 504, and they are complex (Schraven & Jolly, 2010): Section 504 of the Rehabilitation Act of 1973, Individuals with Disabilities Education Act (IDEA), American Disabilities Act (ADA), and American with Disabilities Act Amendment Act of 2008 (ADAAA). There is much literature that illustrates the complexity and requirements of these laws (Bowman, 2011; Hardcastle & Zirkel, 2012; Pazey & Cole, 2012; Weathers & Zirkel, 2015, 2016; Weber, 2012).

Section 504 of the Rehabilitation Act of 1973, Individuals with Disabilities Education Act (IDEA) and their associated regulations created the rights to equal access, free appropriate public education (FAPE), in the least restrictive environment, and procedural protections for students who historically had been excluded or underserved in public schools (Maydosz, 2009). For purposes of Section 504, the Office of Civil Rights at the Department of Education defines a free appropriate public education (FAPE) in the elementary and secondary school context as the provision of regular or special education and related aids and services that are designed to meet individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met and is based upon adherence to procedures that satisfy the Section 504 requirements pertaining to educational setting, evaluation and placement, and procedural safeguards (U.S. Department of Education [USDOE], 2011).

ADAAA, passed in 2008, changed the definitional terms of the ADA of 1990 and Section 504 of the Rehabilitation Act of 1973. It declared that the definition of disability would

now be construed in favor of a more broader interpretation of coverage of individuals with disabilities (ADAAA, 2008). It clarified that Congress intended that the primary object of attention in cases brought under the ADA should be whether the entities covered under the ADA complied with obligations of eligibility (ADAAA, 2008), rather than whether an impairment meets the definition of a disability.

ADAAA of 2008 set out a non-exclusive list of major life activities drawn from examples previously found in regulations promulgated under the ADA. This broader expansion included sleeping, reading, concentrating, thinking, and communicating, performing manual tasks, seeing, hearing, eating, walking, speaking, learning, and working. Major life activities were further defined to cover major bodily functions such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. A person would now meet the definition of being regarded as having an impairment that substantially limits a major life activity if the person establishes that he or she has been subjected to a prohibited action “because of an actual or perceived physical or mental impairment whether or not the impairment limits or is perceived to limit a major life activity” (Weber, 2012, p. 618).

These laws defined more students with disabilities who are now entitled to protection from discrimination based on their disabilities and eligible to receive special education or general education with related services and reasonable accommodations under Section 504 (Bowman, 2011; Cortiella, 2011; Cortiella & Kaloi, 2010). Section 504 includes students with a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. Life activities include walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, and performing manual tasks even if the student has learned to overcome the impairment and is not experiencing learning difficulties. Section 504 includes students with disabilities eligible for IDEA and students with disabilities not eligible for IDEA. Section 504 students not eligible for IDEA are identified as “504-Only” students (Weathers & Zirkel, 2016).

## **Section 504**

With the increase in Section 504 students, it is important to better understand the current conditions and needs of school staff responsible to implement this program, especially in the areas of support services provided to support the success of these students. However, evidence indicates school staff who implement Section 504 receive little to no guidance in Section 504 interpretation and application to help meet the instructional and environmental needs of these students (Pazey & Cole, 2012).

Over the last few years, the state agency in Texas, the Texas Education Agency (TEA), has recognized the expansion criteria of the ADAAA and has been addressing the provisions of the laws by creating changes in student access to accommodations on state exams (TEA, 2018). Typically, children who are eligible for Section 504, but not IDEA, need accommodations and related services, but not special education services.

Examples of accommodations are instructional, environmental accessibility, materials, behavioral, and testing accommodations. This can also include accommodations for students such as the need for physical barrier removal, adjusted program schedule, and use of accommodated books and writing instruments. Examples of Section 504 services may also include administration of medication, behavioral plans, occupational therapy services, and physical therapy services. In addition to mandating the provision of services, Section 504 requires programs receiving federal funds to remove obstacles that prevent students from attending school and participating in the same activities like their typically developing peers (Boylan & Goldman, 2010).

