



Section 504 Policy and Procedures Manual

2012

*Psychological Services Department
Charlotte County Public Schools
1445 Education Way
Port Charlotte, FL 33948
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Table of Contents

Section 504 Committee Team Members	3
Acknowledgements	4
Section 504 Policy	5
I. <u>Overview</u>	6
A. Definition	7
B. What is a Physical or Mental Impairment?	7
C. What is a Major Life Activity?	8
D. What is a Substantial Limitation?	8
E. Who Does Section 504 Cover Within the Public School System?	9
F. Purpose of Section 504 at School: Leveling the Playing Field”	9
II. <u>Procedures</u>	10
A. Referral	11
B. Evaluation	11
• Setting up the 504 Meeting	12
• At the Meeting	13
C. Eligibility	13
• Students suspected of having ADHD or other psychiatric conditions	14
• Students with a written diagnosis of ADHD and are initially referred for Section 504	14
D. Section 504 Plan	15
E. Annual Review	16
F. Re-evaluation Procedures	16
G. Section 504 Transfer Procedures	16
H. Temporary Section 504 Impairment	17
I. Discipline/Manifestation Determination	17
J. Good Cause Exemption	18
K. Grievance Procedures	18
L. Hearing Procedures	19
M. John McKay Scholarships for Students with Disabilities Program	19
III. <u>Appendix</u>	20
Section 504 Forms	21
➤ <i>Section 504 Referral Form</i>	22
➤ <i>Section 504 Meeting Invitation</i>	23
➤ <i>Notice of Section 504/ADA Procedural Information and Rights</i>	24
➤ <i>Section 504 - A Guide for Parents and Students</i>	25
➤ <i>Parent Planning Notes for Section 504</i>	26
➤ <i>Notice and Consent for Initial Section 504 Evaluation</i>	27
➤ <i>Section 504 Teacher Input Form</i>	28
➤ <i>Section 504 Committee Eligibility Report</i>	29 (3 pages)
➤ <i>Section 504 Plan</i>	32
➤ <i>Transportation for a Student with a Section 504 Disability</i>	33
➤ <i>Section 504 Manifestation Determination</i>	34
➤ <i>Documentation of Receipt of Section 504 Plan</i>	35
Forms for students with a written diagnosis of ADHD and are initially referred for Section 504	36
➤ <i>Brief Behavioral Consultation Request</i>	37
➤ <i>Cumulative File Review and Observations</i>	38
Section 504 Accommodation and Modifications Guide	39
➤ <i>Table of Contents for 504 Accommodations and Modifications Guide</i>	40
➤ <i>Accommodations for Dealing with Specific Disorders of Children with Attention Deficit Disorders</i>	41 (4 pages)
➤ <i>Examples of 504 Accommodations</i>	45
➤ <i>Accommodations and Modifications (adapted from the Office of Civil Rights)</i>	46 (8 pages)
Section 504 Frequently Asked Questions	55 (2 pages)
Section 504 Quick Guide for <u>Initial Eligibility</u>	58
Section 504 Quick Guide for <u>Annual Review</u>	60
Section 504 Quick Guide for <u>Re-evaluation</u>	62
Section 504 Quick Guide for <u>Manifestation</u>	64
Section 504 Quick Guide for <u>Grievance Procedures</u>	66
Section 504 Data Entry Procedures	68 (2 pages)

Section 504 Committee Team Members

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This manual is designed to provide policy and procedures to assist in determining Section 504 eligibility.

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Numerous resources were reviewed during this endeavor which included:

“Aiken County Public Schools Section 504 Manual” (2008)

Aiken County Public School District, Aiken, South Carolina

“Ames Community School District, Section 504 and Americans with Disabilities Act, Desk Reference for Administrators” (2006)

Ames Community School District, Ames, Iowa

“Procedures Manual: Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act” (2009)

The District School Board of Collier County, Naples, Florida

“District Guide for Meeting the Needs of Students: Section 504 of the Rehabilitation Act of 1973” (2005)

Florida Department of Education, K12 Public Schools, Bureau of Exceptional Education and Student Services, Tallahassee, Florida

“District Implementation Guide for Section 504: Section 504 of the Rehabilitation Act of 1973” (2011)

Florida Department of Education, Division of Public Schools, Bureau of Exceptional Education and Student Services, Tallahassee, Florida

“The Keys to Compliance: Implementing Section 504 as Amended by the ADA08” (2010)

James F. McKethan, Ed.D. - presented at the Florida Section 504 Conference, November 12, 2010, Winter Haven, Florida

“What Do I Do When ...The Answer Book on Section 504, Third Edition” (2009)

John W. Norlin, Esq.

“Protecting Students with Disabilities: Frequently Asked Questions About Section 504 and the Education of Children with Disabilities” (2009)

Office for Civil Rights (OCR), United States Department of Education, Atlanta, Georgia

“As Good As It Gets: Section 504 Up-Date - Cases and Concerns for Florida Schools” (2009)

David M. Richards of Richards Lindsay & Martin, L.L.P. - presented at the 2009 Administrators' Management Meeting in St. Petersburg, Florida

“Charting an Ever-Changing Course: Emerging Legal Issues in Federal Disability Law” (2010)

David M. Richards of Richards Lindsay & Martin, L.L.P. - presented at the 2010 Administrators' Management Meeting in St. Petersburg, Florida

“I Walk the Line: Where is the Section 504 Line Two Years After the ADA?” (2011)

David M. Richards of Richards Lindsay & Martin, L.L.P. - presented at the 2011 Administrators' Management Meeting in St. Petersburg, Florida

“Saint Paul Public Schools Section 504 Handbook” (2009)

Saint Paul Public Schools, Saint Paul, Minnesota

“Sevier County School System Section 504 Plans: Examples of Program Accommodations and Adjustments”

Sevier County School District, Sevierville, Tennessee

The Section 504 Committee would like to extend a special thank you to The Hernando County School Board, Student Services Department, for use of their *Section 504 Policy and Procedures Manual (2009)* which served as a model for adaptation of this document.

The committee also wishes to express special appreciation to
Kathy Januzzi, Administrative Assistant to the
Coordinator of Psychological Services

The School Board of Charlotte County, Florida Section 504 - Policy

Consistent with School Board Policy 2260.01 (Section 504/ADA Prohibition Against Discrimination Based on Disability) it is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may be considered disabled under this policy even though they do not require services pursuant to the Individuals with Disability Education Improvement Act (Exceptional Student Education).

Under Section 504 due process rights are guaranteed in the Charlotte County Public Schools for students with disabilities.

For questions related to Section 504, you may contact Steven Jones, Coordinator of Psychological Services for the School Board of Charlotte County, between the hours of 7:30 A.M. and 4:00 P.M., Monday through Friday at:

1445 Education Way
Port Charlotte, Florida 33948
Telephone: (941) 255-0808, extension 3062

The principal is the building level coordinator of Section 504 and is responsible for monitoring compliance of all Section 504 requirements.

The School Board complies with all federal laws and regulations prohibiting discrimination and with all requirements and regulations of the U.S. Department of Education. It is the policy of the Board that no person in this District shall, on the basis of race, color, religion, national origin, age, gender, marital status, disability, or legally-protected characteristic, be discriminated against, excluded from participation in, denied the benefits of, or otherwise be subjected to, discrimination in any program or activity for which the Board is responsible or for which it receives financial assistance from the U.S. Department of Education.

Policy 1122

SECTION 504

OVERVIEW

I. Overview

- A. **Definition:** Section 504 of the Rehabilitation Act of 1973
(Public Law 93-112, amended as Public Law 93-516)

Section 504 is a civil rights law that prohibits discrimination against qualified individuals with disabilities in public and private programs and activities that receive financial assistance from the federal government. Compliance for Section 504 is overseen by the U.S. Department of Education Office for Civil Rights (OCR).

Section 504 guarantees qualified disabled individuals a free appropriate public education.

An individual is considered disabled if he or she

- Has a physical or mental impairment which substantially limits one or more major life activities. Major life activities include, but are not limited to, walking, standing, seeing, sleeping, hearing, speaking, breathing, learning, eating, reading, concentrating, thinking, communicating, working, lifting, bending, caring for oneself and performing manual tasks. This is not an all inclusive list of major life activities.
- Has a record of such an impairment, or
- Is regarded as having an impairment

Example An individual who falls under the second or third prong of the definition is protected by Section 504 only when negative action is taken based on the fact that he/she has a “record of” or is “regarded as” disabled. These prongs are meant to reach situations where individuals either never were or are not currently disabled, but are treated by others as if they were. It is the negative action taken based on the perception or the record that entitles an individual to protection against discrimination on the basis of the assumptions of others. It is rare for these last two prongs to be used in elementary and secondary schools. They cannot be the basis upon which the requirement for FAPE (Free Appropriate Public Education) is triggered.

B. What is a Physical or Mental Impairment?

A physical or mental impairment includes any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting any of the body systems or any mental or psychological disorder. These disorders may include, but are not limited to Asthma, Epilepsy, Cancer, Heart Disease, Obsessive Compulsive Disorder, Bi-Polar Disorder, ADHD, Peanut Allergy, or a Learning Disability. This physical or mental impairment does not constitute a disability under Section 504 **unless its severity is such that it substantially limits one or more major life activities.**

The Section 504 statute explicitly excludes from the qualifying term “individual with a disability” a variety of “sexual behavior disorders,” such as exhibitionism and voyeurism. Compulsive gambling, kleptomania, and pyromania also are excluded as qualifying impairments as well as “psychoactive substance use disorders resulting from current illegal use of drugs.” Age and conditions resulting from cultural, environmental, or economic factors are not considered disabilities under Section 504.

C. What is a Major Life Activity?

A major life activity includes functions such as self-care, performing manual tasks, walking, seeing, hearing, speaking, breathing, working and learning. Other major life activities include eating, sleeping, standing, lifting, bending, reading, concentrating, thinking and communicating. Major bodily functions that are major life activities include functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions. **This is not an all inclusive list.**

D. What is a Substantial Limitation?

This question has several considerations and should be discussed by the 504 Committee

- The extent to which an impairment restricts an individual's major life activities as compared to the average person. An example of a person with a substantial limitation of a major life activity is a person with Sickle Cell Anemia which causes severe back and joint pain, and may limit the person's ability to walk. If this person can walk only a very short distance before having to rest, and the average person can walk 1 mile before having to rest, then this would be a **substantial limitation of walking**. Please note "Substantial limitation" does not mean "significantly restricted."
- A temporary impairment does not constitute a disability for purposes of Section 504 unless its severity is such that it results in a substantial limitation of one or more major life activities for an extended period of time. The issue of whether a temporary impairment is substantial enough to be a disability must be resolved on a case-by-case basis, taking into consideration both the expected duration and the extent of the impairment to which it actually limits a major life activity of the affected individual. (*See Part II, Procedures, H, Temporary Section 504 Impairments.*)
- An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active. Section 504 teams should look carefully at data over a range of time versus a snapshot of what is occurring on the day the Section 504 team performs the evaluation.
- The determination of whether an impairment substantially interferes with a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, etc. (not including ordinary eyeglasses or contact lenses.)
- The impact an impairment has on a particular individual must also be considered. The same condition may affect people differently and the stage of the disease or a combination of problems could have varied effects.

E. Who Does Section 504 Cover Within the Public School System?

With respect to public preschool, elementary and secondary educational services, a qualified person with a disability means a disabled person

- who is of an age during which nondisabled persons are provided educational services;
- who is of any age during which it is mandatory under Florida law to provide educational services to disabled persons; or
- to whom the State is required to provide a free appropriate public education pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA).

With respect to vocational education services, a qualified person with a disability means a disabled person who meets the academic and technical standards requisite to admission or participation in the vocational program or activity.

F. Purpose of Section 504 at School: “Leveling the Playing Field”

The goal of Section 504 is to “level the playing field” ensuring that students with a disability have the opportunity to participate and access the general education curriculum and extracurricular activities to the same extent as an average, non-disabled peer. The law prohibits the discrimination (e.g. denial of participation or enjoyment of the benefits offered by public school programs) because of a child’s disability. Unfortunately, equal treatment and equal service may not be sufficient to convey equal benefits. For nondiscrimination to occur, Section 504 eligible students must receive services and related aids/accommodations that “level the playing field.” Accommodations provided have a direct relationship to evaluation data demonstrating disability-related need so that over-or-under accommodating does not occur, as the goal is to “level the playing field.” If evaluation data reveal that a student is eligible for a Section 504 Plan, “placement” on a Section 504 Plan typically means that instruction will continue in the regular education classroom with individually planned accommodations. Furthermore, there is generally no modification of curriculum for Section 504 students.

