504 Plan

Section 504 Guideline Manual Table of Contents

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While Section 504 also applies to employees and visitors to school district facilities, this manual primarily focuses on the needs and rights of students and the responsibilities of the school district to those students.

Section 504

Section 504 is part of a federal civil rights law known as the Rehabilitation Act of 1973. The Rehabilitation Act of 1973, first implemented in 1977, prohibits discrimination on the basis of disability in programs run by federal agencies; programs that receive federal financial assistance; in federal employment; and in the employment practices of federal contractors. This law specifically prohibits discrimination against people from protected classes. Preschool-12 school districts are responsible for ensuring the mandates from Section 504 are addressed within their schools. Prior to 1973, schools perceived their primary obligation was to ensure that students with disabilities were provided physical access to buildings. However, the implementation of Section 504 mandated that recipients of federal funds provide accessibility to programs and activities for all persons with disabilities. Specifically, it protected students with disabilities and guaranteed them a free appropriate public education (FAPE).

Free Appropriate Public Education

A school district has the responsibility to provide FAPE to students with disabilities under Section 504. FAPE includes general or special education and related aids and services that are:

1) designed to meet the individual educational needs of persons with a disability as adequately as the needs of the non-disabled person are met, and
2) based upon adherence to evaluation, placement, and procedural safeguard requirements.

Section 504 ensures that the needs of students with disabilities are met as adequately as those of their peers. Generally, the 504 process is to identify students who have a disability that impacts their functioning in the school setting to the point of needing an individualized and systematic plan of accommodations and services. The law provides no guarantee of achievement or of performance, but rather the law ensures provision of accommodations and services that will enable the student to have an equal opportunity, and which will be adapted in accordance with procedural steps and safeguards.

The Office of Civil Rights (OCR) has determined there is no financial standard of undue hardship for education nor is the student's accommodation qualified by the term "reasonable." Students eligible for 504 services should receive accommodations of related services similar to those students eligible for special education regardless of the cost and equal to what those in general education receive. Related services are those which assist students with disabilities to benefit from the education program and can include health services, transportation, counseling, etc.

American with Disabilities Act and the Amendment Act to ADA

The American with Disabilities Act (ADA) of 1990 and the Amendment Act to ADA which was put into law in 2009 further expanded and clarified the obligations of schools in regard to Section 504. Major changes included an expansion of what constituted a major life activity and the understanding that schools can no longer consider mitigating circumstances as prohibiting a major life activity. In addition, students eligible for a 504 plan are to receive the accommodations and related services regardless of the cost.

Mitigating Circumstances

The 2008 Amendments to the ADA made it clear that mitigating circumstances, with the exception of corrective lenses (glasses and contacts), could NOT be considered during the evaluation process. Examples of mitigating circumstances include but are not limited to medication, medical equipment and devices, prosthetic limbs, and low vision devices. The corrective effect of mitigating measures may NOT be used to rule out Section 504 eligibility. To determine eligibility for a student who is successfully using mitigating measures the process should focus on how the student performed major life activities/major bodily functions *without* the use or aid of them.

Comparison of Special Education and Section 504

Both IDEA and Section 504 guarantee students with disabilities access to a FAPE. However, there are major differences between them, specifically in the criteria used to determine eligibility. The chart below compares and contrasts the two programs.

	Special Education (IDEA)	**Section 504**
Type	An Education Act	A Civil Rights Act
Administration	Special Education Director	Section 504 Coordinator
Funding	Federal, state, and local	Local
Provides	Specialized instruction, accommodations, modifications, and services	Accommodations and services
Disabilities	Must be eligible for one of the 13 federal disability categories	Physical or mental impairment must be present
Educational performance	Requires evidence that the disability adversely affects the student's educational performance	Does NOT require evidence that the disability adversely affects the student's educational performance
Coverage	Birth through age 21	All ages
Parents/Guardian	Must be involved in all team meetings	Should be involved in all team meetings, but the team may proceed if the parent(s) is/are absent
Procedural safeguards	Parental consent and notice required for initial placement evaluation and placement	Notice to parents is required
Evaluation and eligibility	Disability suspect may precede evaluation. Student must qualify for services.	Parental consent for evaluation is necessary before it can be determined if a child is eligible for Section 504

Comparison of Individual Health Plans and Section 504

Individual Health Plan	Section 504
• Provides health services to reach "desired" student outcomes	• Provides services and accommodations to students determined to be eligible
• Directed by Iowa law	• Directed by federal civil rights law
• Is a school nursing process	• Is a whole school process
• Plans reviewed at least annually	• Plans reviewed "regularly"
• Criteria for eligibility is the presence of a condition that requires routine nursing services	• Criteria for eligibility is the determination that the presence of a disability has substantial impact on a major life function
• Recipients are both general education and special education students	• Recipients are general education students with mental or physical impairments not covered within special education
• Services are derived from a written plan	• Services are derived from a plan which has contractual status
• Services provided through nursing services staff	• All services and accommodations are unfunded and supported by the school's budget

The Office of Civil Rights has made it clear that a district may not forgo evaluating a student with asthma, food allergies, diabetes, or other health related issues for Section 504 based on the fact that the student has an Individual Health Plan (IHP). If a district has reason to suspect that any student has a disability and does not qualify for special education or related services it must determine eligibility under Section 504 and provide procedural safeguards.

Administration of Section 504

The United States Department of Education Office for Civil Rights is responsible for overseeing and ensuring school districts comply with Section 504. The United States Department of Education Office for Special Education Programs (OSEP) is responsible for IDEA. In the Midwest Region, which includes Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio and Wisconsin, people can contact the following office:

Chicago Office Office for Civil Rights
U.S. Department of Education
Citigroup Center
500 W. Madison Street, Suite 1475
Chicago, IL 60661
Telephone: (312) 730-1560
FAX: (312) 730-1576; TDD: (877) 521-2172

Email: OCR.Chicago@ed.gov

School District Compliance Requirements

School districts must establish and implement procedures regarding the identification, evaluation, and placement of students with disabilities. Districts must incorporate a system of procedural safeguards. To be in compliance with Section 504, school districts must:

- adopt a nondiscrimination policy;
- provide a notice of nondiscrimination in admission or access to activities and programs. The notice must be included in student/parent handbook and may be included in other district publications including a website and school newsletter;
- appoint a compliance officer and provide the contact information for the district coordinator of Section 504;
- develop and publish a grievance procedure;
- annually locate, identify, and evaluate students with disabilities or suspected disabilities;
- implement an appropriate education program for students with disabilities;
- provide parents or guardians with procedural safeguards; and
- have a self evaluation and transition plan on file and actively utilizes it.

Procedural safeguards are rules that identify what procedures schools (and parents) must use in making decisions about services for students with disabilities. Administrators should have the procedural safeguards information available for parents. In respect to those safeguards, school districts should notify students with disabilities and their parents/guardians of the district's responsibilities under Section 504 including:

- ensuring parents receive notice regarding the identification, evaluation, and placement of their child;
- ensuring parents receive prior notice when the school is changing or discontinuing services for their child;
- providing parents opportunities to review and copy relevant records; and
- informing parents of their right to an impartial hearing. Parents should be notified of their right to request a hearing regarding identification, evaluation or placement of students with disabilities.

Section 504 District Contacts

To determine Section 504 eligibility and to determine the accommodation and services needed (if applicable), a team of qualified adults will be formed to facilitate the process and ensure procedural integrity. Section 504 is a district responsibility; however, Green Hills AEA may participate at the request of the district if the AEA possesses expertise that is needed by the 504 team.

Each school district will identify a lead contact(s) for their building. The district contact person is responsible for overseeing the 504 program and ensuring that the district is appropriately identifying and serving students who are eligible for Section 504. The responsibilities include maintenance and accuracy of records, staff communication/education at the building level, plan implementation of the 504 process, help with the transition of students between buildings, and coordination of annual reviews.

District	**504 Coordinator**		**Contact Information**
Villisca CSD	Tim Hood, Superintendent		712-826-2552 thood@southwestvalley.org

Building	Building Administrator	Building Lead Contact	Contact Information
Southwest Valley MS	Jamie Sherley	Jamie Sherley	712-826-2552; jsherley@southwestvalley.org
Enarson Elementary	Jamie Sherley	Jamie Sherley	712-826-5982; jsherley@southwestvalley.org

Roles and Responsibilities for District Section 504 Coordinator

The role of the Section 504 Coordinator is to assist the school in meeting requirements under Section 504 of the Rehabilitation Act of 1973. The coordinator will provide resources and help educators and administrators regarding their responsibilities under Section 504. In addition, the coordinator will assist in creating a program that will assist teams in accommodating the needs of students.

Responsibilities may include:

- Recommends to the superintendent and the School Board policies and procedures relative to compliance with Section 504 and ADA;
- Oversees the implementation of a district compliance plan and policy statement;
- Develops and revises consistent procedures to identify and locate students in the district who are disabled according to Section 504 and ADA;
- Develops and shares procedural safeguards (rights/options and impartial due process hearing and review) notice for Section 504 and ADA;
- Coordinates training and personnel development in procedures and practices related to Section 504 and ADA;
- Provides information to the community that explains, publicizes, and promotes compliance with 504 and ADA;
- Maintains a list of names, addresses, and telephone numbers of the district's building level 504/ADA facilitators;
- Communicates and coordinates with building level 504/ADA representatives;
- Communicates to administrators that it is the responsibility of all staff and faculty within a building to communicate possible 504 matters to the building 504 representative;
- Communicates with the superintendent and School Board regarding matters related to 504/ADA.

Roles and Responsibilities for Building Administrator/Coordinator

- Appoints the building 504/ADA representative
- Coordinates the implementation of the district's 504 policies, processes, and procedures at the building level
- Shares notices of procedural safeguards for Section 504 and ADA at the building level
- Coordinates provision of free access to program activities for students, parents, and the community at large
- Implements procedures that meet compliance requirements for the collection and storage of 504/ADA data at the building level including:
    - referral form
    - 504 accommodation plans
    - progress monitoring records
    - documentation of parent notification and involvement
    - relevant academic, behavioral, and health/medical records
- In cases of pending exclusion/expulsion of a 504/ADA eligible student, convenes a meeting to determine the relatedness of the student's disability to the infraction and forwards that information to the superintendent's office

- Attends all 504 accommodation plan meetings in which additional district funds may be expended

Roles and Responsibilities for Building 504/ADA Lead Contact

- Coordinates implementation of consistent procedures to identify and locate students in the building who may be eligible for Section 504 and ADA;
- In cooperation with the district level 504/ADA coordinator and administrators, continually monitors and provides for the reduction of architectural barriers at the building level for individuals with disabilities and informs the building administrators of concerns/issues;
- Facilitates and/or attends 504 accommodation plan meetings at the request of the building administrator;
- Oversees (or assigns a designee that oversees) the development and implementation of a written plan that delineates the accommodation and services required by the 504/ADA eligible student;
- Conducts the yearly 504 review process meetings;
- Facilitates the meetings for those students exiting the 504 process;
- Maintains confidentiality regarding case specific activities/actions;
- Informs all parties of the district's procedures related to the grievance process (parent/student due process rights);
- Engages the support and ongoing communication with staff involved in implementation of 504 accommodation plans;
- Ensures that appropriate procedures are implemented at the building level to meet compliance requirements for the collection and storage of 504/ADA data. Records include:
    - referrals
    - 504 accommodation/service plans
    - progress monitoring records
    - documentation of parent notification and involvement
    - relevant academic, behavioral, and health/medical records
- Provides documentation/communication and/or acts as a liaison to parents on the status and effectiveness of the plan and encourages their participation;
- Monitors the 504/ADA eligible student's progress and response to the accommodation plan;
- Oversees the transition of the student from one building to the next within the district;
- Oversees the reassessment, review, and reevaluation at least annually of each 504/ADA eligible student;
- Communicates regularly with the building administrator;
- Helps provide access of data to appropriate school personnel.

