

CHAPTER 4

RESULTS OF THE STUDY

Chapter 4 addresses two major questions. The first major question is this: How is Section 504 policy implemented to serve adolescents in two middle schools? Addressed under the first question in Sections I-III respectively, are three sub-questions: (a) Who are the students served under Section 504 in these middle schools? (b) What comprises the content of their Individualized Accommodation Plans (IAPs)? and, (c) How do administrators and teachers describe the process with which they develop and implement Section 504 policy? Section I is entitled, Describing the Adolescents Served Under Section 504 Policy. It tells about the number of IAPs through description and analysis of plan documents and demographic profiles of the adolescents for whom these IAPs were developed. Section II, Describing How These Adolescents Are Served Under Section 504 Policy, depicts and analyzes the content of these plans within and across two schools using the results of document analysis informed by interview data. In Section III, entitled Describing How Section 504 Policy is Implemented in Two Middle Schools, interview data on how adolescents with disabilities were served under Section 504 policy are explored.

The second major question is addressed in Section IV, entitled Examining Some Implications of Section 504 Policy: A Theoretical Explanation for the Difference in the Number and Content of Accommodation Plans. That question is this: How does the implementation process described in the case study affect the demographic profile of the students who are served in these two schools and the content of their plans? This section comprises the grounded theory from which hypotheses are

derived based on the case study of the implementation process and how it may affect the number and demographic profile of the students served, and the content of their accommodation plans. A description of how the results address these hypotheses is provided. Under this portion of the study, propositions brought forth offer possible explanations for differences in the number and content of accommodation plans found in the two schools. Data gathered from each school through the examination of records and the conduction of interviews with administrators and teachers are reported. These findings help to ascertain how adolescents were assisted in gaining equal access to educational opportunities and the impact of the implementation process, if any, on the number and content of plans in each middle school.

The chapter concludes with Section V, Relevant Factors Associated With Section 504 Implementation. Based on the findings from Sections I-IV, this section compiles factors believed to be most influential on the number, content, and decision-making process pertaining to the implementation of the Section 504 mandate. Propositions are brought forth to offer explanations about the implementation of the Section 504 process.

Section I: Describing The Adolescents Served Under Section 504

The two middle schools in this study were chose because of their difference in number of students served under IAPs. Entry gained to both schools occurred through contact made with each school's principal. After gaining entry, data were gathered through the examination of pertinent records and the conduction of interviews with administrators and teachers. This section reports the findings of those explorations. Data from students' confidential files (i.e., Section 504 IAPs, records of retention,

attendance data, and special education records) were examined and compared with general demographic data on the overall student population in the two middle schools. These findings appear in raw data tables found in Appendix G. The general demographic data obtained from School Profiles (1997) and Facts & Figures (1998) appear in Table 3.1. Student demographics listed in Table 4.1 are elaborated upon in narrative format. Immediately following this section are findings on the number and demographics of students whose IAPs serve as one of the focal points in this study.

Number and Demographic Profiles of Students with IAPs

Demographic data on the number of students represented in the study appear in tabular and narrative formats. These demographic categories are enrollment, students with Section 504 plans, ethnic groups, gender, school/teacher-pupil ratio, free and reduced-price lunch, previously served in special education, retained, and mobility index (the number times these students moved into or out of school during 1996-1997, not counting the expected transition into middle school). This information proved valuable in understanding the general background of students with IAPs. Of equal importance are data on the types of impairments protected under these plans (physical, mental, or ADD/ADHD) and reasons for referral to the Section 504 team (also see Appendix H). Multiple data sources were used. These sources include: (a) a school-generated database on free and reduced-price lunch eligibility, (b) the Columbia Student Locator for ethnic groups and school tracking, and (c) the Special Education Student Database (SESDA). Distinctions found in the table explain differences in data sources. A profile of students' IAP numbers and demographics appears in Table 4.1.

Table 4.1

Demographic Profiles of Students With Individualized Accommodation Plans(IAPs) in High and Low Plan User Schools, 1996–1997

Demographic variables	<u>HPU school</u>		<u>LPU school</u>	
	<u>n</u>	<u>%</u>	<u>n</u>	<u>%</u>
<u>(Sources: Section 504 Individualized Accommodation Plans (IAPs), School Profiles, Facts and Figures, Confidential Files, and Special Education Student Database [SESDA]):</u>				
Enrollment	1184	100	1010	100
Students with IAPs	33	3	8	<1
<u>Ethnic Groups</u>				
Caucasian	30	91	6	74
African-American	3	9	1	13
Asian/Pacific Islander	0	0	1	13
<u>Gender</u>				
Males	28	85	6	75
Females	5	15	2	25
School teacher-pupil ratio	22:1	–	25:1	–
Free and reduced-price lunch	2	6	2	25
Previously served in special education	6	18	3	38
Retained ^a	4	12	0	0
Mobility index ^b	5	.15	3	.38
<u>Disabilities</u>				
Physical	7	21	4	50
Mental	1	3	2	25
ADD/ADHD	25	76	2	25

^aRepeated a grade at least once during their years in school. ^bMobility is defined as the number of students who moved into or out of the middle school during the 1996-1997 school year.

School HPU. The guidance director in School HPU assisted the researcher in accessing staff and documents. Given a roster of 33 students with IAPs during the 1996-1997 school year, she gathered student files, disseminated information about the study to selected teachers, and identified other data sources in the case of missing student files. The guidance counselor also provided additional information based on her personal knowledge of the students and the management of their records.

Twenty-eight of the 33 HPU students had enrollment totals of 136 to 180 days of the 180-day school year, and attended 75-100% of that time. Enrollment totals for five remaining students ranged from one to 160 days, with attendance ranging from 83-100% during their enrollment. Initially, cumulative records on four of 33 students could not be located due to errors in record keeping on the exit and subsequent reentry of these students into the school district over the period of one or more years.

Two ethnic groups emerged, Caucasian and African American. The representation of the Caucasian group was a little more than 10 times that of the African American group. Male representation was slightly more than five times that of females in the study. The average school/teacher-pupil ratio was 22:1. Two students received free and reduced-price lunch and six students previously received special education. Four students had a history of retention. Mobility was .15 in that five students had been highly mobile. Seven plans showed evidence of physical impairments, one showed a mental impairment, and twenty-five showed ADD/ADHD impairments.

Case notes and IAP documentation provided a means for exploring referral and eligibility decisions. Parents made more referrals to the Section 504 team than did

teachers or medical personnel. For example, 18 parents, 12 school staff, and 3 physicians made referrals to the Section 504 team. Based on this documentation, it appeared that referrals occurred for reasons that one might categorize either as diagnostic, preventive, prescriptive, or alternative. As an example of a diagnostic referral, one parent suspected that her child had ADD/ADHD; the referral read, “Mom wants school to decide if student has ADD/ADHD, so she can get meds.” Preventive referrals were those with statements such as one made by the parent of a gifted student who believed that “if things get difficult, the student may need help,” or “student is going to middle school.” Prescriptive referrals appeared to be those with statements such as, “Psychiatrist recommends a Section 504 plan.” An example of an alternative referral was one made due to no qualification for special education, or one made by a physician so that the student could obtain “benefit.” On occasion, student referrals resulted from academic issues associated with lack of work completion, or the need for adaptations and modifications. For instance, one student’s referral occurred because he was “nonperforming” and failed to complete homework.

Seven students manifested physical impairments identified as chronic asthma, traumatic brain injury, cerebral palsy, hearing loss, or visual-motor integration. Physical impairments sometime resulted from situations such as a “skiing accident,” “moderate hearing loss,” or “neurological deficits coupled with auditory processing and fine motor difficulties.” One student had a mental impairment described as “psychiatric” in origin or a “private psychological issue.” Twenty-five of 33 students had ADD/ADHD. One student seemed to have ADD/ADHD because his behaviors mimicked the disorder. Of the students with ADD/ADHD, nine manifested one or

more of a triad of behaviors (inattention, impulsivity, distractibility) generally observed among students with ADD/ADHD.

Considering the disabilities found and the reasons given for referral, more than 39% of the 33 referrals related directly to their disabilities as compared to a little more than 36% that seemed indirectly related, and approximately 24% that were vague or appeared to bear no connection at all. Among those referrals considered vague were reasons such as “Mom wants school to decide if student has ADD/ADHD so she can get meds,” “Student is going to middle school,” and “Psychiatrist recommends Section 504 plan.” Determination of why the student required accommodations for equal educational access was difficult. In terms of evaluation and assessment, eligibility notes were less than clear on the types of assessment used. It was clear, however, that school teams routinely honored referrals from the medical or mental health community; students received a plan. Discipline histories generally accompanied assessment referrals involving aggression. Academic and behavior problems included demonstrating an inability to focus, showing low motivation, showing anxiety, following school rules, exercising self-control, demonstrating irritability, and behaving aggressively. Of the seven cases referred for physical disabilities, and the single case categorized as a mental disability, four referrals were made by parents, four by parents and staff from medical and mental health communities, and one by direct hospital referral. Co-morbid conditions, the concomitant presence of more than one disability, were evident (e.g., Tourette’s Syndrome coexisting with ADD/ADHD).

School LPU. In School LPU, the principal identified the special education coordinator as the researcher's contact person. The special education coordinator also served as the Section 504 site administrator. Each of the eight IAPs selected from School LPU belonged to students who had graduated or moved to other middle schools in the district, necessitating visits to four high schools and two additional middle schools to gather data. Data sources included: (a) a school-generated database on free and reduced-price lunch eligibility, (b) the Columbia Student Locator for ethnic groups and school tracking, and (c) the Special Education Student Database (SESDA).

Enrollment totals for the eight students in School LPU ranged from 138 to 180 days, and actual attendance occurred 88-100% of the school year. Six students were Caucasian, one was African American, and one Asian American. Males were prevalent at three times the rate of females. The school/teacher-pupil ratio was 25:1. Two students received free or reduced-priced lunch and three previously received special education. Based on the data, none of these students had a history of retention. Overall, mobility for this group was .37 in that three of the eight students had been highly mobile.

Section 504 plan referral/eligibility documentation showed that four students had physical impairments (auditory memory, chronic fatigue, and Lupus); two had ADD/ADHD; and two had mental disabilities. One student's referral indicated an unspecified disability (academic/chronic behavior problems). Eligibility decisions appeared to have been based on: (a) responsiveness to perceived barriers resulting from impairments generally recognized as life-threatening or restrictive of vitality and

alertness, (b) consideration of doctor's recommendation, (c) manifestation of behaviors consistent with ADD/ADHD ("easily distracted" and "attention and concentration problems"), and (d) previous records of IAP protection ("Transfer student with active 504 plan," "had previous 504 plan in 4th grade, but not implemented throughout grade 5").

Parents referred four students to the Section 504 team, school staff referred three students, and a physician referred one student. Records on the student with chronic behavior problems had been lost over the period of one school year. Upon recovery of the records, the Section 504 team reactivated the plan. Comorbid impairments also were evident (e.g., ADD/ADHD coupled with depression, chronic fatigue coupled with Lupus, and Lupus coupled with nephritis).

Medical conditions formed the basis of three referrals. Referral of a student with Lupus was preventive in that written on the referral was "Lupus and nephritis can impact the student's academics negatively." The third student with an impairment categorized under medical conditions had an auditory memory problem, but how the impairment affected any of the student's major life activities was not evident. The Section 504 team reactivated the IAP of a student with the behavior problem after one year to "have the student be compliant."

In terms of assessments, eligibility minutes were vague. Rationales for eligibility determinations, described parsimoniously among referral/eligibility documentation, were unsupportive of the identification of the substantially limiting nature of the impairments on any major life activity. One of four students with ADD/ADHD received a plan pending the outcome of a referral to the special

education committee for an unspecified lack of academic success. Similar to findings in School HPU, a pattern emerged that requests from the medical community resulted in the provision of a plan.

Analysis Across Cases of the Number and Demographics of Students with IAPs

Themes emerged across cases: (1) school profile dissimilitude, (2) ADD/ADHD dominates, (3) parent-initiated referrals, and (4) lost records delay services. Demographic profiles are dissimilar in many respects. More students were eligible for Section 504 in School HPU than in School LPU. In fact, School HPU served slightly more than three times the number of students with IAPs found in School LPU.

School profile dissimilitude. In isolation, enrollment totals seemed to have no impact on plan numbers. Individualized accommodation plans belonged to more Caucasian males than to Caucasian females, or any other ethnic group or gender in both schools. The teacher-pupil ratio was slightly lower in School HPU than in School LPU, a finding that seems to lend little support to the influence of reduced teacher-pupil ratios on plan number in either school. As a group, students with IAPs in School LPU attended school more often than did students in School HPU. Consequently, more students in School LPU were accessible to services over a longer period during the school year. If students are present, teachers can implement plans.

Even though the same number of students (2) in each school received free and reduced-price lunch (FRPL), the percentage of students receiving FRPL in School LPU (25%) was higher than that of School HPU (6%). Considering both schools, and assuming that Section 504 was being used appropriately, seventy-five percent or more of the IAPs provided equal educational access to students from moderate to higher

socioeconomic status. Based on documents alone, free and reduced/price lunch appeared to have very little impact on plan numbers. The number of students previously receiving special education services was twice as high in School LPU (37.5) than in School HPU (18.1%). School HPU was the only school that retained students. Mobility was lower in School HPU (.15) than in School LPU (.37). Highly mobile students are inaccessible to services or service providers, and more at risk of implementation abridgment, withdrawal of services, and loss of records. Because of frequent transfers between schools, difficulties abounded in maintaining dynamic databases.

Use of Section 504 for students who have been retained, or no longer qualify for special education, constitutes a legitimate use of Section 504 policy for such students if their impairments substantially limit one or more of their major life activities. Overuse, however, could influence an increase in plan numbers. While an increase in retention or no qualification for special education appears marginal in School HPU, similar use of Section 504 policy in School LPU quite possibly could lead to growth in IAP numbers. It appears that high mobility would be restrictive of growth in plan numbers.

ADD/ADHD dominates. ADD/ADHD was addressed 50% or more of the time for students in both schools. Seventy-five percent of the students in School HPU had ADD/ADHD, compared to 50% in School LPU (25% with ADD/ADHD and 25% with ADHD as a secondary or comorbid disorder). Behaviors most often associated with ADD/ADHD are inattention, impulsivity, and hyperactivity. Of these three behaviors, inattentiveness appeared more often on IAPs of students with

ADD/ADHD. Other behaviors addressed in both schools for students with ADD/ADHD were aggressive behavior and disorganization.

Parent-initiated referrals. Either on their own or with the support of advocates from the medical or mental health community, more parents than teachers referred students to the Section 504 team. Parent referrals made in conjunction with requests from medical or mental health professionals appeared more likely to result in Section 504 qualification determination, a practice more common in School HPU. It is relevant to note that no legal obligation exists to qualify a student for Section 504 protection simply because of documentation of an existing, past, or perceived impairment. Although more prevalent in School HPU, this practice could affect increases in plan numbers.

Lost records delay services. Records on one to four students could not be easily located. In fact, records for one student had resurfaced recently after having been lost for a year. Loss of records, as had occurred to some measure in both schools, suggests possible interruptions or delays in IAP implementation for qualified students. Further, lost records may lead to inconsistencies in tracking and reporting student numbers. Students transferring into a school would be at risk of having delays in service if receipt of records is untimely. Each of these factors and occurrences plays a role in how well dynamic databases may be established and maintained.

Summary of Analysis Across Cases of Number and Demographics of Students with IAPs

Cross-case analysis of the demographic profiles of students in both schools reveals a few parallels, especially in terms of those served and the socioeconomic

level of the majority of those served. Beyond these similarities, parallels emerged among reasons for referrals in terms of the prevalence of ADD/ADHD, and in terms of lost records. Ethnic groups identify the race and gender of those served more or less often by plans. Findings in this area suggest underrepresentation of other ethnic groups in general, and females in particular.

These are the numbers and demographics of students served. Some awareness now exists as to who these adolescents are, as well as to the basis for their referral to the Section 504 team. The next section describes and analyzes the content of their plans using the results of document analysis informed by interview data to explain how, in reality, Section 504 served these adolescents.

Section II: Describing and Analyzing the Content of Individualized

Accommodation Plans

The Content of Section 504 Plans in the Two Schools

This research also focused on the content of the Section 504 plans (IAPs) in the two schools under study. Names on plans submitted to the central office were compared to a computerized database listing the names of all students with plans. The plans selected were in effect during the 1996-1997 school year. The researcher assigned codes to students' names, then listed them alphabetically by school in data matrices, along with each student's corresponding set of accommodations. The researcher conducted interviews to ascertain educators' perceptions of the Section 504 process in terms of assistance given to adolescents in gaining equal access to educational opportunities and the impact, if any, on the number and content of IAPs in each middle school.

Plan Content Based on Documentation

An examination of plan contents showed the types of accommodations students in both schools tended to use more often. Frequency counts taken of accommodations found on IAPs facilitated this endeavor. Actual frequencies of accommodations documented on plans were largely inconsistent with their use as reported in interviews. The average number of accommodations per plan found in School HPU was six, one more than in School LPU. Interview responses confirmed that accommodations occurred largely in general education classes. Contents of the IAPs were categorized as follows: (a) instructional supports, (b) environmental adaptations and modifications, (c) communication strategies, (d) behavior management strategies, (e) assistive technology adaptations, (f) health-related strategies, and (g) other strategies. Discussion of these categories takes place in sections that follow.

Instructional Supports

Instructional supports encompassed approaches and procedures used to assist students in gaining access to, and demonstrating their knowledge of, the instruction offered by the teacher. As shown in Figure 4.1, the instructional support used most often in School HPU was extra time (for tests, quizzes, and assignments), compared to extra sets of books used most often in School LPU. In School LPU, direct services supported classroom teachers' efforts to assist their students. Direct services, also known as related services, were those provided by guidance counselors, speech teachers, or other staff on a periodic basis to help the student benefit from the teacher's instruction.

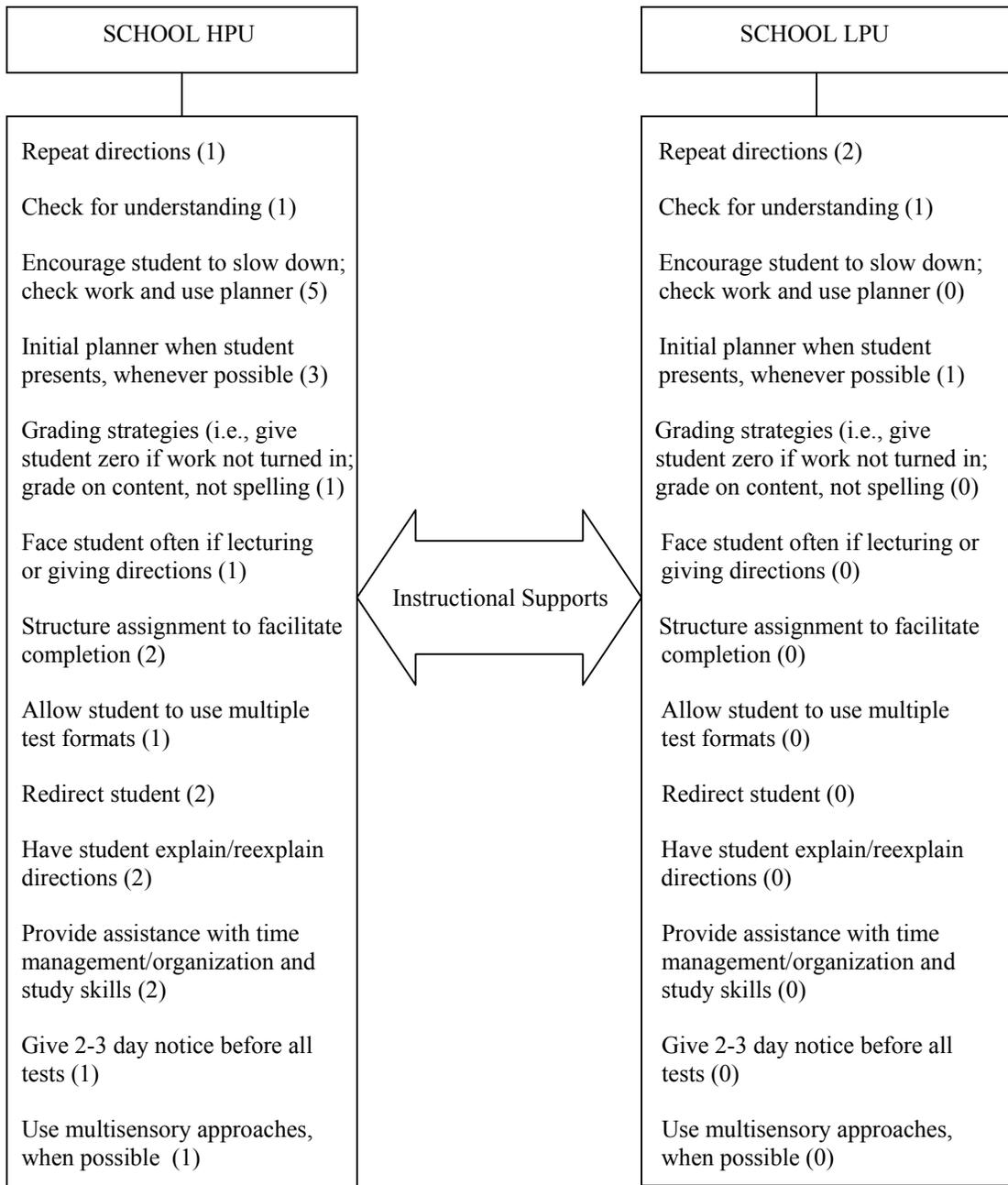


Figure 4.1 Comparison of the Types and Frequencies of Instructional Supports

Documented in Plan Content for School HPU and School LPU



Figure 4.1 continued. Comparison of the Types and Frequencies of Instructional Supports Documented in Plan Content for School HPU and School LPU

Instructional Supports Across Both Schools

Some instructional supports directly influenced how teachers prepared and delivered instruction, assisted the student with organization and time management,

prepared and administered tests, and graded students. Several themes emerged from the exploration of instructional supports: instructional efficacy, implementation formality, executive functions assisted, implementation logic, assessment protocol, and inherent cost.

Instructional efficacy. Many instructional strategies and modifications were actual directives to teachers on their responsibilities during plan implementation. Similarities exist between these supports and general tenets of “good” teaching. Based on plan content, examples of these tenets included “repeat directions,” “check for understanding,” and “break assignments into small steps.” Supports like these are rudimentary and generally observable in any effective teaching milieu. Inclusion of this type of content, considered on face value, may lead one to question whether good teaching is occurring or if effective practices exist. For instance, do these instructions to teachers mean that effective teaching practices need to occur more often in their classrooms? Moreover, if effective practices occur already, does writing them into a plan really increase benefit to a student? If the same opportunity exists for every student, what deference really exists concerning a student’s impairment? Are these supports indicative of students’ needs or teachers’ needs?

Implementation formality. Most instructional supports appear to extract low implementation demands on teachers in terms of time requirements, formal planning, and preparation effort. Other instructional supports such as using “multisensory approaches,” “providing academic challenges,” “providing a copy of chalkboard notes,” or “making frequent checks for work completion” seem to suggest more difficulty associated with their implementation. Considering examples given,

instructional supports used in School LPU are less formal than supports found in School HPU.

Executive functions assisted. In terms of IAP content, executive functions apply to supports and strategies required when carrying out instructions leading to task completion. A higher level of implementation difficulty appeared to exist for teachers and parents when barriers of this type interfered with efforts meet students' needs. For instance, "provide assistance with time management/organization and study skills," "provide visuals and written directions," and "[use] organizational structure strategies" typify the kinds of executive functions emerging from plan content. More vigilance may be required of teachers to address students' individual needs when these types of accommodations are necessary.