SECTION 504

PROCEDURES

II. Procedures

A. Referral

Referrals may be made by anyone (e.g., parents, teachers, or other knowledgeable professionals). Referrals shall be made on the *Section 504 Referral Form* and submitted to the Section 504 Chairperson. Referrals may be made at any time. Prior to completing the written referral, school staff are encouraged to contact appropriate staff members to seek input and/or guidance regarding the need for referral. Parents may request a referral form by contacting the Section 504 Chairperson or the District Compliance Officer.

Generally, a staff member should refer a student for an evaluation under Section 504 if he/she suspects that the student not only has a mental or physical impairment but also suspects that an impairment substantially limits one or more major life activities.

If the District does not suspect that a student has a mental or physical impairment that substantially limits one or more major life activities and therefore determines not to evaluate, it will notify the parents of that decision through the issuance of a prior written notice and provide them with a copy of the *Notice of Section 504/ADA Procedural Information and Rights*.

It should be noted that as part of the Section 504 referral process, parents will be provided with copies of the following

- *Section 504 Referral Form*
- *Section 504 Meeting Invitation*
- *Notice of Section 504/ADA Procedural Information and Rights*
- *Section 504 A Guide for Parents and Students*
- *Parent Planning Notes for Section 504*
- *Notice and Consent for Initial Section 504 Evaluation* (for initial Section 504 eligibility only)

B. Evaluation

Any student being considered for **initial** Section 504 eligibility must have a *Notice and Consent for Initial Section 504 Evaluation* completed and signed by the parent. An evaluation shall be conducted or assessment information reviewed to determine if the student is disabled under Section 504. Parents will be afforded the opportunity to participate and provide input into the evaluation process. The assessment information may include, but will not be limited to, medical reports that document a physical or mental impairment, aptitude and achievement test scores, teacher observations, and recommendations and other data including information on social or cultural background and adaptive behavior. The information obtained from all such sources shall be documented and carefully considered to determine if a student qualifies for Section 504. Please note A **re-evaluation, manifestation meeting** or **review/revision** to the *Section 504 Plan* **does not require** the *Notice and Consent for Initial Section 504 Evaluation* form.

The Section 504 Committee will be composed of persons knowledgeable about the student and give input regarding the student's school history, the student's individual needs, the meaning of evaluation data and educational options. The school principal will monitor the composition of the 504 Committee to ensure that qualified personnel participate.

Setting up the 504 Meeting

Send the *Section 504 Meeting Invitation*, the *Notice of Section 504/ADA Procedural Information and Rights*, *Section 504 A Guide for Parents and Students*, the *Parent Planning Notes for Section 504* and the *Notice and Consent for Initial Section 504 Evaluation* (for first time Section 504 Meetings only) to the parents after doing the following

- In the first paragraph of the *Section 504 Meeting Invitation*, check the appropriate boxes on the lines provided:
 - To determine initial eligibility for Section 504 and develop a Section 504 Plan as appropriate (include a *Notice of Consent for Initial Section 504 Evaluation*, if applicable).
 - To conduct a re-evaluation to determine continued eligibility
 - To conduct an annual review
 - To review/revise your child's Section 504 Plan
 - To discuss possible dismissal from the Section 504 Plan
 - To determine whether the discipline incident is a manifestation of the student's disability
- If you are mailing the *Section 504 Meeting Invitation* or sending the invitation home with the student, be sure to make two (2) copies of the completed form for the parent so the parent can keep a copy and send one copy back to the school.
 - Please note There is now an option for the parent to check a box indicating that they cannot attend the scheduled meeting but understand that they will be notified of the Section 504 Committees' decision in writing. In this case, please be certain to mail the parent a copy of the completed *Section 504 Committee Eligibility Report*, the *Section 504 Plan*, the *Notice of Section 504/ADA Procedural Information and Rights*, and/or a copy of the *Section 504 Manifestation Determination Review* (as applicable).
- On the *Notice of Section 504/ADA Procedural Information and Rights* form be sure to fill in the date given/mailed to the parent and retain a copy.
- On the *Notice and Consent for Initial Section 504 Evaluation* form remember to place your initials at the bottom of the form denoting that you have sent/given copies of the required forms. Include the name and phone number of the Section 504 Chairperson on the form; make two (2) copies of the completed form, one for the parent to keep and one for them to return to the Section 504 Chairperson.
- Have the teacher(s) complete the *Section 504 Teacher Input Form*.
- Complete the Procedural Checklist on the *Section 504 Committee Eligibility Report* form (for Section 504 Initial Eligibility and Section 504 Re-evaluation only).
- Invite appropriate personnel relevant to the individual needs of the student.
 - Mandatory 504 committee members include the principal/administrative designee, 504 committee chairperson, student's teacher(s), psychologist (for initial and manifestations meetings) and student as appropriate.

- Although parents are not required members of the Section 504 Committee, parent participation is strongly encouraged and parents will be afforded every opportunity to participate in the evaluation, annual review, re-evaluation and manifestation processes.
- Other members may include the counselor, social worker, nurse (if a medical condition exists), a representative from transportation (if transportation is an issue), dean or school resource officer (for discipline problems), psychologist (for select re-evaluation and review/revision Section 504 meetings), and other school personnel as appropriate.

At the Meeting

- Another *Notice of Section 504/ADA Procedural Information and Rights* is to be given to the parent at the 504 meeting. You must document the date given to the parent on the form (as above) and retain a copy.
- The *Section 504 Committee Eligibility Report*, the *Section 504 Plan*, and/or *Health Plan* (if appropriate) should be completed at the meeting.
- It is suggested that someone take notes during the meeting, particularly related to the eligibility question.

C. Eligibility

The diagnosis of a medical condition does not, in and of itself, mean a student is eligible for Section 504. The condition must also “substantially limit” a major life activity. The physician’s diagnosis is sufficient only to establish the existence of a physical or mental impairment. Medical reports, signed by a licensed physician, will serve as documentation of a physical or mental impairment. Copies of any prior psychological and/or psychiatric reports will help establish the existence of an impairment.

To be eligible for Section 504, the student must have a physical or mental impairment which substantially limits one or more major life activities. Section 504 eligibility and the need for a 504 plan are separate determinations. A student can be technically eligible for Section 504 but not need services (an accommodation plan), for example, because the impairment is in remission and no services are necessary in order for the student to receive a Free Appropriate Public Education (FAPE). Put simply, a student does not have to demonstrate need for services to be Section 504 eligible. Similarly, for a student whose current use of mitigating measures meets his needs as adequately as the needs of nondisabled students are met, no 504 accommodation plan may be necessary.

Where students are eligible for Section 504 but no plan is needed (there is no disability need to be addressed or accommodated), the student receives manifestation determination, procedural safeguards, periodic re-evaluation (as needed), as well as the nondiscrimination protections of Section 504. Should the need for a 504 plan develop, the Section 504 team will reconvene and develop an appropriate Section 504 plan at that time.

The Section 504 Chairperson will be responsible for completion of the *Section 504 Committee Eligibility* form in consultation with the Section 504 team members. After discussing and documenting areas of concern, performance data, staff reports, parent documentation, other pertinent information and referral documentation, the team will complete the Eligibility Analysis on Page 2 of the *Section 504 Committee Eligibility Report*. The answers to these questions will guide the Section 504 Committee to an Eligibility Determination on Page 3 of the *Section 504 Committee Eligibility Report*.

Students suspected of having ADHD or other psychiatric conditions

The Psychological Services Department offers a service for parents who are requesting school-based information to assist the medical/clinical community in a differential diagnosis of ADHD or other possible psychiatric conditions. This service is known as a Behavioral Consultation. Please consult the school psychologist or school counselor for further information.

Students who have a written diagnosis of ADHD and are initially referred for Section 504

- For students who have a written diagnosis of ADHD and are initially referred for Section 504 consideration, the Brief Behavioral Consultation* process may be used **prior to the Section 504 meeting**. These procedures are as follows
 - The psychologist will complete a Brief Behavioral Consultation upon written request or review and accept appropriate documentation (e.g., a comprehensive psychological or psychiatric report).
 - The counselor completes the top portion of the *Brief Behavioral Consultation Request* form and gives the form to their psychologist for review and signature. The original copy of the form can be placed in the student's Section 504 folder and a copy given to the psychologist for their internal use.
 - The psychologist will complete the *Cumulative File Review* form (RtI form C). Please note No consent is necessary if the parent has given consent for screening, further assessment permission on the *Parent/Guardian/Caregiver Consent Form* (see Appendix 11 of the *CCPS Registration Manual*).
 - The psychologist will then conduct one (1) observation of the student. This observation may be formally typed, handwritten, on a check-off form along with notes, or written on the *Cumulative File Review* form.
 - If the parents have denied consent for screening on Appendix 11, the Brief Behavioral Consultation Process **can not be used**. In this case, consider using the process above for students suspected of having ADHD.

* Items needed to formulate a Brief Behavioral Consultation

1. *Brief Behavioral Consultation Request*
2. *Cumulative File Review and Observations*

D. Section 504 Plan

There are situations in which a student is Section 504 eligible but may not require a Section 504 Plan because of the corrective effects of mitigating measures, or the impairment is episodic, or in remission. A student who is Section 504 eligible and requires a Section 504 Plan in order for his/her educational needs to be met as adequately as those of non-disabled peers will have a Section 504 Plan developed.

The goal of the Section 504 Plan is to provide accommodations that “level the playing field” ensuring that students with a disability have the opportunity to participate and access the general education curriculum and extracurricular activities to the same extent as an average, non-disabled peer. Section 504 does not guarantee equal outcome but provides equal opportunity, so that if appropriate effort is applied, a student will benefit the same as non-disabled peers.

In accordance with Section 504 guidelines, the school is required to provide services and related aids. Throughout this manual, these services and related aids will be referenced as “reasonable accommodations.” Accommodations a student will receive are individualized. Furthermore, they have a direct relationship to data that demonstrates the disability-related need. It is critical that appropriate data be collected to determine student needs.

- Accommodations must be based on information and data used in the evaluation and eligibility determination process.
- The plan may include accommodations for the school building or classroom, extracurricular activities, administrative adjustments, academic and instructional accommodations, and/or testing accommodations.
- The same types of accommodations should be provided for both classroom assignments and assessments. Accommodations for testing, both classroom and standardized, must be addressed when developing the plan and these testing accommodations must be specified in the plan. Standardized testing accommodations must be consistent with what is outlined in the test administration manual.
- Students needing pencil-paper standardized testing (versus computer based testing) must have this specific accommodation documented in their Section 504 Plan.
- Types of accommodations
 - Presentation (instructional methods and materials)
 - Response (assignments and classroom assessments)
 - Scheduling (time demands)
 - Setting (learning environment/school grounds)
 - Assisted Devices (use of special communication systems)

*See Appendix for lists of potential accommodations and modifications.

Accommodation Planning Requirements

1. Match accommodations with student needs.
2. Provide copies and an explanation of the *Section 504 Plan* to everyone responsible for implementation.
3. Meet annually to review accommodations and/or consider the need for a *Section 504 Plan*.
4. Write specific accommodations and monitor the *Section 504 Plan*.
5. Involve school administration in the implementation of the *Section 504 Plan*.
6. Have teachers sign and date the *Documentation for Receipt of Section 504 Plan*.

For initial Section 504 Plans, parental consent is required prior to implementation by the District. After parents consent to the initial Section 504 Plan, the District may implement subsequent Plans without written parental consent, but the parents must be provided with a copy of the *Notice of Section 504/ADA Procedural Information and Rights* that explains their right to challenge the District's actions.

Please note If the student's needs are so extreme as to require special education and related services, a referral to special education should be considered. If a student becomes eligible for services under IDEIA, is no longer served through a Section 504 Committee and is exited from the program, the student will receive a free appropriate public education through the IEP team, together with the nondiscrimination protections and procedural safeguards of Section 504. In this case, the IEP team will complete a form stating such and will forward a copy of the form to the Section 504 Chairperson for scanning into FOCUS. The 504 Chairperson will advise data entry for input (dismissal) and place a copy in the Section 504 file.

