

COLUMBIA LOCAL SCHOOL DISTRICT
SECTION 504 HANDBOOK

March 21, 2012

TABLE OF CONTENTS

Page

SECTION 504 OVERVIEW

504 - Who Is Eligible?	1
Major Life Activities	1
"Substantially Limits"	1
Who Then? Who Should Be Considered?.....	1
Who Makes The Referrals?.....	1
Who Evaluates? Who Determines Eligibility?.....	1
Requirements for Evaluation.....	1
Tools for Evaluation.....	2
Eligibility Determination.....	2
Examples of Accommodations and Modifications	2
Re-evaluation	2
Consent for Evaluation.....	2
Due Process — Student/Parent Rights	2
Ramifications — Testing	2
Ramifications — Discipline	2
Section 504 Administrative Guidelines for Identification, Evaluation, and Placement of Students with Disabilities	3-6

FORMS

Section 504/ADA Grievance Procedure

Forms:

- 504-1 Section 504 Referral Flow Chart
- 504-2 Section 504 Referral Form
- 504-3 Section 504 Parent Notification Letter (Meeting of IAT Team)
- 504-4 Section 504 Parent Notification Letter (Meeting to Review 504 Evaluation)
- 504-5 District Personnel Invitation to IAT Meeting
- 504-6 Section 504 Consent to Evaluate
- 504-7 Notice of Parent and Student Rights — Section 504 and the ADA
- 504-8 Section 504 Assessment Report
- 504-9 Section 504 Parent Notification Letter (Student Not Needing 504 Plan)
- 504-10A Section 504 Student Accommodation Plan
- 504-10B Section 504 Student Accommodation Plan
- 504-11 Parent Invitation to Section 504 Meeting
- 504-12 Parent Invitation Response Form
- 504-13 Parent/Guardian/Student Consent for Records Release

APPENDIX

Frequently Asked Questions	A-1
Discipline and Section 504 and the ADA	A-3
Examples of Accommodations and Modifications	A-4
More Accommodations	A-5

Section 504 Overview

504 — Who Is Eligible?

- Any person that has a physical or mental impairment that substantially limits one or more of the person's major life activities.

Major Life Activities

- Caring for one's self
- Performing manual tasks
- Seeing
- Hearing
- Eating
- Sleeping
- Walking
- Standing
- Lifting
- Bending
- Speaking
- Breathing
- Learning
- Reading
- Concentrating
- Thinking
- Communicating
- Working

Major Life Activities – Bodily Functions

- Functions of the immune system
- Normal cell growth
- Digestive, Bowel, Bladder, Neurological, Brain, Respiratory, Circulatory, Endocrine, Reproductive functions

"Substantially Limits"

The term "substantially limits" shall be interpreted without regard to the ameliorative effects of mitigating measure, other than ordinary eyeglasses or contact lenses. Mitigating measures are things like medications, prosthetic devices, assistive devices, or learned behavioral or adaptive neurological modifications that an individual may use to eliminate or reduce the effects of an impairment. These measures cannot be considered when determining whether a person has a substantially limiting impairment.

- Unable to perform a major life activity that the average person in the general population can perform.
- Must consider:
 - nature and severity of impairment.
 - duration or expected duration of impairment.
 - permanent or long-term impact resulting from the impairment.

Who Then? Who Should Be Considered?

- Any student referred for IDEA but the decision is not to evaluate;
- Any student evaluated for IDEA but determined not to be eligible;
- Any student suspected of having any disability;
- Any student that continues to display behavior problems;
- Any student with a major health problem;
- When a parent requests consideration for 504 services;
- When a teacher requests consideration for 504 services.

Who Makes The Referrals?

- Generally, *teachers* and *parents* make most of the referrals.

Who Evaluates? Who Determines Eligibility?

- "A group of knowledgeable people."
 - May be the building Intervention Assistance Team.

Requirements for Evaluation

- Determine if a physical or mental impairment is present;
- Determine if the impairment results in a substantial limitation of a major life activity;
- Determine the types of accommodations that are required to enable the student to receive a free and appropriate education.

Tools for Evaluation

Observations, anecdotal information, and judgments are considered legitimate sources of assessment data.

- A variety of evaluation data may be used. (This includes group standardized testing, screening tests for ability and achievement, work sample, record review, and observations.)

Eligibility Determination

- The Committee must determine "*if there is a substantial limitation to a major life activity.*"
- *This is a team judgment decision.*

Examples of Accommodations and Modifications

- Seating arrangements
- Homework assignments
- Modifications in testing
- Readers or taped materials
- Grouping arrangements
- Adjusted class schedule
- Modified physical education program

Re-evaluation

- Schools are only required to re-evaluate students who are receiving 504/ADA services *periodically*, and before a *significant change* of placement. (Schools may choose to follow the three-year re-evaluation schedule used with IDEA.)

Consent for Evaluation

- Obtain parent consent prior to 504 evaluation.

Due Process — Student/Parent Rights

- Informed of specific due process rights
- Equal academic/non-academic activities
- Appropriate education in least restrictive environment
- Notice re: referral, evaluation, and placement
- Fair evaluation
- Administrative appeals process
- Examine/obtain copies of all relevant school records

Ramifications — Testing

- Students cannot be tested in a way that their disability is the reason they do not do well on the test (ex. Dyslexia/history test).
- Schools must modify standardized testing if this would benefit students with disabilities (ex. Oral testing, different testing formats).
- A 504 student may receive modifications for the Ohio Proficiency Test.

Ramifications — Discipline

- Students served under Section 504 and the ADA are treated similar to students served under IDEA with regard to discipline.
 - notice of charges, formal hearings
 - expulsion or suspension of more than ten days is considered a *change of placement*.
 - Manifestation Determination hearing

**SECTION 504 ADMINISTRATIVE GUIDELINES FOR
IDENTIFICATION, EVALUATION, AND PLACEMENT
OF STUDENTS WITH DISABILITIES**

I. PROCEDURES FOR NEW SECTION 504 INQUIRIES — STUDENTS

- A. **REFERRAL** — Referrals may be made by parents, teachers, or other knowledgeable professionals by a written referral. Referrals may be made at any time during the school year. Prior to completing the written referral, school staff is encouraged to contact the 504 Compliance Officer to seek input and/or guidance regarding the need for referral.
- B. **IAT** — An IAT Meeting will be scheduled to discuss needed information. The individuals that could be involved are: Parents, Student, Principal, Guidance Counselor, Teachers, and School Psychologist.
- C. **ASSESSMENT** — The 504 Team will collect all relevant information on the student (i.e. medical reports, doctor reports, medication, grade cards/report cards, school history, disciplinary action, etc.) to assist in documenting the following:
 - 1. Physical and/or mental impairment; and
 - 2. Adverse educational effects (i.e. substantial limitation of learning).