Implementation logic. Close examination of plan documentation revealed that some supports were provided "when student presents" and "whenever possible." Conditional provision of accommodations raises the question of whether the impairment imposes a substantially limiting impact on any major life activity. Furthermore, would the student be capable of implementing his or her part of an accommodation, such as knowing when to present a planner to a teacher so that the teacher might initial it? Given a student with issues of executive function, would such a student be capable of overriding the substantive limitations associated with his or her impairment? Could a teacher decide that it is never possible to implement an accommodation and remain compliant?

Assessment protocol. Directives or procedures conditioned teachers' test

preparation, students' test participation, and the utilization of extended time for test and quizzes. Instructional supports (e.g., "allow student to use multiple test formats; give 2-3 day notice before all tests; extra time for tests, quizzes, assignments; grading strategies-give student a zero if work not turned in; and grade on content, not spelling") applied more in School HPU than in School LPU. Reflecting on interview data about instructional supports, findings confirmed the use of many of these supports. The single strategy shared by both schools was "extra time for tests, quizzes, and assignments." Use of this accommodation in School LPU was unsupported among interview data.

Inherent cost. Both schools used extra sets of books. Duplicate sets of books required by some students at home, at school, or in other settings cost money. Section 504 has no funding source to absorb such costs.

Summary of Instructional Supports Across Both Schools

Many instructional supports appeared to be rudiments of "good teaching." For the most part, teachers found them easy to implement. Conditions attached to implementation raise questions about the logic in having students with substantial impairments decide when they need to use certain supports. In an instructional context, it seems somewhat illogical that students capable of making such decisions would be substantially limited. In fact, some students experienced difficulty using the executive functions required to make such decisions. A number of supports involved testing protocol; seemingly, "optional" use of instructional supports during testing situations would be counterproductive. It appears that a cost factor may exist with the use of certain materials and services.

Environmental Adaptations and Modifications

Environmental adaptations and modifications were those conversions or adjustments made to physical structures or space in or about the classroom or school environment. Included among these access accommodations were making seating arrangements, providing a barrier-free environment, and structuring the environment according to specific guidelines or consequences (See Figure 4.2).

Environmental Adaptations and Modifications Across Both Schools

Preferential seating occurred more in School HPU (24) and School LPU (7) than any other environmental adaptation or modification. This suggests that seating arrangements occurred more often than any other environmental accommodation. Descriptions of seating arrangements lacked specificity and, as written, broadened opportunity for speculation on implementation methodology. Emerging themes included preferential seating and use specificity.

Preferential seating. Assuming that a higher frequency of use may be construed as preference, then use of seating arrangements was preferred above the use of any other environmental adaptation or modification in both schools. Interview data and documentation on IAPs seem to confirm this preference.

Use specificity. Descriptions of seating arrangements were either vague or left to the teacher's discretion. Seemingly, lack of specificity increases the likelihood that the intended purpose of the accommodation, open to broad interpretation, may be inherently precipitous of subsequent barriers to equal educational access.

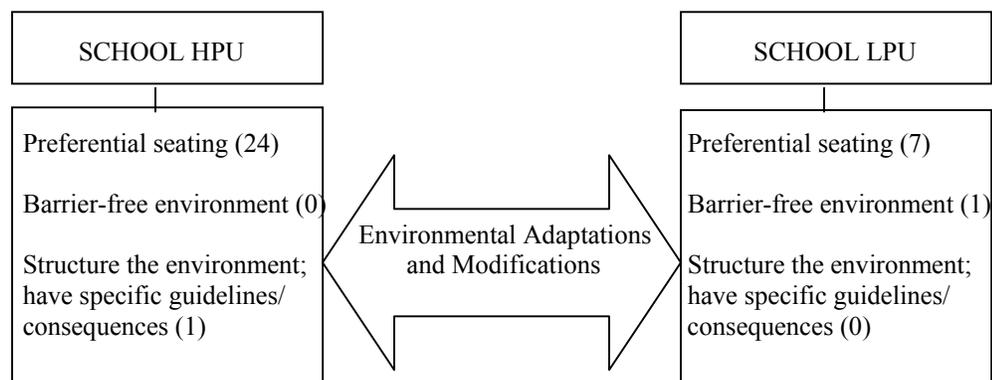


Figure 4.2. Comparison of the Types and Frequencies of Environmental Adaptations and Modifications Documented in Plan Content for School HPU and School LPU

Summary of Environmental Adaptations and Modifications Across Both Schools

Between these two schools, the most likely adaptation or modification was preferential seating arrangements. Reflecting on interview responses and on the frequency of recall concerning this kind of accommodation, alignment of use is more evident in School LPU (6) than in School HPU (5). Just as likely is the probability of the continued absence of use specificity. This likelihood could pose challenges for teachers unfamiliar with specific seating arrangements a student needs.

Communication Strategies

As shown in Figure 4.3, communication strategies involved written stipulations to keep parents informed of their children's progress at times other than typical school progress reporting periods.

Communication Strategies Across Both Schools

Based on IAP content, weekly progress reports were used more often in School HPU, and more often in general, than in School LPU. Situational

communication (as needed) and other forms of specific communication requests occurred more in School

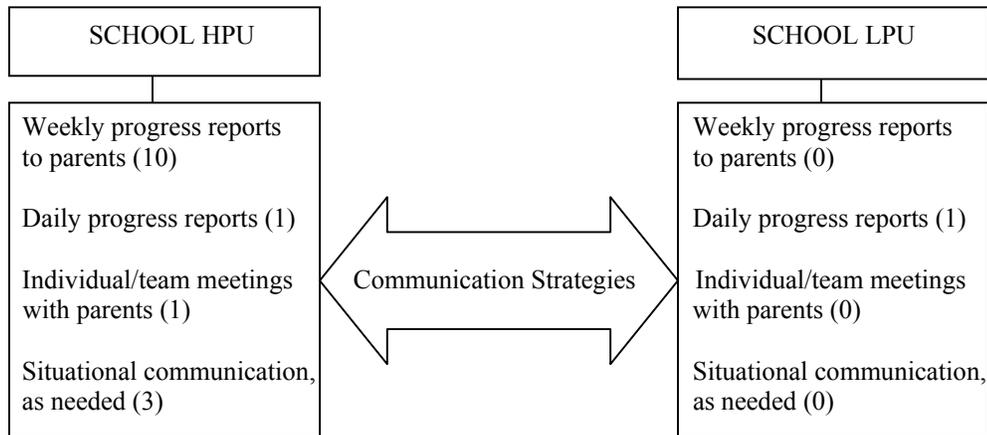


Figure 4.3. Comparison of Types and Frequencies of Communication Strategies

Documented in Plan Content for School HPU and School LPU

HPU than in School LPU. Based on plan content, “daily progress reports” was the only strategy shared between the two schools. During interview responses, “weekly progress reports” ranked consistently with its’ occurrence on IAPs in School LPU; this accommodation was reported only twice among interviews with staff from School HPU. In fact, it was the only strategy mentioned. Interview data from School LPU showed that “weekly progress reports to parents” was the only communication strategy mentioned, a result inconsistent with plan documentation for this school.

Themes emerging from this exploration are prescriptive progress reporting and optional progress reporting.

Prescriptive progress reporting. Progress reporting occurs a minimum of four times over the course of the school year. Interim progress reports (informal reports sent midway during one of the four reporting periods) are provided when a student

demonstrates lack of acceptable academic progress. The Section 504 team decided that the progress of certain students should be reported more often than minimally, or in addition to the minimal and interim reporting periods. When decisions of this type were made, prescriptions for school-home reporting of progress were particularized to the needs of the student through reports made weekly, daily, at team meetings, or through situational progress reports.

Optional progress reporting. Situational communication was required (as needed). Undefined in this communication strategy are who determines “needed” and what standard applies? Questions concerning use of “as needed” pertain to the necessity of the accommodation, the misapplication of intended use, and the broader possibility of noncompliance latent in the use of this condition.

Summary of Communication Strategies Across Schools

In summary, four types of communication accommodations existed among IAP content. Considered in the context of both plan content and interview responses, only one of these four strategies (“weekly progress reports to parents”) is shared across cases. Prescriptions existed for reporting progress and communicating with parents. Lack of clarity associated with the “as needed” condition of situational reporting raises concern about interpretations of compliance.

Behavior Management Strategies

Five behavior management strategies (shown in Figure 4.4) emerged from data documented on plans: “praise the student,” “token/other reinforcement,” “monitor behavior,” “behavior cues to focus/have students return to task,” and “teacher proximity control.”

Behavior Management Strategies Across Schools

Cues associated with refocusing or returning the student to task occurred more in both schools than any other behavior management strategy. Additionally, plan content directed teachers to praise students (to raise the students’ self-esteem), use behavior reinforcement techniques, and control student behavior by deliberately creating a certain distance between the teacher and the student (to evoke appropriate or desired behavior).

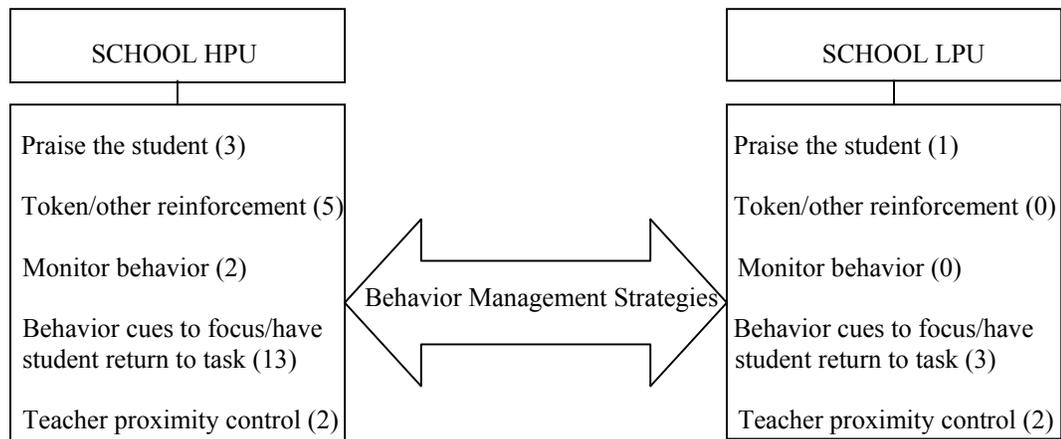


Figure 4.4. Comparison of Types and Frequencies of Behavior Management Strategies

Documented in Plan Content for School HPU and School LPU

Themes emerging across cases were behavior controls and praise desired.

Behavior controls. Proximity controlled certain behaviors. According to plan documentation, this strategy occurred twice in each school. In both schools, emphasis seems to have been placed on using behavior cues to have students focus their attention on tasks. Behavior cues appeared more useful than any other behavior management strategy in both schools based plan documentation and interview data. In

School LPU, teachers also recalled behavior cues more than any other strategy in this category.

Praise desired. Reflecting on both plan documentation and interview responses, offering praise to the student emerged during interviews in School HPU, and on plans in School LPU. Reflecting on interview data, only one person from School HPU mentioned the phrase, “praise the student.”

Summary of Behavior Management Strategies Across Schools

Behavior management strategies primarily were cues or other methods used to produce desired behavior or elevate self-esteem.

Assistive Technology Adaptations

Assistive technology adaptations found on plans appear in Figure 4.5. The IDEA defines an assistive technology device as “any item, piece of equipment, or product system (whether acquired commercially off the shelf, modified, or customized) used to increase, maintain, or improve the functional capabilities of a child with a disability” (20 U.S.C. 1401(1)). For the purpose of this study, assistive technology adaptations usually included some type of device employed to assist a student in executing a specific skill or function.

Assistive Technology Adaptations Across Schools

Based on IAP content, School LPU used assistive technology more often than School HPU; this particular technology involved using the “tape recorder/tape recorded material.” Considering both schools when filtering the use of assistive technology through interview responses, “pencil grip” and “spell checker” were exceptions to the adaptations mentioned. Based on interview data applied across cases,

“word-processor, computer” was used more often than any other accommodation in this category. This is especially true in the case of School LPU.

Themes emerging across cases include: accommodation advantage and use imperative.

Accommodation advantage. Both schools used assistive technology accommodations. Based on interviews with teachers, both schools used word processors and auditory trainers (devices worn by students and teachers to amplify incoming and

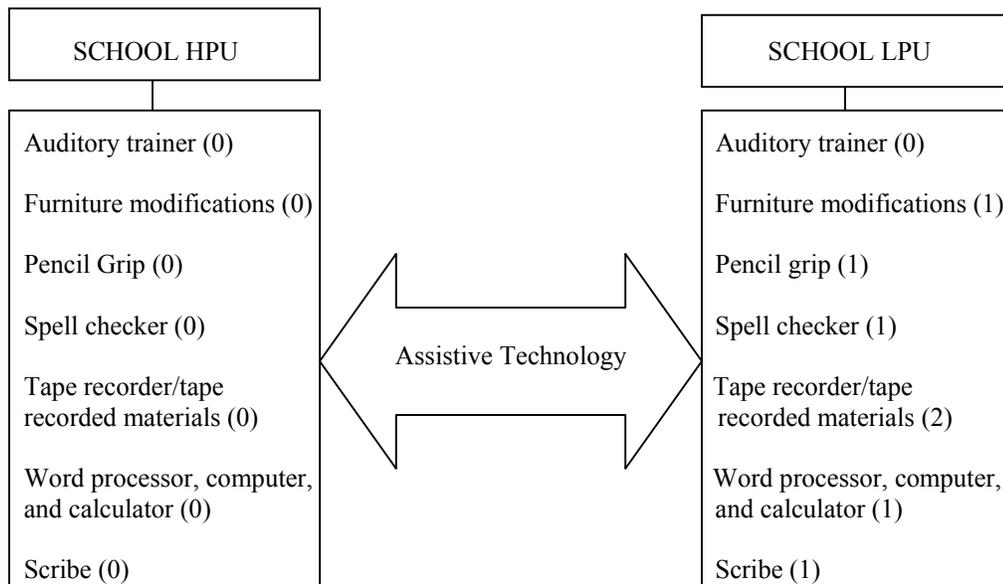


Figure 4.5 Comparison of the Types and Frequencies of Assistive Technology Documented in Plan Content for School HPU and LPU

outgoing sound). It seems that parents purchased this technology unilaterally. Administrators were knowledgeable of these purchases and teachers used this technology to accommodate students. Therefore, some accommodations exceeded decisions made at the plan development meeting. Use of unwarranted

accommodations does more than level the playing field and gives unfair advantage to students with disabilities.

Use imperative. Without plan documentation, Section 504 cites no imperative to have teachers use, or permit the use of such accommodations in their classrooms. Use of undocumented accommodations raises questions. If accommodations are not included on a plan, are they valid? Can teams defend such actions legally? If parents purchase such equipment, is that a violation of FAPE? Used intentionally, or unintentionally, such actions appear indicative of low awareness of Section 504 policies and procedures.

Summary of Assistive Technology Adaptations Across Schools

Indications are that use of technology accommodates the needs of students, but when compared to the use of other accommodation categories, use was low. It appears that some students were accommodated beyond the decisions made at the Section 504 team meeting, suggesting either low awareness, accommodation advantage, or underestimates of requirements to address the substantial limitation of some students' impairments on particular MLAs.

Health-Related Strategies

Health-related strategies included medication management or other means of maintaining a child's healthcare during in-school hours. Some accommodations simply gave students authorization to have prescription medicines, such as inhalers, in their possession. Two students used intermittent homebound services and received modifications to their school day, diet, or physical activities (See Figure 4.6).

Health-Related Strategies Across Schools

In School HPU, clinic referrals occurred more than any other health-related accommodation, followed by medication reminders and physical activities. The frequency of these accommodations probably links to the higher number of students with ADD/ADHD found in this school. In School LPU, modified physical activities appeared on four plans, followed by modified school day, and intermittent homebound services. Modified physical activities appear related more to the higher percentage of students with physical impairments; these students were more likely to require assistance in overcoming barriers arising from medically related issues.

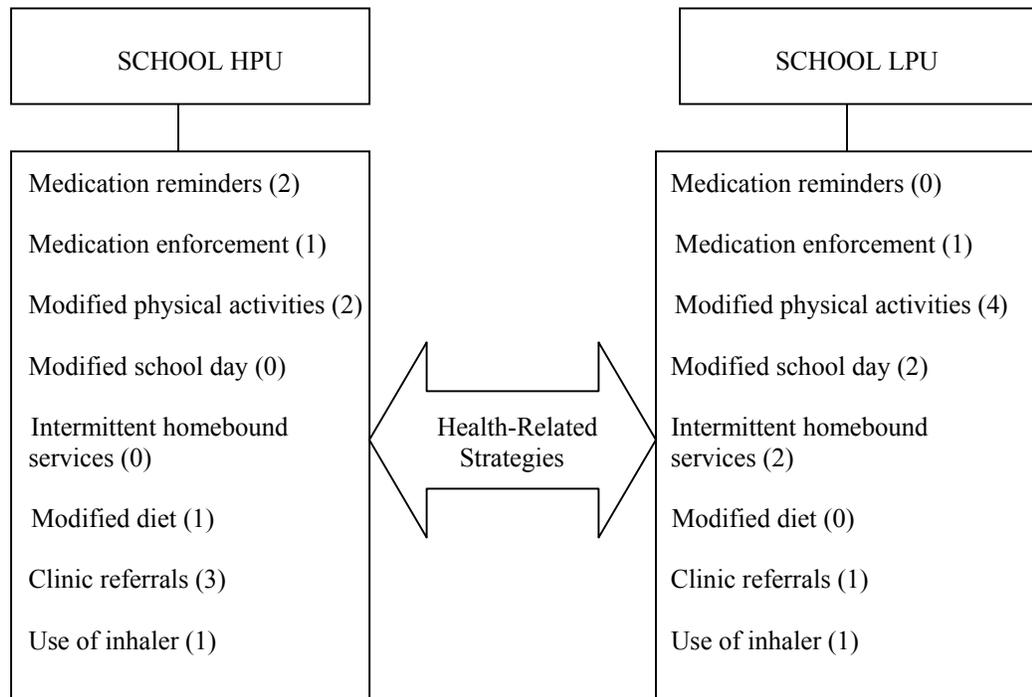


Figure 4.6. Comparison of the Types and Frequencies of Health-Related Strategies

Documented in Plan Content for School HPU and School LPU

Themes emerging across cases are related services and medication management.

Related services. Between data sources and interviews, clinic referrals constituted a common health-related strategy. Modified physical activities (listed among plan content in both schools) and intermittent homebound (listed among plans in School LPU) typify examples of related services.

Medication management. The number of clinic referrals found in each school could be indicative of the fact that for plans examined, more students in School HPU may have taken medication in school while more students in School LPU may have taken the medication at home or outside of school. In School HPU, plan documentation shows seven different medication management strategies, as compared to three strategies mentioned for School LPU.

Summary of Health-Related Strategies Across Schools

To summarize findings, both schools reported medication reinforcement at similar frequencies on plans. Between data sources and schools, clinic referrals constituted a common health-related strategy. Use of homebound services and the requirement of transportation for a modified school day imply cost.

Other Strategies and Methodologies

Other strategies and methodologies pertained mainly to parents and students who were responsible for certain IAP accommodations. However, with Section 504, only the school district is liable if a student does not receive appropriate access to learning. Rather than posting these parental and student requests visually, they are described in text.

Other Strategies and Methodologies Across Schools

In School HPU, documentation on 13 plans showed that parents were to monitor students' homework. At the highest frequency among student responsibilities was the use of binders or planners. Peer helpers appeared on three plans. Parents agreed to contact schools if problems occurred at home, and to sign homework planners or other communiqués as agreed to in the plan. Students, some of whom were ADD/ADHD, were to keep themselves on-task. However, no specific strategies listed on the plan directed them in this effort. It appeared that students were to be self-directed in taking responsibility for having the teacher sign their planners. In School LPU, data on student responsibilities included four requests for use of a binder and/or planner and one requirement for the parent to sign the planner. Expectations placed on these students for self-imposed structure may have been overestimates of students' actual abilities. Given the types of impairments manifested by some students, requirements of this type may have been futile.

Themes emerging across cases include: parent and student duties, human resource assistance, and self-efficacy expectancy.

Parent and students duties. Across schools, plan documentation revealed that parents are responsible for monitoring their child's homework. Both schools showed that parent responsibilities occurred at higher frequencies for requests to monitor students' homework. Interview data mention parental monitoring of homework.

Human resource assistance. Between both schools, assignment of a peer helper receives mention most often during interviews. However, data from plan inspection suggest dissimilarity in the actual use of this accommodation.

Self-efficacy expectancy. Expectations were that students would use binders and/or planners, record their assignments, “stay on task,” and “initiate signing of planner/bring planner to teacher.” Ironically, some of these accommodations represent the inabilities or barriers that brought some of these students to the attention of the Section 504 team. If students are capable of demonstrating self-efficacy, are their impairments substantial? It is questionable whether some students with ADD/ADHD could maintain themselves as prescribed in the plan.

Summary of Other Strategies and Methodologies Across Schools

Strategies and methodologies under this category enumerated the expectations of parents and students, and the involvement of peers, in the implementation of certain IAPs. Parent and student responsibilities are unenforceable under Section 504.

Summary of the Overall Content of the Section 504 Plans

Among content listed on plans, environmental adaptations and instructional supports ranked first and second, respectively, in both schools (See Table 4.2). Many accommodations used in both schools for students with ADD/ADHD were similar to those used for students with physical and mental impairments, unless the impairments were more health-related. Many students impaired by ADD/ADHD required environmental adaptations such as preferential seating.

When actual plan content was examined, it was apparent that some accommodations would impact teachers’ responsibilities through the requirement of large amounts of time, preplanning, and daily vigilance of students’ behavior and academic performance. However, the overall impact of accommodation implementation on teachers was low. Based on plan content, similar to somewhat

similar rankings occurred between both schools concerning environmental adaptations/modifications (1), instructional supports (2), other strategies (3.5), communication strategies (5 in School HPU and 5.5 in School LPU), and assistive technology (7). In descending order, both schools seemed to develop more accommodations geared toward conversions or adjustments to the physical structure or space in the classroom. The frequency of these accommodations was higher than instructional approaches or procedures and the use of strategies that required parents and students to be participants in accommodation implementation. Clear differences appear in the rankings of behavior management (3.5 in School HPU and 5.5 in School LPU) and health-related strategies (6 in School HPU and 3.5 in School LPU). Because of the higher number of students with ADHD in School HPU and the accommodations selected to deal with aggressive behavior, one might expect that behavior management would be of greater concern in School HPU than in School LPU. Even though half of the students in School LPU had ADD/ADHD, behavioral issues appeared secondary to healthcare concerns identified among 50% of the students with physical impairments and secondary to manifestations of ADD/ADHD indicated among the students for whom ADD/ADHD was a comorbid disorder.