E. Annual Review

Lists from Advanced Reports in FOCUS can be generated to track and cross reference Section 504 students at your school. Section 504 Committee Chairpersons should distribute each student's *Section 504 Plan* to all affected teachers at the beginning of the school year and at semester or schedule changes.

Students found eligible for Section 504 must have an annual meeting to determine the need for a plan or to review or revise a Plan.

For students currently in 5th or 8th grade

- At the end of the current year, the Section 504 Chairperson will forward lists and all Section 504 information to the receiving secondary schools guidance director.

F. Re-evaluation Procedures

Re-evaluations are not required at specific intervals; however, assessments will be updated so 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 (3) years appropriate school staff should determine whether updated evaluations are needed. A re-evaluation will be completed prior to a significant change in placement. When a re-evaluation is needed, parents will be sent a *Section 504 Meeting Invitation* and a copy of the *Notice of Section 504/ADA Procedural Information and Rights* prior to conducting a re-evaluation. Consistent with initial evaluations, parents will be afforded the opportunity to meaningfully participate and provide input in the re-evaluation process. (Please refer to the *Section 504 Quick Guide for Chairperson Re-evaluation* for all steps in this process.)

G. Section 504 Transfer Procedures

When a student with a Section 504 Plan transfers to a Charlotte County Public School a Section 504 meeting should be scheduled to review the previous Section 504 Plan, discuss the student's current needs and consider whether or not a new Section 504 Plan is needed.

H. Temporary Section 504 Impairment

There are no hard and fast rules as to the specific temporary impairments that may constitute disabilities under Section 504. The determination to extend coverage must be made on a case-by-case basis, taking into consideration factors such as how long and how severely the temporary impairment limits a major life activity.

If a right-handed student broke his left arm and the break is expected to heal normally, without complications, this probably would not constitute a disability. However, if a student broke his dominant right arm causing an impaired ability to perform manual tasks, such as writing, this probably would constitute a temporary disability under Section 504. Another example may be a case of temporary blindness, even for a short duration, which would severely impact several major life activities.

I. Discipline/Manifestation Determination

Discipline practices for a student with a disability should be determined on a case-by-case basis. Under each circumstance, it is important that students with disabilities not be denied services based solely on their disabilities. Students should not be discriminated against or punished for behavior that was caused by or was a “manifestation” of their disability.

When a student who is eligible for Section 504 commits a violation (or violations) of the *Code of Student Conduct* which results in ten (10) cumulative days of suspension or when expulsion is being considered, a manifestation determination must be conducted. (Please refer to the *Section 504 Quick Guide for Chairperson Manifestation* for all steps in this process.)

The Section 504 Team will meet to determine if the student’s misconduct was a manifestation of his/her disability*. (Please refer to the *Section 504 Quick Guide for Chairperson Manifestation* for all steps in this process.) The student’s records will be reviewed along with any additional pertinent data. The Team decision is documented on the *Section 504 Manifestation Determination Review* form.

If it is determined that the misconduct **IS** caused by the disability, the Team may rescind some, or all, remaining days of suspension as appropriate. As well, the Team may need to modify accommodations and consider additional behavioral support in the form of a formal behavioral plan. A Functional Behavior Assessment (FBA) may be appropriate in this endeavor. An alternative education placement may also be considered. **Prior to any significant change in placement a re-evaluation will be completed (i.e., from regular school to the Sea Program).**

If it is determined that the misconduct **IS NOT** caused by the disability, the school may proceed with normal disciplinary procedures. The team may need to modify accommodations, consider an FBA and additional behavioral support in the form of a formal behavioral plan. An alternative education placement may also be considered. **Prior to any significant change in placement a re-evaluation will be completed (i.e., from regular school to the SEA Program).**

**Please note* Parents must be given a copy of the *Notice of Section 504/ADA Procedural Information and Rights* and the signed *Section 504 Manifestation Determination Review* form and any other forms as appropriate.

J. Good Cause Exemption

Good Cause Exemption for retention of a 504 student in elementary school is the same as it is for an ESE student such that the 504 student can be promoted for good cause if he/she has had more than two (2) years of intensive remediation documented on his/her Section 504 Plan and he/she has been retained once in K-3. Also, any student in K-3 can be promoted for "Good Cause" if he/she has been retained twice, received two (2) or more years of intensive remediation, an altered instructional day and specialized reading strategies, regardless of ESE or 504 eligibility.

K. Grievance Procedures

Parents must be advised of their rights with respect to *Section 504 of the Rehabilitation Act of 1973*. They should also receive notice when their child is evaluated, identified or is involved in a significant change of placement and give consent when their child is initially evaluated. All decisions made about a student should be based on information acquired from a variety of sources and provided by individuals knowledgeable about the student, the evaluation data, and the placement options. Parents also have the right to examine all relevant records relating to decisions involving identification, evaluation and placement. Parents have the right to request mediation, file a local grievance or request a due process hearing to resolve issues relating to the identification, evaluation or placement of their child. **These complaint processes are separate, distinct, and voluntary.**

Individuals disagreeing with the identification, evaluation or provision of services under Section 504 should follow these steps until the point of resolution

1. A meeting will be held with the school-based Section 504 Team along with a school administrator responsible for Section 504 to resolve concerns.
2. When the parents disagree with the decisions made by the Section 504 Committee they will put their concerns in writing to the school principal who will hold a conference with the parents and attempt to resolve the issue within ten (10) school days of the receipt of the written request. The school principal will make results available in writing to all concerned parties.
3. Should an attempt to resolve the concerns prove unsuccessful, parents have the right to a district level grievance process accomplished by filing a written complaint to the Coordinator of Psychological Services. The Coordinator of Psychological Services will have fifteen (15) school days from receipt of the complaint to investigate and turn the findings over to a Section 504 District Review Committee. The District Review Committee will be comprised of a multidisciplinary team of experts in the field of physical and mental disorders. The team will provide their written findings to the parents within ten (10) school days of receipt of the complaint from the Coordinator.
4. When parents request mediation with respect to the findings of the Section 504 District Review Committee, the request for mediation will be given in writing to the Coordinator of Psychological Services. The Coordinator will request mediation from the Department of Education within ten (10) school days of the receipt of the written request. The mediator will complete a report to summarize the results and document the mediation process.
5. If the concern has not been resolved through mediation, the parents can make an appeal in writing to the Superintendent who has ten (10) school days to make a final determination.

L. Hearing Procedures

Parents also have the right to voluntarily request an impartial due process hearing at any time without seeking mediation or without filing a district level complaint/grievance pursuant to the Florida Administrative Procedure Act (F.S. Chapter 120.) To obtain a due process hearing, a written request should be made to the Superintendent. Parents and the school district have the right to examine all relevant educational records of the student, call and examine witnesses, provide testimony, and to be accompanied and advised by legal counsel in any due process proceeding and any related appeals. The District will contract with the Division of Administrative Hearings (DOAH) to appoint an Administrative Law Judge (ALJ) as a Due Process Hearing Officer upon receipt of a written request for a due process hearing. The District will grant DOAH the authority to hear the Section 504 matter. Upon completion of the hearing, the ALJ will issue a Recommended Order which will be communicated to all parties. The parties will have an opportunity to submit exceptions to the Recommended Order. The School Board will meet to consider the exceptions and render its Final Order. All of the above hearing proceedings shall be conducted pursuant to the requirements of Section 120.57(1)F.S. Any party may appeal the Board's Final Order pursuant to the requirements of Section 120.68F.S.

Parents may at any time also request mediation or involvement by the Office for Civil Rights, the federal agency charged with the enforcement responsibility for Section 504. Efforts should be made to assist parents to resolve disputes on a local level as a first priority. The Office for Civil Rights may be contacted at

Atlanta Office
Office for Civil Rights
U.S. Department of Education
61 Forsyth Street S.W.
Suite 19T70
Atlanta, Georgia 30303-3104
Telephone: (404) 562-6350
Fax: (404) 562-6455
TDD: (877) 521-2172

Questions regarding procedural safeguards, mediation, grievance procedures or hearing should be directed to Steven Jones, Coordinator of Psychological Services at (941) 255-0808, extension 3062.

M. John McKay Scholarships for Students with Disability Program

Effective July 1, 2011, students **on a Section 504 Plan** will, under certain circumstances, be eligible for McKay Scholarship.

- Document that you have advised the parents of their option for McKay on the current *Section 504 Plan* (**check the box after "Other" on the Section 504 Plan**) and refer them to the McKay Scholarship website at <http://www.floridaschoolchoice.org>.

Please note A student is not eligible for a McKay Scholarship if he or she has been issued a temporary accommodation plan (which is valid for 6 months or less) or if the student is eligible for Section 504 but does not need an accommodation plan due to the corrective effects of mitigating measures, or the impairment is episodic, or in remission.

APPENDIX

SECTION 504

FORMS



School Support
 1445 Education Way
 Port Charlotte, FL 33948
 (941) 255-0808
 FAX: (941) 255-7573

SECTION 504 REFERRAL FORM

The purpose of Section 504 is to assist students with a disability defined as

1. substantially limiting one or more major life activities
2. having a record of such impairment
3. regarded as having such an impairment

The determination of whether a student has a physical or mental impairment that substantially limits a major life activity will be made on the basis of an individual inquiry.

Student Name: _____		ID#: _____	
School: _____		Grade: _____ Teacher: _____	
Date of Birth: _____		Age: _____ Primary Language: _____	
Parent/Guardian: _____			
Address: _____			
Telephone: _____ (home)		_____ (work or cell)	

Instructions: Respond to the following items as completely as possible with attached supportive data (e.g., medical records, diagnostic reports, academic grades, test scores, disciplinary reports, and/or behavioral observations.)

Which one or more of the following major life activities and/or major bodily functions is substantially limited?

Major Life Activities include, but are not limited to (please check all that apply)

- | | | | | |
|--|--|--|--------------------------------------|----------------------------------|
| <input type="checkbox"/> Self-Care | <input type="checkbox"/> Performing Manual Tasks | <input type="checkbox"/> Walking | <input type="checkbox"/> Seeing | <input type="checkbox"/> Hearing |
| <input type="checkbox"/> Speaking | <input type="checkbox"/> Breathing | <input type="checkbox"/> Working | <input type="checkbox"/> Learning | <input type="checkbox"/> Eating |
| <input type="checkbox"/> Sleeping | <input type="checkbox"/> Standing | <input type="checkbox"/> Lifting | <input type="checkbox"/> Bending | <input type="checkbox"/> Reading |
| <input type="checkbox"/> Concentrating | <input type="checkbox"/> Thinking | <input type="checkbox"/> Communicating | <input type="checkbox"/> Other _____ | |

Explain: _____

Major bodily functions that are major life activities include, but are not limited to, functions of the (please check, if any, all that apply)

- | | | | | |
|---|---|--------------------------------------|--------------------------------------|------------------------------------|
| <input type="checkbox"/> Immune System | <input type="checkbox"/> Normal cell growth | <input type="checkbox"/> Digestive | <input type="checkbox"/> Bowel | <input type="checkbox"/> Bladder |
| <input type="checkbox"/> Neurological | <input type="checkbox"/> Brain | <input type="checkbox"/> Respiratory | <input type="checkbox"/> Circulatory | <input type="checkbox"/> Endocrine |
| <input type="checkbox"/> Reproductive Functions | <input type="checkbox"/> Other _____ | | | |

Explain: _____

Requested by: (Signature) _____ Date: _____

Position / Relationship: _____

Return this completed form to the school Section 504 Chairperson, _____

Section 504 Chairperson

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School Support
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Port Charlotte, FL 33948
(941) 255-0808
FAX: (941) 255-7573

NOTICE OF SECTION 504/ADA PROCEDURAL INFORMATION AND RIGHTS

STUDENT NAME: _____

SCHOOL: _____

DATE GIVEN/MAILED PARENT/GUARDIAN: _____

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to:

1. Have your child take part in, and receive benefits from, public education programs without discrimination because of his/her disabling conditions;
2. Have the school district advise you of your rights under federal law;
3. Receive notice with respect to identification, evaluation, or placement of your child;
4. Have your child receive a free appropriate public education which includes regular or special education and related aids and services that were designed to meet the individual needs of your child as adequately as the needs of non-disabled children are met. This includes the right to be educated with non-disabled students to the maximum extent appropriate to the needs of your child. It also includes the right to have the school/district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities;
5. Have your child receive services and be educated in facilities which are comparable to those provided to non-disabled students;
6. Have evaluation, educational, and placement decisions made based on a variety of information sources, and by persons who know the student and who are knowledgeable about the evaluation data and placement options;
7. Have your child be given an opportunity to participate in nonacademic and extracurricular activities offered by the district;
8. Examine all relevant records relating to decisions regarding your child's identification, evaluation, and placement;
9. The right to periodic reevaluation;
10. Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program, or placement. You and your child may take part in the hearing and be represented by counsel. Hearing requests must be made to your local school district;
11. File a local grievance relating to an alleged violation of Section 504 regulations.