Roles and Responsibilities for Building 504 Team

- Develops and implements a specific and formalized process to:
    - identify students in the buildings who may have a disability,
    - determine the eligibility of students for protection under 504/ADA,
    - Provide information to and encourage participation of parents in the development and implementation of a 504 accommodation/service plan;
- Consults with AEA support personnel as needed when their respective expertise is essential in developing the 504 accommodation/service plan;
- Maintains confidentiality regarding case specific activities/actions

Roles and Responsibilities for Ad Hoc Members

Ad hoc members are assigned to 504 cases by the building leadership team and/or 504 building facilitator. The function of the Ad hoc member is to:

- Bring to the 504 team specific skills and/or relationships with the individual student that will best serve the team in determining the most effective accommodations/services to meet the students' need;
- May serve as case coordinator for an individual 504 plan if he/she is determined by the building leadership team and/or the building facilitator to be the most appropriate person

As case coordinator, the ad hoc member:

- Provides documentation/communication to parents on the status and effectiveness of the plan and encourages their participation;
- Oversees the development and implementation of a plan that delineates the accommodations and services required by that 504/ADA eligible student;
- Monitors the 504/ADA eligible student's response to the accommodations strategies' progress;
- Oversees the reassessment, review, and reevaluation at least annually of each 504/ADA eligible student;
- Maintains records/documentation on the active 504 accommodation/service plan;
- Engages in support and ongoing communication with staff involved in the implementation of the 504 accommodation/service plan;
- Maintains confidentiality regarding case specific activities/actions

Discrimination as defined by Section 504

Discrimination, as defined in Section 504, is the failure to provide students with disabilities the same opportunity to benefit from education programs, services, or activities as provided to their nondisabled peers. Therefore, schools cannot exclude students with disabilities from facilities, programs, benefits, activities, or services that are provided to students without disabilities. Schools must make sure that all students receive equal access to educational opportunities.

504 Eligibility, Accommodations, and/or Services

All children are entitled to FAPE. Students with impairments can qualify for accommodations, supports and/or special education services depending on the degree of their disability. Students with disabilities receiving special education services, as defined by the Individuals with Disabilities Education Act, are also protected under Section 504; however, not all Section 504 students are eligible for special education services.

Section 504 covers a broader class of students - those who do not qualify for special education services. For example, a student who has asthma may need some accommodations to his or her education programs, but does not need special education services. In another instance, a child is high functioning and has an impairment, but does not necessarily need accommodations. That child may be eligible for 504 protection, but not need additional services or accommodations. In this case the school is not obligated to provide the student with any additional services. The student is still a person with a disability and therefore remains protected by the general nondiscrimination provisions of Section 504. Since the student qualified for Section 504, he or she would be identified as such in the student management and information system and should be reevaluated as circumstances dictate. This would mean the school would reevaluate at least every three years to determine if the student qualifies for Section 504 and on a yearly basis to determine if the conditions have changed to the degree that an accommodation plan is needed.

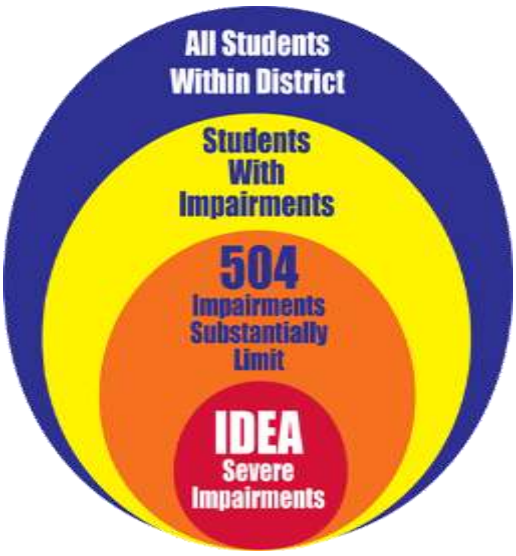


Diagram courtesy of the Texarkana Independent School District.

Section 504 requires a plan describing placement and services. Placement decisions must be based on a variety of sources of information and all available information must be considered. Moreover, 504 decisions (e.g. eligibility determination, placement decisions, accommodations and/or services needed, manifestation determinations) are made by a committee of educators. This committee must be composed of a group of persons who are knowledgeable: 1) about the student and the disability; 2) about the meaning of the evaluation data; and 3) about the meaning of placement decisions.

Section 504 Definition of Disability

The Rehabilitation Act of 1973 protects persons from discrimination based on their disability status. Protection is oftentimes discussed as having three prongs. The first prong is when a person is considered to have a disability when he or she has a physical or mental impairment that substantially limits one or more major life activities. The second prong involves students being protected when they have a record of an impairment. The third prong pertains to students being protected when they are regarded as having an impairment.

For the purposes of accommodations to the educational program only the first prong is applicable. The second and third prongs are not used to determine eligibility for 504 accommodations/services, but rather to ensure that students are not discriminated against for having a record of impairment or regarded as having an impairment.

Definition of Mental and Physical Impairment

A mental or physical impairment is defined as: 1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting a major body system; or 2) any mental or physical disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. Physical or mental impairments may also include depression, chronic fatigue syndrome, or eating disorders. Educators should recognize that not all impairments are visible and those "invisible" impairments are entitled to accommodations. The final decision as to whether or not a condition is considered an impairment is left to the discretion of the student's 504 team. It is important to note that a medical diagnosis is not required for consideration of a 504 plan nor does a medical diagnosis ensure that a student will be eligible for a plan.

Definition of Major Life Activities

Major life activities as defined in the Rehabilitation Act of 1973 include caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. The ADA Amendment Act of 2008 expanded these functions and includes a non exhaustive list of major life activities including caring for one's self, forming manual tasks, hearing, eating, sleeping, standing, lifting, reading, concentrating, thinking, communicating, working, and the operation of major bodily functions such as immunity, normal cell growth, elimination, digestion and endocrine functions. Learning does not have to be the major life activity affected in order for an individual to be eligible for protections and services under Section 504. School personnel should consider possible 504 evaluations for any health condition that substantially impacts even one major life activity or major bodily function.

Points of Emphasis and Clarification

It is important to note that the factors which determine a child's eligibility for a 504 plan include "has a physical or mental impairment that substantially limits one or more major life activities." All aspects of that statement must be met for a student to receive services. For instance, a student with limited language abilities may have a communication problem, but that is not a physical or mental impairment. Therefore, the student would not qualify for 504 services or accommodations. However, this does not mean the student would not qualify for other services or programs.

Moreover, qualifying disabilities under 504 are often permanent disabilities, but that is not always the case. For example, a student who has broken a leg and requires long term assistance, a student suffering from the complications of a concussion, or a student undergoing cancer treatments could all be eligible for 504 services and/or accommodations. Other examples of episodic conditions or conditions that are in remission may include depression, bipolar disorders, juvenile rheumatoid arthritis, inflammatory bowel disease, and congenital herpes

Understanding the phrase, "substantially limited" is a vital part of the eligibility process. The phrase initially appears ambiguous and subjective, but the determination is made based on comparison to an average peer. Rubrics, checklists, and other methods of data collection and assessments can be valuable to the 504 team when making these decisions.

<u>Role of parents</u>

Parents are their child's first and most important teachers, as well as their advocates. If a parent believes his or her child has a disability or is having problems in school, the child's teacher should be contacted to discuss these concerns. Building a strong parent/school relationship begins with effective communication. Parents play a key role by providing important information to schools about their child's needs, particularly for students with disabilities. As an added benefit, this involvement demonstrates the importance the parent places on education.

<u>Role of teachers</u>

Classroom teachers need to be flexible in their teaching techniques and expectations for students with disabilities. In order for students with disabilities to be successful in school, teachers may need to modify the classroom environment, adjust their teaching strategies, or make other accommodations. In addition to making classroom modifications, other

tasks include assessment of student progress and effective communication with parents. Teachers are required under Section 504 to make necessary accommodations as specified in the Section 504 accommodation plan.

Overview of the 504 Identification, Evaluation, and Placement Process

A district's 504 process will vary from another district, but there are some core components that should be apart of any 504 process. The general Section 504 process is outlined below.

Identification Process

School districts will identify students that may be eligible for Section 504; this process is called child find. Child find involves a school staff or faculty member, parents, the student, or an outside professional identifying a concern and bringing it to the attention of the district.

Obtaining Parental Consent

The parents/guardians of the student identified through child find will be contacted to obtain written permission to evaluate. In addition, the parents/guardians will be provided a copy of their rights.

Organizing a 504 Committee

The district's 504 Coordinator reviews the concern and establishes a 504 team.

Scheduling a Problem Solving Meeting

The 504 team schedules a team meeting within 60 days of the date consent was returned. Ensure that parents/guardians and team members are notified of the meeting date(s).

Gathering Data

Upon obtaining signed consent from the parent the committee may begin to gather data. Once a plethora of data is collected from a variety of sources, the team may begin the evaluation process.

Evaluation Meeting

The 504 team meets to determine the student's eligibility for a 504 plan. The parents/guardians and student of concern (as applicable) could also be invited to this meeting. During this meeting the team meets to review the concern and the information collected. The meeting determines whether the student has a mental or physical impairment that substantially impacts one or more major life functions. The impact of the identified limitation(s) at school is the primary focus of the discussion. Eligibility is determined and whether or not the student is in need of an accommodation/service plan.

If a student is determined not eligible for Section 504 the parents are notified of the decision and informed of their rights. If a student is determined to be eligible, but does not require a plan, the parents/guardians are notified of their child's rights as an eligible individual.

Placement Meeting

Once eligibility is determined and if an accommodation/service plan is needed, the team then holds the placement meeting. It is recommended that parents and the student of concern (as appropriate) participate in this meeting. This event *could* occur on the same day as the evaluation meeting, but it does not have to. During the placement meeting, the

accommodation/service plan to address the mental or physical impairment that substantially impacts one or more major life functions, is determined and written. Parents/guardians should be provided a copy of the finalized 504 plan and their rights as parents.

Implementing the Accommodation/Service Plan

After the plan is finalized it should be implemented with fidelity. It is best if a member of the 504 team discusses the plan with each faculty and staff member who will have contact or work with the student. This includes classroom teachers, specialized teachers, bus drivers, coaches, activity sponsors, nurses, school counselors, administrators, etc. Employees need to be informed of their responsibility to ensure the plan is implemented as written. Failure to implement the plan, all or part of it, could lead to employee discipline including personal liability and being removed from one's position.

It is suggested that parents also approve the accommodation/service plan and its implementation. Meetings and communication with parents/guardians should be well documented. Typically, parents/guardians are supportive. In situations where parents are not supportive, administration should meet with them to address their concerns.

Review and Reevaluation of the 504 Plan

Annual reviews are conducted for each eligible individual to determine the need for the plan and typically a three year reevaluation is also conducted. Section 504 accommodation/service plans may be updated at *any* time to reflect changes and recommendations by the team.