Written parental consent shall be obtained and a copy of student and parental rights sent. An evaluation is then performed and the disability documented in writing. This evaluation should include consideration of any behaviors that interfere with the otherwise qualified student's regular participation in the educational program and/or activities.

Reevaluations are not required at specific intervals; however, assessments will be updated as needed to insure that eligibility and accommodation planning is based on information that accurately defines the student's disability and reflects the student's current strengths and needs. At least every three years appropriate school staff should determine whether updated evaluations are needed. When a reevaluation is needed, parental consent shall be obtained and a copy of student and parental rights sent.

- D. **Eligibility Determination:** Following completion of the assessment/evaluation, the 504 Compliance Officer will schedule an Intervention Assistance Team (TAT) meeting to review the information, determine eligibility, and determine how to proceed.

Information to be considered by the team should include: individual or group achievement tests, student work samples, observations, behavior checklists, teacher rating scales, teacher information, school records, medical information, and parent information.

Factors which should be considered by the IAT in determining whether a student's physical or mental impairment substantially limits his/her learning are as follow: (generally, multiple factors will be necessary to demonstrate substantial limitation)

1. Has the student demonstrated a consistent need for substantially more time to complete homework assignments than required by students without disabilities?
2. Has the student demonstrated a consistent need for substantially more time to complete in-school assignments than required by students without disabilities?
3. Is modified testing consistently necessary for the student to be able to demonstrate knowledge?
4. Does the student exhibit frequent behaviors such as drowsiness, impulsivity, inattentiveness, or aggressiveness, associated with an identified physical or mental impairment or medication taken to address the condition and do these behaviors significantly interfere with school performance?
5. Does the student exhibit significant difficulty with planning, organization and execution of school-related activities and assignments?
6. Is the student chronically absent or tardy for reasons related to a diagnosed physical or mental impairment and are such absences or tardies interfering with his/her school performance?
7. Has the student experienced a steady decline in academic performance for which there is no known cause other than the diagnosed physical or mental impairment?
8. Has the student experienced a steady increase in disciplinary interventions for which there is no known cause other than the diagnosed condition?
9. After at least two intervention strategies have been implemented in regular education, does the student still exhibit significant learning difficulties?

Possible outcomes of the meeting:

1. Student determined to be eligible for modifications/accommodations pursuant to a Section 504 Plan;
2. Student determined to be ineligible for a Section 504 Plan but does need some interventions that can be developed by the building Intervention Assistance Team (IAT);
3. The team determines that it needs to collect more information before making an eligibility determination (Parents, Doctors, Observations, MFE, etc.); or
4. Student determined ineligible for a Section 504 Plan and has no need for special school/classroom interventions. Student will be served appropriately in the regular education program without specific interventions. The record of

the District's proceedings should reflect the identification of the student as not disabled under Section 504, and state the basis for the decision that no special services/accommodations are presently needed.

- E. If a Section 504 Plan is determined to be appropriate, the team will develop and complete the Section 504 Plan Form. Aside from the description of the student's disability or related services needed, the Plan should also specify how the regular educator and related aids and services, will be provided, and by whom. The Section 504 Plan should include parent/team signatures. A copy is to be sent to the District's Compliance Officer **as soon as possible**. A copy of the Plan should also be placed in the student's cumulative folder. If the parents are not present at the meeting, the parents' signatures are not required prior to implementation of the Plan. A copy of the Plan must be sent to the student's parents.
- F. Upon completion of the Section 504 Plan, the 504 Team needs to follow Procedures for Existing Section 504 Plans — Students (see Section II).
- G. If the parents challenge the actions regarding identification, evaluation or placement of their child, the Board must provide a due process hearing before an impartial hearing officer to resolve the dispute. See Section 504 Grievance and Due Process Procedures.

II. PROCEDURES FOR EXISTING SECTION 504 PLANS — STUDENTS

- A. Beginning of each school year (August - September).
 - 1. A list of students who have had Section 504 Plans in the past year are given to the Building Principal/Guidance Counselors.
 - 2. The 504 Team will review the Section 504 Plan from the prior school year.
 - 3. The student's parents will be notified of the need to meet to review the Section 504 Plan and to determine whether it is still necessary/appropriate for the new school year.
 - 4. The purpose of the meeting will be to formulate a Section 504 Plan for the student for the new school year. The Section 504 Review Form should be completed. Individuals included in the meeting may be as follows: Parents, Student, Principal, Guidance Counselor, Teachers, and School Psychologist.

The team should decide whether to: (1) continue the plan; (2) discontinue; or (3) write a new plan.
 - 5. A follow-up in writing with the student's parents as to the outcome of the meeting should be completed and sent.
 - 6. If there is an "active" Section 504 Plan, a copy of the Plan needs to be forwarded to the District's Compliance Officer by October 15 of each school year and a copy of the Plan placed in the student's cumulative record folder.

B. During the school year.

The Section 504 Plan can be reviewed by the team at any time if concerns develop as to the appropriateness of the modifications/accommodations being used with the student. This review can be initiated by staff or parents.

C. Procedural Safeguards.

Any time the written results of a meeting are provided to a student's parents, a form delineating the procedural safeguards/due process rights of the parents/child should also be provided to them.

D. If the parents challenge the actions of the regarding identification, evaluation or placement of their child, the Board must provide a due process hearing before an impartial hearing officer to resolve the dispute. See Section 504 Grievance and Due Process Procedures.

FORMS

**NONDISCRIMINATION ON THE BASIS OF DISABILITY
(504/ADA GRIEVANCE PROCEDURE)**

Section I

The Board maintains that discrimination against a qualified disabled person solely on the basis of disability is unfair. To the extent possible, qualified disabled persons should be in the mainstream of life in a school community. In addition, the District is the recipient of federal funds and therefore must be in compliance with all laws and regulations which deal with disabled individuals.