The person in your school responsible for assuring that Section 504 regulations are met is the school principal. The principal may be reached at the school phone number.

The person in this district responsible for assuring that Section 504 regulations are met is Steven Jones, Coordinator of Psychological Services. Mr. Jones may be contacted at 941-255-0808, extension 3062.

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Rev. 11/97, 1/99, 4/03, 7/09, 4/10, 8/11 MIS-9035-502



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SECTION 504 A GUIDE FOR PARENTS AND STUDENTS

What is Section 504?

Section 504 of the Rehabilitation Act of 1973 protects the civil rights of individuals with disabilities. Public schools must provide accommodations and services for students with special needs. Students in preschool, elementary, secondary and adult education programs and activities may receive accommodations or services.

School districts must make reasonable accommodations to allow students an opportunity to participate in school and school-related activities. Disabled students should receive services that are equal to, and as effective as, other students. It is not the intent of Section 504 to provide program(s) that are fundamentally different from existing opportunities.

Who is considered to have a disability?

Under Section 504, a person is considered to have a disability if he/she meets one or more of the following definitions

- Has a physical or mental impairment which **substantially limits** one or more major life activities such as learning in school, caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing and working. Impairments may include, but not be limited to

- Allergies
- Arthritis
- Asthma
- Attention Deficit Hyperactivity Disorder (ADHD/ADD)
- Behavioral Disorders
- Cancer
- Communicable Diseases such as HIV, AIDS, TB
- Diabetes
- Heart Disease
- Hemophilia
- Obesity
- Rehabilitation or recovery from drug or alcohol dependency

- Has a record or history of such an impairment (e.g., a student with learning disabilities who is no longer eligible for special education, a student who had cancer, a student recovering from physical illness).
- Is regarded as having such an impairment (i.e., overt acts of discrimination).

Children who are primarily culturally, environmentally, or economically disadvantaged are not eligible under Section 504.



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PARENT PLANNING NOTES FOR SECTION 504

Student Name: _____ School: _____ Grade: _____ Date: _____

Parent/Guardian: _____ Relationship to Student: _____

Enclosed is an invitation for your participation in a meeting on your child regarding Section 504. Your participation in the Section 504 meeting is very important for your child and your child's teachers.

Please respond to the questions below and return these notes to _____ prior to the Section 504 meeting if time allows. You may also choose to bring the notes with you to the meeting.

1. What are your child's strengths?

2. What are your greatest concerns regarding your child's progress in any of the following areas:

Academic Progress (reading, writing, mathematics, etc): _____

Social/Emotional Adjustment (ability to cope, get along with others): _____

Communication Skills (understanding what others say and making his/her own needs known): _____

Medical Issues: _____

3. Please share any additional information about your child which will be helpful to the Section 504 team: _____

Please feel free to write on the back of this form if more room is needed.



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FAX: (941) 255-7573

NOTICE AND CONSENT FOR INITIAL SECTION 504 EVALUATION

Date given/mailed: _____ School: _____ Grade: _____
Student Name: _____ Address: _____
Parent/Guardian: _____
Home Phone: _____ Work or Cell Phone: _____

We have carefully reviewed your child’s school records and information from teachers. Additional information is necessary to fully determine your child’s educational needs and whether he/she might be eligible for assistance in the regular classroom under Section 504. We are requesting that you consent to an evaluation under Section 504 for the following reasons:

In many cases, the Section 504 evaluation may consist of staff reviewing and interpreting existing school records, including anecdotal evidence, observations, prior individual assessment (if available), grades, standardized test scores, information provided by the parent/guardian, and other data, in order to determine if your child qualifies for accommodations in the regular classroom. This is not an Exceptional Student Education evaluation.

Please review the enclosed document entitled *Notice of Section 504/ADA Procedural Information and Rights*. This document informs you of your rights under Section 504. Keep the *Notice of Section 504/ADA Procedural Information and Rights* for future reference.

If you consent to the evaluation sign and date both copies and return one completed copy to the school Section 504 Chairperson, _____ who can be reached at _____.
Section 504 Chairperson School Telephone Number

As the parent/guardian of the above referenced student, having received the *Notice of Section 504/ADA Procedural Information and Rights* and the *Parent Planning Notes for Section 504*, I hereby consent to an evaluation under Section 504.

Parent/Guardian (Signature) Parent/Guardian (Printed Name) Date Signed

Initial as completed:

_____ *Notice of Section 504/ADA Procedural Information and Rights* - included
_____ *Parent Planning Notes for Section 504* - included

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Parent/Guardian

Dev. 7/09 Rev. 4/10, 8/11 MIS-9035-506



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FAX: (941) 255-7573

SECTION 504 TEACHER INPUT FORM

Student Name: _____ Teacher: _____

School: _____ Grade: _____ Date Completed: _____

Yes No 1. Has the student demonstrated a consistent need for substantially more time to complete in-school assignments than is required by non-disabled students? (If yes, explain in terms of additional time needed, subject matter and types of assignments)

Yes No 2. Are modified assignments required? (If yes, explain in terms of type of modification required, subject matter, and types of assignments)

Yes No 3. Is modified testing consistently necessary for the student to be able to demonstrate knowledge? (If yes, explain in terms of subject matter, types of assignments and necessary modifications)

Yes No 4. Does the student exhibit frequent behaviors such as drowsiness, impulsivity, inattentiveness, or aggressiveness, directly associated with an identified physical or mental impairment, and do these behaviors significantly interfere with school performance? (If yes, explain in terms of time of day, frequency, duration - include observation data)

Yes No 5. Does the student exhibit significant difficulty with planning, organization and completion of school-related activities and assignments? (If yes, describe)

Yes No 6. Is the student chronically absent or tardy for reasons related to a diagnosed physical or mental impairment, and are these absences or tardies interfering with school performance? (If yes, explain)

Yes No 7. Are you aware of any health problems that might impact the student in the classroom? (If yes, explain)

8. Additional areas of concern:

9. Student strengths:

Please attach additional pages as necessary

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Parent/Guardian

Dev. 8/11 MIS-9035-507



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Port Charlotte, FL 33948
(941) 255-0808
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SECTION 504 COMMITTEE ELIGIBILITY REPORT

Page 1 of 3

Student Name: _____ ID#: _____
School: _____ Grade: _____ Teacher: _____
Date of Birth: _____ Age: _____ Primary Language: _____
Parent/Guardian: _____
Address: _____
Telephone: _____ (home) _____ (work or cell)

Type of Meeting: Section 504 Initial Eligibility Section 504 Re-evaluation

Procedural Checklist - All must be checked <u>prior</u> to the evaluation	<p>Verify that the parent has:</p> <input type="checkbox"/> Consented to the initial Section 504 evaluation. <input type="checkbox"/> Received the <i>Notice of Section 504/ADA Procedural Information and Rights</i> . <input type="checkbox"/> Been informed (<input type="checkbox"/> in writing <input type="checkbox"/> by phone <input type="checkbox"/> in person) of the date, time and place of this evaluation meeting. <input type="checkbox"/> Been provided the <i>Parent Planning Notes for Section 504</i> . <p>Verify that:</p> <input type="checkbox"/> The membership of the Section 504 Committee includes persons with knowledge of each of the following three areas: (1) the student, (2) the meaning of the evaluation data and (3) placement options. <input type="checkbox"/> A release/exchange of records has been signed (as needed). <input type="checkbox"/> <p>The teacher has completed the <i>Section 504 Teacher Input Form</i>.</p>
--	--

Area(s) of Concern: _____

Summary of formal performance data reviewed: _____

Summary of staff reports/comments: _____

Summary of parent/guardian report/comments: _____

Other pertinent information: _____

Records/Evaluations Reviewed: *Check all that apply.*

The Committee reviewed and carefully considered the following data which was gathered from a variety of sources, including the referral document.

- | | | |
|--|---|---|
| <input type="checkbox"/> Grade reports | <input type="checkbox"/> Section 504 Teacher Input Form | <input type="checkbox"/> Disciplinary records/referrals |
| <input type="checkbox"/> Student work portfolio | <input type="checkbox"/> Standardized Tests/other tests | <input type="checkbox"/> Documented Classroom Modifications |
| <input type="checkbox"/> School Health Information | <input type="checkbox"/> Medical evaluations | <input type="checkbox"/> Parent/Guardian input |
| <input type="checkbox"/> Psychological Reports | <input type="checkbox"/> Other _____ | |

(Teacher and Parent Input, as well as Confidential/Medical Reports, are to be maintained in the student's Section 504 folder)

As directed by Congress in the ADA, the Section 504 Committee understands that the definition of disability "shall be construed in favor of broad coverage of individuals under this Act, to the maximum extent permitted by the terms of this Act."

Eligibility Analysis

Based on the evaluation data gathered from a variety of sources, the Section 504 Committee answered the following questions to determine Section 504 eligibility

- Yes No (1) Does the student have a physical or mental impairment? (If **yes**, please describe the impairment)
- _____
- _____
- Yes No A. Is the impairment temporary? (If **yes**, describe intensity or expected duration) _____
- _____
- _____
- Yes No B. Is the impairment episodic, intermittent or in remission? (If **yes**, describe frequency, intensity or expected duration) _____
- _____
- _____
- Yes No (2) Does the physical or mental impairment affect one or more major life activity or major bodily function? (If **yes**, name the major life activity or major bodily function which is affected)
- _____
- _____
- A. Describe how the above named impairment substantially limits a major life activity or major bodily function. For disorders that are episodic, intermittent or in remission, please describe how the impairment substantially limits a major life activity when active. _____
- _____
- (3) Mitigating measures (examples include medication and hearing aids)
- Yes No A. Is the student using any measures or other modifications to reduce or control the effect of the impairment? (If **no**, move on to Eligibility Determination - Page 3)
- B. What is the mitigating measure(s)? _____
- _____
- _____
- C. Taking into account the evaluation information, check the best descriptor of the major life activity or major bodily function limitation if the student was **not** using a mitigating measure.
- Negligible / Unknown Moderate Substantial
- Yes No D. Do mitigating measures ameliorate the effects of the impairment in order for his/her educational needs to be met as adequately as those of non-disabled peers?

Initial Eligibility Determination

Based on an analysis of the evaluation data, does the student have a disability that **substantially** limits a major life activity?

- No, the student is not eligible.
- Yes, the student is Section 504 eligible but does not require a Section 504 Plan because of the corrective effects of mitigating measures or the impairment is in remission. The Section 504 Committee will be reconvened at least annually, or more frequently if requested by school personnel or parents, to review the need for a Plan.
- Yes, the student is Section 504 eligible and requires a Section 504 Plan in order for his/her educational needs to be met as adequately as those of non-disabled peers.

Eligible students will be re-evaluated every three years. Next Section 504 Re-evaluation date is: _____

OR

Re-evaluation Eligibility Determination

- Yes, the student continues to be Section 504 eligible but does not require a Section 504 Plan.
- Yes, the student continues to be Section 504 eligible but now requires a Section 504 Plan in order for his/her educational needs to be met as adequately as those of non-disabled peers.
- Yes, the student remains eligible under Section 504 and will receive an updated 504 Plan which governs the provision of Section 504 accommodations to the student.
- The student is no longer eligible for Section 504. The student will now receive regular education without Section 504 accommodations.

Note: Section 504 does not guarantee equal outcome but provides equal opportunity, so that if appropriate effort is applied, a student will benefit the same as non-disabled peers.

If you disagree with the Section 504 Committee’s decision, please contact Steven Jones, Coordinator of Psychological Services, at (941) 255-0808, extension 3062, or consult your *Notice of Section 504/ADA Procedural Information and Rights*.