Reflecting on interview responses, similar to somewhat similar rankings occurred for instructional supports (1) and environmental strategies/methodologies (2 in School HPU and 2.5 in School LPU) in both schools. Compared to plan documentation, the inverse rankings of instructional supports over environmental

Table 4.2

Ranks of Accommodations in HPU School and LPU School

<u>Ranks based on plan content</u>			
Rank	<u>HPU school</u> (N=78) ^a	Rank	<u>LPU school</u> (N=28)
1	Environmental Adaptations and Modifications (24)	1	Environmental Adaptations and Modifications (7)
2	Instructional Supports (15)	2	Instructional Supports (5)
3.5	Behavior Management Strategies (13)	3.5	Health-Related Strategies (4)
3.5	Other Strategies/ Methodologies (13)	3.5	Other Strategies/ Methodologies (4)
5	Communication Strategies (10)	5.5	Communication Strategies (3)
6	Health-Related Strategies (3)	5.5	Behavior Management Strategies (3)
7	Assistive Technology (0)	7	Assistive Technology (2)
<u>Ranks based on interview responses</u>			
Rank	<u>HPU school</u> (N=31)	Rank	<u>LPU school</u> (N=30)
1	Instructional Supports (14)	1	Instructional Supports (9)
2	Environmental Adaptations and Modifications (5)	2.5	Environmental Adaptations and Modifications (5)
4.0	Communication Strategies (3)	2.5	Assistive Technology (5)
4.0	Behavior Management Strategies (3)	4.0	Other Strategies/ Methodologies (4)
4.0	Assistive Technology (3)	5.0	Behavior Management Strategies (3)
6	Health-Related Strategies (2)	6.5	Communication Strategies (2)
7	Other Strategies (1)	6.5	Health-Related Strategies (2)

^a N= the total number of accommodations.

adaptations suggests that providing instructional supports such as extra time for tests and quizzes (School HPU) and providing extra sets of books (School LPU) may have been more intrusive—or of greater concern in these schools—than providing seating arrangements. Communication strategies ranked 4.0 among responses given in School HPU, and 6.5 in School LPU. Teachers were required to provide parents with daily or weekly progress reports, suggesting that communication may have been more of an issue for teachers in School HPU than in School LPU. It also suggests that parents in School LPU may have been more concerned about issues other than academic progress or behavior. Behavior management strategies ranked 4.0 in School HPU and 5.0 in School LPU. This finding suggests discontinuity between anticipated and actual use of cueing or proximity to help School HPU students focus their attention, and a slightly higher recall of behavior concerns found among School LPU students.

Assistive technology ranked 4.0 among accommodation categories for School HPU and 2.5 for School LPU; comparing these rankings with interview responses for assistive technology in both schools (7), a striking contrast appears between plan content and verbal reports. In fact, no assistive technology appears among plan documentation in School HPU, yet this accommodation ranked 4.0 among interview responses. An inverse finding emerged for School LPU in that assistive technology ranked extremely low on plan content (7), but much higher (2.5) among interview responses. These findings may suggest inappropriate use, low recall of use, accommodation advantage, or low awareness. However, they more obviously suggest a discontinuity between intended and actual use of accommodations listed on plans. Health related-strategies were somewhat similar between rankings for School HPU

(6) and School LPU (6.5) based on interview responses. Compared to plan content, consistency appears only in School HPU, unlike School LPU wherein health related strategies ranked higher among plan content. It seems that even though more physical or medical impairments existed in School LPU, teachers may have viewed the implementation of such accommodations as less intrusive on their instructional time. It is likely that such accommodations affected teachers less than clinic or other staff.

A contrast appeared between the ranking of other strategies in School HPU (7) and School LPU (4.0) based on interview responses, but identical rankings occurred among plan content (3.5) for both schools. Perhaps this finding indicates that the Section 504 team, parents, and students in School HPU met the team's goal of having parents and students share the responsibility for accommodation implementations. School LPU was somewhat consistent in the use of other strategies as documented in plan content and reported in interviews. Some interviewees may have more easily recalled the accommodations they used, rather than those assigned to students and parents.

In summary, preferential seating was used most often for students in both schools. With the exception of content related to medical or physical impairments and parent/student participation, most IAP content seemed typical of expectations related to effective teaching. Accommodations seemed easy to implement. Lack of consistency existed concerning accommodations documented on plans and those actually recalled by interviewees. In terms of plan development, comments from interviewees suggest that in at least two instances, and contrary to team-based decisions, parents may have provided a computer or auditory trainer for use by their

child or by their child's classroom teachers. Neither of these accommodations appeared on any IAP. In the context of team-based decisions, use of unsanctioned accommodations may be legally indefensible and reflective of low awareness of this aspect of Section 504 policy. Concerning IAP implementation, use of accommodations under such conditions may result in questionable or unenforceable use.

Section III: How Section 504 Policy Is Implemented In the Two Schools

Factors Affecting the Implementation of Section 504 Policy

The focus of this section is on the identification of factors involved in the process of implementing Section 504 policy in the two middle schools. Data sources included central office and site administrators of Section 504 and teachers, purposely selected to serve as interviewees. Several themes and categories emerged from these data: (a) understanding the purpose of Section 504; (b) implementing the process correctly; (c) developing and using IAPs appropriately; (d) time factors associated with the process; (e) addressing cost factors associated with the process; and (f) providing information and support through staff development. In reporting the findings, the only quotes that appear are those illustrative of the diversity in responses given by the interviewees. Line numbers indicate where responses from central office administrators (COA), site administrators (SA), and teachers (T) in both schools occur among typed transcripts.

Understanding the Purpose of Section 504

Administrators seemed to articulate the purpose of the Section 504 as to “level the playing field.” This unit of meaning describes equal access to education and

activities in the school setting. These were common responses given by administrators in the study. It seemed that central office administrators were reluctant, but accurate vendors of the purpose of Section 504. Site administrators seemed to echo, almost verbatim, phrases uttered by central office administrators. Yet, their understanding of Section 504's purpose more narrowly resembled the notion of academic success. Teachers' understanding of the purpose of Section 504 more closely resembled that of site administrators. For the most part, teachers seemed impassioned by their understanding of Section 504 as a benevolent means of helping students succeed in school. Site administrators sometimes vaguely communicated, and teachers seemed to have vaguely understood, the conceptualization of Section 504 as an antidiscrimination law that prohibits exclusion of persons with disabilities from programs, facilities, and activities that receive federal funds. Administrators at both levels, and the majority of teachers, did understand that accommodations were required to help students overcome some barrier caused by an impairment.

School HPU

The HPU central office administrator believed that the purpose of Section 504 was one of access:

[To] be able to provide a level playing field, to be able to provide equal access to the educational program to make sure that the student has access not only to the regular education curriculum, but also to the school environment and all activities" (L198-202).

She added, "It provides for ADD/ADHD students, I think, a mechanism to help the general education teachers to understand about the students . . . how ADD/ADHD

affects [them] . . . and the daily accommodations. . . . Again, not to use it as a crutch” (L237-241).

The site administrator believed that the purpose of Section 504 was “to level the playing field to allow a student with a particular permanent or temporary handicapping condition to have equal access to education” (HPU-SA, L178-180). “I have real questions about contributions to ADD or ADHD students. I’m not sure I’ve seen a truly ADD/ADHD student be cured or well served by a Section 504 plan alone” (HPU-SA, L202-204). She iterated, “I have seen progress when the parent worked in conjunction with the teachers and the administration. . . . I have seen progress when they have gotten with a physician for medication . . . [gotten] counseling or psychological services; then, I’ve seen some improvement” (L207-208).

Teachers at the high-plan-usage school believed the purpose of Section 504 was to extend the improvement of learning—a way to help students succeed in school. For example, one teacher stated, “It’s suppose to be the input of the parent, guidance, principals and whatever else . . . the child’s got some problems and they come up with a plan so he can improve or she can improve her learning” (HPU-T1, L 170-172). Another teacher explained:

The purpose of the process is to make sure that the child receives the best education possible in the classroom setting . . . extra help, extra devices, extra praise, or whatever in order to make their education successful . . . [to] help them be the best student they can be” (HPU-T5, L149-154).

“Because of that, modifications in a lot of cases need to be made to ensure the success of the child” (HPU-T3, L134-135). Four of five teachers agreed that some ADHD students benefited from Section 504 services and accommodations made a difference to students’ success.

School LPU

The central office administrator at the low-plan-usage school summed up the purpose of Section 504 in the word *access*—

[A]ccess to the curriculum and to the program that other children, by benefit of not having any kind of disability, have. . . . You know, a way around the barriers they have because of some disability [they possess]. It’s a way around that barrier so that [they] can get what you and I might have gotten in school, but need a little way to get over the hump to get there. (LPU-COA, L133-137).

In terms of students with ADD/ADHD, she offered, “Just by its purpose, it gives them access. Without Section 504, some of these kids are going to be failing dismally in class. So it gives them that opportunity to learn” (SA, L150-152). “In order for this youngster to be successful, he needs some help. . . .” (SA, L154-155). She indicated that she asks, “How and if [the condition is] impacting [the student’s] education. Then, . . . [is] there a medical or disabling condition?” (SA, L17-19). She continued, “[Key] points have been discussed as to what is the disabling condition of course, and what the students more or less need to help them reach an equality of education through the disabling condition” (SA, L155-156).

One teacher at the low-plan-usage school conceptualized the purpose of Section 504 as, “Generally speaking, just to give every student . . . the same opportunity as any other student” (T1, L130-131). Another teacher regarded the purpose of Section 504 as, “To accommodate and meet the needs of students that are falling through the cracks. They need extra help in school” (T2, L148-151). Teacher 3 understood it as “to help the child do his maximum potential. . . . [You] should give [students] as much chance as you can so if there’s something physical, why should you limit them if they’re in the room . . . willing to participate and do their maximum” (T3, L161-167). Prefacing his response with having read very little about Section 504, Teacher 4 conveyed:

[The] Section 504 process is to make provisions for students who maybe learned bad behaviors. . . . [It’s] like they’ve had teachers who never required them to focus. . . . never been in front of the class. . . . [It was] kind of making provision for a student who was not, quote-unquote, special education, yet making it some way for them to be successful” (L 253-261).

Analysis of the Perceived Purpose of Section 504 Across Cases

From an administrative perspective, the purpose of Section 504 was to level the playing field in order that a student with a particular permanent or temporary impairment had equal access to education and programs. Administrative users of Section 504 policy indirectly linked the policy to antidiscrimination. However, central office administrators tended to be more aware of its legal aspect and intent. Site administrators were aware of legal aspects, but associated the purpose of Section 504

more readily to academics than to educational access. Teachers in both schools linked the purpose of Section 504 to students' academic success and to prevention of a continued lack of academic achievement. Thus, teachers seemed less likely than administrators to emphasize the antidiscriminatory intent of the law. Central office administrators better understood the purpose of Section 504. Some aspect of access and equality was clear to site administrators, but the misplaced notion of receiving protection from circumstances solely because of "having the potential of negatively impacting academics" suggests a broad overgeneralization of the mandate's intent. Teachers on the other hand tended to link the purpose of Section 504 to the improvement of learning and assurance of student success. While these purposes align with certain goals of schooling, they are antithetical to issues of access and antidiscrimination pertaining to individuals protected under Section 504.

Themes and categories emerging across cases include equal access, low teacher awareness, and benefit questioned. The basis for these themes follows.

Equal access. Opportunity for equal access seemed germane to administrators' understanding of the purpose of Section 504. Specifically, central office administrators understood the perceived purpose of Section 504 essentially as that of "student access" and assistance to general educators in understanding ADD/ADHD. Site administrators believed that Section 504 provided eligible students with access and equality. Central office administrators were the more sensitive to the legal aspects of Section 504 than site administrators. Site administrators more readily associated Section 504 with academics than with antidiscrimination legalities. Teachers were less sensitive to the notion of equal access, but tended to focus erroneously on themes

such as improving learning, educational success, and maximizing potential. Teachers were less aware of the purpose of Section 504 and its role in preventing or addressing discrimination toward individuals with disabilities. In the context of this study, and assuming that conditions of “equal access,” “level playing field,” and “equality of education,” can be construed as nondiscrimination, understanding of the antidiscriminatory intent of the law was implied among the levels of awareness held by central office and site level administrators.

Low teacher awareness. As reflected in their responses, teachers largely were unwavering in their belief that Section 504 was a benevolent means of helping students find success in school. In fact, teachers in both schools linked the purpose of Section 504 to the improvement of learning and to the assurance of student success. They regarded it as a way of maximizing potential and correcting bad habits. Even though most teachers regarded Section 504 as beneficial, this rudimentary level of understanding seems to suggest a low level of awareness among teachers about Section 504’s actual purpose.

Benefit questioned. Concerning students with ADD/ADHD, both site administrators expressed some degree of ambivalence about how the purpose of Section 504 served students with ADHD, especially in the use of numerous accommodations and in the absence of bimodal approaches (e.g., medication coupled with counseling). Most teachers believed, or were hopeful, that Section 504 was beneficial to the education of all students. However, across schools, three teachers were either skeptical of benefit or believed that use of Section 504 was improper. Concerning the issue of ADD/ADHD, less than half of the teachers regarded Section

504 as “supportive” and “positive” for students with ADD/ADHD; less than half were uncertain of true benefits for these students. For instance, one teacher seemed to view some students with ADD/ADHD as casualties of a rigorous curriculum, rather than as students impaired by a disorder of inattention, impulsivity, or hyperactivity.

Summary of the Perceived Purpose of Section 504 Across Cases

The foundational awareness of the purpose of Section 504 existed more among site administrators and central office technical assistance providers as leveling the playing field to ensure equal access to school programs and activities. Teachers were less aware of this purpose. Administrators and teachers perceived Section 504 as beneficial to educating all students in general. Specific benefit to students with ADD/ADHD was questionable. A question that remains is, did various levels of understanding have any bearing on how teams implemented the legal process and applied Section 504 policy in the two schools? The next section explores data addressing this question.

Implementing the Section 504 Legal Process Correctly

In response to a state directive to provide Section 504 support for constituents and guidance for educators in using this policy, local special education administrative coordinators created Section 504 administrative guidelines for this school district. The school district’s document, *Administrative Guidelines Governing Section 504* (1996), provided a linear framework of Section 504 procedures and guidance to administrators in using them. These guidelines were germane to the plan development and implementation process because explicit direction from higher governing bodies at federal and state levels was lacking. Content included directions on how to refer a

student to the Section 504 committee, conduct a screening meeting to review reasons for referrals (along with pertinent educational history), evaluate or assess the student, determine eligibility, and on how to develop and implement an IAP. Plan implementation usually began within one week to 30 calendar days after the date of eligibility.

The Administrative Guidelines also gave procedural guidance on how to do the following: (a) modify IAPs; (b) conduct a triennial assessment; (c) remove a student from Section 504 eligibility; and (d) conduct manifestation meetings related to expulsion/suspension of Section 504 students. The document also contained instructions for completing forms and using the administrative calendar to determine eligibility timelines. Found in the last section of the document were brief, but pertinent, legal cases and a copy of the Rehabilitation Act of 1973.

According to school district guidelines, the Section 504 committee minimally included an administrator or designee, one or more of a student's teachers and parents, the student (if appropriate), and an individual knowledgeable of any tests administered to the student. Multiple evaluation and assessment tools and procedures were required before a determination of eligibility.

Team membership was similar in both schools. This membership exceeded minimal membership requirements established in local guidelines. Participants seemed to understand their roles as team members. Parents may have played a dual role (advocate and devil's advocate), thusly exerting a profound influence on team decisions. Administrators and teachers understood procedural aspects of implementing plans, and knew that plan development followed eligibility for Section

504 coverage. Additionally, administrators and teachers understood and agreed that decisions about placement—the location where accommodations are used—resided with the team. Placement most often was in the general education classroom. Students received related services at the direction of the team.

School HPU.

Central office administrator. The team followed “the school division’s guidelines for implementing Section 504” (HPU-COA, L60-61). “Parents are the ones who usually initiate the process by requesting it. . . . It’s the parents bringing . . . these requests submitted by a doctor, private counselor, psychiatrist, or psychologist from the community making those recommendations . . . and that’s how the process gets started” (L141-147). The team's composition and roles of its members expanded. Multiple evaluation and assessment procedures existed, both formal and informal (e.g. portfolio information, classroom work, students’ test information, observations, and standardized tests). This evaluation and assessment package rendered some useful information, but “as far as the student’s strengths and weaknesses, it really doesn’t give good information on how the student does in the natural part of the day in the context of the curriculum at that time and with different activities” (L218-221). Probed about related services, she said, “Yes, actually Section 504—and the law when you look at it—says that students are entitled to specialized services and related services. So, yes, they can be provided” (L229-231).

Site administrator. The site administrator stated, “I believe that was the year we evolved from the Child Study Team [CST] into the CST, 504, and Special Education committee” (HPU-SA, L78-79). With a slight chuckle, she recalled:

[The] first day we met, we did have hats because we were just getting use to the process. So, basically, we did modify how we approached a situation with a child. . . . [We] really looked at what the child needed, what circumstance the child was in. . . . What we did basically was funneled it through the committee which ostensibly was the same basic composition of the CST, except we had ensured that the parent and the child's teachers were there" (HPU-SA, L81-87).

Further elaborating on the process, she stated:

The team went through the same process of looking at academic records [and] behavioral problems. I would say in the culture that I was functioning in, we were talking about parents, who were well advised, well counseled, frequently by attorneys and more frequently by pediatricians" (HPU-SA, L87-91).

In terms of the parent's role on the team, she stated:

I would say more than 50% of the time, we were in a position where the parent was the consumer and brought much to the table. Knowing that, I think they didn't hold us hostage, but knowing that, I think we were able to be very proactive in our approach. . . . We would go through the steps." (HPU-SA, L92-97)

Support provided by the central office administrator and the school's psychologist left her feeling very confident about the process, believing that it was "very authentic," and resulted in "students who were indeed eligible for Section 504" (L99-101). The

“psychologist and social worker were support . . . [and] brought a lot of good ideas and moderation”, helping to balance the committee (L111-114). The site administrator confirmed consideration of assessments performed by pediatricians (e.g., behavioral checklists) and use of informal assessments such as classroom observations by a special education teacher. Insofar as where students received services, she stated emphatically:

They were most certainly placed on one or two special cores.

They were definitely not placed in the inclusion team. Frequently, parents would request the teachers on the inclusion teams because these were wonderful caring people. But we felt that teachers that volunteered for inclusion had their hands full; so, students with a Section 504 would be placed on another team. (L192-196)

Teachers. School HPU teachers confirmed their attendance at team meetings. Four of five teachers, less familiar with evaluation and assessment procedures used by the Section 504 committee, seemed somewhat familiar with related services. For example, one teacher said very candidly about evaluation, placement, and related service:

Now, I have to tell you I’m ignorant in that regard. . . . I mean that’s done in Child Study, you know maybe with the counselors. Most of the Child Study Team meetings that I’ve attended have been for special education purposes. So, I honestly don’t know. We do have speech teachers . . . interpreters, so forth and so on. (HPU-T2, L92-100).

One of five teachers described evaluation and assessment procedures inclusive of observations and reviews of students' grades, behavior, and attitudes. He believed related services "were reserved for IEPs, those students who had been labeled as LD" (T3, L140-143). Another teacher stated, "Basically, I know that it is updated . . . to see if there are any changes that need to be made, but as far as any evaluation of the process, I'm not familiar with that" (T5, L154-156). Addressing related services, the same teacher recalled that a child with depression had received services from the guidance counselor, but "as far as any physical therapy, occupational therapy, or any thing else like that—no" (L163-165). As far as the teacher's role and how parents participated as team members, Teacher 3 stated:

There is a process. I can't exactly tell you. The assistant principal [and] the Child Study Team coordinator attends. My role was to give input about how the child was doing in the classroom—my professional expertise on whether they felt the student was performing adequately in the classroom, and what modifications I thought I would recommend for the success of the student. Sometime, the parents play advocate; sometimes they play devil's advocate. I mean, as anyone would for their child, they want the best environment. So they always make suggestions and, sometimes, make critical decisions that would affect the way a Section 504 plan is written. Well, for instance, maybe they want to have no written tests for the student—they want verbal testing. If the parent was pushy enough, they might get it. The administrator's role

was basically, overseer—to make sure everything went smoothly and basically to push progress along—and overall—make the final consensus decision with the group. The guidance counselor was not always present. (T3, L61-75)

“[Maybe] eight out of 10 times, [parents] come in with an agenda. . . . [Parents] can be aggressive with the things that they want and if they feel they aren’t being met . . . extremely aggressive” (L108-116).

School LPU

Central office administrator. Describing the Section 504 process, the central office administrator for School LPU stated:

The group of teachers, administrators—the Section 504 team—would get together to determine the needs of the child and what would be necessary . . . types of accommodations or modifications that you might need to the curriculum so he has access. . . . They would look at that youngster’s needs within the educational environment . . . what changes he might need to the program structure so that the Section 504 can more easily access it. [They] follow, or should be following the guidelines that the school has in terms of convening the meetings, requesting parental attendance, and faculty and staff attendance” (LPU-COA, L27-35).

Parents were very involved, especially "if they're very knowledgeable, trained, have been through advocacy groups, they're very participatory. They come in with a smorgasbord of wants" (L96-98). She believed that parents "know their child best in

many ways. . . . [They] know that child and the suffering possibly that the child goes through when he comes home. . . . I think they have a lot to contribute” (L125-129). Commenting on evaluation and assessment, she added, “We can do assessments, obviously, if we feel an assessment is needed to determine the child’s qualification for services” (L138-139). Information from agencies in the community was accepted. She added:

We ask for teacher appraisals, evaluations, and present level . . . [on] how [the student] is functioning in class. We gather that information, along with possibly asking for something . . . to make a good determination. . . . [Ninety-nine percent] of the time, they're in regular education classes . . . with the appropriate accommodations to get them around that hurdle. (LPU-COA, L138-148)

Direct services were available; technically students could become eligible for special education.

Site administrator. The site administrator for School LPU expounded on team composition and explained, “Nine times out of 10, the parent does attend. . . . [I’m] the coordinator and the special education teacher . . . we do get either the Assistant Principal or the Principal” (LPU-SA, L125-128). Her description also included “the guidance counselor, a regular education teacher . . . the core team” (L128-130). As a qualifier, she said:

[We’re] not always getting the elective or P. E. teachers . . . because of scheduling purposes. If they were a referral source . . . they would

be invited. But generally, it's a regular education core teacher. . . our school psychologist . . . [and] social worker/visiting teacher" (L130-134).

She continued:

We do meet and I canvass the teachers and write up an educational type of report . . . get progress reports from the teacher . . . get report cards, talk with the guidance counselor . . . [review records] . . . ask the leading questions of teachers, the guidance counselor, parent and so on. . . . [I'm] more the facilitator. . . . If there's been any testing . . . I let the psychologist go over those components" (L135-144).

The social worker reported information on the student's family background. Parents participated. "Some are vocal and come in with a plan already intact and lay it on the table. . . . Sometimes the parent feels very intimidated and will more or less sit there quietly and say, 'Just whatever you think. You're the professionals'" (L234-239). The parent's verbal input was always requested, but sometimes the quality varied. This variance often was attributable to parents' "wide gamut of socioeconomic and educational backgrounds" (L274-275).

The LPU site administrator continued her description of the process, relating how the case reached the Section 504 team agenda for discussion amongst team members. The guidelines she used were, in her words, "[Just] what I've been given from the school district . . . they're a little ambiguous. They're just guidelines, or nothing is really set in stone. So, my understanding is that if anybody voices a need . . . it's under our auspices to follow up" (L120-123). She explained:

I get into a quandary when vocal parents who know their rights come in with an advocate or say they will. I just feel really backed into a corner. . . . I don't feel it's my decision. Sometimes I'm put into that position. That's why I try to get the whole team reasonably involved (LPU-SA, L299-304).

She described post eligibility restructuring of the team to include only representation by core team teachers, the Section 504 team facilitator or designee, the guidance counselor, and the parents. These individuals met a week later to determine actual plan content. The student's teachers, parents, and other personnel then received copies of the plan as appropriate. "[If] the child is truly qualifying for the Section 504, [then] no more than 4 or 5 accommodations. . . . That should equalize their education. If we're looking at something much more beyond that, we need go to the special education committee" (SA, L161-163).

