

Supplemental Section 504 Guidance for Career Technical Education Centers

Purpose

This section provides career technical education (CTE) centers with guidance as to their roles and responsibilities regarding the development and implementation of Section 504 Plans within their programming for eligible students.

As with all Agency of Education (AOE) guidance documents, the information presented here should not be considered legal advice. Programs should consult with their own legal counsel concerning the specifics of the topics discussed generally in this document.

Background

Students in CTE centers come from a variety of places, though primarily they come from a sending public high school, and students may be of non-traditional ages. The student's district of residence is responsible for paying tuition to the CTE center for the student's enrollment there. The CTE center coordinates with the sending/partner high school or district of residence to ensure the student receives services under Section 504 as needed.

Requirements to Support Accommodations and Accessibility

Due to the technical nature of CTE programs, the industry standards upon which the programs are based cannot be modified, which means that appropriate accommodations must be considered and implemented to assist the student in reaching those standards.

In terms of physical accessibility, CTE centers must ensure their facilities, programs and activities are accessible to and usable by a student with a qualifying disability. The center must inform the public of its willingness to relocate programs and services to locations that are accessible, and facilities marked as accessible for people with disabilities must be comparable. Upon notice of a need to accommodate for a student's disability, the CTE center would be required to relocate aspects of the program, such as a lab, to a more accessible location.

LEA and CTE roles in Section 504 Plan Development

Under Section 504, sending school districts have a responsibility to find and identify students who have a disability. Because of this, it is also the responsibility of the district to evaluate students for a disability under Section 504 and to coordinate the development of a student's Section 504 plan. The Section 504 plan should be written in collaboration with the home school

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district and the CTE center. Updates to the plan should be made in collaboration between the home school district and the CTE center.

It is the responsibility of the CTE center to refer the student and family to the sending district when the staff at the center suspects the student may have a disability. Students of non-traditional age (adult students) who do not have a high school diploma and who are enrolled in a “daytime” CTE program should be referred to the special education department of the district where they reside. If they do have a diploma, the cost of their assessment may be eligible for coverage by [Vocational Rehabilitation](#) or another state agency.

Admissions and Attendance

Vermont CTE centers do not discriminate in the admissions process. This means that, when making determinations about admissions, CTE centers can only consider whether a student meets certain eligibility and entry requirements that are established by each technical center. The admissions decision must be made regardless of disability, race, color, national origin, sex and other characteristics protected by federal and state law. Sometimes attendance is included as part of the decision-making process for entry to the CTE center and its programs.

Rigid application and acceptance policies and practices that include criteria related to attendance from previous school years may have the effect of discriminating against students with a disability. Certain disabilities and their treatment may cause absences from school that exceed the attendance policy. If centers are looking at last year’s attendance to make admissions decisions, it may be discriminatory if the student was absent because of a disability.

Once students are accepted to and begin attending programs at the CTE center, rigid attendance policies can still have the effect of discriminating against students with a disability. Accommodations within attendance policies, as appropriate, should be made to ensure students can meet requirements for instructional hours or external licensing requirements excluding program, credential or occupational licensing requirements.

Other Considerations and Support

Students with disabilities often experience bullying and harassment. CTE centers should follow the required [Harassment, Hazing and Bullying Prevention for Students](#) model policy and procedures.

Section 504 provides protections for employees. Accommodations and modifications in a Section 504 plan can follow the student into their eventual workplace. Students should be advised of their right to request reasonable accommodations with employers, whether it is part of a work-based learning experience, or as part of the student’s regular employment.