



Empower Section 504 team members to say 'no' when it's not in the student's best interest

Section 504 meetings can get very emotional, said Michelle A. Todd, a school attorney at Hodges, Loizzi, Eisenhammer, Rodick & Kohn LLP in Arlington Heights, Ill.

"We have parents of students with life-threatening allergies [and] significant needs," she said. "Parents are coming with the perception that if you don't make accommodations, my child may die. You can't fault a parent for feeling that way. However, that does not mean that you should always say yes to all of a parent's accommodation requests, especially when they are not in the best interest of the child.

For example, because of their child's allergy to horsehair, the parents in *Smith v. Tangipahoa Parish Sch. Dist.*, [46 IDELR 282](#) (E.D. La. 2006) requested that the district ban all horses and horse equipment from campus and spray down a nearby street when a horse passed by.

Ultimately, the decision is not up to just the parents, but to the student's Section 504 team, which has to include individuals who are knowledgeable about the child, the meaning of the evaluation data, and the placement options. [34 CFR 104.35](#).

"That's a difficult conversation to have," Todd said. "It's important for administrators to work with teams on how to navigate this before the meeting."

Consider the following suggestions to empower your Section 504 team:

- **Help teams navigate conflict.** Having conflict is not something that's second nature to educators, Todd said. Empower teams to navigate conflict and deal with it. Train and prepare them so they understand how to bring difficult discussions to closure.

"Empower teams to get to the point, she said. "It may not be friendly. Get them to the point where they can say, 'No, and if you disagree, here are your rights to challenge our decision.'"

- **Don't go inverse.** At the same time, you don't want to go inverse and shut the parent down immediately without having a conversation, Todd said.

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Advise teams to consider the parent's request, document, and then move on, she said. "You don't want teams to go 0 to 60 without listening and considering and then saying, 'Here are your procedural safeguards.' You must find that balance, even with parents that are difficult at every meeting."

- **Build a relationship with parents.** It takes patience and time to build a relationship with a family, so they trust you, Todd said.

"Where I generally see relationships break down is when school district teams agree to do certain things at meetings and staff fail to follow through," she said. "Parents begin to lose trust in the school team and 504 process, not because an individual staff member does something or fails to do something intentionally, but because teams don't keep track of their responsibilities and to-dos following a meeting [or] the information isn't communicated to all of the student's team members for implementation."

But generally, if teams can build a relationship and trust with a family, then refusing a parent's request or preference for an accommodation or service can be met with less resistance, she said.

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