Procedural Safeguards:

- Verify that a copy of this completed Section 504 Committee Eligibility Report and a copy of the Notice of Section 504/ADA Procedural Information and Rights was provided to the parent (by mail in person).**

Team/Meeting Participants and Signatures	_____	_____
	Principal/Designee	Section 504 Chairperson
	_____	_____
	School Counselor	School Psychologist
Meeting Date	_____	_____
	Teacher	Other
	_____	_____
	Parent/Guardian	Student



School Support
 1445 Education Way
 Port Charlotte, FL 33948
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 FAX: (941) 255-7573

SECTION 504 PLAN

Student Name: _____ ID#: _____ Date of Birth: _____
 School: _____ Grade: _____ Teacher: _____ Date: _____

In accordance with Section 504 guidelines, the school is required to provide accommodations based upon data that documents the need for those accommodations. This will help to assure that over-or-under accommodating does not occur. *Note: Section 504 does not guarantee equal outcome but provides equal opportunity, so that if appropriate effort is applied, a student will benefit the same as non-disabled peers.*

Need for Accommodations: Yes - Requires a Section 504 Plan
 No - Continues to be Section 504 eligible but does not require a Section 504 Plan
 (If **no**, please continue to the signature lines below **and omit McKay information**)

Describe school and classroom accommodations needed, including classroom/state assessments **Subject Areas**

<input type="checkbox"/> Y <input type="checkbox"/> N Presentation (Instruction, Methods, Materials and Assessments) _____ _____ <input type="checkbox"/> Y <input type="checkbox"/> N Response (Assignments and Assessments) _____ _____ <input type="checkbox"/> Y <input type="checkbox"/> N Schedule (Time Demands) _____ _____ <input type="checkbox"/> Y <input type="checkbox"/> N Setting (Learning Environments / School Grounds) _____ _____ <input type="checkbox"/> Y <input type="checkbox"/> N Assistive Devices (Use of Special Communications Systems) _____ _____ <input type="checkbox"/> Y <input type="checkbox"/> N Accommodations needed for state standardized tests _____ _____	_____ _____ _____ _____ _____ _____ _____ _____
--	--

Other: _____ Disability: _____

Informed parents of their McKay option and referred them to the McKay Website - <http://www.floridaschoolchoice.org>

Date of next Section 504 Review Meeting: _____ Three Year Re-evaluation Date: _____

Signatures of Section 504 Team Members who participated in the Section 504 Meeting:

_____	_____
Principal/Designee	Section 504 Chairperson
_____	_____
School Counselor	School Psychologist
_____	_____
Teacher	Teacher
_____	_____
Teacher	Other
_____	_____
Parent/Guardian	Student

For **initial** implementation of Section 504 Plan:
 I (____) agree (____) disagree to the initial implementation of the Section 504 Plan _____
 Please check one Parent/Guardian



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SECTION 504 MANIFESTATION DETERMINATION REVIEW

Student Name: _____ DOB: _____ School: _____ Grade: _____ Date: _____

BEHAVIOR DEFINITION:

Objectively define student's disruptive behavior: _____

ITEMS REVIEWED: (check all information reviewed)

- _____ Current Section 504 Committee Eligibility Report
- _____ Current Section 504 Plan (if applicable)
- _____ Discipline file
- _____ Student conferences
- _____ Other: _____

BEHAVIOR HISTORY REVIEW: (check all previously exhibited behaviors)

- | | |
|---|-------------------------------------|
| _____ excessive unexcused tardies | _____ alcohol and drug violation |
| _____ smoking on the campus | _____ insubordination |
| _____ physical assault/battery on school personnel | _____ weapons possession |
| _____ leaving campus without authorization | _____ physical assault on peers |
| _____ threatening school personnel | _____ verbal aggression |
| _____ behavior problems on bus | _____ habitual minor infractions |
| _____ class disruption | _____ arrest for a felony at school |
| _____ arrest for a felony outside the school's jurisdiction | |
| _____ other(s): _____ | |

SUMMARY OF CURRENT SECTION 504 ACCOMMODATIONS AND/OR MODIFICATIONS:

Academic: _____

Behavioral: _____

504 IMPLEMENTATION ANALYSES:

Was the conduct in question a direct result of the local educational agency's failure to implement the 504 Plan?

- _____ **Yes** Modify and implement 504 before any exclusion intervention
- _____ **No** Proceed with manifestation determination activities

Comment (if needed): _____

MANIFESTATION DETERMINATION:

Was the conduct in question caused by, or had a direct and substantial relationship to, the student's disability?

- _____ **Yes** Manifestation of disability
- _____ **No** If no, discipline the student using procedures applicable to non-disabled students

RECOMMENDATIONS OF COMMITTEE: _____

PARTICIPANTS:

_____ Principal/Designee	_____ Section 504 Chairperson
_____ School Counselor	_____ School Psychologist
_____ Teacher	_____ Teacher
_____ Teacher	_____ Other
_____ Parent/Guardian	_____ Student

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DOCUMENTATION OF RECEIPT OF SECTION 504 PLAN

FOR _____
Student Name

SCHOOL YEAR _____

Teacher	Date
Teacher	Date
Teacher	Date
Teacher	Date
Teacher	Date
Teacher	Date
Teacher	Date
Teacher	Date
Teacher	Date
Teacher	Date
Teacher	Date
Teacher	Date
Teacher	Date
Teacher	Date
Teacher	Date
Other	Date
Other	Date

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SECTION 504

***Forms for students with a
written diagnosis of ADHD
and are initially referred
for Section 504***



School Support
1445 Education Way
Port Charlotte, FL 33948
(941) 255-0808
FAX: (941) 255-7573

Brief Behavioral Consultation Request

(For students initially referred for Section 504 consideration with a written diagnosis of ADHD)

Student Name:

Date of Birth:

School:

Grade:

Date:

An ADHD script or similar documentation exists in the student's school file.

Form completed by:

School Psychologist:

Date:

Cumulative File Review and Observations
(completed by Teacher and Case Manager)

STUDENT:

DOB:

SCHOOL: Select

GRADE: Select

Record Review	YES*	NO	Comments
Enrollment History Concerns	<input type="checkbox"/>	<input type="checkbox"/>	
Attendance Concerns	<input type="checkbox"/>	<input type="checkbox"/>	
Vision Concerns	<input type="checkbox"/>	<input type="checkbox"/>	
Hearing Concerns	<input type="checkbox"/>	<input type="checkbox"/>	
Screening Consent	<input type="checkbox"/>	<input type="checkbox"/>	
Academic Concerns	<input type="checkbox"/>	<input type="checkbox"/>	
Behavior Concerns Discipline Records	<input type="checkbox"/>	<input type="checkbox"/>	
Medical or Mental Health Concerns	<input type="checkbox"/>	<input type="checkbox"/>	Medications/diagnoses:
Custody/Caregiver Concerns	<input type="checkbox"/>	<input type="checkbox"/>	
Retained or Grade advanced	<input type="checkbox"/>	<input type="checkbox"/>	
Limited English Proficiency factors	<input type="checkbox"/>	<input type="checkbox"/>	

**If "YES" attach supporting documentation / comments*

Observations: can be attached	The child must be observed in the child's learning environment to document the child's academic performance and behavior in the areas of concern.
Observation by: Location: Date:	<u>Behavior Observation:</u> <u>Relationship to academic functioning:</u>
Observation by: Location: Date:	<u>Behavior Observation:</u> <u>Relationship to academic functioning:</u>

Completed by:

Case Mgr. Date:
Teacher Date:

SECTION 504

ACCOMMODATIONS

AND

MODIFICATIONS GUIDE

Table of Contents for 504 Accommodations and Modifications Guide

- I. ADHD Sample Accommodations, for difficulties with:
 1. following a plan
 2. sequencing & completing steps for tasks
 3. shifting from one activity to another
 4. following through on instructions
 5. prioritizing most to least important
 6. sustaining effort and accuracy
 7. completing assignments
 8. remembering
 9. test taking
 10. misreading cues
 11. selecting important information from written materials
 12. selecting important information from spoken materials
 13. sustaining attention to tasks
 14. disorganization & messiness
 15. poor handwriting
 16. slow writing speed
 17. inappropriate responses, blurting out
 18. agitation under pressure
 19. teams/sports, waiting & turn taking
 20. risky behavior
 21. manipulative, oppositional behaviors with adults
 22. negative self-image
 23. unstructured activities
 24. losing and locating needed materials
 25. poor use of time

- II. Examples of 504 Accommodations, one page quick-list:
 1. reading
 2. written language
 3. math
 4. attention
 5. impulsiveness
 6. organization and planning
 7. behavior modification
 8. social-emotional
 9. miscellaneous

- III. Accommodations and Modifications, (OCR 1989):
 1. Difference between Accommodation vs. Modification
 2. Examples related to different types of disabilities
 3. Physical-Environmental Accommodations
 4. Textbook Modifications
 5. Testing Modifications
 6. Grading Modifications
 7. Organizational Accommodations
 8. Instructional Materials Accommodations
 9. Reading Modifications
 10. Written Language Modifications
 11. Math Modifications
 12. Physical Education Modifications
 13. Instructional Activities for Different Learning Styles:
 - A. Visual Learners
 - B. Auditory Learners
 - C. Kinesthetic Learners

ACCOMMODATIONS FOR DEALING WITH SPECIFIC DISORDERS OF CHILDREN WITH ATTENTION DEFICIT DISORDERS

The accommodations listed below are intended to be examples of such for schools to use in developing a plan to address a student's needs.

When You See This Behavior	Try This Accommodation
1. Difficulty following a plan (has high aspirations, but lacks follow-through); sets out to get straight As, ends up with Fs (sets unrealistic goals)	<ul style="list-style-type: none"> • Assist student in setting long-range goals, break the goal into realistic parts. • Use a questioning strategy with the student: Ask. <i>What do you need to be able to do this?</i> Keep asking that question until the student has reached an obtainable goal. • Have student set clear time lines, and establish how much time he or she needs to accomplish each step. (Monitor student's progress frequently.)
2. Difficulty sequencing and completing steps to accomplish specific tasks (e.g., writing a book report, term paper, organized paragraphs, solving division problem)	<ul style="list-style-type: none"> • Break up task into workable and manageable steps. • Provide examples and specific steps to accomplish task.
3. Shifting from one uncompleted activity to another without closure +	<ul style="list-style-type: none"> • Define the requirements of a completed <i>activity</i> (e.g., <i>your math is finished when all six problems are completed and corrected; do not begin on the next task until it is finished.</i>)
4. Difficulty following through on instructions from others +	<ul style="list-style-type: none"> • Gain student's attention before giving directions. Use alerting cues. Accompany oral directions with written directions. • Give one direction at a time. Quietly repeat directions to the student after they have been given to the rest of the class. Check for understanding by having the student repeat the directions. • Make sure you mean it. • Do not present the command as a question or favor. • Place general methods of operation and expectations on charts displayed around the room and/or sheets to be included in student's notebook. • Make a job or work cards.
5. Difficulty prioritizing from most to least important	<ul style="list-style-type: none"> • Prioritize assignments and activities. • Provide a model to help students. Post the model and refer to it often.
6. Difficulty sustaining effort and accuracy over time	<ul style="list-style-type: none"> • Reduce assignment length and strive for quality (rather than quantity.) • Increase the frequency of positive reinforcements. (Catch the student doing right and let him know it.)
7. Difficulty completing assignments	<ul style="list-style-type: none"> • List and/or post (and say) all steps necessary to complete each assignment. • Reduce the assignment into manageable sections with specific due dates. • Make frequent checks for work/assignment completion. • Arrange for the student to have the phone number of a "study buddy" in each subject area.
8. Difficulty with any task that requires memory	<ul style="list-style-type: none"> • Combine seeing, saying, writing, and doing; student may need to sub-vocalize to remember. • Teach memory techniques as a study strategy (e.g., mnemonics, visualization, oral rehearsal, numerous repetitions.)