Teachers. Teachers identified students' "strengths and weaknesses" (LPU-T4, L124-125). "When the parent kind of came into the picture, then [the guidance counselor] kind of got more involved" (LPU-T1, L13-14). The guidance counselor functioned more as a mediator when parents wanted Section 504 services, "but didn't like their child to have the label" (L15). Most teachers engaged in relatively similar evaluation and assessment experiences. The evaluation and assessment process "took a lot of things into account. They would look at students' grades . . . behavior . . . how they responded to directions and commands . . . interacted with other students . . . and parent feedback" (LPU-T4, L61-64). "The more . . . cognizant [parents] are of the reason for accommodations, the more interested they appear to be. Sometimes,

they're the product of accommodations . . . know what they've been through, so they're concerned about their child . . ." (LPU-T1, L117-121). He described how often these parents are the "Yes, person . . . just kind of caught up in the shuffle as well. They've always been on one side of the tracks and . . . know that that's where they belong" (L121-124). From another teacher's perspective, "I think it's essential. I mean I cannot imagine in my classroom doing something like that and knowing with the accountability and things that I have, having parents not involved" (T2, L156-158).

Cross-case Analysis of Implementing the Section 504 Legal Process

Both schools followed the local administrative guidelines governing Section 504. For the most part, similar membership and roles existed between teams. Multiple sources of information were considered during evaluations and assessments. Evaluation and assessment methods often included authentic forms of assessments, with a lesser emphasis placed on standardized measures.

Because Section 504 is a mandate that requires the use of a comparative standard in the determination of the substantial nature of a limitation, the teams' under-reliance on standardized measures is surprising. While informal measures permit comparisons with peer groups within the district, formal measures add a dimension for comparison with peers across the nation. This practice was more evident in School HPU, suggesting a conflict between theory and practice. Administrators of the Section 504 process were more likely to espouse the use of standardized evaluations and assessments, whereas teachers, especially those in School HPU, held a much lower level of awareness in this regard.

In both schools, placement was in the general education classroom, but also could have included special education. Both schools generally excluded students with IAPs from placement on inclusion core teams. This practice sought to avoid overburdening inclusion teachers who already were responsible for accommodating the cluster of special education students on their class rolls. Related services and supplementary supports also were identified and reportedly provided as needed. Related services included speech, interpreter services, guidance counseling, and occupational therapy services. In terms of related services compared, findings showed that use of speech therapy and interpreter services were common practices in both schools.

From a standpoint of implementing the process correctly, it appears that both schools used the school district's guidelines loosely patterned after the IDEA. This was especially true in the conduction of evaluations and assessments. Themes emerging across cases include local guidelines followed, capitulation to external and internal authorities, and exclusion from inclusion.

Local guidelines followed. Based on descriptions given, multidisciplinary school-based teams generally adhered to local guidelines in terms of team composition, referral/eligibility procedures, evaluation and assessment, and the development of a plan. The LPU site administrator stated, and the HPU site administrator implied, that local guidelines were ambiguous. Central office and site administrators in both schools showed greater familiarity with the intricacies of local procedures than did teachers. Role expectations existed and team members filled them. These roles were essentially the same in both schools. Participation of support

personnel was expected and appeared—in both cases—to strengthen team functions. Leadership roles of site administrators were mutable; consequently, they served in multiple leadership capacities. Therefore, when necessary, they temporarily relinquished their facilitation responsibilities to other designees who may (or may not) have been team members, and who may (or may not) have been trained for the undertaking. Evaluation and assessment were “authentic” in School HPU, but described as a more involved process in School LPU. Placement was in the general education setting.

Teachers in both cases were aware of “steps” in the process, but generally seemed less familiar with steps used in evaluation and assessment. This aspect seemed true in both schools. Teams sometimes shifted between more than one team, a practice that may have led to confusion in grounding differences between special education, Child Study, and the Section 504 team processes. Teachers also may have experienced difficulty transitioning between multiple team purposes, and multiple team functions. Cases of untoward contributions to the process occurred when some parents held personal agendas that confounded team efforts; this seemed to be more of an issue in School HPU. Scheduling problems interfered with the simultaneous attendance of core team teachers and certain teachers of elective courses. These nuances added ambiguity to how both schools used the process.

Capitulation to external and internal authorities. Parents and their advocates exerted formidable influence over team processes. Site administrators and teachers in both schools recognized that teams sometimes yielded to parents, especially if teams felt intimidated by parents’ advocates. For instance, “. . . the parents play advocate;

sometimes, they play devil's advocate. . . . If the parent was pushy enough, they might get [a certain accommodation] (HPU-T3). "I get into a quandary when vocal parents who know their rights come in with advocates. . . . I feel really backed into a corner. . . ." (LPU-SA). Most parents were very goal-oriented consumers of Section 504, often initiating the process. With the help of advocates, they played pivotal roles that led to critical decisions about plan content. Parents sometimes aggressively revealed hidden agendas in a manner that intimidated teams. Reportedly, teams sometimes capitulated to the requests made by these power bases.

Parent participation in the process seemed to vary according to the extent of their training on Section 504 or to their use of advocates. Parents with lower levels of understanding tended to readily agree with team decisions; this happened mainly in School LPU. Reportedly, some parents seemed to experience discomfort with their involvement in the process, possibly undergoing feelings of helplessness during their participation. These parents, found mainly in School LPU, may have viewed schools as experts of the process.

Exclusion from inclusion. Site administrators in both schools sometimes excluded students with IAPs from placement on inclusion teams. They sought to avoid over-burdening inclusion teachers who carried the responsibility for a cluster of special education students on their class rolls. Once eligible for Section 504, it is likely that schools removed these students, or asked them to remove themselves, from inclusion teams. "They were definitely not placed on the inclusion team" (HPU-SA). Such actions appear counterintuitive to the antidiscriminatory intent of Section 504.

Summary of Implementing the Legal Process Across Schools

From a standpoint of implementing the legal process correctly, both schools followed the school district's Administrative Guidelines Governing Section 504. Levels of awareness varied, with administrators showing higher levels of awareness than did teachers. Indications were that teams were child-centered. Even though, some ambiguities existed in the process, the influence of these ambiguities on the legal process is, at this point, only speculative. Parents participated in the process and either intimidated or submitted to teams. Raising some concern was the notion of excluding students with IAPs from participation on inclusion teams. Knowing that Section 504 teams followed guidelines, how did they develop plans and how did team members participate in this process? The next section addresses these questions.

Developing and Using Accommodation Plans Appropriately

Plan development encompasses the deliberations and considerations resulting in the selection of accommodations, modifications, or services to overcome a particular barrier to a major life activity. Other than for completing forms, specific evidence of directions on how to select, implement, or evaluate accommodations existed neither in the Section 504 administrative guidelines nor among interview responses.

School HPU

Central office administrator. In the high plan usage school, the central office administrator explained, "The teachers are given a copy of the plan and asked to implement it" (HPU-COA, L81). She recalled a case at this school wherein a student with a Section 504 plan "did accuse the school of not carrying out the Section 504

plan” (L83-84). Because the school failed to document provision of the accommodation, “ [they] somehow [had to] come up with a way of documenting how . . . accommodations [were] being implemented” (L88-90). The time required for implementation “depends on what the accommodation is. . . . If it requires an inordinate amount of time, for instance, testing a student [or] providing an oral test for the student in a separate area of the classroom or building, it does take time and more resources within the building” (L94-97). In terms of materials, “For students who need specific assistive technology devices, tape recorders, computers . . . for students that have extensive Section 504 plans, it does take considerable time. . . . The teachers will tell you it takes considerable time and resources, monetarily” (L100-104). Plans are considered effective when “. . . the student is meeting success in the classroom and has equal access . . . [and] probably by reviewing the Section 504 plan, observing, [and] seeing in fact if it’s being implemented and is having an impact within that specific area” (L50-53).

Site administrator. The site administrator iterated, “The guidance counselor facilitated the meeting. . . . [She] was a staple in the meetings” (HPU-SA, L117-118). There was no “extraordinary time demand” associated with plan implementation (L119). “[It] was never articulated . . . [and] we never saw a memo to that effect, [but] we were always concerned about incurring cost. . . . We were cautious and circumspect about making that suggestion [for textbooks]” (L120-122). “The extra set of textbooks was not a concern, but . . . the culture was such that if or when one parent got it . . . it was everyone . . . ” (L127-129). She added:

I would hope that all teachers who are responsible for a part of the

plan would have been in attendance at the meeting and would have signed the Section 504 plan. I would expect to see a copy of the plan in their team notebook and their team notes. I would frequently ask, ‘How are your inclusion kids doing? Is something working or not working? Is the parent following through?’ (HPU-SA, L51-56).

Even though parents were generally following through, she believed the team was “probably not as aggressive in getting parent obligations on [the plan]” (L58-59). The parent would tell us if [the plan] was working . . . or if it wasn’t” (L60-61). The site administrator contended, “[The] assistant principal, at that grade level when possible, would be in there . . . [to] monitor our Section 504 kids. . . . [For] one out of every 10 [plans], we’d have to go back to the table and add or subtract” accommodations (L62-70). Formal procedures for determining plan effectiveness resided neither with the central office nor site level administrators. There was, however, a belief that observations of actual plan implementation, indicators of classroom success, and inspection of artifacts (notes from team meetings) construed effectiveness.

Teachers. Three of five teachers at School HPU believed that teacher participation in plan development varied. One teacher said, “We sit [and] . . . listen to what the parent is interested in obtaining for his or her child. . . . We start from there. A lot of the Section 504s tend to look very similar” (HPU-T3, L44-147). “What we do is we go in, say our piece and they come back out and hand us a paper that tells us what we’re suppose to do. . . . Some plans were demanding, some less demanding, depending on the parent” (T1, L93-96). Based on how many students with IAPs are found in one particular classroom, some IAPs were “time-consuming” (T3, L84-85)

and “. . . [they required a lot of materials and equipment]” (HPU-T1, L112). Teacher 5 said, “Normally . . . all the teachers are in agreement with what needs to be done. Then we . . . receive a copy of the Section 504 and as a team, we put that in our team minutes” (L93-96). When asked how plan effectiveness was determined, one teacher responded with the same uncertainty intimated by the central office and site administrators. He said, “You can’t always judge by . . . grades if the Section 504 plan is working. . . . [A] lot of times, you’re not going to get that marked jump in academics, but if you see the work ethic and confidence level . . . modifications [are working]” (HPU-T3, L38-48). Another teacher stated, “I don’t think it works a lot” (HPU-T1, L196-200). It seems that teachers, too, were somewhat ambivalent about what constitutes plan effectiveness.

Most accommodations in this school were made for students with ADD/ADHD and included “close proximity to the teacher, an extra set of class books, ask whether [the student] understands . . . break directions . . . into one, two, or three steps . . . just some very subtle reminders for the child” (HPU-T5, L35-46). One teacher believed that [Section 504] “must be coupled with medication, diet concerns, [and] home factors” (HPU-T4, L23). Another teacher maintained that ADD/ADHD is the result of poor parenting. “In days gone by, parents disciplined their kids and maybe that’s what we need more of and being involved in a child’s life cause it seems like every year, we have more and more qualifying” (HPU-T1, L174-176). Another teacher said, “I think that the American society has become so dependent on drugs . . . any time a child acts [like] something other than a 12, 13, 14 year old, they are placed on Ritalin” (HPU-T3, L153-156). “I don’t think modifications alone . . . will aid an

ADHD student” (L160-161). Some teachers attributed ADD/ADHD to parenting inadequacies and societal demands, or believed that a multimodal response—not just the plan alone—was required to assist such students. However, another teacher stated, “It’s a very valuable resource . . . teachers . . . and parents have a way of communicating back and forth. . . . It’s a very important part of the educational process” (HPU-T5, L167-174).

School LPU

Central office administrator. The LPU central office administrator commented that teachers of a student with an IAP should "be aware of the needs of that youngster, [and] what's on that plan. . . . That they know what is expected of them and that youngster, so that [the plan] can be properly implemented" (LPU-COA, L50-54). The teacher’s “input in any of the meetings throughout the year or at that particular putting it together meeting is very important" (L54-56). Materials and equipment seemed to pose no implementation issue. To determine plan effectiveness, the central office administrator posed certain questions:

Is the child succeeding? Is he making it? Is he still struggling? If he’s still struggling, maybe we need to comeback and see if we are missing something here. . . . You know, even though it says that we come back and look at this regularly, do we need to come back sooner because he’s not doing well? If it’s working, then he should be succeeding” (LPU- COA, L21-25).

Site administrator. The site administrator for the low plan usage school indicated that after eligibility qualification, parents attended the plan development

meeting to participate in the selection of accommodations. She described a litany of accommodations used, stating:

[A] physically impaired child would necessitate some type of preferential seating . . . making sure the student is sitting close to the door for easy access, getting into the classroom through a fire-drill or anything, having the student leave class early if necessary for mobility, having a buddy for the student as far as taking notes, or carrying books, or helping with organization . . . , being able to go to the nurse—if that would be a factor, you know bathroom factor or whatever, just when needed. We really haven't had anybody [with a physical impairment]. . . . It'll have to be a little knowledge between the student and the teacher if they felt to leave the classroom to go to the guidance counselor . . . go to support personnel—that they could—not devise a signal, but like a cueing that the student could just leave if need be, if the situation [was] deemed frustrating, or at a point where they felt they needed a time out or something like that. I know that's been done. What we've done for [ADHD] children is—usually the preferential seating, sitting near the teacher, usually--away from the window . . . pencil sharpener. . . . The teacher would be aware during the course of the class to have the student's attention . . . do some cueing or going up to their desk and patting the desk just to get the back to focus. If a verbal cue [was] necessary, they would do that. At times, there's like shortened assign-

ments. Knowing that there are five formal problems on the board, the student would only do three. You know, but this would be something that would be discussed beforehand and not really brought to the attention of the whole class. Using calculators, you know they've done that. Going to the guidance counselor, you know we've done that a lot. . . . Obviously in our school, going to support personnel because of the immediacy of seeing someone is necessary, usually, but the support personnel isn't always available and being a small school, we even have less support personnel there to deal with the students. Not having a school psychologist here for that purpose . . . [it's] hard for her and for the visiting teacher/social worker to hold these programs. So, I think that's probably a whole citywide type of problem. If . . . we find [that these ADHD kids] need these services or this kind of support personnel and, as I said, it should be immediately—then we're going to have to do some more hiring. (LPU-SA, L54-91)

Asked about determination of plan effectiveness, she indicated, “Well, looking at the student’s grades, talking to the student, following through with the guidance counselor . . . talking to the parent. We do review the Section 504 plans annually . . .” (L92-94). She offered that “at times parents or teachers will say ‘Well we don’t need to do this anymore’, or ‘Let’s do this or that.’ As far as regular review of them, no” (L94-96). Plans are implemented and “teachers get back with me, or the guidance counselor and say, ‘This isn’t working’. You know, no news is good news kind of thing, so you figure everything is going to be all right” (L94-98). She said, “[We] try

when the nine weeks are over . . . looking at giving the plan to the new elective teacher. . . . But I guess I kind of leave it up to the parent and the teacher. Again, I'm out of that loop" (L98-101). ". . . [Section 504 plans] are really good teaching" (L70-71). She continued:

[ADD/ADHD] further labels them. Let's put it this way, it can have negative connotations as well as positive. I've seen at times [with] the severely ADHD kid where the §504 plan [and] medication isn't helping. You have all these accommodations, but they're not really working as they should, but that almost hurts the student" (L122-123).

Teachers. LPU teachers understood that they were the primary implementers of accommodation plans. In one teacher's words, "[The site administrator] would go through . . . give us some recommendations and then, we'd just go from there" (LPU-T3, L69-70). Another teacher said, "[We've] got our special education coordinator who is responsible for all Section 504 plans and I'm not sure personally whether she individually writes all these plans, but I know that she is more than likely responsible for them" (LPU-T1, L44-47).

Some students were physically impaired, but one teacher indicated that he "hadn't personally had to deal with anyone with a physical impairment" nor had he served a mentally impaired student (LPU-T4, L80-81). Difficulties arose in gathering some materials for students with physical impairments. For instance, one student required large-print books. His teacher said, "Now that was a bit of a hassle—getting them here" (LPU-T3, 105-106). As far as ADD/ADHD students are concerned, "Regular education teachers don't always know about ADD/ADHD; don't offer help

to the student who might need it" (LPU-T2, L99-100). "These kids are getting a little bit older and I think they need to have some input on what goes on. [They're] not always brought into these meetings . . ." (LPU-T3, L52-54). A third teacher spoke of his experiences with ADD/ADHD students as nothing more than taking "an extra 3 or 4 minutes here or there . . . to make sure they are focused . . . answer questions . . . wrote their homework down correctly or . . . were taking the right notes . . . something that you could work right into your normal class room functioning" (LPU-T4, L83-88). Teacher 3 recalled one student's case, "Some things, he on his own and his mother decided not to participate in on the Section 504--[to] see what [they] could and could not do" (LPU-T3, L119-121). The teacher stated, "I think the mother wanted [Section 504] just to cover bases—just to make sure that if he would falter, he would have some backup" (L122-123). Teacher 4 stated, "Section 504 plans are not as all encompassing as a pure IEP. So, they're a lot easier as far as I'm concerned to implement. . . . Anything I ever needed was always available" (L161-170). He added, "If the parent wasn't interested in following through, or seeing what was going on, quite often the Section 504 plan . . . left the student no better off (L172-175). In terms of plan effectiveness, another teacher posited, "[It's] either the social piece . . . in the classroom or the grades. . . . To me the social part was equally as important as the grades, if not more. So when I saw that happening, I thought it was working" (LPU-T3, L157-162). Teacher 4 continued, "Quite often, you took into account if say the behaviors that you were trying to modify for this child [were] affecting [him] grade-wise . . . then, the easiest judge is watching a kid go from a D to a B . . ." (LPU-T4, L89-91).

Concerning benefit associated with Section 504 for students with ADD/ADHD, one teacher stated, “[It’s] a good purpose and it’s a good plan. I’m just not sure if I’ve seen huge success stories” (LPU-T2, L187-188). Teacher 3 stated, “[I] find that . . . some things with the ADD/ADHD . . . I think our school system—schools—and the process and what we throw at them to do—the amount that we have them do—is too intensive sometimes” (L197-200). In what may have been intended as more a teacher accommodation, she added, “So, I think when they do Section 504s for kids, class arrangement or class size needs to be a part of it” (L214-215).

Cross-case Analysis of Factors Related to Plan Development and Use

Themes emerging across cases are teacher implementation expectancy, soft effectiveness standards, and ADHD benefit questioned.

Teacher implementation expectancy. Teachers knew that they should implement accommodations. Most of the Section 504 plans tended to look very similar (HPU-T2) and seemed easy to implement. Actual implementation ranged from time-consuming and demanding to less demanding based on plan content. Infrequently, implementation may have required additional human resources, but teams seemed to guard against incurring direct costs. For example, in School HPU, a teacher assistant may have provided oral testing, but in School LPU, students sometimes went to a special education classroom to receive extended time for test-taking. Reportedly, accommodations required large quantities of materials and equipment, but these needs were largely unremarkable. Most teachers in both schools participated in subsequent annual reviews of Section 504 plans developed initially at the elementary school level. Some reviews led to actual revisions of existing plans.

Even though it seemed to occur more prominently in School HPU, teams in both schools felt that parents and students should assume some responsibility for plan implementation. This belief is unsubstantiated in Section 504 policy and suggests low awareness among policy users.

Soft effectiveness standards. Central office administrators seemed to believe that equal access and classroom success, along with seeing and knowing what to implement, were indicators of plan effectiveness. In both schools, site administrators reported close monitoring of students' progress and of parents' and teachers' involvement in decisions about plan effectiveness. Academic success was emphasized prominently and plans were reviewed at least annually. Formal structures for determination of plan effectiveness did not exist. Some teachers believed that plan effectiveness was indeterminable, but more especially on the basis of grades alone. Teachers thusly persuaded valued consideration given to factors such as the student's work ethic, confidence level, grade improvement, social gains, positive feedback, as well as to improvement in the student's affect in the classroom. Other suggestions given by administrators and teachers for determining plan effectiveness were observations of actual implementation of the plans, improvements in test performance, and students' success in the classroom. Because of the lack of uniformity concerning plan effectiveness, it sometimes was easy to apply a standard of, "No news is good news."

Benefit to students with ADHD questioned. A general belief abounded that the presence of a Section 504 plan alerted teachers to students' needs, giving every student comparable opportunity. Some teachers recognized the contributions of

Section 504 as allowing the child to remain in the regular classroom, forcing teachers to deal with children of all socioeconomic levels, and helping other children become more tolerant of students with disabilities. However, specific benefits to students with ADHD were questionable due to social issues, intensive rigor in the curriculum, class size, labeling, and parenting issues. Site administrators and most teachers felt that plans alone had neither a curative effect on ADD/ADHD nor a yield of huge success.

Summary of Factors Related to Plan Development and Use Across Schools

A subgroup of the Section 504 team developed the plan. This group minimally included the teachers, the parent, and an administrator or designee. Central office administrators rarely participated in plan development. Teachers bore the primary responsibility for plan implementation, but sometimes shared this responsibility with parents and students. Guidelines for determining plan effectiveness existed neither locally, nor at the state or federal levels. This lack of direction possibly contributed to variant beliefs on ascertaining whether or not a plan was effective. Teachers and site administrators were doubtful that Section 504 plans cured the academic or behavior issues accompanying ADD/ADHD. Interestingly, one teacher indicated that he was uncertain if the special education coordinator (site administrator) “individually writes all these plans,” but he believed that she was responsible for them (LPU-T1). His statement suggests that he may not have actually participated in the plan development aspect of the process; nonparticipation contributes to low awareness. Additionally, team decisions should never rest on the shoulders of one team member; indications are that team functions either weakened or became restricted when this occurred. Another discovery was that, “Regular education teachers don’t always know about

ADD/ADHD . . .”don’t offer help to the student who might need it” (LPU-T2). This finding applied to School LPU, suggesting low awareness of ADD/ADHD. Low awareness may result in low referrals to the Section 504 team, which could in fact be restrictive of services to students and to growth in plan number. For the most part, it was easy to implement accommodations, but because implementation was potentially time-consuming and costly, the researcher explored the basis of such reports.

Time Factors Associated with Implementing the Section 504 Process

Implementing the Section 504 process reportedly required considerable time. Time is a precious commodity. Therefore, participants addressed time requirements and the impact of such time requirements on their involvement with the process. In the context of this study, time factors encompassed time required from the point of referral throughout plan development and implementation.

School HPU

Central office administrator. In the high-plan-usage school, the central office administrator felt that meetings held before and beyond contract time posed a personal time cost to team members, particularly teachers. She explained:

The school has had an OCR complaint that the school was not following the Section 504 plan. . . . Responding to the OCR took an inordinate amount of time from the administrator and the teacher in the classroom . . . above and beyond instructional time by going through talking about what has happened . . . trying actually to find things that could prove that [the] child was being provided Section 504 accommodations” (HPU-COA, L19-27).

Responding to an OCR complaint also could extract precious amounts of time.

Site administrator. The site administrator acknowledged, “There was the one case. [It] was an extraordinary time demand, but in general, no” (HPU-SA, L118-120). “We funded our own time. . . . [If] the parent couldn't make it during the school day, [teachers] would come early or stay late or whatever. That was a professional obligation we felt, never an issue” (L133-136). The site administrator sought creative solutions to time concerns.

Teachers. One teacher opined, “There’s a lot of stuff, but most of it’s pretty generic” (HPU-T1, L100). She professed:

[They] know . . . it’s not really going to get done, bottom line. . . . It’s not even humanly possible. You have a lot of parents so demanding as to what they want done. Some things are practical and done on an everyday basis, but some things get to be really bizarre” (L101-109).

Continuing, she stated, “[The Section 504 process] doesn’t demand a lot of my time, not at this stage of my life, but for the other teachers, yeah. I think they’re pretty stressed out” (L109-111). She believed, erroneously, that it was appropriate to ignore accommodations that seemed to challenge human capacity; this potentially costly assumption indicates low awareness of the Section 504 mandate. Two other teachers seemed to share the perspective of Teacher 3 who said, “Preferential seating, those types of things don't really take up a lot of time, but when you have to make certain modifications, it can be time-consuming” (L88-91).