Unlike IDEA, Section 504 is an unfunded mandate and district school leaders must make decisions regarding services for children receiving section 504 services with little to no resources available (Understood, n.d.). Due to funding constraints, related services personnel (i.e., occupational therapists, physical therapists, school psychologists, social workers, and speech pathologists) may only be directly accessed by students identified under the IDEA. This limits options for campus administrators regarding service supports to students who would have otherwise qualified for special education services. Students who qualify under the IDEA gain access to direct and related services if found eligible for the services, while students who do not qualify under the IDEA do not gain access to these federally funded related services. It is up to the local school district to provide the funding for the service should it provide it to the student. So, for 504-Only students, social justice comes with a price tag for local schools.

### **Social Justice and Section 504**

It is toward the aim of social justice in education that IDEA and Section 504 were created, i.e., to address and eliminate the marginalization of students with disabilities through free and appropriate education (FAPE) assuring equality of opportunity, full participation, independent living, and economic self-sufficiency for (Americans with Disabilities Act of 1990). Section 504 includes students with a physical or mental impairment that substantially limits one or more major life activities, has a record of such impairment, or is regarded as having such impairment. Life activities include walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, and performing manual tasks even if the student has learned to overcome the impairment and is not experiencing learning difficulties (USDOE & US Office of Civil Rights [USOOC], 2016). Section 504 includes students with disabilities eligible for IDEA and students with disabilities not eligible for IDEA. Section 504 students not eligible for IDEA are identified as “504-Only” students (Weathers & Zirkel, 2016). Schools must address these students with disabilities added by ADAAG under Section 504 with support services to ensure they receive an education comparable to that provided to students without disabilities (USDOE & USOOC, 2018). School districts have been adjusting to the effects of the ADAAG 2008 (Zirkel, 2009) and its impact on public schools, especially since federal funding is not provided to address 504-Only students (Weathers & Zirkel, 2015).

However, it is not the law, policy, or rule that matters, it is implementation that matters. In an essay, Bogotch (2000) wrote social justice requires an ongoing struggle [i.e., to share power/knowledge/resources equitably] and cannot be separated from how educational theories and practices are being [re]defined and practiced by professionals within schools, academic disciplines, and governmental agents. Thus, social justice will not prevail, if poor implementation exists. Thus, effective decisions and program implementation are a must to promote cost efficiency.

In summary, to ensure social justice in education, federal laws have been enacted that support services for student with disabilities and promote equitable school learning. More recent laws have increased eligible students for these services including unfunded services. One way to assess implementation of these services is to examine the perceptions of those who work with implementation of laws and programs on a daily basis (Madaus & Shaw, 2008). Therefore, this study sought to identify strengths and challenges in services provided to 504-Only students as perceived by school staff who implement the Section 504 program and by their school level in order to promote program improvement and cost efficiency. While this study focuses on identifying strengths and challenges involved in implementing Section 504 program for 504-only students, the study's findings may support improvement in the education of these students and further support the study's central theme, true social justice for 504-Only students.

## Method

This mixed methods study examined how school administrators and administrative support staff perceived their strengths and challenges in implementing Section 504 services for students with a service plan in five districts. This study was guided by two quantitative questions and one qualitative research question. This research also examined the differences between the perceptions of elementary and secondary education administrators and support staff regarding their strengths and challenges related to the procedural implementation of Section 504 services. Descriptive and inferential statistics formed the basis of the analysis of the survey as the researchers intended to examine frequency distributions (numbers and percentages), summaries about the sample and responses to the survey questions (Fink, 2013). Measures of central tendencies and measures of variations were also calculated. Use of this methodology supported the enhancement and furtherance of human rights and social justice from an ethical stance (Mertens, 2012).

### Research Questions:

RQ1. What is the degree of utilization of various 504 student services by school administrators participating in 504 committees?

RQ2. What are the currently perceived concerns of elementary and secondary administrators in public education settings regarding the implementation of 504 supports and services for students with Section 504 plans?

RQ3. Is there a difference between elementary and secondary level school administrators participating in 504 committees in their perceptions of strengths and challenges (perceptions of concerns, training needs, and utilization of student services) related to the Section 504 decision-making process?