Behaviors noted with "+" are the most dominant behaviors displayed by students with attention deficit disorders

When You See This Behavior	Try This Accommodation
9. Difficulty with test taking	<ul style="list-style-type: none"> • Allow extra time for testing; teach test-taking strategies: and allow student to be tested orally. • Use clear, readable, and uncluttered test forms in a format that the student finds most comfortable. Consider having more answer spaces for essay or short answer tests.
10. Confusion from nonverbal cues (misreads body language, etc.)	<ul style="list-style-type: none"> • Directly teach (tell the student) what nonverbal cues mean. Model and have student practice reading cues in their setting.
11. Confusion from written material (difficulty finding main idea from a paragraph, attributes greater importance to minor details)	<ul style="list-style-type: none"> • Provide student with copy of reading material with main idea underlined or highlighted. • Provide an outline of important points from reading materials. • Teach outlining, main idea/details concepts. • Provide tape of text/chapter.
12. Confusion from spoken material, lectures, and audiovisual material (difficulty finding main idea from presentation, attributes too much importance to minor details)	<ul style="list-style-type: none"> • Provide student with a copy of presentation notes. • Allow peers to share notes from presentation. (Have student compare own notes with copy of peer's notes.) • Provide framed outlines of presentations (introducing visual and auditory cues to important information.) • Encourage use of tape recorder. • Teach and emphasize key words (<i>the following important point. etc.</i>)
13. Difficulty sustaining attention to tasks or other activities (easily distracted by extraneous stimuli) +	<ul style="list-style-type: none"> • Reward attention. Break up activities into small units for timely accomplishments. • Use physical proximity and touch. Use earphones and study carrels, quiet place or preferential seating.
14. Frequent messiness or sloppiness +	<ul style="list-style-type: none"> • Teach organizational skills. Be sure student has daily and/or monthly assignment sheets; list of materials given daily; and consistent format of papers. Have a consistent place for students to turn in and receive papers back. This will reduce distractions. • Give reward points for notebook checks and proper format. • Provide clear copies of worksheets and handouts using consistent format for worksheets. Establish daily assignment sheets to provide models for what you want the students to do. • Arrange for a peer who will help him/her with organization. • Assist student to keep materials in a specific place (e.g., pens in pouch.) • Be willing to repeat instructions.
15. Poor handwriting (often mixing cursive with manuscript and capitals with lower-case letters)	<ul style="list-style-type: none"> • Allow for a scribe and grade content. • Consider alternative methods for student response (e.g., computer, typewriter, tape recorder, oral reports.) • Don't penalize student for mixing cursive and manuscript (accept any method of production.)
16. Difficulty with fluency in handwriting (e.g., good letter/word production but very slow and laborious)	<ul style="list-style-type: none"> • Allow for shorter assignments. (Emphasize quality not quantity.) • Allow alternative method production (computer, scribe, oral presentation, etc.)

Behaviors noted with “+” are the most dominant behaviors displayed by students with attention deficit disorders

When You See This Behavior	Try This Accommodation
17. Inappropriate responses in class often blurted out, answers given to the questions before they have been completed. +	<ul style="list-style-type: none"> • Seat student in close proximity to teachers so that visual and physical monitoring of student behavior can be done. • State behavior that you do want (tell the student how you expect him/her to behave.)
18. Agitation under pressure and competition (athletic or academic)	<ul style="list-style-type: none"> • Stress effort and enjoyment for self, rather than competition with others. • Minimize timed activities; structure class for team effort and cooperation.
19. Inappropriate behaviors in a team or large group sport or athletic activity (difficulty waiting turn in games or group situations.) +	<ul style="list-style-type: none"> • Give the student a responsible job (e.g., team captain, care and distribution of the balls, scorekeeping); consider leadership role. • Have student in close proximity to teacher.
20. Frequent involvement in physically dangerous activities without considering possible consequences. +	<ul style="list-style-type: none"> • Anticipate dangerous situations and plan in advance. • Stress <i>Stop-Look-Listen</i>. • Pair with responsible peer. (Rotate responsible students so that they don't wear out!)
21. Poor adult interactions, defies authority, manipulates (passive); hangs on	<ul style="list-style-type: none"> • Provide positive attention. • Talk with student individually about the inappropriate behavior. (<i>What you are doing is.... A better way of getting what you need or want is....</i>).
22. Frequent self-put-downs, poor personal care and posture, negative comments about self and others, low self esteem	<ul style="list-style-type: none"> • Structure for success. Train student for self-monitoring, reinforce improvements, teach self-questioning strategies. (<i>What am I doing? How is that going to affect others?</i>) • Allow opportunities for the student to show his/her strengths. • Give positive recognition. • Remain calm, state infraction of rule, and don't debate or argue with student. • Have pre-established consequence for misbehavior. • Administer consequence immediately and monitor proper behavior frequently. • Enforce rules of the classroom consistently. • Design discipline to "fit the crime" without harshness. • Avoid ridicule and criticism. Remember, ADD children have difficulty staying in control. • Avoid <u>publicly</u> reminding student on medication to "take their medicine". • Reward more than you punish in order to build self-esteem. • Praise immediately any and all good behavior and performance. • Change rewards if not effective in motivating behavioral change. • Find ways to encourage the child. • Teach the child to reward him/herself. Encourage positive self-talk (e.g., "<i>You did very well remaining in your seat today. How do you feel about that?</i>") This encourages the child to think positively about him/herself.
23. Difficulty using unstructured time, recess, hallways, lunchroom, locker room, library, assembly	<ul style="list-style-type: none"> • Provide student with a definite purpose during unstructured activities (e.g., <i>The purpose of going to the library is to check out the purpose ofis</i>) • Encourage group games and participation (organized school clubs and activities.)

Behaviors noted with "+" are the most dominant behaviors displayed by students with attention deficit disorders

When You See This Behavior	Try This Accommodation
24. Losing things necessary for task or activities at school and at home (e.g., pencils, books, assignments before, during, and after completion of a given task) +	<ul style="list-style-type: none"> • Help students organize. Frequently monitor notebook and dividers, pencil, pouch, locker, book bag, desks. <i>(Emphasize a place for everything in its place.)</i> • Provide positive reinforcement for good organization. • Provide student with a list of needed materials and their locations.
25. Poor use of time (sitting, staring off into space, doodling, not working on task at hand)	<ul style="list-style-type: none"> • Teach reminder cues (a gentle touch on the shoulder, hand signal, etc.) • Tell the student your expectations of what paying attention looks like (<i>e.g., You look like you are paying attention when ...</i>) • Give the student a time limit for a small unit of work with positive reinforcement for accurate completion. • Use a contract, timer, etc., for self-monitoring.

Behaviors noted with “+” are the most dominant behaviors displayed by students with attention deficit disorders

EXAMPLES OF 504 ACCOMMODATIONS

READING

1. Provide additional reading time
2. Use "previewing strategies"
3. Select text with less on a page
4. Shorten amount of required reading
5. Avoid oral reading
6. Use recorded texts/reading assignments
7. Read tests and directions to student
8. Other _____

WRITTEN LANGUAGE

1. Reduced paper-and-pencil tasks
2. Note-taking assistance, i.e., other students, NCR paper, etc.
3. Taper recorder for written assignments
4. Oral responses to written assignments/tests
5. No penalties for spelling or mechanical errors in written assignments
6. Accept non-written forms or reports, i.e., displays, oral projects, etc
7. Test with multiple choice/fill in questions
8. Use typewriters, word processors, tape recorders
9. Other _____

MATH

1. Allow use of calculator
2. Use graph paper to space numbers
3. Provide additional math time
4. Provide immediate correctness feedback and instruction via modeling of the correct computational procedure.
5. Shorten length of math assignments
6. Frequent checks for understanding
7. Provide opportunities for drill and practice
8. Other _____

ATTENTION

1. Seat student in quiet area
2. Seat student near good role model
3. Seat student near "study buddy"
4. Increase distance between desks
5. Allow extra time to complete assignments
6. Shorten assignments/work periods to coincide with span of attention
7. Use a timer for designated work periods
8. Break long assignments into smaller parts so student can see the end to the work
9. Assist student in setting short term goals
10. Give assignments one at a time to avoid work overload
11. Require fewer correct responses for grade
12. Reduce amount of homework
13. Instruct student in self-monitoring using cueing
14. Pair written instructions with oral instructions
15. Cue students to stay on task, i.e., private signal
16. Other _____

IMPULSIVENESS

1. Ignore minor, inappropriate behavior
2. Increase immediacy of rewards and consequences
3. Set behavior contracts with student
4. Minimize unstructured transition times
5. Acknowledge positive behavior of nearby students
6. Seat student near the teacher or a peer who is a good role model
7. Provide positive reinforcement for appropriate behavior
8. Allow student to stand at times while working
9. Remind student to check over product if performance is rushed and careless
10. Avoid crowded worksheets
11. Provide varied activities during instructional work periods
12. Use behavior check cards to track behavior and earn rewards
13. Use concise verbal instructions after obtaining eye contact with the student
14. Have student repeat instructions/directions check for understanding
15. Other _____

ORGANIZATION PLANNING

1. Maintenance of student planner/assignment notebook
2. Provide organization rules
3. Encourage student to have notebook with dividers and folders for work
4. Supervise writing down of assignments
5. Send weekly progress notes home
6. Reward neatness rather than penalize sloppiness
7. Allow student to have extra set of textbooks at home
8. Give assignments one at a time
9. Assist student in setting short term goals
10. Encourage student to learn keyboarding skills
11. Allow student to tape record assignments, homework, classroom projects, etc.
12. Other _____

BEHAVIOR MODIFICATION

1. Post and discuss classroom rules
2. Praise compliant behavior
3. Provide immediate feedback
4. Ignore minor misbehavior
5. Use "prudent" reprimands for misbehavior; avoid lecturing or criticism
6. Set up behavior contracts, enlisting parents support to follow through at home
7. Implement classroom management system with token, rewards, points, etc.
8. Seat students near the teacher
9. Other _____

SOCIAL EMOTIONAL

1. Provide reassurance and encouragement
2. Frequently compliment positive behavior and work product
3. Encourage cooperative learning tasks with other students
4. Monitor social interactions for both positive and inappropriate behavior
5. Model acceptance of student by assigning special responsibilities in the presence of peer group
6. Prompt appropriate social behavior either verbally or with a private signal
7. Provide brief training in anger control: use calming strategies; encourage student to walkaway; tell a nearby adult if getting angry
8. Watch for signs of stress build up and provide encouragement or reduced work load to alleviate
9. Speak softly in non-threatening manner if student shows nervousness
10. Send positive notes home
11. Talk to student in private when behavior needs correcting
12. Encourage social interactions with classmates if student is withdrawn or excessively shy
13. Review instructions when giving new assignments to check for student understanding
14. Other _____

MISCELLANEOUS

1. Student conference
2. Parent conference
3. Student/parent conference
4. Schedule changes
5. Using "pass/fail" instead of letter grades
6. Peer tutoring
7. Preferential seating
8. Counseling
9. Consultation with special education staff
10. Peer helper/paired working arrangement
11. Omission of assignments requiring copying in a timed situation
12. Allowing student to copy from paper/book rather than from the blackboard
13. Concrete rather than abstract instruction
14. Consideration of student's learning style: _____ auditory _____ visual _____ tactile/kinesthetic
15. Specialized equipment to access school or classes
16. Building modification for student access
17. Provide student with outline/summary of important information from classes
18. Modified credit requirements
19. Modified school day (length/sequence)
20. Home study/instruction
21. Adjust requirements for grades
22. Other _____

ACCOMMODATIONS AND MODIFICATIONS

In order for schools to provide a free appropriate public education for students who are protected under Section 504 of the Rehabilitation Act, accommodations and modifications will likely be necessary. These may be implemented in special education classrooms or general education classes. There are numerous accommodations and modifications that schools can include in students' educational plans.

An **accommodation** is any technique that alters the academic setting or environment.

A **modification** is any technique that alters the work required in some way that makes it different from the work required of other students in the same class. Some intervention tools might be seen as either an accommodation or a modification depending on the situation or on the implementation.

The Office of Civil Rights (1989) describes the following as examples of these accommodations and modifications

1. 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;
2. 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;
3. A student with a learning disability, or impaired vision, which affects the ability to take notes in class may need a note taker or tape recorder;
4. A student with a chronic medical problem, such as kidney or liver disease, may have difficulty in walking distances or climbing stairs. This student may require handicapped parking or more time between classes to conserve his energy;
5. 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;
6. An emotionally or mentally ill student may need an adjusted class schedule to allow time for regular counseling or therapy;
7. 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 activities as lengthy academic testing or competitive endeavors in physical education; and
8. A student with arthritis may have persistent pain, tenderness or swelling in one or more joints. This student may require a modified physical education program.

The following pages include additional examples of these accommodations and modifications.