Accordingly, employees of the District comply with the law and Board policy to ensure nondiscrimination on the basis of disability. The following is expected:

1. No one discriminates against qualified disabled persons in any aspect of school employment solely on the basis of disability.
2. Facilities, programs, and activities are made available to qualified disabled persons.
3. Free appropriate public education at elementary and secondary levels, including nonacademic and extracurricular services and activities, are provided to qualified disabled persons.
4. No one excludes any qualified disabled person, solely on the basis of disability, from participation in any preschool education, day care, adult education, or vocational education program.
5. Each qualified disabled person is provided with the same health, welfare, and other social services which are provided to others.

The Board of Education hereby designates the Superintendent or his/her designee as the District's Compliance Officer. The address and telephone number of the District's Compliance Officer is 25796 Royalton Road, Columbia Station, Ohio 44028-9445, telephone (440) 236-5008. The Compliance Officer will coordinate efforts to comply with this policy and to investigate complaints.

Section II - Grievance Procedure

This grievance procedure may be used for a complaint alleging a violation of Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act. A copy of the District's grievance procedure may be obtained from the District's Compliance Officer.

A person who believes she/he has a valid basis for a grievance shall discuss the grievance informally and on a verbal basis with the District's Compliance Officer, who shall in turn investigate the complaint and reply with an answer to the complainant. She/he may initiate formal procedures according to the following steps:

- Step 1 - District's Compliance Officer Conference. A person who believes he/she has a valid basis for a grievance may initiate a grievance by making a written request for a conference with the District's Compliance Officer to discuss the complaint and seek resolution. The request shall fully describe the grievance, citing the specific circumstances or areas of dispute which have resulted in the complaint, and be filed as

soon as possible, but not longer than ten (10) days after disclosure of the facts giving rise to the grievance. The District's Compliance Officer shall conduct the conference within five (5) school days following receipt of the request. The District's Compliance Officer will state in writing his/her decision to the individual within five (5) school days following the conference.

Step 2 - Appeal to the Superintendent. If the grievance is not resolved satisfactorily at Step 1, the District's Compliance Officer's decision may be appealed in writing to the Superintendent. (If the Superintendent is the District's Compliance Officer, Step 2 will be skipped. The Appeal is to Step 3). The appeal must be made within five (5) school days following the receipt of the District's Compliance Officer's decision. The Superintendent will review the case, may conduct an informal hearing, and will notify all parties in writing of his/her decision within ten (10) school days of receiving the appeal.

Step 3 - Appeal to the Board of Education. If the grievance is not satisfactorily resolved through Step 2, a written appeal may be made to the Board of Education. The grievance must be filed with the Superintendent's Office within five (5) school days of the Superintendent's written decision at Step 2.

The Board or its designee will conduct a hearing regarding the alleged grievance within thirty (30) school days of filing of the appeal. The parties can agree to extend the time for the hearing. The Board or designee shall give the complainant a full and fair opportunity to present evidence relevant to the issues raised by the grievance. The complainant may, at his/her own expense, be assisted or represented by individuals of their choice, including legal counsel. The Board or designee will make a written decision to the District's Compliance Officer and complainant within ten (10) school days of the hearing.

Section III - Due Process Hearing Procedure

1. When a request for a due process hearing is received, the aggrieved party will have the opportunity to receive a hearing conducted by an impartial hearing officer ("IHO") (i.e., by a person not employed by the Board of Education, not involved in the education or care of the child, and not having a personal or professional interest which would conflict with his/her objectivity in the hearing).
2. The parties can agree to refer the due process issue to mediation. The mediator may be selected from the Office for Exceptional Children.
3. The School District will maintain a list of IHOs, which may include IDEA hearing officers, attorneys, and Directors of Special Education outside the District. The District's Compliance Officer will appoint an IHO from that list, and the costs of the hearing shall be borne by the School District. The appointment of an IHO will be made within fifteen (15) school days after the request for a due process hearing is received.
4. A party to a due process hearing shall have:
 - a. The right to be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities;

- b. The right to present evidence, confront, and cross-examine witnesses;
 - c. The right to a written or electronic verbatim record of such hearing; and
 - d. The right to written findings of fact and decisions.
5. The IHO shall conduct the due process hearing within a reasonable period of time (i.e., not to exceed ninety (90) days of the request for such a hearing, unless this time-frame is mutually waived by the parties or is determined by the IHO to be impossible to comply with due to extenuating circumstances).
 6. The IHO will give the parent and/or student written notice of the date, time and place of the hearing. Notice will be given no less than twenty-one (21) days prior to the date of the hearing, unless otherwise agreed to by the parties.
 7. The person filing the grievance may be represented by another person of his/her choice, including an attorney.
 8. The IHO shall make a full and complete record of the proceedings.
 9. The IHO shall render a decision in writing to the parties within thirty (30) days following the conclusion of the hearing. The decision will include findings of fact.
 10. Either party shall have a right to appeal the decision of the IHO upon filing a written request for an appeal within fifteen (15) days of the date of the IHO's written decision. The appeal request must be timely filed with the District's Compliance Officer.
 11. In the request for an appeal, the requesting party shall specifically set forth the reasons the party feels the decision of the IHO is either contrary to and not supported by the evidence, or is otherwise contrary to law.
 12. The appeal shall be heard by another IHO, who shall be appointed by the District's Compliance Officer.