### **Instrumentation**

Data gathered for this research was based on a survey questionnaire. The selected survey instrument used to collect data from the participants was an adaptation of Section 504 School-Based Administrator Survey Blueprint (Maydosz, 2009). The purpose of her dissertation was to “ascertain the state of Section 504 implementation in the Commonwealth of Virginia and to create a profile of the use and understanding of Section 504 in Virginia” (Maydosz, 2009, p. 40). Permission was granted from the developer to adapt and administer the survey for this study. Similar to the current study, Maydosz’s study focused on Section 504 and its impact on schools. However, her primary focus was on the implementation and understanding of Section 504, while the current study’s focus was on identifying the strengths and challenges perceived by school staff that work with Section 504-Only students. Moreover, Maydosz’s study, completed almost ten years ago, focused on a different geographic location and included different student ethnicities than the current study. Therefore, adaptations were made to Maydosz’s survey instrument: removing questions strictly related to understanding of Section 504 and student demographics since this study’s schools’ demographics included approximately 97.4% Hispanic students (TEA, 2016).

Questions related to Section 504-Only services were added in addition to, open-ended questions in order to expand on strengths and challenges identified by the participants regarding 504-Only students. Thus, the survey was developed in three parts adapted from the Maydosz Blueprint Survey (2009). Part I of the survey collected demographic and characteristic information regarding the Section 504 roles of the participants. Part II collected information regarding attitudes on professional development and access to support from district personnel on Section 504 matters. Part III addressed questions related to beliefs and attitudes regarding services accessed by students requiring 504 supports. Three open-ended questions were included at the end of Part III of the survey to help the investigator determine insights and opinions on the current needs of the participants regarding professional development.

The benefits of selecting a survey design administered in an online-format were the rapid turnaround, efficiency, and availability of the data results (Creswell, 2013). A survey also allowed for strict confidentiality of the research participants, a quick collection of responses, and limited researcher influence (Creswell, 2013; Fink, 2013). The survey included open-ended questions to identify and triangulate themes and patterns to question responses that aided in increasing confidence in the reliability of this study. Participants were provided access to an online survey for completion that also included one pilot study school district. The pilot survey was conducted to aid in the identification of themes for the final data collection survey and to improve the reliability of the survey (Fink, 2013).



## **Research Sample**

Campus administrators and administrator designees who participate in or are informed on the Section 504 decision-making process were considered for the study. The participants were from two large and three small school districts in South Texas, selected through convenience sampling due to physical availability. Two districts had student populations larger than 20,000, and three districts had student populations of fewer than 1,000. All regular schools, stratified by elementary and secondary schools in the participating districts, were invited to participate. Of these 83 campuses among the five districts, only 46 campuses participated (55.4%). Of the 156 potential participants in the 46 campuses, 66 participants (42.3%) completed the online survey.

## **Data Survey Completion**

Surveys were sent to campus administrators and administrator designees. A total of 66 participants completed surveys representing elementary and secondary campus counselors, campus principals, and campus assistant principals (Rodriguez et al., 2020). Recent changes in data reporting to the Texas Education Agency regarding Section 504 (Senate Bill 1153, 2017), uncertainty in local confidence of program organization, and recent citation by the U. S. Department of Education Office of Special Education Programs (OSEP) of the Texas Education Agency with problems related to professional development, Child Find, and Free and Appropriate Public Education (Texas Education Agency, July 18, 2018) may have influenced the low participation rate (Rodriguez et al., 2020).

## **Data Analysis**

Data analysis was organized using the research study's questions related to the degree of utilization of various Section 504 student services and concerns regarding Section 504 supports and services. Differences in the perceptions between elementary and secondary school participants were integrated throughout the analyses as applicable.

## **Research Questions**

Research Question 1 asked: What is the degree of utilization of various 504 student services by school administrators participating in 504 committees? On a 5-point Likert scale, 1 (Never Used) to 5 (Frequently Used), participants indicated how often they accessed 504 support in the following areas, listed from highest to lowest based on resulting means: Accommodations (M=4.35), Health Services (M=3.65), Behavior Intervention Plans (M=3.44), Related Services (M=3.17), Special Education Consultations (M=3.08), and Special Transportation (M=2.80). The data shows Accommodations as the support most used by participants, followed by Health Services and Behavior Intervention Plans. On the same Likert scale, participants indicated what type of consultative support their school provided 504-Only students. Behavior Supports (M =3.36) received the highest selection, followed by Psychological Services (M=3.03),

Procedural Consultation (M=2.82), Speech Consultation (M=2.74), Occupational Therapy Consultation (M =2.62), and other types of consultative services (M=1.74).

