Critical analysis of an article - The Role of School Professionals in Implementing Section 504 for Students with Disabilities

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This is not APA writing style for title page. See the APA manual

This is a review and analysis of the aforementioned article by Louis L. Dilbert, a Ph.D. candidate in Educational Leadership at Florida Agricultural and Mechanical University.
Abstract

This critique is an analysis of a research study on the role that school professionals fulfill with implementing Section 504 for students with disabilities. It examines the knowledge base of and experience of school professionals and attempts to link these areas and others to appropriate implementation of this aforementioned educational policy.

Introduction

The U.S. Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in programs conducted by Federal agencies, in programs receiving Federal financial assistance, in Federal employment, and in the employment practices of Federal contractors. The standards for determining employment discrimination under the Rehabilitation Act are the same as those used in title I of the Americans with Disabilities Act (http://en.wikipedia.org). The Americans with Disabilities Act (ADA) prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities. The ADA also establishes requirements for telecommunications relay services (http://www.dol.gov).

Section 504 of the Rehabilitation Act is specifically designed for students with disabilities. It prohibits agencies receiving federal funding from discriminating against anyone based upon their disability (Madaus and Shaw, 2008). Although schools are funded locally, that local funding trickles down from the federal government and schools are also funded by tax dollars that are connected to the federal government. The authors could have done a better job at making the connection between the ADA, the Rehabilitation Act and Section 504 to give the reader a better understanding of the importance of Section 504 within the larger context. However, the primary purpose of the article was to
highlight the problem with implementation of the law, which in turn could lead to students with disabilities not receiving adequate services, which can lead to litigation that can hurt an already low-funded system. Sentence needs a rewrite.

**Societal, Political and Economic Context**

Section 504 serves as a blanket for students that may not be protected under the Individuals with Disabilities Education Act. The Individuals with Disabilities Education Act (IDEA) is a law ensuring services to children with disabilities throughout the nation. IDEA governs how states and public agencies provide early intervention, special education and related services to more than 6.5 million eligible infants, toddlers, children and youth with disabilities (http://idea.ed.gov). In the article, [not APA writing style] the omission of a brief description of the IDEA leaves the reader to imply or research why students can be covered by one policy and not the other.

Because disability issues fall under the purview if the Office of Civil Rights, it has been a highly debated topic in political sectors both in the United States and abroad. In 2000, the Alabama Law Review stated that the civil rights model that began to influence government policy in the 1970s conceptualized the disabled as a minority group entitled to the same hard-won legal protections that emerged from the struggles of African-Americans and women for equality. Proposing that disability is a social and cultural construct, the civil rights model focuses on the laws and practices that subordinate disabled persons and insists that government must secure the equality of disabled persons by eliminating the legal, physical, economic, and social barriers that preclude their full involvement in society (Blanck and Millender, 2000). Disability issues are political by virtue of the fact that laws were created and are regulated and there are departments within public agencies such as schools for this specific area.
Despite the current economic woes of the United States, school professionals and administrators are under pressure to continue providing adequate services to students with disabilities both at the secondary and post-secondary level. Although staffing can be cut and services reduced, school administrators must continue to provide accommodations or risk legal repercussions. The lines are blurred in other aspects of civil rights such as race and religion, but the laws relevant to disability accommodations are clear and distinct. The research indicates that there is a variation in how section 504 is implemented (Madaus & Shaw, 2008), so school administrators must understand that compliance is a team effort.

**Methodology**

The sample population nor the means in attaining the sample population were adequate in this study. The usage of a 5-point Likert scale (Madaus & Shaw, 2008) was appropriate, but the panel that reviewed the literature for the study was missing a key element—parental involvement. Educational policy is being implemented year after year that omits a key element of a child’s performance— the parent or legal guardian. Furthermore, the research cannot be indicative of what occurs in suburban and urban settings throughout the country if it is concentrated in one state in an area that lacks diversity. There was no mention of any other protected class in descriptions of the respondents, even though the authors believed there were a diverse range of respondents based on years of experience and knowledge of the school’s Section 504 procedures (Madaus & Shaw, 2008). [This seems not to be related to the Rubric items for discussion]

**Implications**

The research on the implementation of Section 504 reveals that the voices of those with direct experience with working with students with disabilities— the parent and special education
teachers- are being largely ignored. Panels of experts are formed to review literature for this study, but parents are left out. Only 14% of Section 504 meetings are lead by Special Education teachers. Only 27% of 504 plans are managed by special education teachers. What is comforting is that the plurality of 504 plans at the district level is being managed by district ESE coordinators or special education directors (Madaus & Shaw, 2008). The authors did acknowledge that the results are reflective of one state and a broader research must be conducted to develop accurate generalizations (Madaus & Shaw, 2008). As with any self-reported survey instruments, we must view this research with skepticism until it is expanded into more diverse populations.

References


This document does not rise to the expected level of this course requirement.