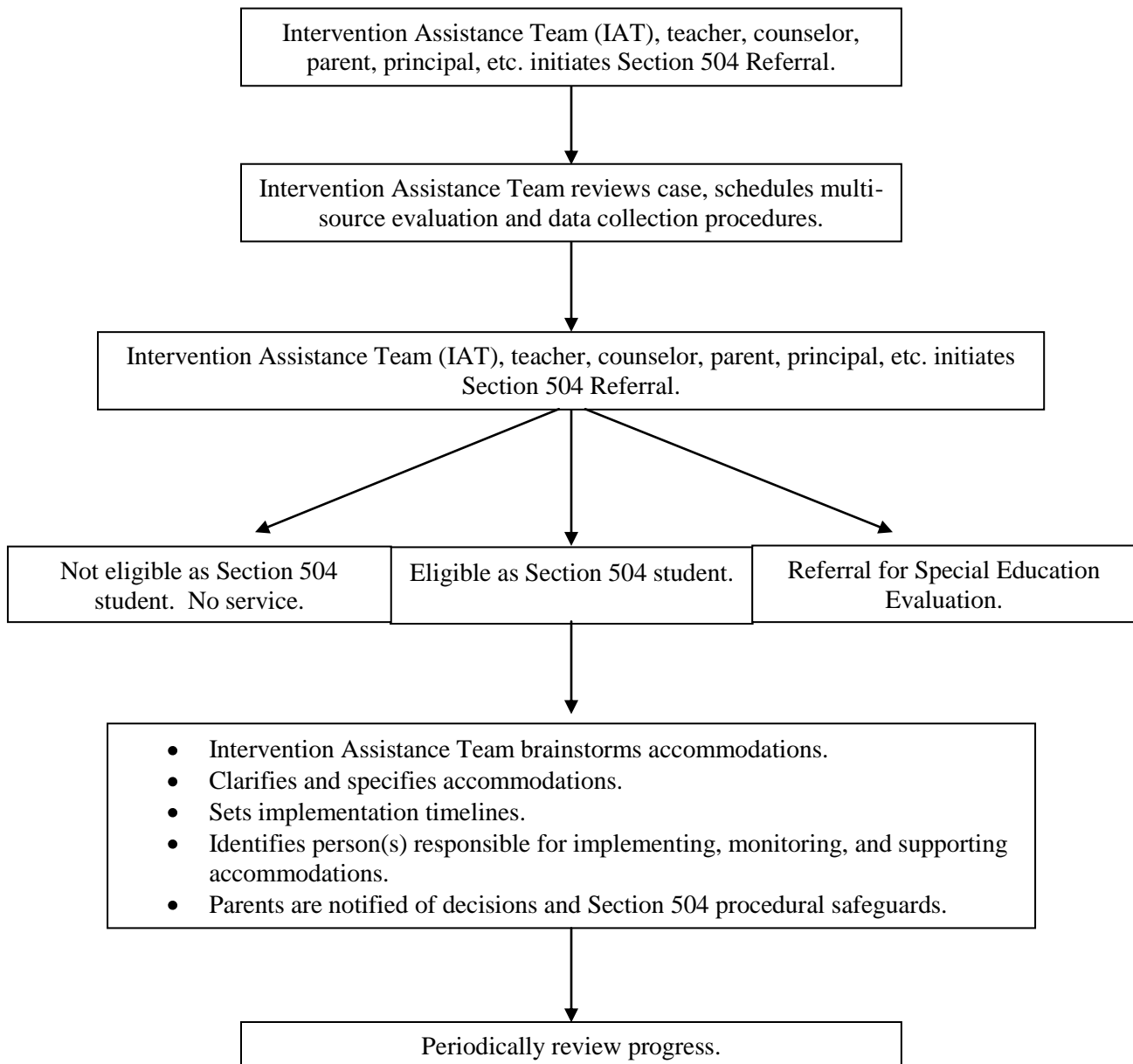
Adopted: April 17, 1996
Revised: July 21, 1999
Revised: September 21, 2005

LEGAL REFS.: Individuals With Disabilities Education Act; 20 USC 1401 et seq.
Rehabilitation Act of 1973; 29 USC 794
Americans With Disabilities Act; 42 USC 12112 et seq.
ORC 3323.01 et seq. Chapter 4112

CROSS REFS.: AC, Nondiscrimination/Harassment
ACA, Nondiscrimination on the Basis of Sex
AE, School District Goals and Objectives
GBA, Equal Opportunity Employment
IGBA, Programs for Disabled Students
JB, Equal Educational Opportunities

Columbia Schools, Columbia Station, Ohio

Section 504 Referral Flow Chart



Section 504 Referral Form

Student's Name: _____ Date of Referral: _____

Date of Birth: _____ Age: _____ Grade/Class: _____

School: _____ Teacher: _____

Parent(s) Name: _____

Address: _____ Telephone: _____

Reason(s) for Referral: _____

Pre-Referral Actions (Interventions) to Address Concerns: _____

Person Making Referral: _____

Please submit completed form to: _____

**Section 504 Parent Notification Letter
(Meeting of IAT Team)**

TO: Parent(s)/Guardian(s) of _____ Date _____

Dear Parent(s)/Guardian(s):

Your child has been experiencing some difficulty in the classroom. As a part of our effort to help him/her be more successful, I have asked members of our building Intervention Assistance Team to collect and review information concerning your child's learning and behavior. Information gathered will include a variety of activities such as records and grades review, student observations and interviews and other data collection efforts. Please be assured that your child is not suspected of being in need of special education services at this time.

You are a valuable member of this team, and we would appreciate your help in gathering and reviewing information. We hope you will be able to join us for the Intervention Assistance Meeting at the time indicated below.

Principal

Date

Notice of IAT Meeting

The meeting is scheduled for _____ at _____ at _____
(Date) (Time)

(Location)

If you have any questions, or need additional information, please contact:

Name _____ Phone Number _____

PLEASE RETURN THE ATTACHED PAGE (Form 504-12)

**Section 504 Parent Notification Letter
(Meeting to Review 504 Evaluation)**

TO: Parent(s)/Guardian(s) of _____ Date _____

Dear Parent(s)/Guardian(s):

As we discussed during our last Intervention Assistance Team Meeting, we want to reconvene to review your child's 504 evaluation results and to discuss plans to meet your child's needs. Our goal continues to be identifying ways to help your child experience success.

You are a valuable member of this team, and we would appreciate your help in gathering and reviewing information. We hope you will be able to join us for the Intervention Assistance Meeting at the time indicated below.

Principal

Date

Notice of IAT Meeting

The meeting is scheduled for _____ at _____ at
(Date) (Time)

(Location)

If you have any questions, or need additional information, please contact:

Name _____ Phone Number _____

PLEASE RETURN THE ATTACHED PAGE (Form 504-12)

District Personnel Invitation to IAT Meeting

Name of Child/Student _____

Date of Birth _____

Date Sent _____

An IAT meeting will be held for the above-named student. The purpose of this letter is to invite you to attend.