Research Question 2 asks: What are the currently perceived concerns of elementary and secondary administrators in public education settings regarding the implementation of 504 supports and services for students with Section 504 plans? Specifically, participants were asked how often they sought assistance on Section 504 issues. Over half (57.6%) of the 64 respondents reported seeking assistance one to four times per semester, 27.3% sought assistance five to fifteen times per semester, and 3% sought assistance every week. These results indicate some respondents seek assistance on Section 504 almost weekly.

On a 4-point Likert scale, participants were also asked how often they sought assistance in various categories of 504 supports for students: 4 (Weekly), 3 (5-15 times per semester), 2 (1-4 times per semester), or 1 (Never). The categories were: Eligibility, Discipline, Dispute Resolution, Accommodations, Related Services, and Consultative Services. Independent samples *t*-tests were conducted to test for statistical significances in the differences between the means of the elementary and secondary groups in the specific areas of 504 support. Of the six categories indicated, "Assistance with Accommodations" was determined to be statistically significant with a  $P=.023$  at the  $p =0.05$ . The mean of the participants for this category from the elementary level (N=34) was 3.41, while the mean of the participants for the secondary level (N=30) was 2.73. Table 1 includes the means and standard deviations of the responses of the three school-level groups and the independent samples *t*-test results.

- **Table 1 - Areas of 504 Support Independent Samples Test: t-test for Equality of Means. See attached.**

Research Question 3 asked: Is there a difference between elementary and secondary level school administrators participating in 504 committees in their perceptions of strengths and challenges (perceptions of concerns, training needs, and utilization of student services) related to the Section 504 decision-making process? Differences in means between elementary and secondary level participants regarding the level of supports generally accessed by the participant's campus were analyzed for significance. An independent samples *t*-test was conducted to test for statistical significances in the differences between the means of the two school level groups. As noted in Table 2, of the six student access categories, one was determined to be statistically significant: "Student Supports: Special Transportation" with a  $p=.030$ .

- **Table 2 - Comfort in Making Support Service Recommendations in Section 504 Committee Meeting. See attached.**

Differences in mean groups between elementary and secondary level participants regarding the level of consultative supports generally accessed by the participant's campus to support Section 504 students were also analyzed. An independent samples *t*-test was conducted to test for statistical significances in the differences

between the means. The elementary level group means were compared with the secondary level group means for each of the categories. Of the six categories, only one mean, Speech Consultative Services, was significantly higher for elementary schools (N=34, M=3.15) than the mean for secondary schools (N=30, M=2.33,  $p = .023$ ).

## Results

To provide for greater freedom to respond, the questionnaire included an open-ended question where a respondent could write any remark about Section 504. Only nine of the 66 participants provided a response. Nevertheless, the responses were analyzed independently by two assessment experts in the field of Special Education and study's categorized into general themes all related to concerns: 504 process, state design of 504 campus case management, more 504 planning time, and greater guidance on completing 504 forms. Results of the collected comments are as follows:

### Challenges

- 504 Process
  - “We need to better distinguish RTI as a documentation form that helps with labeling student as 504 or other Resource Program.”
  - “Procedural implementation of all services.”
  - “There is confusion in my part because I hear district personnel say that students should not be in 504 forever. They need to be recommended for Special Ed or exited after a while.”
  - “Seems like everyone, including parents, want to have their child under 504.”
- Structured designation of 504 campus case management by the state
  - Designees besides school counselors to be in charge of the program.”
  - “If the state has designed the 504 programs, who should be the designated case manager for these cases? Can there be one designee assigned across the state? For example: make all assistant principals the designee instead of 504 being tossed around to whomever they feel like.”
- 504 Planning time
  - “More time to plan.”
  - “Too much paperwork.”