Specifics on Identification of Students with Disabilities

Students who qualify for services under 504 may not be as easy to identify as those who qualify for special education services. Students are identified through notifications and observations. School districts should be actively looking for students who may be eligible for 504 services and/or accommodations by conducting child find. Schools should also address any referrals received from a parent, teacher, or other member of the school staff. Parents may and should be encouraged to inform the school district when their child has a disability. In many cases, a student's disability may be disclosed in their health history; however, this is not always the case. A person is eligible for Section 504 when he or she has a physical or mental impairment that substantially limits one or more major life activities.

It is not uncommon for a school district to receive a doctor's letter stating that a student has a disability and needs certain accommodations. The letter may even state what accommodations the student needs. While the school should consider the doctor's suggestions as one of its data points, it is important to note that they are just that - suggestions. It is the doctor's responsibility to give a medical diagnosis and the school district's responsibility to evaluate the student's needs using multiple data sources and to develop and implement any necessary accommodations for that student.

504 eligibility is determined during an evaluation meeting.

Evaluation (Eligibility Determination)

Section 504 requires that schools evaluate any student who because of a disability needs or is believed to need accommodations or additional services to help level the playing field. Requirements for the 504 evaluation and placement process are determined by the type of disability believed to be present and the type of accommodation and/or services the student may need. The evaluation must be sufficient to accurately assess the nature and extent of the disability and its effect on major life activities.

The determination of what accommodations and/or services are needed is made by a team. This team must involve those who are:

1) knowledgeable about the student and the disability; 2) knowledgeable of the meaning of the evaluation data; and
3) aware of placement options.

While one individual can fulfill more than one of these roles, in order to be a team there must be more than one school staff member participating in the meeting. Other individuals may participate on the team as needed. Parents should also be invited to participate in the process. The OCR has indicated that parents have a special knowledge of their child's impairment and are uniquely positioned to provide information about him/her. If a parent is scheduled to attend a meeting but is not present the meeting can proceed and the parent will be notified of the decisions made.

In order to start the evaluation process parental consent should be gained. During the evaluation, the 504 team and potentially the parents/guardians of the student, will meet to discuss all relevant information concerning the student. Data (i.e medical records and diagnosis, attendance records, grades and assessment data, observations from teachers and other staff, parent feedback) collected ahead of time will be discussed during the evaluation process.

<u>Multiple Sources of Information</u>

In assessing whether a student has a qualifying 504 disability, it is important to gather information from a variety of data sources from the student's environment and from the student. Multiple data points are necessary in order to understand the extent of the difficulty and the needs of the student. Relevant information could include information gathered from school records, medical records, interviews, student work, observations, rating scales, and curriculum-based measurement probes. Specifically these sources of data could include:

- Educational records and permanent products produced by the student such as standardized test scores, disciplinary records, attendance records, hearing or vision screening results, teacher's grade book, academic and behavioral interventions, behavioral assessments, examples of student work;
- Medical records and diagnoses from medical professionals;
- Interviews and anecdotal information from the student's teacher(s), parents, and medical professionals who have evaluated the student;
- Direct observations of the student in class, recess, lunch, extracurricular activities, etc.

During the evaluation, the team will consider whether the student has a mental or physical impairment that substantially limits one or more major life activities. The team will make one of three determinations:

1) The student is not eligible;
2) The student is eligible, but does not require services and/or accommodations; or 3) The student is eligible and requires services and/or accommodations.

It is important to note that a physical or mental impairment on its own does not qualify a student for 504 services/accommodations; rather the disability must substantially impact a major life function. Moreover, a physician's diagnosis alone is not enough to determine if a student is eligible for services and/or accommodations. The 504 team collectively reviews a variety of information in order to make a decision.

If the team determines that the student does have a disability and needs additional services and/or accommodations, the next step is a placement meeting where the team will identify what types of services or accommodations are appropriate to meet the student's needs. The accommodations and/or services will be described in a document referred to as the Section 504 accommodation plan. The school must then develop or implement the delivery of all needed services and/or accommodations. The costs associated with such plans are the responsibility of the school district.

Specifics of an Accommodation Plan

A Section 504 plan describes the accommodations that the school will provide to support the student's education. The team that determined the student's eligibility for Section 504 and identified the needed accommodations and/or services writes the accommodation plan. While Section 504 does not require a written plan, it does require documentation of evaluations and accommodations. It is very useful to have a written plan to provide clarity and direction to the individuals delivering services or making accommodations.

Accommodations are meant to level the playing field for students with disabilities. The intent is not to give students with disabilities an unfair advantage; rather to provide fair opportunities to demonstrate their knowledge and skills without barriers. Examples of general accommodations include: environmental strategies, organizational strategies, behavioral strategies, presentation strategies, and evaluation methods.

Accommodations and services used are meant to specifically address the actual physical/mental impairment that substantially impacts one or more major life functions. Accommodations need to take into account both the functional limitations of the individual and the alternative methods of performing tasks or activities to participate without impacting the outcomes. In general, accommodations should be individualized to the recipient, be made to school and/or classroom programs and provide the student an equal opportunity to participate.

Federal law requires the participation of all students with disabilities in district-wide assessments. The 504 team must specify on the accommodation plan, if the eligible student will need accommodations when taking district-wide assessments. Students should be provided the same access to accommodations for assessments as they receive during classroom instruction.

District Specific Section 504 Protocol

Upon parental request or faculty/staff concern the 504 team will convene and begin the process defined below. It is critical that this process be completed in a timely manner. No more than 60 days should transpire from the time parents/guardians return the signed consent form to when the 504 process concludes.

Step 1 - Verifying and Defining the Disability

- Upon parental request or faculty/staff concern, the Section 504 building team will begin the process of verifying and defining the child's disability.

- A meeting may be held with the parents to complete this initial step.
- The Section 504 building lead obtains written parental consent to begin the 504 evaluation process using the *504 Notification Letter to Parents* and *Section 504 Parent Consent for Evaluation* form. This process also involves providing the parents with the *Section 504 Student and Parental Rights* document and documenting its receipt.
- Once all of the original and supporting documents that are to be filled out are completed they should be filed in the student's Section 504 folder. Section 504 folders will be located in an area designated by the Section 504 representative in each school building.

Step 2 - Collection of Information to Document Section 504 Eligibility

- School personnel will begin gathering evidence/data to determine the impact of the child's disability on his/her school functioning. This could include information not only on how the student is functioning during the school day, but also on the bus and during extracurricular activities outside of the traditional school day.
    - When available, obtain copies of psychological evaluations, physician's report or other evaluations from parents.
    - For medical or mental health conditions, consult with the school nurse to determine what information may already be available in the nurse's office and what additional information may be needed. Access and use the *Authorization for the Release of Health and/or Educational Information* form to speak with identified medical or mental health providers that could provide the team with necessary information.
    - Consideration should be given to having the registered nurse conduct a health screening on all students evaluated for Section 504 eligibility.
- The 504 team will use the *504 Eligibility Determination Form* as a guide during this process. All sections of this document must be thoroughly completed.

Step 3 - Evaluation (Eligibility Determination)

- Based on the comprehensive review of the student's data, the 504 team will meet to determine if the student qualifies for protections under Section 504. This should be documented on the *504 Eligibility Determination Form*.
- The evaluation must include multiple sources of information and be completed within 60 days from the time signed consent is obtained. Teachers, etc. can use the *Section 504 Teacher Input* form to solicit information.
- Section 504 teams are to make eligibility decisions based on information which they possess and not on unsubstantiated claims. For example, if a parent indicates his/her child has been diagnosed with ADHD, ODD, and OCD, but the medical record only notes ADHD, the team cannot consider the other reported diagnoses as a basis for determining Section 504 eligibility.
- Section 504 teams must ensure that the *504 Eligibility Determination Form* is thoroughly completed and indicates data reviewed, decisions made concerning eligibility, and lists appropriate signatures.
- The Section 504 team also provides a copy of the publication, *A Parent's Guide to Section 504 of the Rehabilitation Act*, to parents/guardians.
- It is not required that a copy of the eligibility worksheet be provided to parents, but it may be provided.

Step 4 - Placement (Determining Need for an Accommodation/Service Plan)

- If the student is found eligible and will not require an accommodation plan then the parent must be informed of this decision and the eligibility is noted in the student management and information system. Each following year information must be reviewed to determine if an accommodation plan is required.
- If the eligible student is determined to need accommodations to compensate for the disability, the team will write a 504 plan. The *Section 504 Student Plan* is a template to assist with this process.

- It is important to consider that:
    - All accommodations listed in the accommodation plan must be consistent with and result from the impaired major life activity.
    - Accommodations should be stated in concrete terms and identify persons responsible.
    - A staff member must be designated to oversee the implementation of the accommodation plan, serve as the contact person, and communicate with the parent.
    - The plan must be updated within the student management and information system.
    - The building lead must ensure that appropriate school staff members are made aware of the contents of the accommodation plan.
- The 504 team must insure accurate accounting to the Department of Education for all Section 504 eligible students. Building leads will note in the student management and information system that each identified student has a Section 504 plan.
- All original and supporting documents needs to be filed in the student's 504 folder.

Step 5 - Annual Review and Three Year Reevaluation

- All accommodation plans for students who are Section 504 eligible will be reviewed and updated on an annual basis. Parents/guardians will be notified when the annual and three-year reevaluation is due and the 504 building lead will schedule a meeting to include the parent either in person or by another means of communication (conference call, Skype, etc.). If after repeated documented attempts to identify an agreeable meeting date and when within five days of the annual meeting due date, the meeting can be held without the parent and the parent will then be notified in writing of any decisions made.
- Each building 504 lead will ensure that accommodation plan reviews occur on an annual basis. The *Section 504 Annual Review* template can be used to document this process.
- Every three years a *504 Eligibility Determination Form* will be filled out on all students with an accommodation plan to insure continued eligibility for accommodations. Note on this form that a three-year reevaluation is being conducted and the decision was made as a result of the reevaluation pertaining to the student's continued eligibility under Section 504.
- At the end of the school year the 504 lead contact or designee will ensure that information on students who will be transitioning to a different school building is provided to the 504 contact person in the new building.

Step 6 - Reporting Through the Student Management and Information System

Students who are identified as qualifying under Section 504 are reported annually to the Department of Education. This information is pulled from the district's student management and information system. Copies of the student's 504 accommodation plan should also be uploaded into the student management and information system so that it is readily available to individuals who may have responsibilities for implementing it.

Extracurricular Activities

Section 504 is not a program mandate; instead it is an anti-discrimination law. The law does not require that students with disabilities are able to fully participate in all activities. Instead, students with disabilities must be afforded a comparable opportunity to participate in activities. In instances where a student has a physical disability, the school district may ask

for a doctor's note stating the student is able to participate in the activity. This request should be requested arbitrarily, but only when the school district has a legitimate concern about the student's health and well being.

The law requires not only that the student be eligible to participate in activities, but also that activities be accessible to the student. For example, a student who is wheelchair bound and needs to access the stage in order to participate in choir needs to have a means to get to the stage. The school district cannot exclude the student from participation because the school facilities are inaccessible.

Although students with disabilities have a right to participate in extracurricular activities, activities where participation is based upon competitive criteria, there is no requirement that the criteria are adjusted significantly nor the activity be fundamentally altered. The school district should make the determination of whether a student is eligible after considering auxiliary aids or services. For example, if a student must meet non-arbitrary physical requirements to participate in athletics, those requirements do not have to be waived or adjusted. Those requirements must not be arbitrary and must relate to the activity. If a student with a disability does not meet the participation requirements, school officials should look for alternative methods for the student to participate. For example, while a student with cerebral palsy may not be eligible to play volleyball, she could be a team manager.

