Dear Schools and School Districts:

The federal government has established under the Rehabilitation Act of 1973 Section 504 that a child cannot be denied access to “reasonable accommodations” in his or her school regarding health issues that may impair his or her ability to function in major life activities. An example of impairment would include walking, seeing, hearing, speaking, breathing or taking care of oneself.

If a child at your school or district has been diagnosed by a physician or cardiologist to have a heart condition or health impairment, examples include but are not limited to: asthma, allergies, seizures, epilepsy, Hypertrophic Cardiomyopathy, Marfan Syndrome, Barth Syndrome, Brugada Syndrome, Wolff-Parkinson-White Syndrome, Long QT Syndrome, Short QT Syndrome, ARVD, Myocarditis or heart murmur.

For the child’s safety, their primary care provider may write a prescription for an automated external defibrillator, or AED, to be available on school grounds and also on field trips the child attends. Further, the child’s parent or guardian can request to have access to an AED, as part of a 504 Plan or Individual Education Plan (IEP). The parent or guardian can ask for a hearing for a Section 504 Plan for their child at your school district. The AED may be a part of his or her IEP or it can be a Section 504 Plan by itself.

The school district is then responsible for purchasing the AED, maintaining it, making it publicly accessible and having staff trained to use it.

If your school district refuses to provide an AED for the child at the 504 hearing after a prescription for an AED has been provided from their doctor, the parent or guardian can file a complaint with your regional Office of Civil Rights of the U.S. Department of Education.

For additional information about Section 504 visit the Dept. of Education website:

[www.ed.gov/about/offices/list/ocr/504faq.html](http://www.ed.gov/about/offices/list/ocr/504faq.html)

Sincerely,

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Martha Lopez-Anderson

Executive Director