School LPU

Central office administrator. According to the central office administrator, LPU teachers felt the burden of time. “Individually, time is going to be a factor . . .” (LPU-COA, L57). One teacher may think it is “inconvenient to come to a meeting . . . not worth her time. Another teacher thinks it's very important . . . impacts how she is going to work with that [student]. She wants to be there and time is not a factor” (L58-60).

Site administrator. The site administrator of the low plan usage school declared, “As far as when we try to hold the meeting, that’s always a problem because you’re trying to get together a large group of people and really when the core teachers are free. [It] infringes on their planning time” (LPU-SA, L127-120). Time concerns seemed more related to the executive functions expected of the site administrator who facilitated the Section 504 process.

Teachers. Two teachers agreed with Teacher 4’s point of view. He stated, “I don’t think [time] ever was a factor” (LPU-T4, L179). “It wasn’t too bad as far as time. It was really pretty easy” (L167-168). In contrast, a third teacher offered that the time demand “depended upon what the parent wanted” (LPU-T2, L96). Section 504 seemed to pose no undue time hardship relative to process or plan implementation.

Time Factors Associated with Implementing the Section 504 Process Across Cases

Executive or managerial functions extracted high time demands, especially in School LPU. These time demands appeared substantial, but extraordinary time demands related to plan implementation appeared largely unsubstantiated. Modifications were more time-consuming, but the majority of accommodations

seemed innocuous. When numerous meetings were required, a frequent and noticeable time cost to parents as well as school staff occurred. Staff development presented a time usage requirement in both schools as far as ensuring that teachers received necessary information. Mandatory meetings sometimes extended beyond contract hours. Monetary costs were linked to such events when they occurred in School HPU, as compared to personal time costs linked to similar events in School LPU. As far as it can be determined, both schools resolved their own issues concerning time requirements linked to the Section 504 process.

Themes across cases are executive functions intrude and personal time intrusions.

Executive functions intrude. High time demands pertained to executive or managerial functions incurred in resolving scheduling issues, gathering participants, and presiding over multiple meetings and multiple team processes. These burdens resided with the site administrator. Responding to complaints made by parents to the Office for Civil Rights could exert a substantial time draw on administrators and teachers, as well. However, extraordinary time demands related to plan implementation were largely unsubstantiated, especially for teachers.

Personal time intrusions. Numerous meetings infringed on teachers' planning time. Other meetings occurred before and after school, creating a problem for some teachers, particularly in School HPU. The time required to proceed through the steps of the process affected teachers, parents, other school staff. Mandatory time beyond contract hours was required, but schools funded their own time costs. The HPU central office administrator linked such time costs to monetary compensation,

whereas in School LPU, such time usage constituted a personal time cost. In all, the majority of accommodations related to plan implementation were innocuous.

Summary of Time Factors Associated With Implementing the Section 504 Process Across Schools

Executive functions imposed substantial time demands on administrators. If executive functions included responding to OCR complaints, notable time demands can encumber central office and site administrators, as well as teachers. Distinctions between modifications and accommodations were implied. While those differences were undefined, implementing modifications was more time-consuming. Decisions to resolve personal time cost originated from a standpoint of professional obligation or need. Insofar as it can be determined, both schools resolved their own challenges concerning time. One teacher in School HPU remarked that some accommodations were not “really going to get done, bottom line” (T1). It is important to note that Section 504 offers no latitude for gross misconduct or willful refusal to implement a plan. A teacher in School LPU offered that the time demand “depended upon what the parent wanted.” This response suggests capitulation to parents. Both instances seem to reflect low awareness on the part of teachers.

School teams recognized costs; therefore, the manner in which costs affected the process seemed worthy of exploration. Findings on cost appear in the next section.

Cost Factors Associated with Implementing the Section 504 Process

Because time requirements appeared to be compelling, and because time is considered a scarce and limited resource in a modern fast-paced world, one aspect of

this research was to examine participants' perceptions of "time costs." Time required for one activity takes away time from another potential activity and is thus a "cost." Potential costs included finding time for executive functions, losing personal time, losing instructional time, finding time to hold or to attend required meetings, and spending time disseminating information. However, time is not the only cost. Section 504 plans cost money as well.

School HPU

Central office administrator. At the high-plan-usage school, the central office coordinator observed that some accommodations could be very costly, such as "specific books at home, Recordings For the Blind (recorded books), or tape recorders; yes, it can be very costly" (HPU-COA, L126-27). She said:

So, we don't always have to provide the Cadillac, but just equal access. Some students require barrier-free environments or special transportation. It's definitely a cost. The students do not fall under the IDEA, so those students require specialized services or related services. . . . We've been asked to provide homebound services to make up instruction that the parent felt that the student lacked because those accommodations were not being provided" (HPU-L126-35).

With regard given to the size of the school district, she stated, "I'm going to probably take a guess [of] \$50, 000 for materials, equipment, and specialized assistive technology, NCR paper, second set of books, special tape recorder that the students get through consultation . . ." (L40-43). She pointed out, "[You] have to pay for travel

time for those itinerants, those providing the specialized instruction. . . . I'd say as it's occurring now, [it] could be very costly depending on the school and—I think because of a school division our size” (L44-47). She reiterated, “Because Section 504 is not special education [those students] can get specialized instruction. It doesn't have to be special education. It could be from general education teachers tutoring, which can be very costly” (L147-149). Teachers participate in Section 504 meetings. “[They] are taken out of their classrooms. . . . Sometimes, that requires the school to get substitutes or somebody to cover the class” (L117-119). Costs involved staff development and meetings held beyond contract time. “You need to be able to make [staff development] mandatory and when you make things mandatory, and it's above and beyond contract time, teachers need to be compensated” (L122-124). From the central office administrator's point of view, actual and implicit costs existed.

Site administrator. The HPU site administrator stated, “[A]lthough it was never articulated and although we never saw a memo to that affect, we were always very concerned about incurring a cost” (HPU-SA, L120-121). For instance, the school “had easily probably 110 additional textbooks circulating. . . . That's a core team” (L139-140). Costs were actual and implicit; cost consciousness was required.

Teachers. Teachers believed that materials and equipment were available. One teacher said, “[It's] not costing me any more than [what] I normally do . . . What I normally do, I do for all of my kids. They're all special” (HPU-T1, L133-134). Another teacher asserted, “It costs the school system money when they supply the laptops . . .” (HPU-T2, L65-66). The same teacher believed (incorrectly) that “there would be costs to parents such as getting hearing [screenings]” (L70-71). There were

no actual costs to teachers, but teachers believed there were actual costs to the school district and to parents.

School LPU

Central office administrator. For the low-plan-usage school, the cost impact pertained to “time for meetings, time for getting information disseminated to all the teachers involved if they don't come to meetings, someone following up. . . . So it's a time cost, a real monetary time cost if there's an equipment need” (LPU-COA, L85-88). The management of the Section 504 process and equipment needs involve costs.

Site administrator. Costs surfaced in connection with loss of teachers’ planning and instructional time. “So, I guess you could say that time, and cost, is a factor because if you're looking at the broad spectrum, they lose that time because we try not to take them out of the classroom” (LPU-SA, L121-124). The site administrator agreed with the central office administrator about time costs linked to the management of the process.

Teachers. Broadly speaking, teachers identified costs related to time, money, materials, and equipment. However, the prevailing consensus about time-related costs was that “time was no cost factor . . . [The teacher was] never required to spend money” (LPU-T3, L131-134). Teachers recognized costs, but these costs did not relate to money. Mention was not made of costs linked to managing the process.

Cost Factors Associated with Implementing the Section 504 Process Across Cases

Two themes emerged concerning cost; actual and implicit costs exist. The manner in which schools resolved issues related to cost, when they had not yet come to the attention of the central office, showed creativity in resolution and avoidance.

Actual costs exist. Actual costs existed in relation to managing the process and obtaining materials and equipment. Central office administrators concurred with time, material, and equipment costs. They recognized that monetary costs were indeed associated with the purchase of certain materials, equipment, services, the appropriation of human resources, and resolving legal issues. Site administrators avoided costs, but recognized costs for materials and time costs to teachers. Teachers incurred no out-of-pocket expenses related to implementing the process, but personal time costs did exist in terms of loss of planning time and attending meetings held before and after school. Each school purchased its own materials and equipment; these purchases cost. If costs were extensive or intruded upon school budgets, the Section 504 central office coordinator or the itinerant support staff helped resolve them.

Implicit costs exist. These costs involved efforts to resolve legal issues, teacher participation in the process, compensation for teachers who attended meetings beyond their contract day, the creation of barrier-free environments, use of time and human resources, and the acquisition of specialized instruction and related services.

Summary of Cost Factors Associated with Implementing the Section 504 Process

Across Cases

Costs were both actual and implicit. Central office administrators agreed that equipment costs and that an instructional time costs existed for teachers. Site administrators did not agree on costs. The HPU site administrator was conscious of cost containment, especially concerning the provision of “additional textbooks.” On the other hand, the LPU site administrator limited her cost concerns to lost

instructional time, perhaps associating it with having to hire substitutes. Teachers recognized costs related to time, money, materials, and equipment, but incurred no out-of-pocket expenses. Teachers seemed very unaware of additional costs associated with the process. For example, anticipated costs could approximate “\$50, 000 for materials, equipment, and specialized assistive technology, NCR paper, second set of books, special tape recorder that the students get through consultation” (HPU-COA). It is possible that site administrators and teachers were unaware of the actual cost potential linked to Section 504. Management of Section 504 was a secondary duty with the potential of extracting primary time demands on those responsible for its’ administration. Therefore, in-kind costs are incurred a well. Awareness of cost is important because Section 504 has no funding stream. Methods employed in both schools to avoid costs showed creativity in relation to the use of certain materials (such as extra sets of books) and the use of existing or hired staff (such as substitutes) to conserve time. Cost could be prohibitive to plan implementation. Because time and costs inextricably affected the implementation process, interest developed in how teams minimized the intrusion of these two factors, or expanded their capacity to work more effectively within the limitations of these factors. Therefore, the researcher decided to explore the influence of staff development on the implementation process.

Providing Information and Support Through Staff Development

If teams want to implement Section 504 plans successfully, schools must make efforts to expand the awareness of school personnel regarding the Section 504 mandate and the plan development and implementation process. This capacity

building includes obtaining and sharing legal information, and providing special training for carrying out Section 504 policy effectively. As information on Section 504 filtered down throughout various groups in both schools, opportunities abounded to dilute the quality of information shared about Section 504 policy.

School HPU

Central office administrator. The central office administrator of the high-plan-usage school explained that, “an office coordinator” provided her with updates on the latest Section 504 case law, policy, and procedures (HPU-COA, L243). She continued:

There is no consistent means among the schools to identify who the Section 504 coordinator’s going to be. The particular school that I work with at the middle school level has designated all the guidance counselors to be Section 504 case managers” (HPU-L65-68).

Heretofore, it was unclear that guidance counselors were the Section 504 case managers. Continuing, she seemed biased against attending Section 504 conferences because of her belief that “[Section 504] “should not be in the special education office” (L274-275). She provided staff development for building administrators. Others relied on building administrators to share this information with their staff. This form of “trickle down” staff development may have precipitated inconsistencies in the quality of staff development (L265). Occasionally, the building administrators requested that she “. . . come in and do a Section 504 inservice and then update new teachers. . . . [It was] because of the history of difficulties . . . that they [‘d] had, especially with parents coming in and asking for inordinate amounts of

accommodations” (L266-271). In addition, follow-up was needed on “plans that are being developed; are those plans appropriate for those students?” (L303-304). She added, "It would be helpful actually if the school division had a Section 504 coordinator designated to really devote the time” to how the Section 504 process is administered by schools (L298-299).

Site administrator. The HPU site administrator depended on the building administrator for updates on Section 504 policy. She described technical support provided by her central office administrator who “worked [school staff] through the steps” of Section 504 (HPU-SA, L222-223). She desired to see “what a typical plan looks like or seeing a little bit of research” proving that accommodations really helped children, and to know the procedures taken by other practitioners in the district (L226-228). She intimated that teachers receive Section 504 staff development less often than do administrators.

Teachers. One teacher believed that parents needed “parenting classes” (HPU-T1, L221). Another teacher indicated that “knowledge of the new laws that will be coming about” would be helpful (HPU-T3, L171-172). From a third teacher’s perspective, “Just continuing to have a very strong guidance counselor present, one that knows the parent's rights as well as the student's rights, and having an administrator present" would be helpful (HPU-T5, L206-208). Comments made by one teacher illustrate the pervasive sentiment of three others. She said, “I don’t need any more training. I think we had so much of it that I think its overkill” (HPU-T1, L221-222). “Again, everything is spelled out, so, I don't know that there's anything more that we would need to do there" (HPU-T2, L121-123).

School LPU

Central office administrator. At the low-plan-usage school, the central office administrator received updates on Section 504 case law, policy, and procedures from another “special education coordinator in [her] office,” through “distributions of mailings”, and through peer assistance (LPU-COA, L164-165). Information then was shared “with teachers either individually or [in] small group[s]” as questions arose (L177-178). Mandatory inservices were conducted for building administrators “on following the Section 504 guidelines [and] procedures” (L166). Other central office or building administrators were provided with an “understanding of what the law is suppose to be standing for” and directives on “how to implement that law as it's interpreted by the state and the locality to maintain compliance . . . so they understand what they're doing” (L167-178). From that point, “It's up to the administrator and the Section 504 coordinator in the building to get that information to the classroom, and to the building administrators through those administrative workshops that we have conducted or participated in” (L190-193). The central office administrator desired a “refresher regulation review” of Section 504 (L98) in that “things get blurred because [Section 504] looks like special education. You have to stop and think, ‘Okay, am I thinking under IDEA or am I thinking under Section 504?’ because there are those differences” (L202-205). She preferred having someone to call on who “knows the stuff inside and out . . . this is what you do . . . how you do it. This is the piece of paper you write it on” (L206-207).

Site administrator. The site administrator generally received staff development

from central office special education staff. Information was largely administrative and dealt with the process, eligibility, or the actual writing of the plan. Some teachers in the general education sector chose to allow it to simply go “in one ear and right out the other” (LPU-SA, L330). She desired any yearly training on “any changes, regulations . . . specific guidelines . . . scenarios that could be put into place, charting, or something” to have more guidance (L354-358). Believing that most Section 504 plans addressed ADD/ADHD, she conveyed a desire for “any kind of strategies” on how to deal with ADD/ADHD in the schools and at the middle school level (L360).

Teachers. Typically, teachers received inservice from the “special education coordinator [or] . . . the assistant principal in charge of special education” (LPU-T2, L194-195). Even though staff development was provided, one teacher contended, “We didn’t have a lot of staff development specifically around how to deal with and use a Section 504 plan. There wasn’t much there, no” (T4, 306-308). Three of four teachers shared ideas about beneficial support. One teacher voiced, “I would like to have someone come into my classroom and see what I do as a teacher when I might have several Section 504 students in my classroom” (LPU-T1, L190-192). Another teacher stated, “I kind of feel that I’ve got enough background working with these kids . . . there’s enough support in the system” (LPU-T4, 313-315). Helpful practices included staff development for general education teachers and the identification of a resource to address Section 504 questions. Another teacher expressed a desire to have someone create or develop new strategies, especially for middle or high school students who “know how to play the system” (LPU-T3, L244).

Providing Information and Support Through Staff Development Across Cases

More in School HPU than in School LPU, there was a lack of consistency in assigning Section 504 to a facilitator. This inconsistency may have given rise to concerns about the competency of certain Section 504 team facilitators. For example, the guidance counselor served as the Section 504 case manager, but she was less likely to attend some training opportunities. Staff development occurred on a need-to-know basis through mandatory inservices and technical assistance from central office special education administrators. Training at the site level usually was at the discretion of the building administrator or prompted at times by a history of Section 504 difficulty. Interest existed in seeing other practices used across the school district, dialoguing with the OCR, gathering strategies appropriate for the middle school level, or obtaining research on the effectiveness of accommodations. Teachers desired staff development for parents, knowledge of new laws, and support from a strong guidance counselor or an administrator in attendance. Few teachers believed they needed additional training.

Several themes emerged: staff development filters, policy boundaries mutate, and procedural confirmation desired.

Staff development filters. In both schools, the receipt and sharing of information was essentially top-down. In-house staff emulated the linear top-down flow of information sharing. Consequently, information gained from mandatory inservices “trickled down” to specialists or staff. Administrators at the central office, site administrators, and some teachers received information through multiple media formats. Some teachers were resourceful in accessing information on Section 504 and

on ADD/ADHD. It is possible that the top-down filtering of information resulted in a loss of the quality of shared information. Central office administrators seemed ambivalent about seeking and sharing information on Section 504.

Policy boundary inconstancy. Some staff persons found it difficult to understand the relationship between Section 504 and special education. In fact, both central office and site administrators recognized benefit in removing Section 504 from the “auspices” of the special education office. Both of these groups expressed some consternation over the relegation of Section 504 to the special education office, and possibly to their appointment as facilitator of the process. A few teachers in both schools also seemed to verbalize confusion with separating some parallel policy issues existing between Section 504 and the IDEA. Some administrators seemed bothered by having responsibility for a process that clearly was not special education.

Procedural confirmation desired. Central office administrators asserted satisfaction with current training efforts, but wanted more. Specifically, they desired the designation of a district-wide Section 504 coordinator, someone who could devote time to monitoring plans and offering creative staff development. One central office administrator desired direct training from the OCR, training she viewed as beneficial. At least one teacher (LPU-T1) desired confirmation on whether what he was doing was right for students with Section 504 plans. Even though observing (HPU-COA), looking at artifacts (HPU-SA), or (as indicated by HPU teachers) watching for changes in grades, social relationships and affect had been suggested, observations seemed overlooked in School LPU as a means of support to teachers in determining plan effectiveness.

Summary of Analysis on Providing Information and Support Thorough Staff

Development Across Cases

Staff development mainly originated in central office and then spiraled down to various school audiences. These audiences usually included building administrators who attended mandatory training and Section 504 site administrators (who received training from their building administrators or from the central office administrator assigned to their school). Building administrators decided who trained teachers and other staff in their buildings. Central office administrators and teachers were less receptive to training than were Section 504 site administrators. When administrators desired training, it was to confirm the similarities of procedures across the school district, or to obtain strategies for working with students, particularly those with ADHD. Another desire of central office administrators was the assurance that accompanies having a designated Section 504 district-wide coordinator handle Section 504 concerns for educational matters, and perhaps reduce soft boundaries perceived to exist between Section 504 and the IDEA.

General educators were infrequent recipients, and even less likely conveyors, of policy information. Building administrators determined procedures for sharing information and involving teachers in staff development. The splintering of staff development may partially account for the lower level of awareness detected among teachers. In all, central office administrators and teachers were reluctant recipients of information. Both central office administrators, and at least one site administrator, preferred to remove the Section 504 process away from the umbrella of special education. Site administrators desired legal updates, but expressed a greater desire for

training on procedural consistency, additional strategies, or use-benefit related to Section 504. Site administrators viewed helpful support or training as: (a) finding out about practices used across the division; (b) viewing plans developed by other schools; (c) using research to determine the efficacy of accommodations; (d) and determining the procedural propriety of steps in the process. Some teachers believed legal updates, in-class assistance, and additional strategies would be valuable. In all, most teachers were reluctant recipients of additional information on the Section 504 process. Teachers either attended staff development activities infrequently, or vaguely recalled having attended any at all. The Section 504 guidelines were always available to them. Nevertheless, teachers generally were confident in their knowledge of Section 504 and recognized little value in additional training, especially on Section 504 plan development. Instead, they preferred more staff development on instructional strategies.

Summary of Factors Related to Implementing the Section 504 Process

Levels of awareness among team members varied regarding the purpose of Section 504. Its purpose is to “level the playing field” as a means of equalizing access for students with disabilities to school programs and activities. Administrators at both levels and in both schools understood the purpose of Section 504 better than did teachers in either school. Generally, most participants believed the mandate benefited the education of students.

In terms of implementing the Section 504 process correctly, teams seemed to follow procedures articulated in local school district guidelines. Multidisciplinary school-based teams made decisions about the Section 504 process. Parents served as

team members, adding to that host of factors influenced decision-making (e.g., team members' level of awareness, parent and advocate participation, role conflict, time, cost, and communication). Administrators understood the rudimentary aspects of the process better than did teachers. Teachers knew that the team used guidelines and followed steps of some kind. However, most teachers were uncertain of all the steps and expressed no concern over how correctly teams followed the process. These were details left to the site level administrator. In both schools, the prominent expectation held by teachers, and upheld by site administrators, was that "placement" in general education classes was exclusive of inclusion core teams. Most participants understood that students with Section 504 plans could receive related services as needed. Even though teachers seemed to manifest low awareness of Section 504's purpose, they seemed confident about what they believed they understood.

Administrator and teacher groups experienced role conflict. Central office and site administrators for both schools struggled with soft boundaries between Section 504 and the IDEA, not seeing a bright line between the two statutes. Wide latitude for variance in decision-making, personal discomfort ascribed to flexible interpretation of Section 504 guidelines, the impact of school and community cultures on team decisions, challenging and contentious parents, and fairness of accommodations were sources of concern. Some of these demands throttled teachers' instruction and instructional planning times. Isolated instances of conflict dealt with what some teachers perceived as poor parenting, over-reliance on familiar strategies, class size burden, and lack of teacher attention to students with special and diverse needs. In the face of some of the most difficult decisions, conflict arose among team members.

Plan development, a post-eligibility function required for students found eligible for Section 504 coverage, gave rise to time conflicts for teachers in both schools who had to participate in this aspect of the process. In both schools, team facilitators showed sensitivity and responsiveness to the actual or implied costs of accommodations, burden on teachers and other students, and other factors inherent to the culture of the school or the community. Responsibilities designated to parents ensured their participation in the process and served as a measure of reciprocal accountability for plan implementation.

A subgroup of the team (the student's teachers, parents, and an administrator) developed the plan. Teachers bore the primary responsibility for plan implementation, but parents and students sometimes were partners in this part of the process. Teachers and administrators doubted that the accommodations enumerated in Section 504 plans cured the academic or behavior issues accompanying ADD/ADHD. For the most part, accommodations were easy to implement, but remarks about time necessitated examination of that factor as well.

Time requirements were intrusive, leaving administrators and teachers in both schools to deal with conflict involving participation in the process and development of the plan. Additional tension existed in terms of demands on administrators and facilitators to administer the process, loss of administrators' and teachers' personal time, loss of teachers' instructional and planning time, and low gain in time required for staff development and capacity-building.

Even though schools absorbed most costs unique to their Section 504 implementation process, other costs abounded in terms of direct service needs

(interpreters, occupational and physical therapy, psychological counseling, transportation), handling legal fees, and creating barrier free environments.

Anticipated costs were inherent in the provision of staff development, materials, and equipment. Teachers recognized little in the way of costs related to the process, albeit time demands made before plan implementation were of great concern to them.

An obvious need for staff development, heretofore described as top-down and inconsistent, emerged from the data. However, ambiguity in the quality of federal regulations and local Section 504 guidelines, identification of mentors for the facilitator, and ways to monitor the Section 504 process across the school district seemed continuously problematic for central office administrators. Furthermore, the relegation of some staff development activities to the status of “optional attendance” continued to provide an obscure loophole for misinformation and lack of understanding pertaining to Section 504. For instance, site administrators’ level of awareness was partially dependent upon the frequency and quality of training received from their central office administrator, building principal (or designee) or upon the quality and extent of information they acquired through other mediums (Internet, periodicals, etc.). Teachers on the other hand gained their awareness of Section 504 from mandatory or voluntary inservice, through various print mediums, or as directed by the building principal. Their level of awareness appeared heavily linked to the quality, availability, and consistency of information about Section 504.