- 504 Forms
  - “How to fill forms.”

## **Strengths**

One area of strength identified in this study was the participants who are delegated the responsibility of ensuring a successful Section 504 program. They were very comfortable with making recommendations in Section 504 committee meetings. Moreover, there was no statistical significance in this comfort level between elementary and secondary school levels. Thus, despite the challenges of the program, these school staff members still felt very comfortable in making recommendations in Section 504 committee meetings. This reflects highly on the staff and schools to ensure preparedness in making 504 student decisions.

In summary, data were analyzed from 66 participants serving 43 campuses in South Texas. Areas of strengths and challenges were identified related to Section 504 implementation, strengths, and challenges among elementary and secondary schools.

## **Conclusion**

The purpose of this study was to identify the perceptions of elementary and secondary education administrators who participate in decision-making processes regarding the strengths and challenges in Section 504 support and implementation services. This research is critical because of an increase in the number of identified students who are now eligible for Section 504 services due to the ADAAA of 2008 (Cortiella & Kaloi, 2010).

The supports most accessed for Section 504 students were accommodations, health services, behavioral intervention plans followed by related services, special education consultations, and special transportation. Elementary participants perceived their 504 students accessed accommodations more frequently than secondary level personnel. Secondary level participants perceived that their 504 students accessed health services more frequently than the elementary level participants. Elementary schools accessed special transportation significantly more than secondary schools. Thus, elementary 504 students needed special transportation more than secondary 504 students.

Regarding the six types of consultative services accessed by Section 504 students, behavioral supports and psychological services were more frequently accessed by their campus. Interestingly, elementary participants perceived their students accessed behavior supports and psychological services more frequently than secondary level participants. In comparing the means of elementary and secondary administrators and administrative support staff, it is noted that a statistical difference exists in the category of speech consultation services. Elementary participants indicated seeking consultative services more frequently than secondary level participants.

Respondents noted the highest utilized Section 504 student services were: Accommodations, Health Services, Behavioral Intervention Plans followed by Related Services, Special Education Consultations, and Special Transportation. The consultative services in order of use were Behavior Supports, Psychological Services, Procedural Consultation, Speech Consultation, Occupational Therapy, and other types.

The high complexity and criticalness of Section 504 to social justice and student success places great demands on school staff responsible for its implementation. This research has increased the knowledge and understanding of the strengths and challenges related to Section 504 support services as reported by school staff working with 504-Only students. With greater understanding of overall and differentiated needs at the elementary and secondary application levels, personnel preparation programs and schools will more accurately provide resources and training to better prepare staff implementing Section 504. Excellence in Section 504 implementation shall produce excellence in student success and social justice in all our schools.

## References

- Americans with Disabilities Act Amendment Act of 2008, 42 U.S.C.A. §12101 note (2008).
- Bogotch, I. E. (2000). *Educational leadership and social justice theory into practice*. Earlier version of paper presented at the Annual Meeting of the University Council for Educational Administration, Albuquerque, NM.
- Boylan, E., & Goldman, D. (2010). Including children with disabilities in state pre-k programs. *Education Law Center*, 15, 1-21.
- Bowman, L. (2011). Americans with disabilities act as amended: Principles and practice. *New Directions for Adult and Continuing Education*, 2011(132), 85-95.
- Cornelius, L. J., & Harrington, D. (2014). *A social justice approach to survey design and analysis*. Oxford University Press.
- Cortiella, C. (2011). The state of learning disabilities: facts, trends, and indicators. New York, NY: National Center for Learning Disabilities. <http://www.ld.org>
- Cortiella, C., & Kaloi, L. (2010). Meet the new and improved section 504. *Exceptional Parent*, 40(2), 14-15.
- Creswell, J. (2013). *Research design: Qualitative, quantitative, and mixed methods approaches* (4th ed.). Sage Publications.
- DeMatthews, D., & Mawhinney, H. (2014). Social justice leadership and inclusion: Exploring challenges in an urban district struggling to address inequities. *Educational Administration Quarterly*, 50(5), 844-881.