Student Discipline

While all students are expected to follow classroom and school rules, a student with a disability may need a specialized behavior plan or accommodations to support his or her appropriate behavior during all school activities. Students with disabilities are not exempt from consequences for violations of the code of student conduct; rather, the processes and procedures for disciplining students who are eligible for Section 504 are different than those who are not eligible.

In cases of severe violations of the district's code of student conduct, disciplinary interventions are frequently based on approved school board policies and require specific consequences. The difference in how students are treated is because students with disabilities cannot be disciplined if their behavior, which led to their action, is caused by their disability. The discipline of students with disabilities usually does not become an issue until the student has been or will be suspended for in excess of 10 days per school year. The reason for the 10-day benchmark is that the exclusion of students receiving additional services for greater than 10 days constitutes a unilateral change in placement and is a violation of federal law.

When a student receiving 504 accommodations has violated a school policy or rule, it should be determined whether the student's disability caused the infraction or misconduct. This process is referred to as manifestation determination. This determination should be made by a team knowledgeable about the disability and student. In most instances, the team will be the student's 504 team. The team will use the *Section 504 Manifestation Determination Evaluation* form to document its work and will provide this form, in addition to the *Notice of Section 504 Manifestation Determination Evaluation Results*, to parents/guardians in order to communicate with them the decisions of the team.

The role of the team is to determine if there is a direct and substantial relationship between the misconduct and the disability. If it is determined there is no direct and substantial relationship between the misconduct and the disability, the school district can generally discipline the student receiving 504 accommodations as it would any other student. If the misconduct is related to the disability the team must review the student's placement to determine if it is still appropriate. During the period of the manifestation determination and after it has been determined that the misconduct was related to the student, the student "stays put" or remains in the same placement as when the misconduct occurred. Only with

parental approval or a court order can the school district change the student's placement. School districts concerned the student poses a threat to himself/herself or to others can ask a hearing officer to remove the student. The same applies if the discipline is under the general student behavior policy or the good conduct rule for extracurricular activities.

The law makes an exception to the disciplinary treatment of students receiving 504 accommodations. A student receiving 504 accommodations who is using drugs or alcohol can be disciplined as if the student did not have a disability. Therefore, the student can be disciplined the same as a general education student for the same infraction without first holding a manifestation conference.

However, if it is determined that the behavior was a manifestation of the student's disability, the consequence outlined in the student code of conduct may be deemed inappropriate and consideration should be given to revising the student's 504 plan. Revisions may include strategies and supports that will reduce the likelihood that inappropriate behavior occurs in the future and encourage more socially acceptable behaviors within the school setting. Although Section 504 does not always clearly address discipline, best practice would suggest that districts use the policies and procedures outlined in the IDEA when making decisions about disciplinary consequences for a student eligible for a Section 504 accommodation plan.

Student Records

Student records are confidential. The confidentiality of student records is addressed in both state and federal law, with the bulk of the law and interpretive case law based upon the federal law. The Family Educational Rights and Privacy Act (FERPA) addresses the records of all students. Iowa law states that student records are confidential.

The federal law on access to student records is very detailed and must be strictly followed. Confidential student records are those which contain personally identifiable information. Personally identifiable information includes, but is not limited to:

- the student's name;
- the name of the student's parent or other family member;
- the address of the student or student's family;
- a personal identifier such as a social security number or other student number;
- a list of personal characteristics that would make the student's identity easily traceable; and ● other information that would make the student's identity traceable.

Only the parents of the student, an eligible student and certain listed public officials may view student records without a court order or parental or eligible student's permission. An eligible student is a student who has reached age 18 or is attending an institution of postsecondary education. For purposes of FERPA, enrollment in a postsecondary institution as a high school student does not qualify a student as an eligible student. Parents of an eligible student may access the student's records only with the written permission of the eligible student unless the eligible student is a dependent for tax purposes. Parents may be denied access to a student's records in the school district if the school district has a court order stating that the parents may not access the student's records or the parental rights have been terminated.

Parents and eligible students must have access to the student's records during the regular business hours of the school district. However, if the record is not immediately available, the school district must provide it within 45 days of the

request. Fees for copies of the records must be waived if it would prevent the parents or student from accessing the records. A fee may not be charged to search or retrieve information from student records.

If the parents or an eligible student believe information in the student records is inaccurate, misleading or violates the privacy rights of the student, the parents or an eligible student may request an amendment to the record. If the school determines the amendment should be made, the amendment must be made and the parents and/or the eligible student informed in writing.

If the school district refuses to amend the student record, the parents or the eligible student may ask for a hearing before the school district. The hearing is generally before employees, not the school board. If the request to amend the student record is further denied, the parents or eligible student may place an explanatory letter in the student record commenting on the school district's decision and describing the disagreement. Amendment and the explanatory letter become part of the student's record and must be maintained and disclosed like other student records.

Student records may be disclosed in limited circumstances without parental or an eligible student's written permission if the student record is not disclosed to a third party. This disclosure may be made:

- to officials in the school district whom the school district has determined have a legitimate educational interest;
- to officials of another school district in which the student wishes to enroll, provided the sending school notifies the parents that the student records are being sent and the parents have an opportunity to receive a copy of the records and challenge the comments;
- to the U.S. Comptroller General, the U.S. Secretary of Education, the U.S. Attorney General or the state and local educational authorities;
- in connection with financial aid for which the student has applied or which the student has received if the information is necessary to receive the financial aid;
- to organizers conducting educational studies and the study does not release personally identifiable information;
- consistent with an interagency agreement between the school district and juvenile justice agencies; ● to accrediting organizations;
- to parents of a dependent student as defined in the Internal Revenue Code;
- to comply with a court order or judicially issued subpoena (a reasonable effort must be made to contact the parents or an eligible student prior to release); ● in connection with a health or safety emergency; or ● as directory information.

The school district must also keep a list of individuals, agencies, and organizations which have requested or obtained access to a student's records, the date access was given or requested and their legitimate educational interest or purpose for which they were authorized to view the records. This list may be accessed by the parents, the eligible student and the custodian of student records.

Permanent student records, including a student's name, address, phone number, grades, attendance record, classes attended, grade level completed and year completed should be maintained indefinitely electronically with back-up or in a fire-safe vault.

The school district must annually inform employees about parents' and eligible students' rights about student records. Employees should also be informed about the procedures for carrying out the law. The school district must annually notify parents and eligible students of their rights to access student records under federal law. The notice must be provided in the parents' or eligible student's native language.

Settling Concerns and Disputes

Ongoing communication between parents, teachers, and the school district will help avoid disagreements related to the student's accommodation plan. If a person believes that the school district or any of the district's staff has inadequately applied the principles and/or regulations of Section 504 that person has numerous options to address his/her concern(s). The U.S. Department of Education maintains the Office of Civil Rights to enforce Section 504 and other civil rights laws. All parents have the right to directly contact the Office of Civil Rights in their region if they believe that their child is being discriminated against. However, most differences can be resolved before contacting the Office of Civil Rights. It is suggested parents follow the procedures outlined below:

- Try to resolve the differences at the teacher/administrator or school level

  Set up a meeting to discuss the differences. If the plan is not appropriate, it should be revised following the same procedures used to develop the original plan. Because situations change and students' needs change, flexibility in this process will help everyone meet the students' needs.

- File a grievance with the school's equity coordinator

  The procedure usually involves four levels:
  1. The parent contacts the building principal to discuss and resolve the issue.
  2. If the issue is not resolved, the parent should file a complaint with the district 504 Coordinator.
  3. If a resolution is not reached, the complaint goes to the superintendent.
  4. The final step toward resolution involves the school board.

- Ask for mediation

  This is a service offered by the AEA. A neutral individual will work with the parties involved to help resolve the differences.

- Request an impartial hearing

  A parent can also request an impartial hearing regarding the school district's decisions. The impartial hearing officer needs to be an individual from outside the school district. However, the officer should not be from a school or district with which the home school district has a contract to jointly provide services or from the Area Education Agency in which the school district is located. A due process hearing will occur as soon as possible. At the hearing, the parent/guardian and district may be represented by legal counsel, may examine relevant records, and participate in the hearing. Within ten school days after the conclusion of the hearing, the hearing officer will render a written decision. The written decision shall include applicable findings of fact and conclusions of law and will be submitted to the parent/legal guardian and to the Board of Education. The decision of the hearing officer will be the final administrative decision on the Section 504 matter.

- Contact the Office of Civil Rights

Support for Accommodation Request (SAR) Form

Students who receive Section 504 services, graduate from high school, and go on to an institution of higher education may need accommodations at that setting. The *Student Accommodation Request* form has been developed as a tool for summarizing documentation from a student's secondary school experience. School staff can use this form to summarize relevant and useful from a variety of sources (e.g. accommodation plans, assessments, reevaluations, high school records). The SAR can be used as the basis for verifying eligibility and supporting requests for accommodations, academic adjustments, and/or auxiliary aids at the postsecondary level. Completing this form can be helpful to students as they transition to a postsecondary educational setting.

Closure to Section 504

When a student no longer needs Section 504 accommodations and/or services the student's team should meet to make the determination. The team should document that the student no longer needs the accommodations and/or services. The team should also notify the parents/guardians, if they were not involved in the process. Records of the student's prior accommodations and/or the services provided should be kept in the same manner as IDEA records when a student no longer needs the plan.

Section 504 Resources

Inquiries concerning the school district's compliance with Section 504 regulations or the American with Disabilities Act regulations pertaining to services provided to students should be directed to the District 504 Coordinator. This individual has been designated to coordinate the school district's efforts to comply with these Section 504/ADA regulations.

Section 504 District Coordinator

Name: Tim Hood
Title: Superintendent
District Location: 406 E 3rd St, Villisca, Iowa 50864
Telephone Number: 712-826-2552
Email: thood@southwestvalley.org

Additional Section 504 Resources

Green Hills Area Education Agency

Joe Woracek
Director of Specialized Supports and Services
(712) 366-0503

Iowa Department of Education https://www.educateiowa.gov/section-5

Mr. Steve Crew
Bureau of School Improvement
(515) 326-1029

Office of Civil Rights http://www2.ed.gov/about/offices/list/ocr/docs/edlite-FAPE504.html

Section 504 District Checklist

General requirements

❑ Ensure that a Section 504 Coordinator, Administrative Coordinators, Building Coordinators, and Lead Contacts are identified and trained throughout the district.

❑ Ensure the district 504 plan has been reviewed and updated within the last school year. This process must clearly outline Child Find, referral process, evaluation process, and implementation procedures to ensure compliance.

❑ Ensure a grievance procedure is developed, operational, and accessible.

❑ Ensure that information regarding Section 504 is published to all students, parents/guardians, and school employees.

❑ Ensure staff is trained in district procedures related to Child Find, referral process, evaluation process, implementation procedures, and grievance process.

❑ Ensure records are maintained to support district compliance and implementation.

Implementation of Section 504

Procedure (district plan) is in place to:

❑ Route student referrals to building representative(s) who then initiates the evaluation process.

