

Notes

When determining if a school should waive particular eligibility criteria based on a student's disability, the school should consider the following:

- Is there a direct, causal relationship between the student's disability and their inability to meet the eligibility rule?
- Is the eligibility rule or criteria essential to the sport? Would waiving or altering the rule fundamentally change the nature of the sport?

If the eligibility rule or criteria is required by the Washington Interscholastic Activities Association (WIAA) or other interscholastic activity association, the school should assist the student to appeal the ineligibility through WIAA's hardship appeal process.

Complaints

Schools can often resolve disagreements or complaints regarding Section 504 informally. Parents and students can also initiate a formal process by:

- Requesting a due process hearing with the LEA
- Filing a written complaint (follow the LEA's Nondiscrimination Procedure, typically 3210P)
- Filing a complaint with Office for Civil Rights (OCR) at the US Department of Education.

For more information about these complaint options, visit:

www.k12.wa.us/Equity/ComplaintOptions.aspx.

Learn More. Ask Questions. Get Help.

Additional resources

Section 504 (OCR): www2.ed.gov/about/offices/list/ocr/504faq.html

OSPI Section 504 Webpage: www.k12.wa.us/Equity/Section504.aspx

Q&A on the ADA Amendments Act (OCR):

www2.ed.gov/about/offices/list/ocr/docs/dcl-504faq-201109.html

Resource Guide on Students with ADHD (OCR): www2.ed.gov/about/offices/list/ocr/letters/colleague-201607-504-adhd.pdf

OSPI Equity and Civil Rights Office

360-725-6162 | equity@k12.wa.us | www.k12.wa.us/equity

This document is intended to accompany a training that outlines rights and responsibilities under state and federal civil rights laws. This training handout is for informational purposes only — not to provide legal advice. For legal advice specific to the facts and circumstances of your individual situation, please contact an attorney.

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