

# Section 504

# COMPLIANCE ADVISOR

ROUTE TO	

Your Guide to Understanding and Administering Section 504

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## Stimulus funds provide opportunity to address facility accessibility

The American Recovery and Reinvestment Act can help you fix accessibility issues in your district's facilities. Making such repairs would help you avoid a claim like the one in *Union County (GA) Schools*, 51 IDELR 226 (OCR 2008).

### Key points

- ARRA funds can be used to modernize, renovate, repair facilities.
- As such, use some of these funds to ensure facilities are accessible.
- Also, get tips to meet Section 504's facility accessibility requirement. ■

Here, the parent of a sixth-grader with a mobility impairment had little trouble convincing OCR that the district denied her son equal access to school buildings. Not only did the access ramps fail to meet federal accessibility guidelines, but also the accessible pathway

exposed the student to the elements.

"The primary reason a district might have inaccessible facilities is most likely going to be that of monies," said Tina Smith, a former Section 504 coordinator for Loudon County (Tenn.) Schools. "Oftentimes, administrators are caught in a position where they know the

right thing to do but are unable to fund it. Thus, [they] roll the dice as to whether or not a complaint may be filed," she said.

Districts experience budgetary constraints on a daily basis, said Lana Traynor, a special needs and education attorney with Lana L. Traynor, LLC in Oregon. Under the stimulus plan, however, a district may allocate some monies to modernize, renovate and repair its facilities. This "financial infusion" could let more districts address facility accessibility issues, she said.

### Stimulus funding stream

ARRA allots \$53.6 billion to the State Fiscal Stabilization Fund. The fund has four main funding streams: an Education Fund, an Other Government Services Fund, an Innovation Fund, and a State Incentive Grants program. The \$8.8 billion for Other Government Services is for "public safety and other government services," which include elementary and secondary schools and public colleges or universities. This fund can also be used to modernize, renovate or repair "public school facilities and institutions of higher education facilities."

Learn more about the June 18 audio conference *Smart Strategies and Potential Pitfalls When Spending Your Special Ed and Title I Stimulus Funds* at [www.educationaudios.com/audioed\\_2.html](http://www.educationaudios.com/audioed_2.html). ■