Section 504 Best Practices for Parents

Parents may wish to refer their food allergic child for Section 504 plan determination in hopes of being found eligible to receive accommodations. There are a few best practices to keep in mind if you decide to refer your child for a Section 504 evaluation:

- Research your school district’s evaluation and eligibility procedures to determine timelines after referral.

- Put referral in writing (an email is a sufficient form of writing) addressed to the school administrator and copy another school personnel (nurse or vice principal). Include the date and specifically state that you are consenting to a 504 evaluation.

- Be prepared with a letter from a physician, preferably a board-certified allergist. (See the sample letter provided in the Civil Rights Advocacy Resource Center.)

Other points to remember:

- Do not wait until your child has a severe or near-life-threatening reaction at school, or until the school environment becomes extremely unsafe or hostile, to obtain a Section 504 plan. The Section 504 plan helps the food-allergic student safely access education and activities provided by the school. Educators want the best for their students and welcome the ability to better understand how to manage a student’s health and well-being.

- Accommodations may fit the individual needs for some, but not all, students with food allergies. The individual needs of each student must be considered.

- Accommodations are only appropriate if they ensure access to education equal to that of non-disabled peers. Accommodations are not intended to give preferential treatment but to level the playing field for the food-allergic student, allowing him or her to safely access the programs and activities provided by the school alongside his or her non-disabled peers.