Discussion of the Factors

In terms of awareness of the Section 504 process, personnel employed a team approach to make decisions about the Section 504 process. The process they followed

from the school district's local Section 504 guidelines resembled their procedures for the IDEA. Decision-making was affected by factors such team members' uneven levels of awareness, parent participation, role conflict, time, cost, and communication.

Levels of awareness varied. For instance, site administrators' level of awareness was influenced by the quantity and quality of training received from their central office administrator, their building principal or designee, and by how much information they acquired through other mediums. Unless teachers received information through other means, their level of awareness about Section 504 rested upon how much they gained from mandatory or voluntary inservices held at the direction of their building principal. It seems that an obvious means of minimizing variance would be to make staff development uniform, mandatory, and periodic. This was not an option staff developers exercised. Team structure also may have partially contributed to how levels of awareness varied. Some teachers attended meetings at staggered intervals or were unable to attend at all because of scheduling or other attendance conflicts. For similar reasons, technology and physical education specialists seldom attended these meetings. Teachers are critical to the process. They know how students function within the ecology of their classes. Every teacher who works with a student on a Section 504 plan needs to understand the nature of the student's impairment and the teacher's role within the context of Section 504 policy. Site administrators, who were designees themselves, sometimes appointed other designees while they fulfilled other role responsibilities. When the Section 504 administrator relinquishes her role, even temporarily, one would expect that the recipient would have the skill required to properly execute the process. If skill is

lacking, faulty implementation may take place. The results of faulty implementation under certain circumstances are resolvable only in legal arenas.

Adding to variable levels of awareness was lack of clarity pertaining to Section 504's purpose. Central office and site level administrators in both schools understood Section 504's purpose, and legalities surrounding it, better than did their teachers. Central office administrators and site administrators were sensitive to legal aspects, but site administrators seemed more concerned with Section 504's relationship to academics. Teachers in both schools believed Section 504 ensured students' academic success, opportunity to learn, and improved socialization. However, teachers were the least likely to emphasize the intended purpose of the mandate—to ensure that students with disabilities are given educational opportunities comparable to those of students without disabilities. The level of understanding found among teachers also appeared heavily linked to options exercised in receiving information on Section 504. Central office administrators better understood referral, evaluation and assessment, eligibility determination, and placement, which were rudimentary aspects of the process. Site administrators understood these, too. Teachers knew that the team followed some type of guideline, but teachers were uncertain of the steps in the process. They participated in evaluation and assessment and understood that placement usually meant general education classrooms. A prominent expectation of teachers and site administrators was that “placement” typically referred to general education classes, exclusive of inclusion core teams. Exclusion of Section 504 students from inclusion core teams was viewed as neither discriminatory, nor as entitlement to special education services through a Section 504

provision. Although teachers may have perceived it otherwise due to confidence in their knowledge of Section 504, their awareness of Section 504 was low. Because guidelines were less definitive, team facilitators (the site administrator and guidance counselor in School HPU and the site administrator-special education teacher in School LPU) creatively addressed team issues. Consequently, actions taken by site administrators on Section 504 matters contributed to increased demands on: (1) their executive management of the team, (2) the time required to implement the steps in the process, (3) the teachers' perceptions of devaluation of their contributions, and (4) in one teacher's perception, administrative competence. Section 504 site administrators in both schools were sensitive to actual or implied costs of accommodations, to the potential burden for teachers and other students, and to a host of other factors inherent in their school-community culture.

Parents were primary initiators of Section 504 referrals, especially in School HPU. For the most part, they participated in all aspects of the Section 504 process. Administrators and teachers regarded them as valuable contributors of useful knowledge about their children and their children's needs. Parents' level of participation and awareness of the Section 504 process varied simultaneously with their level of education, and with the manner and extent to which they accessed information individually or obtained it from their advocates. Even though participation varied, parents influenced eligibility and placement and, at times, unilaterally influenced the selection, purchase, and use of certain accommodations. Their resourcefulness was bewildering and, from time to time, perceived as negative in its influence over school staffs and abusive of Section 504. Parents participated in

the process, being both responsible and willing to serve as a measure of reciprocal accountability for plan implementation, a measure unenforceable under Section 504 policy. Parents of low socioeconomic levels engaged in community support less often than did those from high socioeconomic levels. These parents also failed at times to communicate information that might have more favorably influenced team decisions.

Administrators and teacher groups at all levels appeared conflicted in their thoughts and feelings about Section 504 policy. Central office and site administrators at both levels found some difficulty in finding a bright line between Section 504 and the IDEA, a difficulty that might be expected when working with processes that are somewhat similar. Section 504 does not require school districts to pattern Section 504 policy after the IDEA. Observing the tenets of the IDEA mandate is but a means of meeting the requirements of Section 504. Perhaps a bright line might be identifiable between the school district's Section 504 policy and the IDEA if the school district's Section 504 policy had a pattern dissimilar to that of the IDEA. However, the flexibility accompanying Section 504 policy could be continually preemptive to resolving variance in decision-making, personal discomfort, issues grounded in school and community cultures, battles with challenging and contentious parents, and questions of fairness if awareness among some team members remains low.

Teachers in both schools experienced conflict with the time required to implement IAPs. Particularly, demands were made concerning time to teach and do lesson planning. Compounding these issues were conflicts dealing with what some teachers perceived as poor parenting, over-reliance on familiar strategies, class size burden, and lack of teacher attention to students with special and diverse needs. When

parenting becomes a real issue, Section 504 teams may include parent training in a student's plan, but parents are not obligated to obtain or participate in such training. Over-reliance on familiar strategies suggests an underutilization of the team's skill. It is possible that the team fragmentation induced by scheduling and other problems diluted the richness of solutions inherent within the simultaneous and collective contributions of team members. The burden of class size was not pervasive, even though the class size ratio for School LPU was higher than that of School HPU. The belief that some teachers gave little attention to students with special and diverse needs suggests a possible need for school-wide diversity awareness training. Training of type could enhance Child Find. Difficulties encountered from other team members when tough decisions were necessary, suggest that awareness may have been lower among other team members, not just among teachers.

Time requirements were heavy for administrators and facilitators who had to administer the process. Personal time was lost for administrators and teachers. Administrators lost time required for completing other duties. Teachers also lost instructional and planning time. Staff development and capacity-building time was lost as well. When significant portions of time are lost, teams probably should examine how efficiently they operate. This examination should include the benefits of establishing and adhering to timelines, and rescheduling unfinished business.

About cost, schools absorbed costs unique to their Section 504 teams. However, latent costs existed in terms of direct services, legal fees, and barrier free environments. Anticipated costs involved materials, equipment, and staff development. Costs accompanied the process. The notion of a free appropriate public

education accompanies Section 504, except when such costs are required of the general student population. Schools should expect and prepare their budgets for such costs. Teachers had no out-of-pocket costs related to the process, but time for meetings held before actual plan implementation greatly concerned them. Meetings held before plan implementation are worthy time investments. In as much as they are a part of the decision-making process, opportunities for ensuring the appropriateness of evaluation and assessment and eligibility decisions improve. Consequently, these meetings become the substance for subsequent decisions about necessary accommodations. Teachers should be involved in this process.

Staff development needs were obvious. Teachers felt ambivalent about staff development. This feeling may have arisen from the fact that they were not privy to certain staff development efforts concerning Section 504. Optional attendance granted to some teachers may have minimized the importance of understanding Section 504. Communication was top-down and inconsistent. As information passed on, it is possible that critical information went unnoticed or seemed insignificant to staff at certain levels. There were gaps in communication. Schools should identify and close these gaps. Central office administrators needed more training. Admittedly, they experienced challenges associated with the quality of federal regulations and local Section 504 guidelines and with having to monitor the Section 504 process in their schools, a process they believed resided with general rather than special education. Miscommunication spread among parents about the availability of accommodations. Educating parents and their advocates about Section 504 could minimize or eliminate miscommunication. Some school audiences, particularly teachers, ill-regarded the use

of staff development as a means of communicating information about Section 504 or viewed it as untimely. Perhaps these perceptions grew out of the top-down or optional manner in which staff development occurred. Some staff believed that a few teachers communicated less well with students from diverse backgrounds and this “teacher problem” sometimes lead to a Section 504 referral.

Themes emerging from these findings are school-based teams, time counts, counting costs, and developing staff competence.

School-based Teams

In the absence of understanding, school-based teams may create splintered pathways to deal with aspects of antidiscrimination laws that for their purpose—according to Heyward (1992)— are deliberately mutable. Flexibility embedded in the process sometimes led to fragmentation among team members. Team fragmentation negligibly influenced trust in the process and, in one instance, trust in the competence of the site administrator. In both schools, administrators and teachers understood that a process dependent, team-based function did exist. Teams used local guidelines, which were “nothing etched in stone.” Ecological intrusions, viewed as both necessary and possibly unavoidable, peppered the process. These intrusions account, in part, for the lower level of teachers’ awareness about Section 504. As an example, core team teachers of a particular student were not present simultaneously at meetings due to incongruent class schedules or lack of substitute teachers and other staffs to cover their classes. Some teachers believed the quality of information provided about the student diminished under such circumstances. As another example, most teachers were uncertain of steps in evaluation. Evaluation and eligibility are critical steps in

the process. Because noncompliance generally involves evaluation and eligibility issues, teachers need more clarification in this area (Reid & Katsiyannis, 1995; Schweinbeck, 1995).

The majority of administrators and teachers in both schools understood what “placement” meant. However, site administrators and teachers seemed to agree with the practice of excluding Section 504 students from placement on inclusion core teams. Under the Section 504 mandate, removal from the general education setting occurs only when it can be demonstrated that education in that setting cannot be achieved satisfactorily, even with the support of supplementary aids and services (34 C.F.R. §104.34[a]). Students with disabilities should receive an opportunity to benefit from their educational placement. Schools must alter programs, and perhaps erroneous beliefs, to serve these students, rather than yield to the presumption of a need to first alter the student (Schweinbeck, 1995).

Generally, most participants understood the provision of related services. Some teachers believed related services fell under an IDEA entitlement rather than Section 504. Teachers understood that evaluation and assessment occurred, but they were often vague in their descriptions of it. Teacher accountability is required in the evaluation process and teachers should receive training accordingly (Schweinbeck, 1995). Individuals engaged in team processes must come to understand that their involvement transcends the mere application of [the right thing to do]. Their collective expertise and parity should add value to the team’s purpose and strengthen their decision-making practices.

Time Counts

Time emerged as a factor that influenced the implementation process. At a glance, it appears to be the enemy of the Section 504 process. Closer inspection of the effects of time indicates that time factors into cost as well as into the level of organizational support experienced by teams. Dealing solely with organizational support, central office administrators identified concerns about the lack of technical assistance from a school district Section 504 coordinator, someone they desired to have oversee the process, attend conferences, conduct staff development, and immediately address their questions. Without a school district Section 504 coordinator for educational issues, they were forced to “find time” within their schedules to assist schools with Section 504 issues, which are essentially general education matters. Site administrators also dealt with high time demands in performing their executive or managerial functions. Attempts to balance these demands sometimes resulted in a redesignation or truncation of their roles in order to satisfy other aspects of their professional or personal responsibilities. For example, the site administrator in School HPU ensured that teachers attended meetings, substitutes were hired, and that certain functions fell to the guidance counselor in the site administrator’s absence. When numerous meetings were required, frequent and noticeable time costs occurred among school staff and among parents. Lack of time influenced how the team congealed to receive or provide information.

Administrators and teachers regarded some time demands as substantial, especially in terms of making modifications or fundamental alterations to the curriculum. Most accommodations were less time-consuming for teachers. Even

though some administrators and teachers suggested extraordinary time demands related to the actual implementation of plans, these time demands appeared largely unsubstantiated. Staff development represented a time requirement in both schools in so far as ensuring that teachers received necessary information. Mandatory time beyond contract hours signified latent monetary costs in School HPU and personal time costs in School LPU. Schools can resolve their own issues concerning time. Based on reports, it is quite possible that the absence of some teachers from the entirety of team meetings eroded trust, team cohesiveness, and the quality of information presented to the team. In fact, the manner in which teachers received information after meetings had been held may have inadvertently fostered a belief among a few teachers that implementation of accommodations was optional, an incorrect and potentially costly assumption.

Counting Costs

Cost issues were negligible for material and equipment, but time presented a cost in this study. Discussions about costs are limited due to the paucity of research on costs related to Section 504 (McKiernan, 1997); however, findings from McKiernan's study suggest a need for cost vigilance. Each school purchased materials and equipment when the impact on their budgets was relatively low. Central office assisted with costs for some materials and equipment. Time costs applied to teacher participation and the idea that teachers deserved compensation for meetings held well beyond the contract day. These were personal time costs. Teachers, however, mainly associated time costs with meetings to develop plans, but not with plan implementation. Essentially, schools funded their own time costs, which

ultimately seemed to influence plan content more than plan numbers. Monetary costs were more obvious to administrators (e.g., implicit costs pertaining to the purchase of materials, equipment, legal services, compensation for teachers, barrier-free environments, transportation, or purchased services).

Substantial costs involved both time and human resource issues. Explicit monetary costs tied to materials and equipment, appropriation of human resources, and other purchased services existed. Parents purchased some equipment. This practice, and the expectation that teachers would find it acceptable, pales the reality of a free and appropriate education (FAPE). It even may appear duplicitous to onlookers.

In "Irreconcilable Differences? Defining the Rising Conflict Between Regular and Special Education," Meredith & Underwood (as cited in the Center for Education Finance, 1999-2000) posited that an issue of resource competition between general and special education students is evolving as a major concern. "The cost of educating disabled students . . . is threatening our ability to educate nondisabled students in many districts and, therefore, is placing the entire public education edifice potentially at risk" (p. 4). Section 504 has no funding stream. Moreover, while Section 504 is not special education, the potentiality for intrusion into general education budgets does exist. For this reason, school districts need to know that Section 504 may be what Weatherly (1999) proffered, a "sleeping giant." In this study, schools received no directive to contain cost; however, cost containment had been implied and heeded.

Developing Staff Competence

Staff development was the final factor identified. School staff cited this factor among factors of organizational support they valued. Among central office and site level Section 504 administrators, the manner in which they received information precipitated their desire for additional guidance and support. Central office Section 504 technical assistance providers wanted to reverse the top-down flow of communication by engaging in fruitful discourse with the OCR, or other school district personnel, on the school district's role in serving students under Section 504. Combinations of voluntary and mandatory staff development on Section 504 regulations occurred for building level Section 504 administrators. Reportedly, having a history of difficulty related to Section 504 implementation increased the likelihood of such inservices in schools.

Central office administrators perceived that support from higher levels was low. This perception may have induced feelings of personal and professional inadequacy among central office administrators, the technical assistance providers to school teams. Administrators in the study desired accessible mentors or individuals to provide immediate guidance concerning Section 504. The Section 504 facilitators wore multiple hats. Facilitation of the Section 504 process was only one of their many responsibilities. New information concerning policies and case law on Section 504 “trickled-down” to building level staff. With this kind of communication process, qualitative content may be lost. Training methods thwarted opportunities conducive to building the capacity of the team and other staff to become more aware of Section 504 policy, procedures, and case law. Successful team functioning seems predicated

on support of the collaborative structure at the site level and by the organization as a whole. Therefore, structures that enhance success, such as release time for meetings, training, and resources, should be both reasonably definitive and available.

In both schools, information received and shared emanated from national experts to central office special education staff who imparted it to Section 504 site level administrators or building administrators at mandatory inservices. Building principals then negotiated decisions about information sharing at subsequent levels at their sites. Teachers rarely were the conveyors of information. Decisions to eliminate them from the sharing of some information may have negligibly affected their understanding of the process. A few teachers remained uncertain of inservices offered, quite possibly due to the existing practice of permitting teachers to engage in optional participation in staff development. Implications were that some building administrators designated the facilitation and administration of Section 504 to individuals who had not participated in mandatory or voluntary training offered through the special education office. Consequently, the effectiveness of information shared weakened and time costs became more evident. “Teachers need support and guidance in dealing with this multifaceted law. . . . The OCR has frequently noted ignorance of teachers and administrative staff among their findings during investigations of complaints” (Schweinbeck, 1995, p. 131). Staff development is critical.

Scott, Vitale, and Masten (1998) found that teachers easily implemented reasonable or feasible accommodations, but once left to their own devices tended to do little in the way of differentiating instruction at a level more beneficial to some

students with disabilities. They cited lack of training and knowledge and limited school supports as significant barriers to effective implementation of adaptations. In this study, teachers in both schools seemed to agree that most accommodations were reasonable to implement. Only one teacher indicated that the implementation of some accommodations is too difficult. Teachers inclined towards nonimplementation of plans must understand the impact of the Doe v. Withers' (1993) decision wherein a teacher was required to pay damages for willfully ignoring his responsibility for accommodation implementation. On the other hand, accommodations under Section 504 policy are not required when they provide more than needed to eliminate discrimination (Lyons v. Smith, 1993). Excuses such as "I don't discriminate because I treat everyone the same" are unacceptable (Schweinbeck, 1995, p.132). Training is required to duly inform teachers and other staff about the do's and don'ts of nondiscriminatory programming.

Section IV: Examining the Implications of Section 504 Policy-

A Theoretical Explanation for the Difference in the Number of IAPs

Utilized By the Two Schools

This study also sought to identify factors that explain the difference in the number of plans utilized in the two schools. It seemed that these factors would emerge from the grounded theory inherent in the coupling of findings from previous explorations with explorations into data derived from asking two additional questions. The first question asked was, "In a ranking of numbers of plans in middle schools across the district, your school's (low/high). Why is this so?" The second question further explored connections into seven demographic factors (enrollment totals,

ethnic groups, school/teacher-pupil ratio, free and reduced-price lunch, number of students previously receiving special education, retention, and mobility) that seemed to bear some influence on the identification of students with disabilities. Because it was believed that site-level administrators and teachers closest to the process could better address demographic questions about their school, central office administrators were asked to address only the first question.

Reasons for Variability in Plan Numbers

Based on interview responses, the overall high plan number in School HPU seemed specifically attributable to parental influence, student enrollment, misidentification, abuse of Section 504, and moderate to high SES. In the School LPU, the low plan number was attributed to unique school demographics (school size, high special education numbers, low SES, and transience), teacher-initiated strategies, low Child Find, school culture, and administrative and staff support.

School HPU. The central office administrator for the high plan usage school explained her school's high plan number in this way:

I know when the Section 504 guideline first came out from our school division, it wasn't very specific. It was at a point that parents brought in a Ritalin bottle and a list of accommodations because an advocate helped write them up (or they got the list from the state department) and the school felt a little bit intimidated by those parents and those advocates. Not knowing what else to do, they provided the Section 504 plans. I think if they were to look at the new guidelines—following the new guidelines today—and if they're asking

the right questions, they may not be as apt to have students eligible for Section 504 plans that should not be eligible. I think it's a misnomer that if you have a disability, you're automatically eligible for Section 504. Now we do a little bit better job letting the school know that [the impairment] has to disable him within that educational environment . . . (L5-17).

The site administrator linked high plan numbers to three factors. First, she described the parents as “a group of people who were well-informed. . . . I’m not going to say, money’s no object, but . . . there are a host of advocacy groups . . . where the school is located . . .” (HPU-SA, L8-11). Next, parents “have an underground of information [and find it easy] to have a diagnosis and have a prescription” for their child (L8-14). Lastly, she cited large student enrollment. “[The] greater the number of students, the greater the number of Section 504 plans” (L14-15).

In addition to findings from administrators interviewed, teachers attributed high plan numbers to misidentification of students, parent involvement, lack of proper parenting, abuse of Section 504, and socioeconomic background. For example, one teacher observed:

Well, I would think we should not have as many, but if we do, it's because once again, I think a lot of the kids that are Section 504s are not Section 504s. It's because [of] the parents. Their child is so unique, and they're not willing to do the parenting and to make their kids sit there and read. It's an excuse for the behavior. They want an excuse for the nonperformance. . . . Once again, I think

we've mislabeled -- I'm not saying that the special education teachers have because they come in and they go through guidance first. . . . Of course, you have to follow through legally. So, you have to follow through the process, but a lot of these kids we're bringing up and labeling are not Section 504s. It's a matter of the parents not accepting their responsibility. That's why we have too many (L1-17).

Another teacher said, “[They are] demanding parents! We have a lot of parents who demand that their students have some type of modification or LD classification—demand it” (T3, L1-3). Plan number most likely linked to “socioeconomic backgrounds” and to parents who are “really knowledgeable on Section 504, knowledgeable on their rights, and want to make sure that their accommodations and their child’s needs are met” (T5, L1-4).

School LPU

The LPU central office administrator linked low plan number in School LPU to unique school demographics. She explained:

[It’s] the size of the school. They're high in special education . . . in my opinion . . . very high in special education for the proportion of students. . . . It's a tiny school for middle school. . . . So, I think either kids come already special education . . . therefore, they're not Section 504 solely, or when they come up for eligibility, they fall under the IDEA special education law rather than Section 504. It's a unique school in that it draws a large number of students from a

very transient setting—the hotel kids. It draws from a very poor population of students . . . but it also draws from some very wealthy families (LPU-COA, L1-16).

The LPU site administrator attributed low plan numbers to effective teacher strategies, low referrals, and high special education enrollments. Responding to why plan numbers are low, she stated:

I honestly don't know. I know when I look at all of the 6th grade, and when I look at the feeder schools . . . all the classes and the students that are coming in from the feeder schools, there aren't many Section 504s. . . . [Our] teachers are very good at conferencing daily about students. . . . They try to implement their own little strategies. So, there is a lot of communication. I think there's good work between the team members in our school in dealing with the students. We do get some teacher-initiated Section 504s . . . and then we deal with them, but then we don't get that many quite truthfully. It's the same with the parent; they're just not initiated. . . . We always try to see how it's impacting their education . . . if it's not negatively impacting, then a Section 504 plan isn't really necessary. [I] know we have a very high number of special education students for our enrollment . . . basically 650 students . . . about 130 are identified as special education and that's a high percentage. I do believe the demographics of our pool definitely has something to do with that high number! Now Section

504, maybe--I honestly don't know. (LPU-SA, L1-23).

Teachers cited other reasons for the low plan number. One teacher stated, “We’re a little neighborhood school. We’ve got a lot of neat things going on. . . . We’ve got a good administration, staff support, [and] a faculty that . . . cares. We get a lot of parents . . . [and] a lot of other community partners involved” (LPU-T1, L109-111). Another teacher linked plan number to enrollment, transience, and low Child Find:

It is the number of enrollment that we have. Because we're so transient, by the time we identify one that's in trouble, they're gone. I mean they're transient here. They're not here in homebase per say a lot. We either have got the hotels, [or] we have got the military; they're in and out so much. We also have a smaller population in general, too. I still haven't seen the school though very intense on trying to identify students and really helping them out even though it's a small population. Some have not qualified, not saying they're not being looked at—we have a long way to go, but of all the middle schools I've ever taught at in VA, this school and the staff here have really stepped beyond really trying. Even the parents I've had sit here in a meeting and go ‘I can't believe—at least he's getting [something]’ (LPU-T3, L1-12).

Cross-case Analysis of Reasons for Variability in Plan Numbers

Themes that emerged across cases in relation to reasons for variability in plan numbers include school culture, school demographics, parent involvement, and abuse of Section 504.

School culture. Small neighborhood schools that are culturally responsive may have low plan numbers. Within such a culture, one may find good support from the administration and staff, a caring faculty, a lot of neat programs, parent and community partnerships, and parents who trust the school. A faculty may appear to be caring if its teachers have good teamwork, routinely implement strategies, conference daily with students about students' performance, and have good communication amongst its members. Where such is the case, teacher and parent-initiated referrals to the Section 504 team may be low.

School demographics. In schools where enrollment is high and a high number of students come from high socioeconomic backgrounds, plan numbers are likely to be high. Plan numbers are likely to be low in tiny schools where enrollment numbers are low, school size is small, a large number of poor students attended, transience is high, a large number of students receive special education, and few students transfer in from feeder schools with plans.