❑ Notify parents/guardians of the district's desire to evaluate a student using the *504 Notification Letter to Parents*. Secure consent to conduct the evaluation using the *Section 504 Parent Consent for Evaluation*. Provide parents/guardians their rights by providing them with a copy of *Section 504 Student and Parental Right* and *A Parent's Guide to Section 504 of the Rehabilitation Act*.

❑ Ensure that during the evaluation:

- ❑ data is collected and analyzed by those who are "knowledgeable";
- ❑ evaluation includes multiple sources of information;
- ❑ information provided by the parent is considered as part of the evaluation;
- ❑ timeline does not exceed 60 days from the date parental consent is obtained;
- ❑ required paperwork is completed and placed in a confidential location determined by the district.
- ❑ Notify parent/guardian and all participants regarding meeting dates.

❑ Provide ongoing documented communication to the parents/guardians after meetings are held to determine eligibility.

❑ Review or update the *Section 504 Student Plan*, conduct a reevaluation using the *504 Eligibility Determination Form*, or discontinue a plan. *It is also recommended that the district's grievance procedures should be included with each notification.*

❑ Designate staff members to write the *Section 504 Student Plan* for eligible students to address documented areas of need.

❑ Designate a staff member to manage the plan by:

- ❑ serving as the contact person for staff and parents;
- ❑ overseeing its implementation;
- ❑ monitoring its effectiveness and revising with the team as needed;
- ❑ scheduling reviews;
- ❑ ensuring that the plan follows the student during transition (e.g. teacher, building, post secondary) ❑ reconvening the team to discontinue the plan when it is no longer needed.

Section 504 Student Checklist

Referral

❑ A referral is made to a building administrator, teacher, or 504 representative.

❑ The district 504 Coordinator is notified of referral.

❑ Parents/guardians will be notified of the referral and provided with a copy of *A Parent's Guide to Section 504 of the Rehabilitation Act*.

❑ A meeting is held to discuss the referral and determine the need for an evaluation. Provide parents/guardians with a *Section 504 Notification Letter to Parents*. Permission is secured from the parent/guardian to evaluate using the *Section 504 Parent Consent for Evaluation*. If permission is denied, review parent rights, end the meeting, and contact the District Coordinator.

❑ If an IDEA evaluation has been conducted, it is possible that further evaluation will not be needed. In this event, a copy of the IDEA evaluation, and the parent permission for that evaluation is added to the student's 504 file.

Evaluation *(Completed in <60 days from the time signed consent is returned)*

❑ The 504 Coordinator invites a team of professionals to participate in this process. The team involves at least one person who can interpret data, at least one who is familiar with the student, and at least one one who can make placements and allocate building/district resources.

❑ For mental or physical health conditions, the school nurse collects additional data to determine impact at school, need for accommodation, and required health services. *(Consider a health screening to rule out hidden conditions.)*

❑ Signed release of information must be obtained from parents to communicate with private primary service providers such as physicians, therapists, counselors, psychologists, tutors, etc. Use the *Section 504 Authorization for the Release of Health and/or Educational Information* to obtain consent.

❑ School records are reviewed to determine attendance, academic performance, work products, standardized testing scores, etc.

❑ Feedback from teachers via *Section 504 Teacher Input* and parents is obtained in writing or by interview.

❑ Teachers should continue to implement relevant accommodations and document results.

❑ 504 team ensures all sources of information are documented on the *504 Eligibility Determination Form*.

❑ Once data has been acquired an eligibility meeting is scheduled. The 504 team should be present and parents can be invited.

Eligibility Determination

❑ Data is summarized and the team determines eligibility based on its findings.

❑ The *Section 504 Eligibility Determination Form* is completed including obtaining appropriate signatures.

❑ Parental notification is completed and parents are provided their rights *Section 504 Student and Parental Rights*.

❑ If eligible and a plan is needed, the team may bring a draft plan to be finalized at the meeting, write the plan during the meeting, or schedule another meeting to write the plan. Use the *Section 504 Student Plan* to complete this process.

Written Plan

❑ Team creates *Section 504 Student Plan* to address the need for accommodations and possible services that:

- ❑ List accommodations in concrete terms and identifies person responsible
- ❑ Lists services provided (i.e. health) and references documents (i.e Individual Health Plan)

❑ Have all members of the team sign the 504 plan.

❑ Team appoints a plan administrator who oversees communication, plans implementation, and serves as a contact person.

❑ Final copy of the plan is provided to the parents/guardians.

❑ The plan is placed in a confidential location determined by the district.

Ongoing Requirements

❑ The plan administrator periodically monitors the effectiveness of the plan and revises with the team as needed.

❑ An annual review is recommended with changes made to the plan as needed. Use the *Section 504 Annual Review* form to document this process. *(Interpreted to mean at least yearly and as needed to provide access.)* ❑ Additional data is collected as needed for reevaluation.

❑ Conduct and document the reevaluation process. *(Interpreted to mean at least every three years)* Use the *504 Eligibility Determination Form* to complete the process.

❑ Plan administrator ensures the plan follows the student during transitions to new classroom/teachers and new buildings.

❑ The team is reconvened with the parent to discontinue the plan when it is no longer needed.

❑ District Coordinator ensures that students who are pursuing higher learning upon graduation from high school are provided with a *Student Accommodation Request* form.

Section 504 Notification Letter to Parents

The _____ Community School District does not discriminate in its educational programs and activities on the basis of a student's disability. We will be convening a team of individuals to determine whether accommodations may need to be made to meet the individual needs of _____ as adequately as other students. We want to include people on the evaluation team who know your child and would especially value your input.

An initial task of the Section 504 team is to determine whether your child may have a disability that makes him or her eligible for protection under Section 504 of the Rehabilitation Act of 1973. Parents and students have specific rights under Section 504. These rights are summarized in the document titled *Section 504 Student and Parental Rights.*

Please provide your consent for us to complete this evaluation by indicating your decision and providing your signature. This form should be returned to:

Section 504 Coordinator: Mr. Tim Hood, Superintendent
Building: Southwest Valley HS
Phone Number: 641-322-4242 X2
Email: thood@southwestvalley.org

You will be contacted to set a meeting to review the evaluation results and discuss plans to meet your child's needs. Please feel free to contact the Section 504 Coordinator if you have any questions or concerns.

Section 504 Parent Consent for Evaluation

Student's Name _____ Date _____

Please check yes or no below.

_____ Yes, I consent to the proposed 504 evaluation.
_____ No, I do NOT consent to the proposed 504 evaluation.

Comments:_____
_____
_____
_____
_____

_____

Parent Signature _____

Note: Copies should be provided to parents/guardians, teachers, Section 504 Folder, and the Section 504 Coordinator.

A Parent's Guide to Section 504 of the Rehabilitation Act

This guide describes the requirements of Section 504 of the Rehabilitation Act of 1973, as amended, with respect to PK-12 school policies involving students with physical and mental impairments. This document is designed specifically to provide parents with the necessary information to work in partnership with educators in order to provide access to an appropriate education, as well as develop accommodations and/or services for students with qualifying disabilities.

What is Section 504?

Section 504 is a federal law, which protects the rights of persons with qualifying disabilities. It requires that recipients of federal funds make their programs and activities accessible to all persons with disabilities.

There has been much confusion over the years regarding the relationship between Section 504 and special education laws and regulations. It must be emphasized that Section 504 falls under the responsibility of the general education program. The school staff and parents need to work in collaboration to help guarantee that the student is provided the necessary accommodations and/or services.

It is important to keep in mind that some students who have disabilities that limit their ability to access and participate in the education program are entitled to rights under Section 504, even though they may not fall into IDEA categories and may not be covered by special education law. It is also important to understand that schools receive no additional funding to implement Section 504 accommodations. At each school, the responsibility for ensuring Section 504 compliance rests with the building principal or designed 504 coordinator..

How does Section 504 define disability?

Section 504 protects persons from discrimination based upon their disability status. A person is considered to have a disability if he or she:

- has a mental or physical impairment which substantially limits one or more of the person's major life activities;
- has a record of such impairment; or
- is regarded as having such an impairment.

In general terms, this means that without accommodations and/or services, the student would not have a comparable opportunity to a free appropriate public education.

How does Section 504 define "appropriate education"?

A free appropriate public education is one provided by the public school that:

1. is designed to meet the individual's educational needs of persons with a disability as adequately as the needs are met of persons without disabilities, and
2. is based upon evaluation, placement, and procedural safeguard requirements.

What is a "major life activity"?

Major life activities include things such as seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, working, breathing, learning, reading, communicating, thinking, concentrating, caring for oneself, and performing manual tasks. The operation of major bodily functions (e.g., the functions of the immune system, normal cell growth, and digestive, bowel, bladder, respiratory, circulatory, endocrine, neurological, brain, and/or reproductive systems) counts as major life activities. Please note that this list is not exhaustive.

How is a Section 504 review requested?

A parent, guardian, teacher, guidance counselor, related service provider, other school staff, administrator, or community agency can initiate a referral for a Section 504 plan. This request goes to the building 504 coordinator or intervention team. The team usually involves administrators, guidance counselors, nurses, and teachers. The specific makeup of the team will depend on the student being evaluated.

It is not uncommon for a school district to receive a doctor's letter stating that the student has a disability and should be provided with a 504 plan. The letter may even suggest certain accommodations or services. Although the school district can consider the doctor's suggestion, it should be emphasized that they are only suggestions. While a doctor's responsibility is to make a medical diagnosis, it is the school's responsibility to evaluate the student's educational needs. A medical diagnosis does not guarantee 504 eligibility nor is a medical diagnosis needed to be deemed eligible.

What process is used in determining eligibility for a Section 504 plan?

Once a referral for a Section 504 is made, the 504 team must determine the sources of information to be gathered for the evaluation. It is highly recommended that parents also be contacted to provide information about their concerns for their student. The evaluation needs to assess the presence of a physical or mental impairment, the nature and degree of the disability, and its effect on major life activities.

Gathering information from multiple sources will lead to better understanding of the difficulty and needs of the student. Relevant information can include:

- information gathered from school records, observations, interviews, medical or hospital records, rating scales, samples of daily work, and curriculum-based measures;
- interviews with the student's teachers, parents, and medical or mental health professionals who have evaluated the student;
- educational records, including standardized test scores, attendance records, disciplinary records, grades, and hearing or vision screening results; ● direct observations of the student.

Once the evaluation has been completed, a placement meeting is held with the team and parents to discuss the results and the meaning of the results.

An evaluation is also required prior to any significant change in a student's placement. Reevaluations must also be conducted on a "periodic basis." It is recommended, but not required, that a reevaluation be conducted every three years.

How are 504 accommodations and related services documented and reviewed?

Once eligibility has been determined, the Section 504 accommodation plan is developed. A Section 504 plan describes the accommodations and/or services that the school will provide to support the student's education. The team that determined the student's eligibility for Section 504 and identified the needed accommodations and/or services writes the accommodation plan. While Section 504 does not require a written plan, it does require documentation of evaluations and accommodations. It is very useful to have a written plan to provide clarity and direction to the individuals delivering services or making accommodations. Specific accommodations or services that will support equal access to the general education program, activities, and services are identified and documented in the 504 plan.

A student's 504 plan should be reviewed at least once a year by the team; more frequent meetings can occur as needed. The purpose of a yearly review is to add, eliminate, and/or modify the accommodations and/or services as needed. If a student no longer needs a 504 plan, the team can eliminate it at a review session.

What does "accommodation" mean?