The meeting is scheduled for _____ at _____ at
(Date) (Time)

(Location)

Please bring student work samples or other information documenting the child's present levels of performance in your areas of responsibility.

If you cannot attend, please immediately notify: _____
If classroom coverage is necessary, please notify your building principal.

Thank you,

Principal

Date

Copies: Student File
IAT Participants

Section 504 Consent to Evaluate

To the Parent or Guardian of _____ Date: _____

Your child has been referred for a 504 assessment due to the following concerns:

In order to help your child be more successful, we feel that it is beneficial to collect some information which may include performing some evaluations to assess present concerns.

Our goal after this evaluation is to find ways to effectively accommodate your child in the regular classroom through instructional interventions. After the evaluation, a conference with you will be scheduled.

Thank you for your time. If you have questions, please call _____
 at _____.

Please complete this form and return it to your child's school.

I CONSENT to the evaluation. _____
 Parent/Guardian Signature Date

I DO NOT CONSENT to the evaluation. _____
 Parent/Guardian Signature Date

Telephone number(s) where you can be reached

Principal

Date

**Notice of Parent and Student Rights
Section 504 and the Americans with Disabilities Act**

You have the right to be informed by the school district of your rights under Section 504 and the ADA.

Your child has the right to an appropriate education designed to meet his or her individual needs as adequately as the needs of nondisabled students are met.

Your child has the right to free educational services except for those fees that are imposed on nondisabled students or their parents.

Your child has a right to facilities, services, and activities that are comparable to those provided nondisabled students.

Your child has a right to an evaluation prior to an initial 504/ADA placement and any subsequent significant change in placement.

Testing and other evaluation procedures must conform with the requirements of 34 CFR 104.35 including validation, administration, and areas of evaluation. The district shall consider information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background and adaptive behavior.

Placement decisions must be made by a group of persons including persons knowledgeable about your child, the meaning of the evaluation data, the placement options, and the legal requirements for least restrictive environment and comparable facilities.

If eligible under 504/ADA, your child has a right to periodic reevaluations, generally every three years.

You have the right to notice prior to any action by the district in regard to the identification, evaluation, or placement of your child.

You have the right to examine relevant records.

You have the right to an impartial hearing with respect to the district's actions regarding your child's identification, evaluation, or educational placement, with the opportunity for parental participation in the hearing and representation by an attorney.

If you wish to challenge the actions of the 504 committee in regard to your child's identification, evaluation, or educational placement, you may file a written request for due process with the district's 504 Compliance Officer within 30 calendar days from the time you received written notice of the committee's actions. A hearing will be scheduled before an impartial hearing officer and you will be notified in writing of the date, time, and place for the hearing.

On 504 matters other than your child's identification, evaluation, and placement you have a right to file a complaint with the district's 504 Compliance Officer, who will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution.

You also have a right to file a complaint with the Regional Office of Civil Rights, Cleveland, Ohio.

Parent(s) signature: _____ Date: _____

School representative: _____ Date: _____

Section 504 Assessment Report

Date _____

Initial Reevaluation

Male Female

Student Name: _____ DOB: _____

School: _____ Grade: _____

Parent: _____ Phone Number: _____

Area(s) of Concern

Intervention(s) in Place

Findings/Assessment Results Summary (Attach Documentation)

Medical Information: _____

Attendance Data (Attendance Patterns, Schools Attended): _____

Report Card/Transcript Information (Current Grades, Past Grades, Retentions): _____

Discipline Record/Behavior History: _____

Group Tests Results: _____

Student Name _____

Date _____

Teacher Information: _____

Parent Information: _____

Rating Scale Information: _____

Observation Data (Study Skills, Effort Ratings, Work Habits): _____

Work Sample Data/Other: _____

Consideration Factors in determining whether an impairment substantially limits learning. Generally, multiple factors will be necessary to demonstrate substantial limitations.

- Yes No Has the student demonstrated a consistent need for substantially more time to complete homework assignments than required by students without disabilities?
- Yes No Has the student demonstrated a consistent need for substantially more time to complete in-school assignments than required by students without disabilities?
- Yes No Is modified testing consistently necessary for the student to be able to demonstrate knowledge?
- Yes No Does the student exhibit frequent behaviors, such as drowsiness, impulsivity, inattentiveness, or aggressiveness, associated with an identified physical or mental impairment or medication taken to address the condition and do these behaviors significantly interfere with school performance?
- Yes No Does the student exhibit significant difficulty with planning, organization, and execution of school-related activities and assignments?
- Yes No Is the student chronically absent or tardy for reasons related to a diagnosed physical or mental impairment and are such absences or tardies interfering with his/her school performance?
- Yes No Has the student experienced a steady decline in academic performance for which there is no known cause other than the diagnosed physical or mental impairment?
- Yes No Has the student experienced a steady increase in disciplinary interventions for which there is no known cause other than the diagnosed condition?
- Yes No After at least two intervention strategies have been implemented in regular education, does the student still exhibit significant learning difficulties?

Student Name _____

Date _____

Eligibility Criteria and Determination

Yes No Student has a mental or physical impairment.

Yes No Student's impairment substantially limits the following major life activity/activities:

Caring for oneself Walking Hearing Breathing Working

Performing manual tasks Seeing Speaking Learning

Yes No Student meets 504 eligibility criteria.

Rationale for Determination/Recommendations

Assessment Team Members

<u>Name</u>	<u>Title</u>	<u>Agreement</u>
_____	_____	<input type="checkbox"/> Agree <input type="checkbox"/> Disagree
_____	_____	<input type="checkbox"/> Agree <input type="checkbox"/> Disagree
_____	_____	<input type="checkbox"/> Agree <input type="checkbox"/> Disagree
_____	_____	<input type="checkbox"/> Agree <input type="checkbox"/> Disagree
_____	_____	<input type="checkbox"/> Agree <input type="checkbox"/> Disagree
_____	_____	<input type="checkbox"/> Agree <input type="checkbox"/> Disagree
_____	_____	<input type="checkbox"/> Agree <input type="checkbox"/> Disagree
_____	_____	<input type="checkbox"/> Agree <input type="checkbox"/> Disagree

IAT Chairperson Signature

Projected Review Date

**Section 504 Parent Notification Letter
(Student Not Needing 504 Plan)**

TO: Parent(s)/Guardian(s) of _____ Date _____

Dear Parent(s)/Guardian(s):

This letter summarizes the meeting that occurred on _____ with the parent(s)/guardian(s) of _____ regarding the eligibility requirements of students under Section 504 of the 1973 Rehabilitation Act. Your child has been diagnosed with an impairment that might limit his/her ability to learn or to perform another major life activity. Your child's current performance does not indicate that the impairment is substantially limiting learning nor requiring special accommodations. This is evident based on report card results, proficiency/standardized test results, current teacher comments and observation, and parent(s)/guardian(s) comments and observations.