Physical Environment Accommodations

1. Seat the student near the teacher.
2. Seat the student in an area free from distractions, out of main traffic areas.
3. Provide more space for students to store and use various instructional aids.
4. Allow the student additional break or rest time.
5. Establish learning centers and/or special interest centers.
6. Arrange classroom to facilitate small group, large group, and peer learning opportunities.
7. Ensure proper lighting.
8. Ensure proper desk height and seating comfort.
9. Store materials away from students.
10. Arrange classroom to ensure physical accessibility.
11. Provide modifications to any instructional equipment.
12. Arrange furniture to ensure that student traffic patterns do not promote disruptions.
13. Encourage teacher to move around in classroom for proximity control.
14. Ensure that various materials, supplies, and room compositions do not result in allergic reactions by student.

Textbook Modifications

1. Determine student-reading levels to identify students with potential problems with textbooks.
2. Determine level of difficulty of textbooks.
3. Preview textbook with students to orient them to textbook organization and learning tools.
4. Preview reading assignments with students to orient them to a topic and to budget reading and study time.
5. Introduce key vocabulary before a reading assignment.
6. Provide students with purposes for reading; create interest in assignment to motivate students.
7. Develop a study guide or study outline to direct learning from text. Provide students with questions to guide their reading.
8. Teach students to use graphic aids as a tool to being an active reader: charts, graphs, maps, diagrams, illustrations.
9. Use hi-liters to color-code information in textbooks: vocabulary, definitions, and facts.
10. Provide student the opportunity to read passage aloud or to subvocalize.
11. Structure postreading activities to increase retention of content and to relate information to overall unit.
12. Provide assistance for answering text-based questions.
13. Summarize and reduce textbook information to guide classroom discussions and independent reading.
14. Place students in pairs or cooperative learning groups to master textbook content.
15. Teach study strategies to improve retention of text material.
16. Reduce length of assignments given at a time.
17. Read textbook aloud or audiotape textbook content.
18. Substitute or supplement textbook reading assignments with direct experiences, film, videotapes and recordings, or computer programs.

Testing Modifications

1. Provide a variety of testing options to fit needs of students
 - open-book tests
 - take-home tests
 - oral exams
 - record answers on tape recorder or computer
 - paired or group test
 - project, demonstration, experiment
 - offer extra credit activities
2. Use pre- and post-tests to determine progress.
3. Provide frequent opportunities to demonstrate knowledge and skills. Several short tests are preferable to one lengthy evaluation.
4. Consider testing environment; setting, lighting, noise, distractions.
5. Provide appropriate study guide and/or review opportunities.
6. Prepare tests that are typed or neatly printed, clearly legible, with ample space for responses. Do not crowd questions.
7. Provide some opportunities to practice testing procedures before taking a grade.
8. Monitor students during test.
9. Allow students to create own test.
10. Allow use of memory aids, cues, and references.
11. When appropriate, allow students to choose questions to answer.
12. For content tests, do not grade down for spelling, grammar, handwriting, or punctuation errors.
13. Provide an example on test, or before the test.
14. Read test directions and/or questions aloud to students.
15. Keep directions simple and direct.
16. Avoid too many different types of questions.
17. Use appropriate reading-ability level for questions.
18. Assess only critical information and only what was presented.
19. Consider alternate methods of grading: consider effort and participation, consider partial credit, create a modified grading scale.
20. Provide opportunity for retest if necessary. Give credit for improvement.
21. Avoid transferring answers to answer sheet.
22. Use consistent testing styles throughout year.
23. Consider/limit length of test and time pressure.
24. Take time to review corrected tests. Have students make corrections on tests or on a clean copy of the tests.
25. Mark the number of items correct on the paper instead of the number wrong.
26. On multiple choice items
 - avoid ambiguous choices
 - allow student to circle correct response
 - limit number of choices
 - place choices vertically under question
27. On matching items
 - place an equal number of choices in both columns
 - have one correct answer for each item - eliminates guessing
 - group questions in small sets of items, less than ten
 - place blank beside items in one column, rather than have student draw lines

28. On true/false items
 - avoid stating questions in the negative
 - avoid trivial statements that do not assess student knowledge
29. On completion items
 - blank size should match response
 - provide enough information in the question to facilitate recall
 - provide word banks
30. On essay items
 - require only brief responses or outline form
 - provide appropriate space for anticipated answer length
 - provide answer check sheet that lists the components expected

Grading Modifications

Grade modifications must be determined on an individual basis. The system must be one that will challenge the student, yet make success possible.

1. Change weights assigned to the components of course requirements for the total grade. For example, daily class assignments, class projects, or class participation may count a higher percent than for the typical student.
2. Grade may be based on assignments that are developed by the regular and special needs teachers working together.
3. Utilize small group grading which pairs the disabled student with typical students.
4. Credit or points may be awarded to reinforce bringing materials to class and using those materials appropriately.
5. Assess only the key objective of the assignment; as student's skill level increases, add to the number of areas that are assessed with each activity.
6. Provide frequent opportunities to demonstrate knowledge and skills. Consider ways for students to choose from options for evaluation in certain areas or assignments.
7. Consider pass/fail for some activities where broad-based criteria are established.
8. Use mastery-level or criterion grading. Content is divided into sub-components. Students earn credit when their mastery of a certain skill reaches an acceptable level.
9. Provide multiple opportunities to review before taking a grade.
10. Consider alternate ways to evaluate student progress
 - notebooks
 - oral presentations
 - art work
 - research projects
 - models
 - bulletin boards
 - exhibits
 - paired or panel discussions
 - posters
 - skits or role-plays
 - scrapbooks
 - demonstrations
 - checklists
 - teacher observations
 - self-assessment
 - share grades with teachers of other subjects on special projects or activities
 - puzzles

Organizational Accommodations

1. From the beginning of the year, work with students to establish and maintain regular procedures for handling routine classroom tasks, such as
 - beginning the day
 - moving from one subject to another
 - headings on written work
 - homework assignments
 - turning in work for grading
 - note-taking
 - test-taking
 - getting out materials for class use
 - returning work to students.
2. Establish a notebook organization policy. Be consistent with presentation of information to be kept in student notebooks. Provide a 3-hole punch for student use and pre-punch papers distributed to students that are to be inserted in their notebooks.
3. Conduct frequent checks of notebooks, with rewards for student who maintain well-organized and complete notebooks.
4. Include organizational skills in the subject curriculum.
 - Develop study skills such as alphabetizing, using a dictionary, index, table of contents.
 - Make “rough-drafts” for major assignments.
 - Help students use paper space appropriately, with adequate margins and space between information, such as math problems.
5. Encourage long-range planning skills by giving some assignments several days or a week ahead of time.
6. Allow students a few minutes at the end of the period to put materials away properly and review the day.
7. Help students develop a sense of time by using a posted schedule and timer or clock.
8. Reduce distractions - visual and oral.

Instructional Materials Accommodations

1. Use large print materials for low vision students.
2. Use Braille for students who cannot use print.
3. Use high interest, low vocabulary reading materials.
4. Use highlighted or color-coded materials.
5. Use multi-sensory materials.
6. Tape record reading materials, lessons, and assignments.
7. Allow students to use calculators.
8. Use concrete manipulative materials.
9. Have spell-check capabilities available for students.
10. Allow students to have copies of teacher’s lecture notes and class plans.
11. Shorten assignments.
12. Use index card, pencil, and/or window card for keeping place.

Reading Modifications

1. Shorten amount of required reading; provide summary or abridged version of selection.
2. Provide highlighted material.
3. Provide for oral presentation of reading selection, such as tape recording, peer or parent to read aloud.
4. Allow extra time for reading.
5. Provide opportunity for student to read aloud or to subvocalize.
6. Provide pre-reading activities to enhance comprehension, such as clear presentation of objective of activity, pre-teach vocabulary, study guides, motivational activities to build interest.
7. Oral reading in front of group should be optional. Provide alternative methods for student to contribute to the group, such as role playing or dramatizing.
8. Use a variety of visual and manipulative aids to provide concrete experiences related to reading selection.
9. Provide experience before and after reading as a frame of reference for new concepts. Draw a parallel to a situation that the student might have previously experienced in problem solving.
10. Directly and specifically point out relationships.
11. Use color-coding or other means to mark text to show relationship between ideas.

Written Language Modifications

1. Provide a sample of finished writing assignment so student will know how to organize the different parts.
2. Have student dictate work to someone else, then have him copy it himself, if appropriate.
3. Allow more time.
4. Shorten the written assignment: prepare outline or summary.
5. Transform written material into graphic material: map, illustration, chart.
6. Allow oral responses, such as spelling tests.
7. Accept alternate forms of reports or other written assignments
 - oral or tape-recorded presentations
 - art project - collage, cartoon, sculpture, diorama, photographic essay
 - review and presentation of video appropriate to assignment
 - showcase exhibits
 - panel discussion or debate.
8. Use mnemonic devices.
9. Teach vocabulary words in context, not as an isolated list.
10. Provide practice using story starters or open-ended stories.
11. Have students make flashcards and highlight the difficult spots of the words.
12. Give a recognition level spelling test: ask student to circle correct word from 3 or 4 choices.
13. Avoid penalizing for handwriting or spelling on content assignments.
14. Provide visual aids for vocabulary words, usage rules, or other specific information: displays, bulletin boards, mobiles, study cards, etc.
15. Provide a tactile/kinesthetic aid for spelling.
16. Reduce or omit assignments requiring copying.
17. Encourage shared note-taking.
18. Allow use of tape recorder, typewriter, or computer.

Math Modifications

1. Assign fewer problems, only enough practice to ensure understanding or to assess knowledge.
2. Allow extended time to complete calculations.
3. Space problems far enough apart to allow room for calculations and to reduce distractibility.
4. Provide adequate examples.
5. Group similar problems - works for students who have difficulty paying attention to process sign changes.
6. Use graphic aids to illustrate concept and to assess proficiency.
7. Use computational aids - manipulatives, models, maps, blocks, number lines, abacus, charts.
8. Use graph paper to aid students in lining up problems accurately.
9. Score according to the number correct out of the number attempted to give slower working students credit for accuracy and effort.
10. Color code or underline important words or symbols in problems that afford clues.
11. Word story problems so that the poor reader is graded on his math ability rather than reading ability.
12. Provide hints, clues, or reminders on student test or worksheet.
13. Provide student with opportunity to “teach” someone else. Allows him an opportunity to clarify correct procedures.

Physical Education Modifications

1. Modify activity; as student improves, the skill level expected becomes slightly more difficult
 - fewer repetitions
 - walking instead of running
 - shorter distance
 - wider or lighter bats or racquets
 - lower goal
 - larger or smaller ball, as appropriate.
2. Simplify activity in beginning, so fewer skills and rules are needed.
3. Focus on one skill at a time at first.
4. Provide a variety of equipment, to meet skill levels of all students.
5. Allow any appropriate garments rather than a standard uniform for students who feel self-conscious in uniform.
6. Be aware of students in distress; modify activity as needed.
7. Pair student with another who knows the activity and can perform well for assistance.
8. Use visual aids (diagrams, charts, role-playing) to teach skill sequence.

INSTRUCTIONAL ACTIVITIES FOR DIFFERENT LEARNING STYLES

Visual Learners

1. Use flash cards printed in bold bright colors.
2. Have student close eyes and visualize words or information in his head.
3. Provide visual clues on chalkboard for all verbal directions.
4. Give student written directions in assignments.
5. Allow students to read information needed for assignments rather than relying on oral presentations.
6. Have visual learners read to an auditory learner.
7. Allow written reports or projects in place of oral presentations.
8. Have student outline information.
9. Additionally provide the use of the following
 - VCR Diagrams on the chalkboard
 - Overhead Projector Bulletin Boards
 - Computer Software Posters and Task Cards
 - Globes and Maps, Charts or Filmstrips
 - Books and Pictures.

Auditory Learners

1. Give verbal as well as written directions.
2. Tape important reading materials.
3. Give student oral rather written tests.
4. Use published audio tapes with the student.
5. Have student drill aloud to himself or another student.
6. Tape stories or math facts and replay as needed.
7. Additionally have students engage in
 - Oral reports
 - Taping stories
 - Taping stories or math facts and replay as needed
 - Plays, choral reading, singing
 - Spelling bee
 - One to one interviews
 - Oral multiplication speed drills
 - Group discussion.

Kinesthetic Learners

1. Using classroom demonstrations when possible.
2. Building models instead of writing reports.
3. Using role-play or simulations.
4. Teach the student to take notes.
5. Allow student to draw or doodle while listening.
6. Using manipulative objects.
7. Use individual chalkboards for problems.
8. Additional
 - Manipulative vocabulary games
 - Construction projects with clay, clothes pins, etc.
 - Individual chalkboards for problems
 - Self-correcting materials
 - Manipulatives for math skills.