A free appropriate public education for students eligible under Section 504 occurs in general education classes with needed accommodations being made and/or the use of supplementary services designed to meet the unique needs of the students. Accommodations and services used are meant to specifically address the actual physical/mental impairment that substantially impacts one or more major life functions. They are meant to level the playing field for students with disabilities. The intent is not to give students with disabilities an unfair advantage; rather to provide fair opportunities to demonstrate their knowledge and skills without barriers. Examples of general accommodations include: environmental strategies, organizational strategies, behavioral strategies, presentation strategies, and evaluation methods. Specific examples of accommodations include seating in the front of the room, quiet environments for taking tests, reading tests orally to the student, and using large print materials.

Accommodations need to take into account both the functional limitations of the individual and the alternative methods of performing tasks or activities to participate without impacting the outcomes. In general, accommodations should be individualized to the recipient, be made to school and/or classroom programs and provide the student an equal opportunity to participate. There are numerous accommodations that can support a student's equal access to educational opportunities. The building team identifies these accommodations based upon the student needs and evaluation results. It is important to note that each school will include accommodations that it has the ability to accomplish based on what the school offers to all students and resources available to implement its programs and services. This means that accommodations will be designed differently at different schools and at different levels (elementary, middle, and high schools).

How does eligibility for a Section 504 Plan affect discipline?

Students with disabilities are not exempt from consequences for violations of the code of student conduct; rather, the processes and procedures for disciplining students who are eligible for Section 504 are different than those who are not eligible. In cases of severe violations of the district's code of student conduct, disciplinary interventions are frequently based on approved school board policies and require specific consequences. The difference in how students are treated is because students with disabilities cannot be disciplined if their behavior, which led to their action, was caused by their disability.

When a student receiving 504 accommodations has violated a school policy or rule, it should be determined whether the student's disability caused the infraction or misconduct. This process is referred to as manifestation determination. This determination should be made by a team knowledgeable about the disability and student. In most instances, the team will be the student's 504 team. The role of the team is to determine if there is a direct and substantial relationship between the misconduct and the disability. If it is determined there is no direct and substantial relationship between the misconduct and the disability, the school district can generally discipline the student receiving 504 accommodations as it would any other student. If the misconduct is related to the disability the team must review the student's placement to determine if it is still appropriate.

During the period of the manifestation determination and after it has been determined that the misconduct was related to the student, the student "stays put" or remains in the same placement as when the misconduct occurred. Only with parental approval or a court order can the school district change the student's placement. School districts concerned the student poses a threat to himself/herself or to others can ask a hearing officer to remove the student. The same applies if the discipline is under the general student behavior policy or the good conduct rule for extracurricular activities.

The law makes one exception to the disciplinary treatment of students receiving 504 accommodations. A student receiving 504 accommodations who violates drug or alcohol rules can be disciplined as if the student did not have a disability. Therefore, the student can be disciplined the same as a general education student for the same infraction without first holding a manifestation conference.

However, if it is determined that the behavior was a manifestation of the student's disability, the consequence outlined in the student code of conduct may be deemed inappropriate and consideration should be given to revising the student's individual behavior plan. Revisions may include strategies and supports that will reduce the likelihood that inappropriate behavior occurs in the future and encourage more socially acceptable behaviors within the school setting.

What rights do parents (and students) have under Section 504?

The following is a list of parent rights granted by federal law. The intent is to keep parents fully informed concerning decisions made about their student and to inform them of their rights should disagreement occur over a 504 decision.

If your student is identified for Section 504 services, among other things, you have the right to the following:

1. Have your student take part in and receive benefits from public education programs without discrimination based on his/her disability;
2. Have the school district advise you of your rights under federal law;
3. Receive written notice with respect to identification, evaluation, or placement of your student;
4. Have your student receive a free and appropriate public education. This includes the right to be educated with other students without disabilities to the maximum extent appropriate.
5. Have the school district make accommodations to allow your student an equal opportunity to participate in school and school related activities;
6. Have your student educated in facilities and receive services comparable to those provided students without disabilities;
7. Have your student receive related services if he/she is found to be eligible under Section 504 of the Rehabilitation Act;
8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student was placed in a program operated by the district;
9. Give your student an equal opportunity to participate in appropriate nonacademic and extracurricular activities offered by the school;
10. Examine all relevant records relating to decisions regarding your student's identification, evaluation, educational program, and placement;
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records;
12. Receive a response from the school to reasonable requests for explanations and interpretations of your student's records;
13. Request amendment of your student's educational records if there is reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your student. If the school district refuses this request for amendment, it shall notify you within a reasonable time, and advise you of the right to a hearing;
14. File a local grievance;

15. Request mediation or an impartial due process hearing related to decisions regarding your student's identification, evaluation, educational program, or placement. You and your student may take part in the hearing and have an attorney or family advocate represent you;
16. File a complaint with the Office of Civil Rights.

Who should parents contact when they have a Section 504 complaint?

Ongoing communication between parents, teachers, and the school district will help avoid disagreements related to the student's accommodation plan. If a person believes that the school district or any of the district's staff has inadequately applied the principles and/or regulations of Section 504 that person has numerous options to address his/her concern(s). The U.S. Department of Education maintains the Office of Civil Rights to enforce Section 504 and other civil rights laws. All parents have the right to directly contact the Office of Civil Rights in their region if they believe that their child is being discriminated against. However, most differences can be resolved before contacting the Office of Civil Rights. It is suggested parents follow the procedures outlined below:

- Try to resolve the differences at the teacher/administrator or school level.

  Set up a meeting to discuss the differences. If the plan is not appropriate, it should be revised following the same procedures used to develop the original plan. Because situations change and students' needs change, flexibility in this process will help everyone meet the students' needs.

- File a grievance with the school's equity coordinator.

  The procedure usually involves four levels:
  1. The parent contacts the building principal to discuss and resolve the issue.
  2. If the issue is not resolved, the parent should file a complaint with the district 504 Coordinator.
  3. If a resolution is not reached, the complaint goes to the superintendent.
  4. The final step toward resolution involves the school board.

- Ask for mediation.

  This is a service offered by the AEA. A neutral individual will work with the parties involved to help resolve the situation.

- Request an impartial hearing.

  A parent can also request an impartial hearing regarding the school district's decisions. The impartial hearing officer needs to be an individual from outside the school district. However, the officer should not be from a school or district with which the home school district has a contract to jointly provide services or from the Area Education Agency in which the school district is located. A due process hearing will occur as soon as possible. At the hearing, the parent/guardian and district may be represented by legal counsel, may examine relevant records, and participate in the hearing. Within ten school days after the conclusion of the hearing, the hearing

officer will render a written decision. The written decision shall include applicable findings of fact and conclusions of law and will be submitted to the parent/legal guardian and to the Board of Education.

- Contact the Office of Civil Rights.

Section 504 Coordinators

Inquiries concerning the school district's compliance with the regulations implementing Title VI, Title IX, and the Americans with Disabilities Act (ADA), Section 504, or Iowa Code Section 280.3 should be directed to:

Green Hills AEA Section 504 Coordinator - Preschool-12 Students

Joe Woracek
Director of Specialized Services and Supports jworacek@ghaea.org

Iowa Department of Education 504 Coordinator

Mr. Steve Crew
Bureau of School Improvement steve.crew@iowa.gov

Equity Statement
Green Hills AEA does not discriminate on the basis of race, color, national origin, gender, disability, religion, creed, age, sexual orientation, and gender identity in its employment practices or on the basis of race, color, national origin, gender, disability, religion, creed, marital status, sexual orientation, gender identity or economic status in its educational programs and activities, or as otherwise prohibited by statute or regulation. For more information concerning the application of this statement or the grievance procedure contact Tami Pauley, 24997 Highway 92, Council Bluffs, IA 51503, 844-366-0503.

I acknowledge that I have been provided access to *A Parent's Guide to Section 504 of the Rehabilitation Act* and understand the rights afforded to me.

Printed name: _____ Relationship to Student: _____ Date ____/_____/_____

Signature: _____

Section 504 Student and Parental Rights

Below is a description of the rights granted under Section 504 to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about the student and to inform you of your rights if you disagree with any of the decisions made.

If your student is identified for Section 504 services, among other things, you have the right to the following:

1. Have your student take part in and receive benefits from public education programs without discrimination based on his/her disability;
2. Have the school district advise you of your rights under federal law;
3. Receive written notice with respect to identification, evaluation, or placement of your student;
4. Have your student receive a free and appropriate public education. This includes the right to be educated with other students without disabilities to the maximum extent appropriate.
5. Have the school district make accommodations to allow your student an equal opportunity to participate in school and school related activities;
6. Have your student educated in facilities and receive services comparable to those provided students without disabilities;
7. Have your student receive related services if he/she is found to be eligible under Section 504 of the Rehabilitation Act;
8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student was placed in a program operated by the district;
9. Give your student an equal opportunity to participate in appropriate nonacademic and extracurricular activities offered by the school;
10. Examine all relevant records relating to decisions regarding your student's identification, evaluation, educational program, and placement;
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records;
12. Receive a response from the school to reasonable requests for explanations and interpretations of your student's records.
13. Request amendment of your student's educational records if there is reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your student. If the school district refuses this request for amendment, it shall notify you within a reasonable time, and advise you of the right to a hearing;
14. File a local grievance.
15. Request mediation or an impartial due process hearing related to decisions regarding your student's identification, evaluation, educational program, or placement. You and your student may take part in the hearing and have an attorney or family advocate represent you.
16. File a complaint with the Office of Civil Rights.

The person at the school who is responsible for Section 504 compliance is *(insert 504 Coordinator's name)*. *(Insert 504 Coordinator's name)* can be reached at *(insert contact information including address, email, and phone number).*

I acknowledge that I have been provided access to the *Section 504 Student and Parental Rights* document and understand the rights afforded to me.

Printed name: _____ Relationship to Student: _____ Date ____/_____/_____

Signature: _____

Section 504 Authorization for the Release of Health and/or Educational Information

Student Name: _____ **Date of birth:** ____/_____/_____

Address: _____ **Phone:** _____

Parent/Guardian/Eligible Student: Your signature on this authorization for release of information form will be provided to individuals, programs, organizations, and entities stated below.

Statement of Release

On behalf of the above named student, I authorize _____
(name of health care provider, agency, or medical institution)

to release evaluation records to _____ and _____
(Green Hills Area Education Agency) (School or School District)

for the purpose of determining eligibility for and/or provision of Section 504.

Green Hills AEA Contact: _____ District Contact: _____

AEA Address: 24997 Hwy 92 Council Bluffs, IA 51503 District Address: _____

For this purpose, I consent to the release of the following health information to theGreen Hills AEA and the identified school district regarding this child from ____/_____/_____ to ____/_____/_____.

I give consent for the following specific information to be exchanged:

- ❑ Current medical status
- ❑ Current medications/treatments
- ❑ Recommendations for school
- ❑ Other (specify) _____

I give consent to the above named medical entity to release records pertaining to:

- ❑ Mental health
- ❑ Substance abuse/chemical dependence
- ❑ AIDS/HIV
- ❑ Sexually transmitted disease
- ❑ Other (specify) _____
- ❑ Other (specify) _____

I give consent for the exchange of information by the methods indicated:

1. The exchange of written records containing the information described in this release by the agencies or individuals specified.