- Freire, P. (1970). *Pedagogy of the oppressed*. Continuum.
- Fink, A. (2013). *How to conduct surveys*. Sage Publications.
- Gorski, P. C. (2013). *Reaching and teaching students in poverty: strategies for erasing the achievement gap*. Teachers College Press.
- Hardcastle, L. A., & Zirkel, P. A. (2012, Dec.). The "new" section 504: student issues in the wake of the adaaa. *Journal of Cases in Educational Leadership*, 15(4), 32-39.
- Madaus, J., & Shaw, S. (2008). The role of school professionals in implementing section 504 for students with disabilities. *Educational Policy*, 22(3), 363–378.  
<https://doi.org/10.1177/0895904807307069>
- Maydosz, A. S. (2009). *An examination of section 504 in practice: dark days for student rights*. (Doctoral dissertation). ProQuest Dissertations and Theses database. (UMI No. 3393002)
- Mertens, D. (2012). What comes first? the paradigm or the approach? *Journal of Mixed Methods Research*, 6(4), 255-257. doi:10.1177/1558689812461574
- Palmer, M. (2011). Disability and poverty: A conceptual review. *Journal of Disability Policy Studies*, 21(4), 210–218. <https://doi.org/10.1177/1044207310389333>
- Pazey, B. L., & Cole, H. A. (2012). The role of special education training in the development of socially just leaders: building an equity consciousness in educational leadership programs. *Educational Administration Quarterly*, 49(2), 243-271.
- Potgieter, F. G., Van Deventer, I., & Van der Westhuizen, P.C. (2015). Social justice praxis in education: towards sustainable management strategies. *South African Journal of Education*, 35(2). doi.: 10.15700/saje.v35n2a. 956
- Rodriguez, D., Padilla, G., & Menchaca, V. D. (2020). *Section 504 service training: School administrators' perceived strengths and challenges*. [Manuscript submitted for publication]. Organization and School Leadership, The University of Texas Rio Grande Valley.
- Schraven, J., & Jolly, J. L. (2010). Section 504 in American public schools: An ongoing response to change. *American Educational History Journal*, 37(2), 419-436.
- Senate Bill 1153 (2017). Texas 85<sup>th</sup> Leg., Senate Journal page 4245 (enacted).

- Stapleton, D. C., O'Day, B. L., Livermore, G. A., & Imparato, A. J. (2006). Dismantling the poverty trap: Disability policy for the twenty-first century. *The Milbank Quarterly*, 84(4), 701-732. <https://doi.org/10.1111/j.1468-0009.2006.00465.x>
- Texas Education Agency. (2016, December). Enrollment in Texas Public Schools 2015-16. [https://tea.texas.gov/sites/default/files/enroll\\_2015-16.pdf](https://tea.texas.gov/sites/default/files/enroll_2015-16.pdf)
- Texas Education Agency. (2018, July 18). Special Education Corrective Action Response Requirements and Timelines. Austin, TX: Department of Special Populations in Division of Special Education. [https://tea.texas.gov/About\\_TEA/News\\_and\\_Multimedia/Correspondence/TAA\\_Letters/ACTION\\_REQUIRED\\_Special\\_Education\\_Corrective\\_Action\\_Response\\_Requirements\\_and\\_Timelines/](https://tea.texas.gov/About_TEA/News_and_Multimedia/Correspondence/TAA_Letters/ACTION_REQUIRED_Special_Education_Corrective_Action_Response_Requirements_and_Timelines/)
- Theoharis, G. (2007). Social justice educational leaders and resistance: Toward a theory of social justice leadership. *Educational Administration Quarterly*, 43(2), 221-258.
- Understood. (n.d.). *The Difference Between IEPs and 504 Plans*. <<https://www.understood.org/en/school-learning/special-services/504-plan/the-difference-between-ieps-and-504-plans>.
- U.S. Department of Education. (2011). *Protecting students with disabilities: frequently asked questions about section 504 and the education of children with disabilities* (Ed.gov. publication). <https://www2.ed.gov/print/about/offices/list/ocr/504faq.html>
- U.S. Department of Education, Office of Civil Rights. (2016). *Students with ADHD and section 504: a resource guide*. <https://www.ed.gov/news/press-releases/us-department-education-releases-guidance-civil-rights-students-adhd>
- U.S. Department of Education, Office of Civil Rights. (2018). *Protecting students with disabilities*. <https://www2.ed.gov/about/offices/list/ocr/504faq.html>
- Weathers, J. M., & Zirkel, P. A. (2015). Section 504 only students: National incident data. *Journal of Disability Policy Studies*, 26(3), 184-193. doi: 10.1177/1044207314543560
- Weathers, J. M., & Zirkel, P. A. (2016). K-12 students eligible solely under section 504: Updated national incidence data. *Journal of Disability Policy Studies*, 27(2), 67-75. doi:10.1177/1044207315626115.
- Weber, M. C. (2012). Procedures and remedies under section 504 and the ada for public school children with disabilities. *Journal of the National Association of Administrative Law Judiciary*, 32(2), 612-647.
- Zirkel, P. A. (2009). What does the law say? *Teaching Exceptional Children*, 41(4), 68-71.