At the meeting, we agreed that your child is not disabled and does not meet the definition nor requires a plan under Section 504 of the Rehabilitation Act. The parent(s)/guardian(s) or school personnel may revisit this decision by reconvening a team meeting.

If you have any questions or comments, please contact:

Name _____ Phone Number _____

Thank you in advance for your cooperation and support.

Administrator

Section 504 Student Accommodation Plan

Student: _____ Date of Birth: _____ Grade/Class: _____

School: _____ Date of Assessment: _____ Date of Assessment Conference: _____

Date of Plan: _____

Describe the nature of the known or suspected disability and the impact on the student's educational performance. _____

The intervention Assistance Team (IAT) concludes that the student is a qualified individual with a disability under Section 504 of the Rehabilitation Act of 1973. In accordance with the Section 504 guidelines, the school has agreed to make reasonable accommodations and address the student's individual needs by:

PHYSICAL ARRANGEMENT OF ROOM

- seating student near the teacher
- seating student near positive role model
- increasing the distance between desks
- standing near the student when giving directions/presenting lesson
- avoiding distracting stimuli such as air conditioner and high traffic area

Additional accommodations:

Name _____

Date of Plan _____

LESSON PRESENTATION

- | | |
|--|---|
| <input type="checkbox"/> pairing students to check work | <input type="checkbox"/> teaching through multi-sensory modes |
| <input type="checkbox"/> providing written outline | <input type="checkbox"/> providing peer note taker |
| <input type="checkbox"/> writing key points on board | <input type="checkbox"/> using computer-assisted instruction |
| <input type="checkbox"/> allowing student to tape record lessons | <input type="checkbox"/> making sure directions are understood |
| <input type="checkbox"/> providing peer tutoring | <input type="checkbox"/> including a variety of activities during each lesson |
| <input type="checkbox"/> having child review points orally | <input type="checkbox"/> breaking longer presentations into shorter segments |
| <input type="checkbox"/> providing visual aides | |

Additional Accommodations:

ASSIGNMENTS/WORKSHEETS

- | | |
|--|--|
| <input type="checkbox"/> giving extra time to complete tasks | <input type="checkbox"/> requiring fewer responses to achieve grade |
| <input type="checkbox"/> using self-monitoring devices | <input type="checkbox"/> allowing student to tape record assignments/homework |
| <input type="checkbox"/> simplifying complex directions | <input type="checkbox"/> providing a structured routine in written form |
| <input type="checkbox"/> reducing homework assignments | <input type="checkbox"/> providing study skills training/learning strategies |
| <input type="checkbox"/> handing worksheets out one at a time | <input type="checkbox"/> giving frequent short quizzes and avoiding long tests |
| <input type="checkbox"/> not grading handwriting | <input type="checkbox"/> shortening assignments; breaking work into smaller segments |
| <input type="checkbox"/> reducing the reading level of assignments | <input type="checkbox"/> allowing typewritten or computer printed assignments |

Additional Accommodations:

Name _____

Date of Plan _____

TEST TAKING

- | | |
|---|---|
| <input type="checkbox"/> allowing open book exams | <input type="checkbox"/> giving take home tests |
| <input type="checkbox"/> allowing extra time for exam | <input type="checkbox"/> using more objective (fewer essay) responses |
| <input type="checkbox"/> giving exam orally | <input type="checkbox"/> allowing student to give test answers on tape recorder |
| <input type="checkbox"/> reading test item to student | <input type="checkbox"/> giving frequent short quizzes, not long exams |

Additional Accommodations:

ORGANIZATION

- providing peer assistance with organizational skills
- assigning volunteer homework buddy
- allowing student to have an extra set of books at home
- sending daily/weekly progress reports home
- developing a reward system for in-school work and homework completion
- providing student with a homework assignment notebook

Additional Accommodations:

Name _____

Date of Plan _____

BEHAVIORS

- | | |
|--|--|
| <input type="checkbox"/> giving extra privileges and rewards | <input type="checkbox"/> implementing time-out procedures |
| <input type="checkbox"/> keeping classroom rules simple and clear | <input type="checkbox"/> cueing student nonverbally to stay on task |
| <input type="checkbox"/> making "prudent use" of negative consequences | <input type="checkbox"/> marking student's current answers, not errors |
| <input type="checkbox"/> allowing for short breaks between assignments | <input type="checkbox"/> implementing a behavior management system |
| <input type="checkbox"/> ignoring behaviors not drastically outside classroom limits | <input type="checkbox"/> using self-monitoring strategies |
| <input type="checkbox"/> increasing immediacy of rewards | <input type="checkbox"/> contracting with the student |

Additional Accommodations:

MEDICATION

Name of Physician _____

Phone Number _____

Medication(s) _____

Schedule _____

Monitoring of Medication(s): daily weekly as needed basis

Administered by _____

Name _____

Date of Plan _____

PARTICIPANTS (Name/Title)

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

IAT Chairperson's Signature _____

Columbia Local Schools Section 504 Student Accommodation Plan

Name: _____ Birth date: _____ Student ID#: _____

Grade: _____ School: _____ Date: _____

I. Impairment/ Disability under Section 504

A. Describe the impairment/disability under Section 504:

(example: has been diagnosed with and is currently.....medication.)

B. Describe how the impairment/disability affects a major life activity:

(example: Learning is a major-life activity that is substantially limited. Due to the diagnosis of we have identified that it is difficult for _____ to..... during and after school hours.)