❑ Yes ❑ No

2. The verbal exchange of the information described in this release by the agencies or individuals specified.

❑ Yes ❑ No

I understand that the released information becomes a part of the student's educational records and, as such, is protected by the Family Educational Rights and Privacy Act (FERPA). The information may be reviewed by all members of the Section 504 team and, as appropriate, those identified as having legitimate educational interest. The information may also be used in the future, including if the student moves, for the purpose of educational decision making.

I understand that I have the following **rights** with respect to this authorization:

❑ The right to inspect or copy the health information to be disclosed by this form. ❑
The right to receive a copy of this form.

❑ The right to withdraw this Authorization by written notification at any time (although my withdrawal will not be effective as to uses and/or disclosures already made regarding this form).

This authorization is valid until ____/_____/_____ or until one year after the date of signing, whichever occurs first.

Printed name: _____ Relationship to student: _____ Date ____/_____/_____

Signature: _____

Health Insurance Portability and Accountability Act (HIPAA)/Family Educational Rights and Privacy Act (FERPA) Notice

Any and all personally identifiable information regarding children and families is protected from unauthorized disclosure under FERPA. Personally identifiable information protected by FERPA is specifically exempted from HIPAA privacy standards. FERPA prohibits disclosure of personally identifiable information without parent consent except in limited circumstances, requires notice to be provided to the child's family regarding their privacy rights, requires providers to keep records of access to a child's records, and contains complaint and appeal procedures which apply to disputes over records.

NOTICE TO RECIPIENTS OF MENTAL HEALTH INFORMATION

In accordance with the Iowa Mental Health Information Disclosure Act (Iowa Code, Chapter 228), a recipient of mental health information may disclose this information only with the written authorization of the subject or the subject's legal representative or as otherwise provided in chapter 228 and 220. Unauthorized disclosure is unlawful and civil damages and criminal penalties may apply. Federal confidentiality rules (42 CFR Part 2) restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

NOTICE TO RECIPIENTS OF SUBSTANCE ABUSE INFORMATION

This information has been disclosed from records whose confidentiality is protected by Federal law. Iowa Code, Chapter 125 and Federal regulations (42 CFR, Part 2) prohibit any further disclosure without the specific written consent of the person to whom the information pertains, or as otherwise permitted by such statute and regulations. A general authorization for the release of medical or other information is not for this purpose. Federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

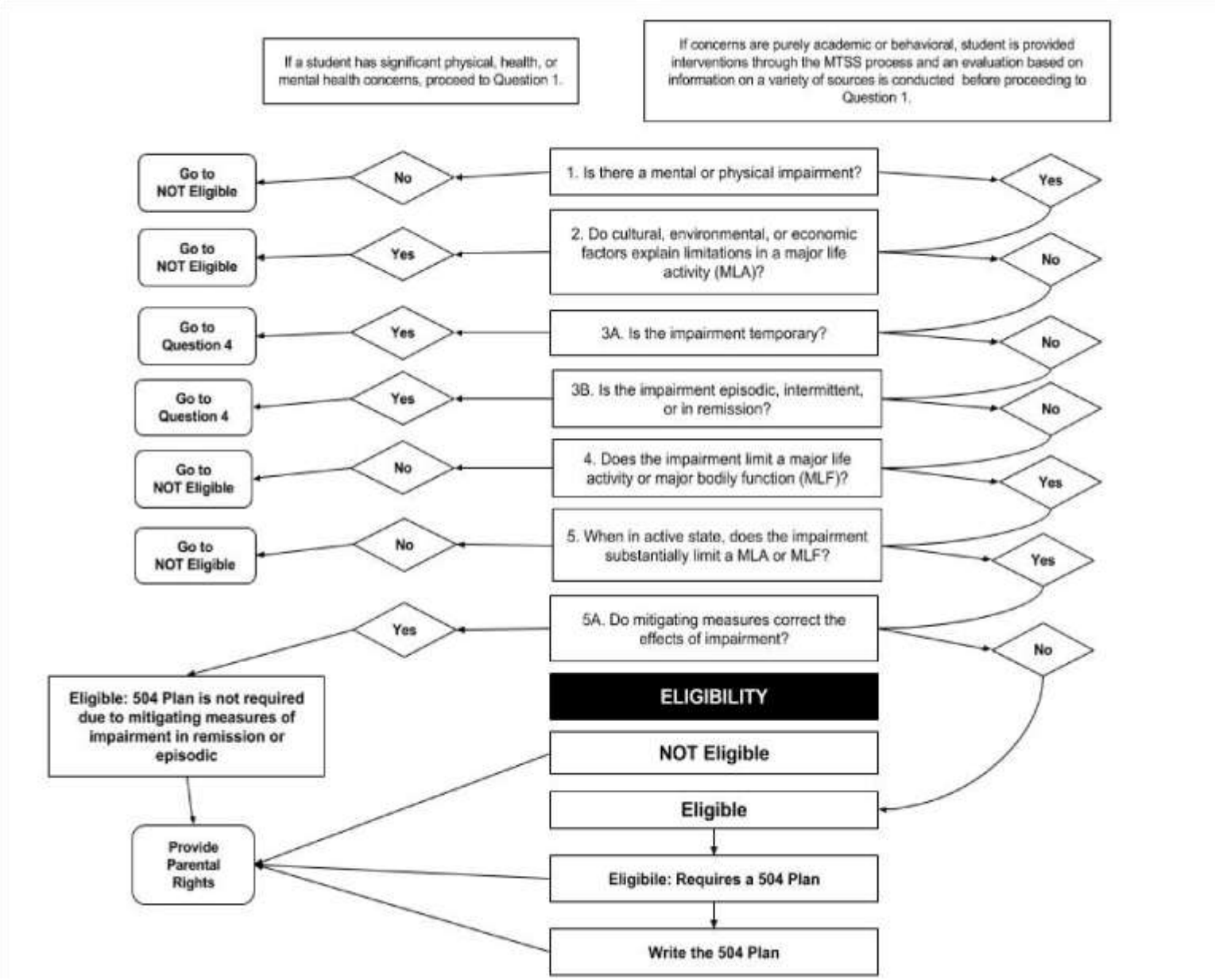
NOTICE TO RECIPIENT OF HIV RELATED TESTING INFORMATION

This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of the information without specific written consent of the person to whom it pertains, or as otherwise permitted by law. A general authorization for the release of medical or other information is not sufficient for this purpose. (Iowa Code 141.23) Federal confidentiality rules (42 CFR, Part 2) restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

Note: Copies should be provided to parents/guardians, teachers, Section 504 Folder, and the Section 504 Coordinator.

Section 504 Eligibility Decision Tree

Use the following document as a resource to help determine a student's eligibility for Section 504 and its resources. This decision chart is not comprehensive but rather provides a generic overview of the steps taken to determine eligibility for Section 504.



Modified from James F. McKethan, LLC © 2009 "Section 504 Eligibility Decision Chart"

Section 504 Eligibility Determination Form

Meeting date: _____/_____/_____

Student: _____ Date of birth: _____/_____/_____
Parent/Guardian: _____ Student ID #: _____
School: _____ Grade: _____

Evaluation Information collected: (check all that apply)

❑ Psychological evaluation
❑ Physician report
❑ Classroom assessments
❑ Discipline history
❑ Achievement assessments ❑
Parent information
❑ Observation data
❑ Classroom performance data
❑ Teacher reports
❑ Other (specify) _____
❑ Other (specify) _____
❑ Other (specify) _____

Note: Ensure that all supporting documents are attached to this document.

Eligibility

1. Does the student have a physical or mental impairment? _____ Yes _____ No (If yes, identify the impairment and provide supporting data.)

_____
_____
_____
_____
_____
_____
_____
_____
_____

2. Identify the degree to which the impairment limits a Major Life Activity (MLA) or Major Bodily Function (MBF).

   _____ Not applicable _____ Negligible _____ Mild _____ Substantial _____ Severe

Explain why the box checked above was selected:

_____
_____
_____

3. Explain and substantiate how the impairment limits a Major Life Activity (MLA) or Major Bodily Function (MBF).

_____

_____

_____

_____

Eligibility Determination

Based on the analysis of the evaluation data, does the student have an impairment that substantially limits a major life activity or major bodily function?

Check one of the following:

- ❑ **No**, the student is not Section 504 eligible.
- ❑ **Yes**, the student is Section 504 eligible, but does not currently require an accommodation plan due to mitigating measures of impairment in remission or episodic.
- ❑ **Yes**, the student is Section 504 eligible, but does not currently require accommodations other than those provided such as an Individual Health Plan, Emergency Health Protocol, etc.
- ❑ **Yes**, the student is 504 eligible and requires a Section 504 Plan.

Actions to be Taken

Check those that apply:

- ❑ The student does NOT have a physical or mental impairment that substantially impacts one or more major life activities.
  - ❑ No further action is needed at this time.
  - ❑ An individual health plan or behavior plan will address the need for additional services.
- ❑ The student has a physical or mental impairment that substantially impacts one or more major life activities.
  - ❑ A Section 504 accommodation plan will be written.
  - ❑ A Section 504 accommodation plan is not needed at this time.

- ❑ The team recommends in addition to a Section 504 plan that further evaluation for possible IDEA eligibility be pursued.

Parent/Guardian received a copy of ***A Parent's Guide to Section 504*** _____ Yes _____ No Date: _____/_____/_____

Indicate the members of the 504 team in the table provided below.

Team Member	**Signature**	**Position or Title**	**Indicate who has knowledge of...** **1) the child** **2) meaning of data** **3) placement process/resource allocation**
		Parent/Guardian	

		Administrator/Designee	
		Teacher	
		Teacher	
		Other	

Note: Copies should be provided to parent/guardian, Section 504 Folder, and the Section 504 Coordinator.

Section 504 Teacher Input

The student identified below is being evaluated (re-evaluated) for Section 504 eligibility. The information you provide will be used as part of this process and will be shared with the 504 team. Please return this form by _____/_____/_____.

Student Name: _____ Grade: _____

Teacher Name: _____ Role/Content area: _____

Please answer the following questions. Your feedback will be used as part of the Section 504 decision making process. Thank you for your time and assistance. *Note: Please use additional space and pages as needed.*

1. What strengths does this student display in your classroom?

2. What challenges does this student experience in your classroom?

3. What is the student's current grade in your class (HS/MS) or in each subject (elementary/MS)?

4. Please check all the factors that may account for the student's current grade:

❑ Lack of skills or background knowledge
❑ Missing assignments
❑ Late assignments
❑ Incomplete assignments
❑ Failure to participate in class
❑ Absenteeism or late to class/leaves early
❑ Other: _____
❑ Other: _____

5. Based on your knowledge and observation of this student, please rate his/her performance in the following areas. If necessary, please use an additional page to explain. (1 = satisfactory and 5 = unsatisfactory)

__ Classroom work
__ Test/quizzes
__ Attention span
__ Peer relations
__ Following written directions
__ Following verbal direction
__ Organizational skills
__ Homework completion
__ Other: _____
__ Other: _____

6. Have you been in contact with the student's parent/guardian during the current school year? How often and what has been your primary means of communication (e.g. email, phone, conference)?