Parent involvement. Well-informed parents sometimes employed advocates, accessed underground sources of information and, reportedly, utilized easy access to diagnoses and prescriptions from the medical or mental health communities to obtain plans. Teachers viewed such parents as demanding, in need of parenting skills, or in search of an excuse for their child's nonperformance. Plan numbers are likely to be high in schools with such levels of parent involvement. When parent involvement is such that few referrals come to the team, plan number is likely to be low.

Abuse of Section 504. When a team or the facilitator of a Section 504 team

perceives Section 504 guidelines to be loosely prescriptive of what is needed to properly manage the process, and low awareness of the process exists between them, students may be misidentified. Similarly, when team decisions result from intimidation by parents and their advocates, the potential for abuse exists. If the process is abused, the probability exists that plan numbers may be high or low.

Summary of Cross-case Analysis of Reasons for Variability in Plan Numbers

Comparing both schools, school culture, school demographics, parent involvement, and abuse of Section 504 influenced plan numbers. Administrators and teachers from both schools believed that school demographics figured prominently into plan number. Therefore, the need to examine selected demographic variables became more apparent.

Demographic Influence of Variability in Plan Numbers

Based on involvement with the Office for Civil Rights, and an even longer base of experience in the field of special education administration, the researcher entered the study with some a priori assumptions (Strauss & Corbin, 1998) about who was served by Section 504 plans and why plan numbers varied across schools. These assumptions related to demographic factors. Study participants first were asked why they believed their school's IAP numbers were high (or low). The intent was to minimize bias that could have occurred in asking the second question which specifically probed seven demographic factors: (a) enrollment totals, (b) ethnic groups, (c) school teacher/pupil ratio, (d) free and reduced-price lunch, (e) number of students previously served in special education, (f) number of retentions, and (g) mobility. Data points evident in a local document entitled School Profiles (1997) also

influenced the selection of these factors. It appeared that demographic factors would in some way influence IAP number. Again, this aspect of the interview process excludes central office administrators. Under each factor, illustrative quotes help to convey the findings of this exploration.

Enrollment Totals

The HPU site administrator said, “Outside of the fact that the greater the number of students, the greater the number of Section 504 plans? For a school with 200, you would expect a few. In a school of 2000, you would certainly expect more” (HPU-SA, L19-20). Three of five teachers held beliefs similar to that of Teacher 3 who stated, “We’re not considered a big school . . . I really don’t think that enrollment size would dictate” plan numbers (HPU-T3, L4-6).

In School LPU, the site administrator responded, “[Well] the class size, unfortunately is not small. I would say [it is] average for most of the city. I wouldn’t say that has an impact. Could be [why the number of plans is low]” (LPU-SA, L24-26). All teachers in School LPU agreed that their school has a small student body, believing that low enrollment influenced their school’s low plan number. For example, one teacher stated, “It’s a small middle school . . . I really don’t know the answer to all that—the particulars—but knowing how transient it is . . .” (LPU-T3, L19-21). Another teacher said, “[If] you were to look overall, the smaller the school is, the fewer the numbers you’re going to have in any category. I tend to think that that’s part of the reason why our Section 504 plans are fewer” (LPU-T2, L2-4). A third teacher responded, “I tend to think [that] because of the size of our school, more

individualized attention is given to the students . . . even though our class sizes may be similar to the bigger schools” (LPU-T4, L3-5).

Cross-case Analysis of Enrollment Totals

Section 504 totals were more than four times higher in School HPU (33) than in School LPU (8). Enrollment totals for the entire school population of School HPU and School LPU, respectively, were 1184 and 1010; these totals seem to support the notion that the school’s enrollment totals resulted in higher IAP numbers. However, this finding may apply only if such populations are stable. When populations are transient as they were in School LPU, then one might expect that enrollment totals might average out somewhat lower than they might have been in actuality.

Considering transience, one might expect a lower IAP number. Thus, the number of IAPs in School LPU appears somewhat lower than would be expected. It seems that these findings alone, however, do not account for the range of variance found between the plan numbers for each school.

Ethnic Groups

The HPU site administrator believed that “ethnicity should have nothing to do with” plan numbers (HPU-SA, L21). Although one teacher did not respond, two teachers agreed with the position taken by the site administrator. For example, Teacher 5 stated, “No. . . . On our team, most of the students are Caucasian . . . I think we have four African Americans . . . two Hawaiians . . . and the other one I believe is Asian” (HPU-SA, L14-18). Three of the five teachers responding agreed with Teacher 3, “Caucasian student[s] . . . more males” were served more often by Section 504 (HPU, L11-12).

In the School LPU, the site administrator said about ethnic groups: I don't know if Section 504 is more of the elite group—so to speak—because generally, . . . the students that have been Section 504, they're from the upper socioeconomic level. It's probably more boys—but basically—there have been girls, too. . . . Caucasian probably. I mean if you look at the demographics of our school, yeah. We have a high percentage of minorities” (LPU-SA, L39-43).

Even though one teacher gave no response, three of four teachers agreed that Caucasian students received services more often than any other group of students. For instance, one of these teachers said, “The [students] I dealt with particularly were Caucasian; however, a lot of Black students—I really feel like—got lost in the shuffle” (T3, L24-25).

Ethnic Groups Across Cases

Based on the responses made by site administrators and teachers in both schools, findings on ethnic groups tell who received Section 504 protection more than revealing the influence of a particular ethnic group on IAP number. In both schools, Caucasians males were eligible more often than any other ethnic group or gender. In School HPU, the percent of Caucasians (91%) in the study exceeded the representation of this group (84%) in the total school population. In School LPU, the representation of Caucasians (75%) in the study slightly exceeded the representation of this group (70%) in the total student population. A similar comparison of minority students revealed a somewhat lower representation of minority students with Section 504 plans (9%) in School HPU than would be expected given the representation of

this group (17%) in the total school body. Within-case comparisons show the representation of minority students with IAPs in School LPU (25%) as slightly lower than the representation of these groups (30%) in the total school population. Other findings emerged from the exploration of ethnic groups. Surprisingly, the site administrator and the majority of teachers in School LPU implied that the identification of minority students, particularly “Blacks” should be higher. Fueling this belief were low Child Find, teacher frustration, and high mobility. Low referral of African American (Blacks) or other minority students in School LPU was partially attributed to the fact that these students “got lost in the shuffle.” Low referral of these students may have been compounded by the reluctance of some teachers to refer minority students for help, feelings of uncertainty in how to meet these students’ diverse needs, or a sense of futility in referring students believed more likely to move prior to completion of the process. For the purposes of this study, ethnic groups appear to have little influence on plan number.

School/Teacher-Pupil Ratio

Addressing the query on school/teacher-pupil ratio, the HPU site administrator stated:

That’s interesting! Golly. I would guess the larger your class, the more difficult it would be to give any kind of . . . are you asking me then if a teacher has a large class, would it be more possible Section 504 candidates there? I wouldn’t think so. I don’t see it as a connection.

(HPU-L25-26)

Three of five teachers believed that school/teacher-pupil ratio had no influence on their school's high plan number. In fact, one of these teachers remarked, "No, we have it very good I would think. Usually, it's 20, 22, 23 to one. I don't think that would have a strong effect . . ." (T3, L13-15). One teacher was uncertain of any type of influence and another teacher had no opinion on the issue.

As for school/teacher-pupil ratio (class size) in School LPU, the site administrator stated, "Well the class size unfortunately . . . is not small. I would say [it's] average for most of the city. I wouldn't say that has an impact" (LPU-SA, L25). Three of four teachers agreed that it was a small middle school with class size comparable to that of other middle schools across the school division. One of the teachers stated, "[Our] class size tends to average out like the rest of the school system" (T4, L40-42). However, none of the teachers responding expressed the opinion that class size or school/teacher pupil ratio influenced their school's low plan number.

Analysis of School/Teacher-Pupil Ratio Across Cases

Site administrators and the majority of teachers in both schools believed that their school/teacher-pupil ratio was average compared to other middle schools across the school district. Site administrators believed that school/teacher pupil ratio had little or no influence on IAP number. Only three of the nine teachers believed that school/teacher-pupil ratio influenced plan number, five teachers were uncertain, and one did not respond. Considering total school populations, class size averages were 22:1 for School HPU and 25:1 for School LPU (Table 2). Even though a higher teacher-pupil ratio existed School LPU, within and cross-case comparisons showed

that beyond this finding, site administrators and the majority of teachers recognized no strong effect of school/teacher pupil ratio on their school's high or low plan number.

Free and Reduced-Price Lunch

The HPU site administrator indicated, "The higher the SES, the greater the probability for a parent requesting Section 504, and persevering to get a Section 504—providing documentation for the condition for a Section 504 [plan]" (HPU-SA, L27-29). Three of five teachers' expressed the view held by Teacher 1 concerning the influence of free and reduced-price lunch on high plan number. She remarked, "No, because I've seen some [students with IAPs] with lots of money" (HPU-T1, L25). A fourth teacher was uncertain and a fifth teacher gave no response.

In regard to free and reduced-price lunch at School LPU, the site administrator said, "Probably . . . just in thinking who right now has Section 504 plans, and we're not talking about many, none of them have been on free and reduced lunch" (LPU-SA, L44-46). Three of four teachers shared the site administrator's opinion. For example one teacher stated emphatically, "It was usually the more influential families. Yes, in a sense—again—if you're on free and reduced lunch (and that's your lower SES group) . . . those families . . . didn't usually follow-through on Section 504 plans" (T2, L7-11). Teacher 4 remarked, "You're talking kids; you're definitely leaning towards middle class" (T4, L51-52). A fourth teacher was unresponsive.

Cross-case Analysis of Free and Reduced-Price Lunch

The majority of IAPs in both schools served students who were nonrecipients of free and reduced-priced lunch (F/RPL). Because F/RPL is an entitlement for students whose parents have notably low levels of income (Roscigno, 1998), F/RPL strongly links to low SES. In each school, only two students with Section 504 plans received F/RPL. The prevalence of F/RPL in School HPU was approximately four times higher for students in the general population than for students in the study. Similarly, F/RPL in School LPU was approximately twice as high for students in the general population than for those in the study. Consequently, this finding led to a belief that the majority of students with Section 504 plans were from families of higher rather than lower socioeconomic levels. Concerning these two schools, higher proportions of students from upper socioeconomic levels is likely to result in a higher number of such students with Section 504 plans. Conversely, where these two cases are concerned, the lower the school's SES, the lower the number of students served under Section 504 plans, but of those students served by plans, the likelihood is greater that the majority served will those from moderate to high SES. The rationale supporting this finding is that parents from moderate to high SES are more likely to be middle class, influential families who would more than likely request plans, persevere to get them, and provide documentation required to influence conditions for plan qualification. Therefore, it appears that SES can influence plan number.

Number of Students Previously Receiving Special Education

The HPU site administrator believed that special education strongly linked to her school's high plan number. She stated:

[I] definitely think it is related to special education. . . . Well we had several special programs . . . so we might have had a disproportionate number [of students in special education] and I would think there might be a link between the percentage of [students in special education] and the number of parents coming—I mean we have parents coming in all the time saying ‘This child has her own teacher assistant. Look, they have special machines for her to spell.’ I think that might not have worked out in our best interest” (HPU-SA, L31-41).

One teacher was certain that the school’s special education number influenced the school’s IAP number. She stated:

We have one of the largest special education populations [under the IDEA] in the city. Yes, . . . a large number of students . . . are either classified special education or come up for services [or] are not classified special education, and given modifications with a Section 504.” (HPU-T3, L82-84)

Another teacher stated, "I wouldn’t believe it would . . ." (HPU-T5, L24). Two other teachers were uncertain. In fact, one of them said, “I think [it could]; I’m not really sure. It’s just more of a gut feeling” (HPU-T2, L10-11). A fifth teacher offered no opinion.

The LPU site administrator believed the number of students receiving special education influenced the school’s low plan number. She stated, “[I] know we have a very high number of special education for our enrollment . . . we have basically 650 students here and you know, about 130 are identified special education and that’s a

high percentage” (LPU-SA, L19-22). Teachers were more ambivalent about the influence of number of students receiving special education on their school’s IAP number. For example, one teacher stated, “[Once] you get a special education designation, that kind of puts them outside [of Section 504]” (T4, L55-56). Two teachers were uncertain of any influence on plan number; a fourth teacher did not respond.

Cross-case Analysis of Number of Student Previously Receiving Special Education

Of the 33 IAPs found in School HPU, six students previously received special education. Three of eight students in School LPU previously received special education. The special education population in School HPU and School LPU was 10% and 17%, respectively. Nationally, the prevalence rate ranged from 10-12%. Therefore, it appears that of the students served under Section 504 in these two schools, some of them previously received services under the IDEA. In fact, their prevalence may be half to a little more than half the prevalence of students with disabilities currently served in the school population under the IDEA. This suggests that in these two schools, Section 504 supports students no longer eligible for special education. When schools are aware that students who fail to qualify for special education may have Section 504 entitlement, plan numbers may increase. When schools tend to find more students eligible for special education, or believe that special education places students beyond entitlement to Section 504, growth in plan numbers are likely to be under-influenced by students previously served under the IDEA.

Administrators and teachers in both schools believed that special education influenced plan number. In School HPU, this belief related more to cultural aspects of the school and the community. In School LPU, this belief related more to intervention as a strategy to offset the residual effects of low SES and high mobility. Four of nine teachers were certain of a link between the number of students in special education and plan number; four others were uncertain and one expressed no opinion at all. The researcher found no link between the number of students in special education and the high plan number in School HPU. However, the basis for a connection does exist about low plan number in School LPU, a school where some participants believed the high number of students in special education inversely affects their school's Section 504 plan number.

Retention

In School HPU, the site administrator believed that “a teacher would work real hard to see that [the student] wasn't retained,” which probably worked to their school's advantage” (HPU-SA, L42-43). Two of five teachers believed that retention had no influence their school's plan number. One of these teachers said, “No, because when I think of the children who've had [Section 504 plans], I don't think a single one has been retained” (HPU-T2, L11-12). However, another teacher stated, “I would think retention does. . . . So, I think that would dictate. It's not in lieu of retention. It may be the next step in ensuring that the child passes” (HPU-T3, L20-27). Two other teachers were either uncertain or unresponsive.

Concerning whether or not retention influenced plan number, the site

administrator for School LPU stated, “No, because we try not to retain students. Overall as a school, we support going to summer school and going on . . . definitely through the special education route if there is a problem . . .” (LPU-SA, L47-49). Two teachers were unresponsive and another was unsure, but two teachers in School LPU shared the site administrator’s belief that retention had no influence on plan number. For instance, Teacher 4 stated, “[Very] few if any of the kids I had Section 504s on had been retained” (LPU-T4, L68-69). “They would be a little bit less likely to be placed on a Section 504 plan” (T4, L58).

Cross-case Analysis of Retention

Both site administrators agreed that retention was not an influencer of plan number in that both schools seemed to practice promotion more than retention. If a student had an IAP, teachers would work to ensure that the student passed to the next grade level. Four of nine teachers agreed with the site administrators. Two of nine teachers felt that retention influenced plan number; one was unsure. Two teachers did not respond. Only four students in School HPU failed during their years in school, compared to none who failed in School LPU. Cross-case analysis shows that the likelihood of finding retained students served under Section 504 was greater for School HPU than for School LPU. From the perspectives held by site administrators and the majority of teachers in both schools, it seemed clear that retention was less likely for students with Section 504 plans. In fact, having a Section 504 plan may have increased a student's chance of promotion or referral to additional pathways of support, such as summer school. Having the plan was assurance of promotion. Once a student had received a plan, the student was a less likely candidate for retention in

these two middle schools. Would a student with a previous history of retention be more likely to receive a plan? The belief of the administrators and majority of teachers responding was, no. Even if a student had experienced retention during his or her earlier years of schooling (and had received a plan in middle school), chances are greater that the student would receive a promotion rather than retention. This was especially true in School HPU. Under the same conditions in School LPU, the student would probably receive a referral to special education.

Mobility

Lastly, to the query about the influence of mobility on plan number, the site administrator responded, “Yes, unqualified yes! And I say that because we [draw from a certain area] and it was explained that that area is a highly desirable place, especially for parents or families with children with special needs . . .” (HPU-SA, L44-47). Three of five teachers felt that mobility had no influence on high plan number. Students “tend not to be highly mobile” (HPU-T2, L14). Even though families moved into the area, they most often remained for stable periods. One teacher was uncertain of any influence and another teacher gave no response.

In School LPU, the site administrator believed that mobility influenced the school’s low plan number. She stated, “Quite possibly. Yeah! We’re a quite transient population here. . . . I think mobility impacts everything within our school because we have a lot--with the Navy in and out, with Navy housing, the motels, definitely” (LPU-SA, L51-53). “We get kids who have been through three or four different schools where the process had been started and never finished with. So, I think that’s a huge factor” (LPU-T4, L76-78). Another finding that emerged, as stated by Teacher

4 and implied by Teacher 3, was that Section 504 plans are not implemented for certain students due to their background:

It's quite often that the kid that comes from that lower socioeconomic [level] or from the stereotypically under- or more disadvantaged background . . . that the teachers—or maybe the administration at times—tends not to follow through [on] as much as the squeaky wheels [who] tend to be the kids that come from the money. . . . I think the people coming from a lower socioeconomic background, with perhaps less education . . . are not as savvy to what's available to them . . . so they kind of let things happen (T4, L27-36).

In all, three teachers believed that mobility influenced plan number. One teacher did not respond.

Cross-case Analysis of Mobility

For very different reasons, site administrators believed that mobility influenced plan number. The site administrator in School HPU believed that their neighborhood and school attracted many families of students with disabilities. Families came into the school (.21 mobility index), but thereafter, were stable. In School LPU, there was more of a revolving door in that students were more highly mobile (.41), moving both into and out of the school. As defined by the school district, a student might count more than once. As defined in this study, students were counted only once, either when they moved in or moved out of the school district during the school year. Under this condition, mobility for students with plans was .15 for School HPU and .37 for School LPU. Across cases, the percentage of highly

mobile students with Section 504 plans was greater in School LPU than in School HPU.

The site administrator and some teachers in School HPU believed that families were attracted to their school because of socioeconomic status and military employment. High SES families reportedly were attracted to the school district and to a particular area of housing because of the city's reputation for accommodating students with special needs. These teachers viewed their neighborhoods as more stable than many neighborhoods in the school district in that its' families were not highly mobile.

Low plan users more strongly linked their low plan number to high mobility. In School LPU, mobility factored in because of the transient nature of the school population. Families of low SES were more likely to take advantage of low cost and availability associated with the seasonal variance of housing opportunities. Because of economic reasons, low SES families may have been required to relocate within the city more than once during a given school year.

In both cases, mobility appeared to be a factor influencing plan numbers. However, for the purposes of this study, this link was weak for School HPU in that a lower percentage of students moved into or out of the school over the course of the school year. Conversely, mobility registered high in School LPU and more strongly linked to low plan numbers as supported by documentation and accounts from interviewees, that mobility hindered eligibility determination and Child Find.

Summary of Analysis of Demographic Variability in Plan Number Across Cases

Demographic factors most likely to strongly influence plan number are

free and reduced-price (SES) and mobility. Other factors more weakly influencing plan number are enrollment totals, school/teacher-pupil ratio, and number of students previously receiving special education.

A Theoretical Explanation for the Difference in the Number and Content of IAPs
Utilized By the Two Schools

Six propositions emerged from explorations of the reasons for variability in plan number and content, and the demographic influence of variability in plan number in the two schools. Application of these propositions offers a theoretical explanation of the difference in the number and content of IAPs utilized by the two schools in the study.

Proposition 1. User awareness of the purpose of Section 504 policy influences plan number and content.

When users of Section 504 policy believe that their Section 504 guidelines loosely prescribe (HPU-COA, LPU-COA, HPU-SA, & LPU-SA) how to properly manage the process, and are uncomfortable in applying them, the level of team awareness may be low and students may be misidentified or improperly served. The awareness level of key team members varied, but was notably low among teachers. Teachers are essential to the process because they provide direct observations or present artifacts that others on the team consider during the decision-making process. If awareness is low, individuals appearing to know more than the team may pressure the team and influence decisions. In this study, parents or their advocates coerced teams. Team decisions based on intimidation may result in abuse of Section 504. If the process is abused, the probability exists that plan numbers may be high or low. In

this study, parents of moderate to high socioeconomic levels influenced school-based teams more. These parents had higher levels of education and knowledge, more information access and advocacy, and greater access to prior resources. Teams usually gave them a plan for their child. In some instances, they influenced content or provided companion accommodations for their children. Companion accommodations were those unsanctioned by the team. Parents of low SES did not influence teams in the same manner. These parents typically were less vigorous in their pursuit of Section 504 assistance (LPU-COA, SA, & T3), less likely to challenge decisions made by the majority of the team (LPU-COA & T1), and more likely to be encouraged to participate or be given final say in the process (LPU-SA). Best practice supports involvement by parents, but the management of Section 504 in this school district is a school-based team approach. Therefore, the legal responsibility for the process resides with the school-based team, a responsibility that teams should be aware of at all times. Section 504 is an antidiscrimination law. Heyward (1992) tells us that discrimination laws are deliberately mutable. In essence, discrimination has to be considered individually in the context of the situation and individuals involved at the time. There is no mold for easy resolution or for making it disappear, but the law does provide a framework for reasonable people to seek reasonable solutions in helping students overcome or prevent barriers they face because of having impairments. That framework in this case is Section 504. It requires reasonable individuals, school personnel familiar with the context of schools and school programs and activities, to engage in decision-making processes that neutralize barriers to equal access and opportunity for students with disabilities. It may not be a

comfortable process, but awareness and understanding of the team's purpose is critical to meaningful decision-making.

Proposition 2. Organizational support influences plan number and content.

When adequate organizational support is available (e. g., mandatory training and attendance, administrator support, release time for meetings), plan numbers may be low. Organizational support is the extent to which conditions help facilitate the implementation and outcomes of an innovation. Four factors linked to organizational support are administrator support, perceived purpose of collaboration, coworker social support, and training (Bahr, Whitten, Dieker, Kocarek, & Hanson, 1999). Organizational support seemed more prominent in School LPU (e.g., administrator support, trust in the facilitator, time to explore student records, support among teachers, frequent conferences and face-to-face meetings with teachers about students' progress) where plan number was low. Three organizational support factors (perceived purpose of collaboration, coworker social support, and administrator support) emerged in School LPU, a tiny neighborhood school with a "lot of neat things going on in all facets of the school" (LPU-T1). Teachers conferenced daily" (LPU-SA) about their students, exercised initiative in implementing their own little strategies, and engaged in a lot of ongoing communication. "Good work" (LPU-SA) existed between core team teachers. In terms of coworker social support, the faculty was caring, stepped beyond merely trying, and was supportive (LPU-T3). As far as administrator support, participants in the process had confidence in their Section 504 site administrator and in their administration, one that encouraged parent involvement and use of community partners. The small size of the student body and small size of

the school contributed to the individualized attention given to students who “tended to bond more” with faculty (LPU-T4). Reportedly, these students felt they were part of a family (LPU-T4). Organizational support is required to further the capacity of teams to understand their function and support students in overcoming barriers to learning. In School HPU, support was available from the central office administrator. The site administrator believed the central office administrator did a “fantastic” job and worked them through the process (HPU-SA). Yet, even with the central office administrator’s quality of technical assistance, the team at School HPU experienced intimidation by parents and advocates to a degree that may have resulted in parent abuse of the process. School LPU also experienced intimidation from parents’ lawyers (LPU-SA). When schools are intimidated and permit abuse of the Section 504 process, plan number may be higher.