II. Review/ Re-evaluation Date: To be determined by home or school during the _____ school year.

Participants:

Title:

Principal

Guidance Counselor

Teacher

Parent Invitation to Section 504 Meeting

Student Name: _____ Date of Birth: _____

School: _____ Grade: _____ Teacher(s): _____

A meeting is scheduled to discuss your child's educational needs and applicable programs or modifications.

This meeting will take place:

DATE: _____

TIME: _____

LOCATION: _____

We recommend that you attend this meeting and bring any relevant information.

If you wish to have further information or have any questions, please contact:

504 Contact Person: _____

Telephone: _____

Sent by: _____

Date: _____

Please complete and return the attached response form within five days. (Form 504-12)

Parent Invitation Response Form

Please return this form to the person listed at the bottom of the page within five (5) days.

Name of Child: _____

I will attend the meeting at the scheduled time. _____
Date Time

I want to come, but I cannot attend the meeting at the scheduled time.
I am available _____
Date(s) Time(s)

I cannot attend.

Parent/Guardian Signature Date

Please return form to:

Name and Title

School

Address

Telephone Number

Copies: Section 504 Compliance Officer
Student File
Parent

Parent/Guardian/Student Consent for Records Release

To: _____ Re: _____

(Street Address) Age: _____ Birth Date: _____

(City, State, Zip)

From: _____
(Name) (Street Address)

(Agency) (City, State, Zip)

We are requesting *the* following information/records for the above-named student:

- All personally identifiable data on file.
- The following records only: (please specify)

Reason for request: (please check)

- To aid in making present and future educational decisions.
- Other: (please specify)

With the understanding that the district cannot assume responsibility for the confidentiality of educational information disclosed, I authorize you to release educational information regarding the student names above in the manner indicated.

(Date)

(Signature of parent/guardian)

(Address)

(City, State, Zip Code)

FOR OFFICE USE ONLY	
Date Data Released _____	by _____ (Name/Position)
Date Copies Mailed _____	by _____ (Name/Position)

APPENDIX

Frequently Asked Questions

What are the guidelines or criteria that determine if a child qualifies for 504/ADA?

A group of knowledgeable individuals in the school makes a determination whether or not a physical or mental impairment results in a substantial limitation of a major life activity, There are no specific criteria provided for eligibility purposes.

Does an evaluation of no exceptionality automatically qualify a student for 504/ADA?

No. In order to be eligible for Section 504/ADA services, a student must have a physical or mental impairment. A student does not have to have a clinical label in order to be eligible for services.

Does a child qualify for 504/ADA while being evaluated or before being evaluated for IDEA?

Not unless the child has a physical or mental impairment that results in a substantial limitation of a major life activity. Being referred for IDEA services is not linked to eligibility under 504/ADA.

Should a 504/ADA plan be written on a student who is referred for an IDEA evaluation at the time of referral?

No. Again, eligibility for 504/ADA services is not linked to IDEA procedures.

When does a student qualify for 504 due to behavioral problems?

When a group of knowledgeable persons determines that the behavior is a result of a physical or mental impairment and a major life activity has been substantially limited.

Can a 504/ADA student be expelled/suspended?

Yes, if a manifest determination indicates that the disability is not related to the behavior and the behavior results in expulsion or suspension for other students.

What safeguards/rights are related to expulsion/suspension?

A manifest determination must be made. If the determination is that the behavior is related to the disability, then the student may not be expelled or suspended for more than ten days. If there is no relationship, the student can be disciplined like other students.

Should there be written documentation that a parent has been invited to a meeting?

Yes. Parents must be notified about procedures under 504 and the ADA and documentation should be kept verifying such notification.

Is there any recourse for a child with ADD/AMID who is on medication, but is not taking it at home? Is the accommodation plan still in effect?

Schools cannot dictate whether or not students take medication. This is strictly a parent decision. Schools must deal with the child however he presents himself with or without the medication.

What are suggested modifications for assistance with behavior in general classrooms for 504 students with behavior disorders?

Implement a behavior intervention plan, seating arrangement, positive reinforcements, individual behavioral contract.

Whose responsibility is it to notify the school of a diagnosis when a student has been to a doctor or mental health facility?

The parents. Medical information is confidential and can only be shared with parental consent.

Can students with consistent behavior problems (suspensions/past expulsions) qualify for 504 without an official diagnosis?

Yes. If the committee determines that a physical or mental impairment exists, then the committee may make the determination that the child is eligible. No specific clinical label is required.

If a parent disagrees with the decision of the 504/ADA committee, what should be the next step?

The parent must be informed of his/her due process rights. The decision to appeal the decision is the parent's.

Should a student who is gifted/talented, with behavior problems, have a 504 plan?

If the committee decides that the child is eligible, then the child must have a 504 plan.

Does a student have to be on medication if they are 504/ADD/AMID?

No. To medicate or not is the parent's decision.

Discipline and Section 504 and the ADA

Students served under Section 504 and the ADA are treated similar to students served under IDEA with regard to discipline. First, these students can definitely be disciplined. Rules and standards can be applied to these students just as they are applied to nondisabled students. The important thing to consider is that these students have an equal opportunity to be successful with classroom rules and behavioral regulations. In order to ensure this with some students, a behavior intervention plan may be necessary to have in place.

Before taking certain actions with students served under Section 504 and the ADA, school personnel must follow specific steps. The following summarizes some of the considerations when dealing with students protected by these two laws:

- Disciplinary procedures for students under 504 and the ADA are similar to those under IDEA.
- Under IDEA, 504, and the ADA, all students are entitled to oral or written notice of charges and the opportunity to tell their side before suspensions of ten days or less, and a formal hearing before a suspension of more than ten days.
- Expulsion or suspensions of ten or more days are considered a *change of placement* and require procedural requirements of IDEA or 504/ADA.
- A *manifestation determination* must be made before suspending or expelling a student under IDEA or 504/ADA for more than ten days.
- Suspensions of less than ten days are permissible but cannot set a pattern (school officials should review appropriateness of the placement if cumulative time is more than ten days).
- If a *manifestation determination* shows no relationship between the behavior and disability, then the student may be disciplined as any other student.
- If a *manifestation determination* shows that there is a relationship between the behavior and disability, then the student may NOT be expelled or suspended; the school should consider the appropriateness of the current program and consider appropriate changes.
- IDEA students who are expelled must continue to receive a FAPE; 504 students do not have
- to be provided with FAPE during expulsion or suspension for behavior not related to the disability.
- Students currently engaged in drug or alcohol abuse are not protected under Section 504.