7. Check all accommodations or adjustments that have been made for this student.

Pacing
❑ Extend time requirements
❑ Vary activity often
❑ Allow breaks
❑ Omit assignments requiring copy in a timed situation
❑ School text sent home for summer preview
❑ Home set of texts/materials for preview/review
❑ Other: _____

Environment
❑ Flexible seating ❑ Planned seating:
❑ Bus
❑ Classroom
❑ Lunchroom ❑ Auditorium
❑ Alter physical room arrangement
❑ Define areas concretely ❑ Reduce/minimize distractions:
❑ Visual
❑ Auditory
❑ Spatial
❑ Movement
❑ Teach positive rules for use of space
❑ Other: _____

Presentation of Subject Matter
❑ Teach to student's learning style
  ❑ Visual
  ❑ Auditory
  ❑ Model
  ❑ Tactile
  ❑ Multi
  ❑ Experiential Learning
❑ Individual/small group instruction
❑ Utilize specialized curriculum
❑ Tape lectures/discussion for replay
❑ Provide notes
❑ Functional application of academic skills
❑ Present demonstrations (model)
❑ Utilize manipulatives
❑ Emphasize critical information
❑ Pre-teach vocabulary
❑ Make/use vocabulary files ❑ Reduce language level of reading level of assignment
❑ Use total communication
❑ Use facilitated communication
❑ Share activities
❑ Use visual sequences
❑ Use an Interpreter
❑ Assistive Listening Device (auditory trainer, easy listener, room amplification)
❑ Notes/note taker
❑ Other: _____

Materials
❑ Arrangement of material on page
❑ Taped texts and/or other class materials
❑ Highlighted tests/study guides
❑ Use supplementary materials
❑ Note taking assistance: carbonless or Xerox copy of notes from another student
❑ Type teacher material
❑ Large print
❑ Special equipment: _____
❑ Calculator
❑ Computer

❑ Video Recorder
❑ Close Captioning
❑ F.M. System
❑ AAC Device
❑ Electronic
❑ Telephone adaptations
❑ Hearing aid(s)
❑ Auditory trainer
❑ Other: _____
❑ Other: _____

Assignments

❑ Give directions in small, distinct steps (written/picture/verbal)
❑ Use written backup for oral directions
❑ Lower difficulty level
❑ Shorten assignment
❑ Reduce paper and pencil tasks
❑ Read or audio record directions for student
❑ Give extra cues or prompts
❑ Allow student to record or type assignments ❑ Adapt worksheets, packets, etc.
❑ Utilize compensatory procedures by providing alternate assignment strategy when demands of class conflict with student capabilities
❑ Avoid penalizing for spelling errors/sloppy papers/penmanship
❑ Other: _____

Self Management/Follow Through

❑ Visual daily schedule
❑ Use of calendars
❑ Check often for understanding/review
❑ Request parent reinforcement
❑ Have student repeat directions
❑ Teach study skills
❑ Use study sheets to organize material ❑ Design/write/use long term assignment timelines
❑ Review and practice in real situations
❑ Plan for generalization
❑ Teach skill in several settings/environment
❑ Other: _____

Testing Adaptations

❑ Modify format
  ❑ Oral
  ❑ Short answer
  ❑ Multiple choice
  ❑ True/False
  ❑ Cloze
  ❑ LOT vs. HOT
❑ Shorten length
❑ Taped
❑ Read test to student
❑ Provide interpreter
❑ Application in real setting
❑ Preview language of test questions
❑ Test administered by resource educator
❑ Extend time frame
❑ Other: _____
❑ Other: _____

Social Interactions Supports

❑ Peer advocacy
❑ Peer tutoring
❑ Structure activities to create opportunities of social interaction
❑ Focus on social process rather than activity/end product
❑ Structured, shared experiences in school, extracurricular
❑ Partial participation
❑ Cooperative learning groups
❑ Use multiple/rotating peers
❑ Teach friendship skills/sharing/negotiation
❑ Teach social communication skills
❑ Greetings
❑ Conversation turn taking
❑ Sharing
❑ Negotiation
❑ Other: _____
❑ Other: _____

Motivation and Reinforcement

❑ Verbal
❑ Nonverbal ❑ Positive reinforcement ❑ Concrete reinforcement. e.g.
❑ _____
❑ Planned motivating sequences of activities
❑ Offer choice
❑ Use strengths/interests often
❑ Other: _____
❑ Other: _____

8. Please provide any additional information or comments that will help with this process.

Section 504 Student Accommodation/Service Plan

Date of Eligibility Determination _____/_____/_____

Date Accommodation Plan was Written _____/_____/_____

Date to be Reviewed _____/_____/_____

Date to be Reevaluated _____/_____/_____

Student: _____ **Date of birth**: _____/_____/_____
Parent/Guardian: _____ **Student ID#**: _____
School: _____ **Grade**: _____ **Plan**
Facilitator: _____

Areas of strength:

Describe areas of concern based on eligibility determination:

Team Member Name	**Signature**	**Position/Title**
		Parent/Guardian
		Administrator/Designee
		Teacher
		Teacher
		Other

Section 504 Student Accommodation/Service Plan (continued)

Student _____ District/Building _____ Date ____/____/____

Area of Difficulty	Accommodation/Service	Person Responsible	Progress Monitored/ Date of Review

Note: Copies should be provided to parent/guardian, educators, Section 504 Folder, and the Section 504 Coordinator.

Section 504 Annual Review

This form is used to guide the review process and to document the occurrence of an annual review as part of a student's Section 504 plan.

Review Date: _____/_____/_____

Student Name: _____ Date of birth: _____/_____/_____

Student ID#: _____ School: _____ Grade: _____

Summary of progress and date to support the progress:

504 student accommodation/service plan needs:

❑ No modifications needed. Continue with plan as written.

❑ Adjustments needed. See 504 Student Plan for adjustments. ❑

New plan needed. Plan to be written by _____/_____/_____ ❑

Plan discontinued because:

❑ Student no longer has an impairment **OR** they are no longer substantially limited **OR** the impairment does not impact a major life activity/major bodily function..

❑ Student meets IDEA eligibility requirements and will have an IEP.

Team Member Name	**Signature**	**Position/Title**
		Parent/Guardian
		Administrator/Designee
		Teacher
		Teacher
		Other

Parent/guardian received a copy of ***A Parent's Guide to Section 504*** _____ Yes _____ No Date: _____/_____/_____

Note: Copies should be provided to parent/guardian, Section 504 Folder, and the Section 504 Coordinator.

Section 504 Manifestation Determination Evaluation

Date ____/____/____

Procedural Checklist: Both boxes must be checked below before the §504 evaluation for manifestation determination can occur.

1. Verify how the parent was informed of the date, time, and place for this evaluation.
   - ❑ In writing
   - ❑ In person
   - ❑ By phone
   - ❑ Other: _____

2. Verify that the §504 team is a group, including a person with knowledge in each of the required areas (knowledge of: child, evaluative data, and placement process).
   - ❑ Yes

Student Name: _____ Date of birth: _____/_____/_____

Student ID#: _____ School: _____ Grade: _____

Indicate the members of the 504 team in the table provided below.

Team Member	**Signature**	**Position or Title**	**Indicate who has knowledge of...** **1) the child** **2) meaning of data** **3) placement process/resource allocation**
		Parent/Guardian	
		Administrator/Designee	
		Teacher	
		Teacher	
		Other	

Evaluation data considered from a variety of sources: The team reviewed and carefully considered data gathered from a variety of sources. Please check each type of data reviewed by the team and attach copies of the data.

- ❑ Parent input
- ❑ Student work portfolio
- ❑ Teacher/Administrator input & recommendations
- ❑ Aptitude and Achievement Tests
- ❑ Disciplinary records/referrals
- ❑ Early Intervention data
- ❑ Grade reports
- ❑ Adaptive behavior
- ❑ School Health Records
- ❑ Disciplinary Records/referrals
- ❑ Medical evaluations/diagnoses
- ❑ Observations
- ❑ Other: _____
- ❑ Other: _____
- ❑ Other: _____
- ❑ Other: _____

NOTE: If information from a conversation or other data in unwritten form was considered, please document that oral data relied upon by attaching written notes summarizing the conversation or data.

Behavior subject to disciplinary action. (Note: the 504 team does not address whether or not the alleged behavior occurred):

List each of the student's physical or mental impairments:

The Section 504 team reviewed and discussed the data listed above. Based on this review, the team has made the following determinations:

Question #1: Was the conduct in question caused by, or directly and substantially related to the student's disabilities?

❑ Yes ❑ No

Question #2: Was the conduct in question the direct result of the school's failure to implement the student's Section 504 plan, if there was any such failure?

❑ Yes ❑ No

Analyzing the Results: If either of the questions are answered "yes," the behavior must be considered to be a manifestation of the student's disability. In that event, the student cannot be expelled or placed in the school's disciplinary alternative education setting for more than 10 school days.

Note: Regardless of the result of the manifestation determination, the parents and school can agree on a disciplinary placement. The parents' agreement must be informed, voluntary, and not coerced.

Team Notes:

Section 504 Manifestation Determination Evaluation Results

Date

____/____/____ Dear Parent/Guardian,

This letter is to inform you that the Section 504 team had a meeting on ____/____/____ to discuss your student _____. A copy of the manifestation determination evaluation form is attached or enclosed.

After careful review of relevant evaluation data (indicated on page 1 of the ***Section 504 Manifestation Determination Evaluation***), the Section 504 team analyzed the data to answer the manifestation determination questions on page 2 of the document. While the evaluation document provides more detail on the team's decision, by way of summary, the team determined that _____

_____

_

_____

_

_____.

A copy of the 504 team's manifestation determination evaluation is attached or enclosed. If your student's Section 504 Plan was changed during the meeting, a copy of the new Section 504 Plan is also attached.

If you have any questions concerning this decision, please call me at *(insert phone number)*.

Sincerely,

Section 504 Coordinator

Enclosed or Attached: (1) Completed Manifestation Determination Evaluation Form (2) Section 504 Student Services Plan (if the student had a Plan and if the Plan was changed)

Support for Accommodation Request (SAR)

To be used in consideration of post-secondary academic accommodation requests.

Student's Name: _____

1. ELIGIBILITY/DIAGNOSTIC STATEMENT:

- ❖ Date of original eligibility: ____/____/____
- ❖ Most recent reevaluation date: ____/____/____ ❖ Current goal area(s) of concern:

2. FORMAL DIAGNOSIS and DATE (when available): ____/____/___

3. What is the BASIS OF DETERMINATION for current services? (Provide available diagnostic assessment information and recent evaluation results; include performance levels with/without accommodations.)

4. Describe the CURRENT FUNCTIONAL IMPACT of the disability:

5. RESPONSE TO specially designed INSTRUCTIONAL INTERVENTION:

6. Expected PROGRESSION or STABILITY of the disability:

7. HISTORY of ACCOMMODATIONS:

- ❖ 9th Grade:
- ❖ 10th Grade:
- ❖ 11th Grade:
- ❖ 12th Grade:

8. SUGGESTED ACCOMMODATIONS for postsecondary experiences:

9. RECOMMENDATIONS (include accommodations, linkages to adult services, other support) for

- ❖ Living**:**
- ❖ Working:

10. ADULT/COMMUNITY Contacts:

- ❖ Agency: Status: Name/Position: Telephone:

11. SIGNATURE of Credentialed Professional

_____

_

Name of person completing this form (Print) Title/Role Agency/Organization

_____

_

Signature Telephone Date

12. AUTHORIZATION for RELEASE OF INFORMATION

I hereby authorize the release of information summarized in this **Support for Accommodation Request** for the purpose of evaluating eligibility and accommodation requests.

_____

_

Name of Student (Printed) Student's Signature Date

13. STUDENT WRITTEN RESPONSE -- Statement of Goals (Please write your statement of at least 3-5 sentences describing what you hope to accomplish in the next year.)