Table 1

*Areas of 504 Support Independent Samples Test: t-test for Equality of Means*

Support Category	Group	N	Mean	SD	<i>t</i>	P	Null Hypothesis
Eligibility	Elementary	34	3.06	1.278	.479	.633	Accept
	Secondary	30	2.93	.691			
	District	2	3.50	.707			
	Total	66	3.02	1.03			
Discipline	Elementary	34	2.91	1.240	1.345	.183	Accept
	Secondary	30	2.53	.973			
	District	2	3.00	.000			
	Total	66	2.74	1.114			
Dispute Resolution	Elementary	34	2.88	1.387	1.851	.069	Accept
	Secondary	30	2.30	1.088			
	District	2	3.00	.000			
	Total	66	2.62	1.262			
Accommodations	Elementary	34	3.41	1.395	2.325	.023	Reject*
	Secondary	30	2.73	.828			
	District	2	2.50	.707			
	Total	66	3.08	1.194			
Related Services	Elementary	34	2.85	.1324	.624	.535	Accept
	Secondary	30	2.77	.817			
	District	2	2.50	.707			
	Total	66	2.85	1.099			
Consultative Services	Elementary	34	2.88	1.452	1.464	.148	Accept
	Secondary	30	2.43	.898			
	District	2	2.50	.707			
	Total	66	2.67	1.219			

*Note.* N=Total Subjects, SD=Standard Deviation, *t*=calculated *t* statistic, P= Value

Significant (2-tailed). Frequency of Assistance Sought from 1 (Never) to 4 (Weekly).

\* $p < .05$



Table 2

*Comfort in Making Support Service Recommendations in Section 504 Committee Meeting*

Support Category	Group	N	Mean	SD	<i>t</i>	P	Null Hypothesis
Behavior Intervention Plans	Elementary	34	3.44	1.186	.140	.889	Accept
	Secondary	30	3.4	1.163			
	District	2	4.00	1.414			
	Total	66	3.44	1.165			
Accommodations	Elementary	34	4.41	.957	.620	.537	Accept
	Secondary	30	4.27	.907			
	District	2	4.50	.707			
	Total	66	4.35	9.20			
Health Services	Elementary	34	3.56	1.160	-.598	.552	Accept
	Secondary	30	3.73	1.172			
	District	2	4.00	1.414			
	Total	66	3.65	1.157			
Special Transportation	Elementary	34	3.12	1.326	2.226	.030	Reject
	Secondary	30	2.37	1.365			
	District	2	4.00	1.414			
	Total	66	2.80	1.395			
Special Education Consultation	Elementary	34	3.26	1.286	1.300	.198	Accept
	Secondary	30	2.83	1.367			
	District	2	3.50	2.121			
	Total	66	3.08	1.339			
Related Services	Elementary	34	3.26	1.286	.701	.486	Accept
	Secondary	30	3.03	1.351			
	District	2	3.50	2.121			
	Total	66	3.17	1.319			

*Note.* N=Total Subjects, SD=Standard Deviation, *t*=calculated *t* statistic, P= Value Significant (2-tailed). Comfort in making Recommendations in 504 Committee Meeting from 1 (Very Uncomfortable) to 5 (Very Comfortable).

\**p*<.05