Examples of Accommodations and Modifications

In order for schools to provide an appropriate education for students who are protected under Section 504 and the ADA, accommodations and modifications will likely be necessary. These may be implemented in special education classrooms or general education classes. The vast majority of accommodations and modifications for students served under 504 and the ADA will occur in general education classrooms. There are numerous accommodations and modifications that schools can include in students' educational plans. OCR (1989) describes the following as examples of these accommodations and modifications:

- A student with a long term, debilitating medical problem such as cancer, kidney disease, or diabetes may be given special consideration to accommodate the student's needs. For example, a student with cancer may need a class schedule that allows for rest and recuperation following chemotherapy.
- A student with a learning disability that affects the ability to demonstrate knowledge on a standardized test or in certain testing situations may require modified test arrangements, such as oral testing or different testing formats.
- A student with a learning disability or impaired vision that affects the ability to take notes in class may need a note taker or tape recorder.
- A student with a chronic medical problem such as kidney or liver disease may have difficulty in walking distances or climbing stairs. Under Section 504, this student may require handicapped parking, sufficient time between classes, or other considerations, to conserve the student's energy for academic pursuits.
- A student with diabetes, which adversely affects the body's ability to manufacture insulin, may need a class schedule that will accommodate the student's special needs.
- An emotionally or mentally ill student may need an adjusted class schedule to allow time for regular counseling or therapy.
- A student with epilepsy who has no control over seizures, and whose seizures are stimulated by stress or tension, may need accommodations for such stressful activity as lengthy academic testing or competitive endeavors in physical education.
- A student with arthritis may have persistent pain, tenderness or swelling in one or more joints. A student experiencing arthritic pain may require a modified physical education program.

More Accommodations

Classroom Accommodations

- Special toilet accommodations
- Classes on first floor of building
- Seated near chalk board
- Seated near teacher's desk
- Seated near teacher aide's desk
- Seated away from other students
- Provided daily schedule of activities
- Allowed to leave before bell rings
- Seated in study carrel
- Utilize writing aids from OT
- Provided additional set of books
- Provided tape recorder
- Provided with note taker
- Provided with copy of lecture notes
- Provided with necessary note-taking materials
- Provided with written lists of information, directions
- Moved closer to what is being viewed
- Located in a room with minimized distractions
- Assigned to another school
- _____
- _____
- _____

Administrative Accommodations

- Assigned to another school
- Referred to vocational rehabilitation
- Provide each teacher a copy of accommodation plan
- Reassign to a different teacher
- Reassign to a male teacher
- Reassign to a female teacher
- Allowed to leave school before end of day
- Allowed to leave class early training for teachers in learning styles
- Monthly meeting for student's teachers
- Variance from attendance policy
- Air purifier in classroom
- Provide special temperature control equipment
- Health plan for student
- Special parking
- Assigned to a guidance counselor
- _____
- _____

Academic Accommodations

- Daily posted schedule for student
- Student will repeat phrases, directions
- Extra time for assignments
- Assignments on larger lined paper
- Information presented in smaller chunks
- More drill and practice activities
- Participation in Title I programs
- Participation in cooperative learning groups
- Allowed to complete work late
- Allowed to tape lessons
- Provided with lecture notes
- Provided with large print materials
- Handouts in large print
- Instructions for outlining key ideas o Instruction in learning strategies
- Allowed taped texts
- Visual instruction (overheads, etc.) 1:3 Repeated or paraphrased instructions
- Instructions on test-taking
- Assigned a caseworker
- ID Assistance from teacher's aide
- Reminder about listening
- Information presented loudly
- Homework assignment notebook will be used
- Allowed to ask questions
- _____
- _____
- _____

Social Accommodations

- Role playing activities
- Periodic rewards for positive behavior
- Participation in development of behavior management plan
- Behavior checklists used for evaluation
- Participate in group counseling
- Peer counselors and tutors
- Use of time out when needed
- No touching other students
- Feet remain on floor
- Hands remain to self
- Attempt work independently before assistance provided
- _____
- _____
- _____

Testing Accommodations

- Tested with curriculum based assessment
- Test taken home evening before test
- Oral testing
- Reader during testing
- Tests in large print
- Oral review of test material
- Open-book tests
- Reduced length of tests
- Individually tested
- Test printed in black, large letters
- Provided with scribe
- _____
- _____
- _____

Special Considerations:

- _____ suggesting parenting program(s)
- _____ monitoring student closely on field trip
- _____ inservicing teacher(s) on child's disability
- _____ providing social skills group experiences
- _____ developing intervention strategies for transitional periods (e.g., cafeteria, physical education, etc.)
- _____ alerting bus driver
- _____ suggesting agency involvement
- _____ providing group/individual counseling

Behavior Accommodations

- Needs a contract to control behavior (individualized behavior plan)
- Needs a second chance due to inconsistent performance (despite student effort)
- Needs help and reassurance to handle moods and frustration
- Do not ask student to read orally in class (unless volunteers)
- Pair with a good role model
- Amend the usual consequences for misbehavior (which don't harm others)
- Focus on social process rather than activity/end product
- Use cooperative learning
- Teach social communication skills:
 ___ greetings ___ conversation ___ turn taking ___ sharing ___ negotiation
- Needs to receive concrete reinforcement (e.g. stickers, crackers, earning parent-provided toy, recess time, etc. where age appropriate)
- Needs a cooling-off place away from class
- Use behavior check cards
- _____
- _____
- _____

Behaviors:

- _____ praising specific behaviors
- _____ using self-monitoring strategies
- _____ giving extra privileges and rewards
- _____ keeping classroom rules simple and clear
- _____ making "prudent use" of negative consequences
- _____ allowing for short breaks between assignments
- _____ cueing student to stay on task (nonverbal signal)
- _____ marking student's correct answers, not his mistakes
- _____ implementing a classroom behavior management system
- _____ allowing student time out of seat to run errands, etc.
- _____ ignoring inappropriate behaviors not drastically outside classroom limits
- _____ allowing legitimate movement
- _____ contracting with the student
- _____ increasing immediacy of rewards
- _____ implementing time-out procedures

Additional Accommodations