In terms of plan content, when schools routinely use instructional strategies that include tenets of effective teaching, and the accommodations needed by the student are largely effective teaching strategies, then fewer accommodations may be required in plan content (Schweinbeck, 1995). School HPU included more instructional strategies in their plan content. School LPU included fewer instructional strategies in plan content, possibly because this school used instructional strategies on a day-to-day basis in their school. Evidence from documentation and interviews revealed a higher level of alignment for plan content espoused by School LPU. In fact, all categories of accommodations mentioned during interviews appeared in plan content. For School HPU, slightly fewer instructional supports emerged during interviews than listed among plan content.

Another finding was that teachers in both schools used assistive technology unlisted among students' plan content. Parents unilaterally decided upon the purchase and use of this equipment. Interestingly, there was no evidence to suggest organizational support releasing teachers from the responsibility of using this equipment. However, there was evidence that administrators were aware of these conditions, silently agreeing to teacher-use (LPU-T1) and permitting parent-purchase (HPU-T2) of the equipment. Regardless of how well intended, administrators and teachers who share in these practices, knowingly or unknowingly, become partners in questionable practices.

Proposition 3. School and community culture influences plan number and content.

Plan number is more likely to be low in a small neighborhood school that is responsive and caring. Within such a school culture, one may find good support from the administration and staff, a caring faculty, many neat programs, parent and community partnerships, and parents who trust the school (HPU-SA; LPU-SA & T2). As derived from data, a faculty seems caring if its teachers have good teamwork, routinely implement strategies, conference daily with students about student performance, and have good communication amongst its members. In such schools, teacher and parent-initiated referrals to the Section 504 team may be low (LPU-SA). In school cultures where parent involvement is high and resources are available (HPU-COA, SA, T2, & T3) plan number may increase. This may be truer of school cultures where communication among parents is high, types of accommodations are highly visible, and the school readily accommodates the needs of students with disabilities (HPU-SA).

In terms of plan content, parents who are well informed, have a high level of information access, and utilize advocates are more likely to intimidate teams that have low awareness. Under conditions of intimidation, parents or advocates may influence teams to accommodate or over accommodate students. For instance, intimidation may lead teams to acquiesce to parents' requests for companion accommodations, accommodations unsupported in plan documentation. Parents may make unilateral decisions to assume costs associated with the use of such accommodations.

Proposition 4. Parents' social class influences plan number and content.

Parents of high socioeconomic levels were more likely to be successful procurers of Section 504 plans and influencers of plan content. A school with a substantially higher number of students from low socioeconomic levels may have lower plan numbers, but of those students with plans, most are more likely to have come from families of moderate to high socioeconomic levels. In either case, parents of high socioeconomic levels exert a formidable influence over plan number in both schools. The higher the socioeconomic level, the greater the probability of a parent requesting a Section 504 plan, providing documentation of the condition for Section 504, and persevering to obtain a plan (HPU-SA). Parents of low socioeconomic levels were less vigorous in their pursuit of Section 504 assistance. Decisions made by the majority of the team often went unchallenged by these parents (LPU-COA, SA, & T1). They may have avoided seeking services because they feared the process or the label their child would receive (LPU-T1). Because some of these parents moved often to adapt to the seasonal availability of low-cost housing (LPU-COA & SA), their high

mobility was a restrainer of Section 504 referral and identification, and ultimately, of growth in plan numbers.

Parent involvement and communication within the school and throughout the community provided an “underground of information” used to influence plan content (HPU-SA). This was observed more so in School HPU. Parents were resourceful in obtaining information and using the results of their research to unilaterally design their own plans. Parents clarified and provided information on how and where to obtain materials and equipment (School LPU). They actually were more likely to expend their own monetary resources to purchase materials and equipment unsanctioned by the team, with the expectation of its’ use by their child’s teachers (School HPU & LPU).

Proposition 5. School demographics influence plan number.

If enrollment is somewhat high (1184) and a high number of students come from moderate to high socioeconomic backgrounds (88%), plan numbers are likely to be high. In such a school, the school/teacher pupil ratio may be 22:1, 22% of the students may receive free and reduced-price lunch, 10% of the students may receive special education, 1% of the students may be retained, and the mobility index may be .21. In School HPU, 3% of the student had plans. Demographics were similar between the total school population and the population with plans only in the areas of dominant ethnic group (Caucasian) and school/teacher-pupil ratio. Other demographic areas were markedly lower in the study than in the general school population.

Plan numbers are likely to be lower in a tiny school where enrollment numbers are low (1010), school size is small, 45% of the students receive free and reduced-price lunch, 16% of the student body receives special education, 11% of the students are retained, and the mobility index is .41. Seventy percent of the student body was Caucasian and 30% were minorities. In School LPU, less than 1% of the student body had plans. Comparing demographics for the total school population with those of students with plans, close similarities existed for dominant ethnic group (Caucasian, 74%) and minorities served (26%), school/teacher-pupil ratio (25:1), and mobility (.38).

Proposition 6. High mobility is a potential restrainer of plan number.

Respondents in both schools believed that mobility influenced plan number. As defined in this study, mobility was relevant when students moved into or out of a school during the school year. Mobility creates turbulent changes that affect staffing, building capacity, class size, teachers' instructional preparations, textbooks, technology-access, etc. Additionally, high mobility contributes to low achievement, discontinuities in performance, and limited school success to a pronounced degree among students from families of low socioeconomic status (Asher, 1991; Straits, 1987; & Sewell, 1982). Furthermore, literature documents the possibility that some teachers may feel bias towards students who initially enter their classes during the second semester (Walberg & Fowler, 1991). These students are more likely to require additional assistance to bridge gaps created in their instruction. Referral to the Section 504 team may be appropriate for these students, if teachers are aware of the purpose of Section 504 and are tolerant of students' needs. In the wake of intolerance, students

may remain unqualified for Section 504 protection; hence, plan numbers may remain low.

Additionally, mobility interrupts the referral process because students may move before its completion, or their records may be lost or delayed during transfers between schools. Even though lost records occurred in both cases, the influence of mobility in other respects stands out more in School LPU based on interview data (LPU-COA, T3 & T4). If records are lost, eligible students experience delays in services and do not exist among plan numbers, even if they are present in school. Therefore, mobility also is a deterrent to Child Find. Because these parents moved often in response to the economic availability of low-cost and affordable housing (LPU-SA), their high mobility was a restrainer of Section 504 referral and identification, and ultimately, to growth in plan numbers.

The propositions previously described and listed in Table 4.3 offer possible explanations for the difference in number and content of plans developed by two middle schools. They are not an explanation of what initially seemed to be growth in plan number across the school district or in individual schools. Perhaps they will be of some value in confirming or disconfirming future discovery. The next section addresses team decision-making pertaining to Section 504.

Section V: Relevant Factors Affecting the Implementation of Section 504 Policy

One of the purposes of this study was to explore the implementation of Section 504 policy in terms of how teams make decisions. In so doing, factors—if any—and how they affect decision-making would emerge.

Table 4.3

A Theoretical Explanation of the Difference in Number and Content of Individualized Accommodation Plans (IAPs) Utilized By the Two Schools

Explanation of Difference in Number of IAPs	
Number	Proposition
1.	User awareness of the purpose of Section 504 policy influences plan number and content.
2.	Organizational support influence plan number and content.
3.	School and community culture influences plan number and content.
4.	Parents' social class influences plan number and content.
5.	School demographics influence plan number.
6.	High mobility is a potential restrainer of plan number.

In Section I, demographic profiles of the students served under Section 504 in the two middle schools emerged. Parallels appeared between schools in terms of ethnic group, socioeconomic level, and dominant category of impairment. Section II revealed that accommodations under the category of instructional supports occurred in both schools more other accommodation categories. However, the single most frequently used accommodation across both schools, preferential seating, emerged

from the category of environmental adaptations and modifications. In Section III, factors identified as school-based teams, time, cost, and staff competence emerged in relation to plan implementation. Section IV proposes that user awareness of Section 504's purpose, organizational support, school and community culture, parent's social class, school demographics, and high mobility affect plan number and content. In this section, propositions emerged from the findings pertaining to the implementation of Section 504 policy. These propositions appear in Table 4.4.

Proposition 1. Considering administrators and teachers involved in the Section 504 process, awareness of procedures will be lowest among teachers.

Central office and site level administrators had a higher level of awareness of Section 504's purpose and procedures than did teachers. Teachers in both schools believed that Section 504 resulted in academic success and prevention of academic failure. Few teachers mentioned equalization of opportunity. Teachers received less staff development on Section 504, were not present throughout the entirety of team processes, and had to rely on the interpretations of others to understand the who, what when, where, why, and how of team decisions. Teachers less informed were more willing to concede unquestionably to parental requests for accommodations. Teachers seemed unaware that they could justifiably refuse to honor the implementation of accommodations not sanctioned by the team. Teachers forced to concede to such requests are likely to lose trust in the team and its leader, thereby undermining the intent of Section 504 and its' relevance to the class of students it was designed to protect. On the other hand, teachers who refuse to implement accommodations

Table 4.4

A Theoretical Explanation of How Section 504 Policy Was Implemented in the Two Schools

Number	Proposition
1.	Considering administrators and teachers involved with the Section 504 process, awareness of procedures will be lowest among teachers.
2.	Parents identify more students for services than do schools.
3.	Schools have no formal procedures for determining plan effectiveness.
4.	Parents' socioeconomic status influences the Section 504 implementation process.
5.	Disparities exist in the manner and extent to which accommodations listed on IAPs are actually used.
6.	Students previously retained are more likely referrals to special education committees than to Section 504 teams.
7.	Students with Section 504 plans are more likely candidates for social promotion.
8.	Lack of time affects the implementation of Section 504 policy.
9.	Schools are unprepared for costs related to the implementation of Section 504 policy.
10.	Staff development was lacking.

written in plans would seemingly risk incurring allegations of bad faith or gross misconduct requiring settlement by the courts. Refusal to implement a plan may be justifiably indefensible. Likewise, exclusion of students from inclusion teams based on an inherent burden to general education teachers may be both discriminatory and challengeable in the eyes of the OCR.

Proposition 2. Parents identify more students for services than do schools.

Observed more in School HPU than in School LPU was the fact that parents identified more students than did schools. Advocates or others in the medical or mental health communities assisted parents in obtaining services for their children. Parents approached schools with information certain to result in having their children found eligible for Section 504 services. Central office and site administrators, and some teachers, agreed that parents knew their children best; therefore, parent participation was vital to decisions about eligibility, plan development, and plan implementation. Similar findings emerged about the influence of School LPU parents and their advocates on team decisions. Parents and advocates intimidated school-based teams. If these advocates were attorneys or physicians, teams generally capitulated to parents' requests for plans. It became obvious in some cases that parents and sources external to the team were permitted to predetermine eligibility and plan content, thereby usurping the team's purpose and responsibility. At times, teams willingly relinquished their responsibility to parents, perhaps leading parents to believe that parents know more about the process than do schools. Schools were intent on having parents share responsibility for plan implementation and determination of plan effectiveness. Some parents took advantage of the team's

leniency by purchasing and directing the use of unsupported accommodations. Parents may have observed that individuals other than the Section 504 site administrator facilitated the process. Perhaps differences were observed in how the process was managed when this occurred, differences that made parents question whether schools did indeed know how to implement the process.

Proposition 3. Schools have no formal procedures for determining plan effectiveness.

Local guidelines gave schools no directives on how to determine plan effectiveness. Neither formal nor informal procedures existed at state or federal levels. Consequently, interpretations of plan effectiveness varied among the perceptions of team members, and among teachers who implemented the plans. If no inquiry of plan effectiveness arose, team members assumed that “No news was good news” (LPU-SA). As what could have been a kind of assurance of effectiveness, schools relied on parents to alert them if plan effectiveness became questionable. In fact, parents’ input on plan effectiveness sometimes led to plan modifications. Because accountability for plan implementation falls on schools, guidance on determining plan effectiveness (if accommodations are working) is both necessary and valuable to all concerned with implementing the process correctly. One of the questions asked by the OCR when disputes arise deals with whether the student was benefiting from the plan. Schools must be able to support the response they make to such a query.

Proposition 4. Parents’ socioeconomic status influences the Section 504 implementation process.

As previously mentioned, parents of high SES influenced the process in a manner and to an extent that influenced eligibility decisions and plan content. Their access to and involvement in the school and the community was high. Their use of resources and support from advocates were formidable, sometimes contentious, but often effective in obtaining their desired results. Some parents intimidated teams.

Team decisions were unchallenged by parents of low socioeconomic levels, even when parents received much encouragement to participate, or received final say in the process (LPU-SA). Information parents contributed varied qualitatively based on their socioeconomic status and on their trust in the team. Among this group of parents, the desire for accommodations was secondary to a greater desire to avoid labeling their children. They wanted the help, not the label. Some low SES parents were viewed as “products of accommodations,” uncertain of which choices to make and willing to relinquish their decision making authority to the majority of the team (LPU-T1). These parents were infrequent and inconsistent participants in their children’s Section 504 plans, often the “Yes” person in the process (LPU-COA). On the other hand, missed opportunities for identifying students was a systemic problem in that referrals on some students from low SES levels were often abandoned or “lost in the shuffle” associated with high mobility (LPU-T4). Because of process abandonment and low use of Child Find activities, eligible students could be lost in the system.

Proposition 5. Disparities exist in the manner and extent to which accommodations listed on IAPs are actually used.

Comparing accommodations recalled during interviews with content listed on IAPs, disparities existed. This occurrence was most obvious in School HPU where a total of seventy-eight accommodations spanned seven plan content categories.

Comparing IAP content with accommodations recalled during interviews, alignment occurred among only half of the plan content categories. For example, mention of items in the category of assistive technology emerged three times during interviews, but none of these accommodations showed up on plans.

Slight differences were evident in School LPU. Of the 28 accommodations listed across the seven categories of accommodations, 30 of them emerged during interviews. This finding reflects close alignment between intended accommodations and those reported as being used by teachers or other staff.

These findings raise questions about the extent to which schools actually implemented plan content. How do schools address students' needs if content is not used, or is it that schools, students, or parents are engaging more in optional use of supports?

Proposition 6. Students previously retained are more likely referrals to special education committees than to Section 504 teams.

Reportedly, neither school practiced retention. In terms of the overall school population, retention for School HPU and School LPU was 15% and 11%, respectively. Findings on retention for students in the study were 12% for School HPU and 0% for School LPU.

In School HPU, findings showed that four students had a history of retention. All were males. Of the students retained, two had high mobility and none had

previously received special education. For a student with a history of retention, a referral went to the Section 504 team. School LPU reported that if the school retained a student, chances were greater that a referral went to the special education committee rather than to the Section 504 committee (LPU-COA). It is likely that the impact of mobility lead teams to give more support to students using the special education pathway rather using Section 504. Mobility was high for only three of these students, two of whom were female. None of the three students with high mobility experienced retention during their years in school, or previously received special education. Two students received free and reduced-price lunch. Therefore, School LPU seems less likely to refer a retained student to the Section 504 team.

Of the 33 IAPs found in School HPU, six students previously received special education. Three of eight students in School LPU previously received special education. Therefore, it appears that of students served under Section 504 in these two schools, some of them previously received services under the IDEA. This suggests that in these two schools, Section 504 supports students no longer eligible for special education. If school knew that students who fail to qualify for special education be eligible for Section 504 entitlement, it is likely that staff would make referrals to the Section 504 team on behalf of these students. Some of these students will be eligible and plan number will increase. When schools tend to find more students eligible for special education, or believe that special education places students beyond entitlement to Section 504, growth in plan number is likely to be under-influenced by students previously served under the IDEA. Most participants in

School LPU believed that the high number of students in special education inversely affects their school's Section 504 plan number.

Proposition 7. Students with Section 504 plans are more likely candidates for social promotion.

In the School HPU, Section 504 students were more likely candidates for social promotion. It appears that Section 504 protections added an assurance of promotion and that socioeconomic status, as well as having not previously received special education, plays a role in this outcome. Both schools practiced promotion more than retention. If a student had an IAP, teachers would work to ensure that the student passed to the next grade level. Two site administrators and four of nine teachers agreed. Only four students in School HPU failed during their years in school, compared to none who failed in School LPU. From the perspectives held by site administrators and the majority of teachers in both schools, it seemed clear that retention was less likely for students with Section 504 plans. In fact, having a Section 504 plan may have increased a student's chance of promotion or referral to additional pathways of support, such as summer school. Having the plan was an assurance of promotion. Once a student had received a plan, the student was a less likely candidate for retention in these two middle schools. Even if a student had experienced retention during a previous year of schooling, and had received a plan in middle school, the student would have a greater chance of being promoted, rather than retained again.

Proposition 8. Lack of time affects the implementation of Section 504 policy.

Restrainers of awareness were splintered team functioning, multi-tasking required of the Section 504 site administrator, organizational support, and cost. Time

(more specifically lack of time) affected each of these variables. Time was a scarce commodity throughout any school day. Presiding over a team, while simultaneously filling other equally demanding roles, suggests that some duties may go lacking. For example, the special education teacher in School LPU served her special education caseload, performed special education department chairperson functions, and served as the chairperson/facilitator of the Child Study Team, Special Education Committee, and the Section 504 Team. Each of these teams has similar procedures and extracts similar time demands on executive functions. Fulfillment of roles on other committees, or simply filling teaching duties, sheds light on why the LPU site administrator exited herself from the plan development stage of the process. She made no mention of the organizational supports received to fill these various roles. Whether arranging and attending team meetings, notifying and inviting parents, rescheduling meetings, holding meetings before or after school, monitoring the process, performing added steps in the process to ensure that the meeting ran smoothly, or dealing with advocates, a great deal of time was required of site administrators. Teams followed local administrative guidelines. Staff development was top-down and inconsistent. In some schools, teachers could opt in or opt out, but time was still required to conduct, attend or receive training. This barrage of responsibility may account in part for the perception of incompetence believed of one substitute Section 504 administrator designee. If little time is available to plan and prepare (and renew), and organizational support is weak, team members may find it difficult to guard the process, make sound decisions for students, ensure the appropriate selection of plan content, and monitor plan numbers. Time also must be

available for teachers to attend meetings, and while in attendance, give undivided attention to valuable and legitimate outcomes for students.

Proposition 9. Schools are unprepared for costs related to the implementation of Section 504.

Implementation can be explicitly and implicitly costly. The HPU central office administrator noted an estimated yearly expenditure of \$50,000 for Section 504 contingencies based on the size of the school district. Considering the cost magnitude of low awareness, this cost may be an underestimate. Materials and equipment presented no monetary costs to teachers, beyond time. Considering in-kind costs linked to meeting beyond the school day, procuring substitutes, interrupting learning, and losing opportunities learn, costs could indeed be substantial. However, efforts to avoid costs should not threaten implementation appropriateness. For example, schools should provide students with extra sets of books, when appropriate to do so, without regard for costs, fear of reprisal, or a perceived lack of organizational supports. Schools need to be aware of costs in terms of staff development or capacity building. These costs are minimal compared to the inherent cost of “ignorance, intimidation and niceness” (Zirkel, 2000). Because central office handled costs of certain magnitudes, it seems unlikely that the current structure of site-based budgets supports the containment of certain costs. Even though schools received no caution against incurring costs, indications are that school-based teams considered costs.

Proposition 10. Staff development was lacking.

Staff development is a prerequisite to innovation. If the Section 504 process is an innovation, schools should train individuals likely to be involved with its use.

Because Section 504 is a legal statute, and a legal statute can change based on case law, those who use the process need continuous training. Policy users require mandatory training.

In summary, the purpose of Section 504 is to “level the playing field” and provide qualified students with access to educational programs and services. If awareness is low, services to students may be improper, overlooked, or abused. Teachers need a higher level of awareness about Section 504. Parents are vital and formidable participants in the process, influencing plan number, content, and the decision-making process. They simply want the best for their children. When teams follow procedures outlined in the local Section 504 guidelines, but perceive them as “nothing etched in stone” (LPU-SA), the purpose of Section 504 may blur. Implementation may become faulty and teams may overlook legalities. Indications are that central office may need to provide more support and technical assistance. When external individuals are more knowledgeable, or others perceive them to be more knowledgeable than those at the school level, teams may be intimidated. If the goal of more knowledgeable individuals is to obtain service under Section 504, and school-based teams allow intimidation, then plan numbers may increase and content may be affected. Central office and site level administrators of Section 504 were aware of its purpose, much more so than teachers. Certainly, the overall level of awareness for teachers was low. Other team members seemed knowledgeable in their respective disciplines (LPU-SA) and added balance and moderation to the committee (HPU-SA). So their level of awareness about Section 504 is unclear, with the exception of remarks attributed to guidance counselors both schools. If the site

administrator is trained, present at the meeting, resistant to intimidation, and has team support, plan number is more likely to be lower. In team-based functions, balance is required to strengthen decisions. The strength of decisions is contingent upon how aware team members are of the team's purpose, their roles, steps in the process, and whether team members have been trained. Awareness leads to preparedness. If team awareness is low, the imbalance in levels of awareness is likely to affect decision-making. In such instances, teams may accommodate parents more than accommodate the students this law serves. If teams are not in charge of the process, other factors may influence plan number and plan content. Enhancement of the organizational support found in both schools would provide opportunities to increase awareness among team members.

The HPU site administrator and some teachers viewed the school's enrollment as high and considered it precipitous of growth in plan numbers. Administrators and only a few teachers believed that mobility influenced. Interview results revealed that socioeconomic status most often influenced plan number in both schools. In terms of socioeconomic status, the majority of the students served by Section 504 plans were from families of high socioeconomic status. Parents of upper socioeconomic levels were more likely to be well educated and have greater information access. School-community culture also influenced the plan number. As far as school/community culture, parents reportedly were attracted to the community because of the school's reputation for educational opportunity and support for students with disabilities. Parents maintained high visibility in the school and took advantage of information access and opportunities to preview accommodations used with student in special

education or learn about accommodations they wished their child to use. Their resourcefulness, observed in their ability to communicate insights or acquired knowledge with other parents in the community, constituted to some extent, an abuse of Section 504. The impact of their influence, while welcomed by some teachers, was a source of contention for administrators and other teachers.

In School LPU, school/community culture also influenced the school's low plan number. School culture affected low plan number. School LPU was a small school with class sizes similar to those of middle schools in the city. Small school size seemed an asset in School LPU. Even though class size was comparable to that of other middle schools, teachers at School LPU were better able to take advantage of the community aspect ascribed to middle school design. They also held daily conferences with students, voluntarily applied a variety of instructional strategies, bonded with students, and received support from the principal and faculty. Collaboration often occurred and they pooled their efforts to communicate caring to their students. As a caveat to the caring shown by most teachers, several teachers believed a few of their colleagues were unsure of how to instruct and relate to minority students. Additionally, some teachers felt frustrated in addressing their students' needs. They cited students' lack of home support and low motivation to excel as barriers to high expectation and referral to the Section 504 team. Examining those served most often in School LPU, these students were from families of high socioeconomic levels. As a group, these parents demonstrated similar use of school/community resources and exerted similar influences on eligibility determinations, as did those parents in School HPU. In general, teachers and parents

made few Section 504 referrals. A few parents offered little support in teachers' efforts to assist their children. There was an underutilization of Child Find efforts. Special education numbers were high and contributed to lower Section 504 numbers by placing students beyond consideration for Section 504. Special education appeared to reduce the need for retention and the effects of instructional splintering caused partially by economic deprivation associated with high mobility.

School LPU had a high rate of transience among its student population. High mobility associated with low socioeconomic levels and survival factors strongly linked to low plan numbers. The community was transient due to the military transitions or the economic and seasonal availability of low-cost housing that varied in relation to the peak seasons of the city's resort area. It seemed that some teachers sensed futility in referring students whom they believed would move prior to the expiration of minimal timelines related to the Section 504 plan development and implementation process.

Considering the interrelationship of the findings, it appears that the most relevant factors affecting the Section 504 implementation process involve user awareness, time, cost, and schools profiles.