SECTION 504

***FREQUENTLY ASKED
QUESTIONS***

Section 504 *FREQUENTLY ASKED QUESTIONS*

Q: What **TWO criteria** must be met before a student is considered disabled under 504?

A: The student must be determined to have BOTH:

1. a physical or mental **impairment**

AND

2. at least one **major life activity substantially limited** by the impairment

Q: What is a **physical or mental impairment**?

A: Any physical disorder or condition affecting any body system or any mental or psychological disorder so severe that it substantially limits at least one major life activity.

Q: What is a **major life activity**?

A: A major life activity includes functions such as self-care, performing manual tasks, walking, seeing, hearing, speaking, breathing, working and learning. Other major life activities include eating, sleeping, standing, lifting, bending, reading, concentrating, thinking and communicating. **This is not an all inclusive list.**

Q: What is a **substantial limitation**?

A: The extent to which an impairment restricts an individual's major life activities as compared to the average person. Please note "Substantial limitation" does not mean "significantly restricted".

Q: **Do temporary impairments qualify for Section 504 Plans?**

A: There are no hard and fast rules as to the specific temporary impairments that may constitute disabilities under Section 504. The determination to extend coverage must be made on a case-by-case basis, taking into consideration factors such as how long and how severely the temporary impairment limits a major life activity.

If a right-handed student broke his left arm and the break is expected to heal normally, without complications, this probably would not constitute a disability. However, if a student broke his dominant arm causing an impaired ability to perform manual tasks, such as writing, this probably would constitute a temporary disability under Section 504. Another example may be a case of temporary blindness, even for a short duration, which would severely impact several major life activities.

Q: *If a student is diagnosed by a doctor or other licensed professional as ADHD (or any other diagnosis), is that student automatically eligible for a 504 Plan?*

A: **NO.** The committee must determine that the disability (ADHD or other) is substantially limiting one or more major life activities.

Q: *If a student is diagnosed with ADHD must the student be evaluated by the district prior to determination of 504 eligibility?*

A: **YES.** A Brief Behavioral Consultation or a **review and acceptance of outside documentation** (e.g., a comprehensive psychological or psychiatric report) must be completed by the school psychologist.

Q: *Can a student with a documented **learning disability** (or other impairment) who has been determined **not eligible for ESE** qualify for a 504 Plan?*

A: **YES.** The committee must determine that the disability substantially limits a major life activity.

- Q:** *Does a medical diagnosis of an illness or injury **automatically** qualify a student for a 504 Plan?*
A: **NO.** The illness or injury must cause a substantial limitation to the student's ability to learn or substantially limit another major life activity.
- Q:** *Can a student be on a 504 Plan only for a particular **standardized testing** situation?*
A: **NO.** If a student does not need accommodations during the school day to address a disabling condition, then a plan is not appropriate for a specific testing situation.
- Q:** *If the student is already on a 504 Plan and is receiving accommodations in the school setting, what accommodations are permitted on standardized testing?*
A: Allowable accommodations depend on the standardized test, are outlined in the test manual, are determined by the test publisher, and may vary from one test to another.
- Q:** *If the **parent does not agree** with a 504 eligibility decision, can the majority committee decision be the eligibility determination?*
A: **YES.** An individual who disagrees with the committee's determination may note that decision and reason on the eligibility form. The chairperson must make certain that the parents understand their rights.
- Q:** *Can a parent refuse an **initial** 504 plan?*
A: **YES.** The plan would not be initiated.
- Q:** *Should the committee consider mitigating measures used by the student in determining eligibility for 504?*
A: **NO.** However, mitigating measures may reduce or eliminate the need for a plan.
- Q:** *When considering a significant change in placement, should the committee conduct a reevaluation?*
A: **YES.** A reevaluation is required prior to a significant change in placement (e.g., from a regular school to the SEA Program).
- Q:** *Are there special considerations for discipline issues for a student with a 504 Plan?*
A: **YES.** While all students are expected to follow the Code of Student Conduct, a student with a disability cannot be discriminated against or punished for behavior that was caused by or was a manifestation of the student's disability. An official manifestation determination will be made by the committee when a student commits a violation (or violations) which results in ten (10) cumulative days of suspension or when expulsion is being considered.
- Q:** *What happens if the behavior is determined to **NOT** be a **manifestation** of the student's disability?*
A: The student is subject to the regular Code of Student Conduct and consequences.
- Q:** *What happens if the behavior **IS** determined to be a **manifestation** of the student's disability?*
A: Suspension days may be rescinded. Some of the student's 504 accommodations need to be **modified** and **additional behavioral supports** need to be considered.
- Q:** *Is an impairment that is episodic in nature or in remission considered a disability if it would substantially limit a major life activity when active?*
A: Yes. Section 504 teams should look carefully at data over a range of time versus a snapshot of what is occurring on the day the Section 504 team performed the evaluation. Impairments that are episodic or in remission may reduce or eliminate the need for a plan.

SECTION 504

QUICK GUIDE for
INITIAL ELIGIBILITY

Section 504 *QUICK GUIDE* for Chairperson INITIAL Eligibility

Forms needed for ALL Initial 504 meetings

- 504 Referral Form # 500
- 504 Meeting Invitation # 501
- 504 Parent Rights # 502
- 504 Guide # 503
- 504 Planning Notes # 505
- 504 Evaluation Consent # 506
- 504 Teacher Input Form # 507
- 504 Eligibility Report # 508 - 3 Pages
- 504 Plan # 509
- 504 Teacher Documentation # 512

Form used AS NEEDED for Initial 504 meetings

- 504 Transportation # 510

STEP 1: REFERRAL

- a. Receive Referral Form # 500
- b. Make a 504 Folder for the student
- c. Keep the 504 Folder in referral drawer in Chairperson's office

STEP 2: SET UP THE MEETING

- a. Send the parent:
 - 504 Meeting Invitation # 501
 - 504 Parent Rights # 502
 - 504 Guide # 503
 - 504 Planning Notes # 505
 - 504 Evaluation Consent # 506
- b. Give the teacher:
 - 504 Teacher Input Form # 507
- c. Complete Procedural Checklist on 504 Eligibility Report # 508 (Page 1)
- d. Invite teachers, psychologist, others, transportation (as needed)

STEP 3: AT THE MEETING

- a. Give / Mail (if parent is not at the meeting) parent 504 Parent Rights # 502
- b. Complete 504 Eligibility Report # 508 - 3 Pages
{consult the 504 Manual}
 - Determine Eligibility
 - All Participants Sign
 - Give / Mail (if parent is not at the meeting) **parent a copy** of 504 Eligibility Report **[If INELIGIBLE go to STEP 5]**
- c. IF NEEDED -
 - Review Accommodation Guide {consult the 504 Manual}
 - Develop Section 504 Plan * # 509
 - Inform parents of their McKay option and website address
 - All Participants Sign
 - Give / Mail (if parent is not at the meeting) **parent a copy** of Section 504 Plan # 509
 - Complete Transportation Form # 510

STEP 4: AFTER THE MEETING

- a. IF NEEDED -
 - Give **each teacher a copy** of Section 504 Plan # 509
 - Obtain signatures on Teacher Documentation Form # 512

STEP 5: COMPLETE THE PROCESS

- a. Enter information in FOCUS (see Appendix in manual)
- b. File originals of all forms in student's 504 Folder
- c. Place student's 504 Folder in 504 drawer near Confidential ESE files
- d. Place a 'Notice of Section 504 File' in student's cumulative folder

* All 504 Plans are valid for one calendar year from the date of the meeting. Re-evaluations will occur at a minimum of every three (3) years, or earlier if requested AND require the use of the Section 504 Eligibility Report #508)

Dev. 7/10 Rev. 8/11, 8/12

SECTION 504

QUICK GUIDE for
ANNUAL REVIEW

Section 504 *QUICK GUIDE* for Chairperson

ANNUAL REVIEW

Forms needed for ALL Annual Review Section 504 meetings

- 504 Meeting Invitation # 501
- 504 Parent Rights # 502
- 504 Planning Notes # 505
- 504 Teacher Input Form # 507
- 504 Plan # 509
- 504 Teacher Documentation # 512

Form used AS NEEDED for Annual Review Section 504 meetings

- 504 Transportation # 510

STEP 1: SET UP THE MEETING

- a. Send the parent:
 - 504 Meeting Invitation # 501
 - 504 Parent Rights # 502
 - 504 Planning Notes # 505
- b. Give the teacher:
 - 504 Teacher Input Form # 507
- c. Invite teachers
- d. Invite others as needed (psychologist, nurse, transportation, etc.)

STEP 2: AT THE MEETING

- a. Give / Mail (if parent is not at meeting) the parent 504 Parent Rights # 502
- b. Determine need for a 504 Plan
 - If a student is eligible for Section 504 but does not require a plan #509
 - Check the appropriate box
 - Have all participants sign the form
- c. If a plan is needed, accommodations will be developed # 509
 - Review Accommodation Guide consult the 504 Manual}
 - Develop Section 504 Plan * # 509
 - Inform parents of their McKay option and website address
 - All Participants Sign
 - Give / Mail (if parent is not at meeting) **parent a copy** of Section 504 Plan # 509
- d. IF NEEDED - Complete Transportation Form # 510

STEP 3: AFTER THE MEETING

- a. Give **each teacher a copy** of Section 504 Plan # 509
- b. Get signatures on Teacher Documentation Form # 512

STEP 4: COMPLETE THE PROCESS

- a. Enter information in FOCUS (see Appendix in the manual)
- b. File originals of all forms in student's 504 Folder
- c. Place student's 504 Folder in 504 drawer near Confidential ESE files
- d. Place a 'Notice of Section 504 File' in student's cumulative folder

*All 504 Plans are valid for one calendar year from the date of the meeting.

SECTION 504

QUICK GUIDE for
RE-EVALUATION

Section 504 *QUICK GUIDE* for Chairperson

RE-EVALUATION

A re-evaluation **must** be completed prior to a significant change in placement.

Forms needed for ALL Re-Evaluation 504 meetings

- 504 Meeting Invitation # 501
- 504 Parent Rights # 502
- 504 Planning Notes # 505
- 504 Teacher Input Form # 507
- 504 Eligibility Report # 508 - 3 Pages
- 504 Plan # 509
- 504 Teacher Documentation # 512

Forms used AS NEEDED for Re-evaluation 504 meetings

- 504 Eligibility Report # 508 - 3 Pages
- 504 Transportation # 510

STEP 1: SET UP THE MEETING

- a. Send the parent:
 - 504 Meeting Invitation # 501
 - 504 Parent Rights # 502
 - 504 Planning Notes # 505
- b. Give the Teacher:
 - 504 Teacher Input Form # 507
- c. Complete Procedural Checklist on 504 Eligibility Report # 508 (Page 1)
- d. Invite teachers
- e. Invite others as needed (psychologist, nurse, transportation, etc.)

STEP 2: AT THE MEETING

- a. Give / Mail (if the parent is not at meeting) the parent 504 Parent Rights # 502
- b. Complete 504 Eligibility Report # 508 - 3 Pages {consult the 504 Manual}
 - Determine Eligibility
 - All Participants Sign
 - Give / Mail (if the parent is not at meeting) **parent a copy of** 504 Eligibility Report **[If INELIGIBLE proceed to STEP 4]**

IF NEEDED -

- Determine need for a 504 Plan
- Review Accommodation Guide {consult the 504 Manual}
- Develop 504 Plan * # 509
- Inform parents of their McKay option and website address
- All Participants Sign
- Give / Mail (if the parent is not at meeting) **parent a copy of** the 504 Plan # 509
- Complete Transportation Form # 510

STEP 3: AFTER THE MEETING

IF NEEDED -

- Give **each teacher a copy** of the 504 Plan # 509
- Obtain signatures on Teacher Documentation Form # 512

STEP 4: COMPLETE THE PROCESS

- a. Enter information in FOCUS (see Appendix in the manual)
- b. File originals of all forms in student's 504 Folder
- c. Place student's 504 Folder in 504 drawer near Confidential ESE files
- d. Place a 'Notice of Section 504 File' in student's cumulative folder

* Re-evaluations will occur at a minimum of every three (3) years, or earlier if requested AND require the use of the *Section 504 Eligibility Report #508*

SECTION 504

QUICK GUIDE for
MANIFESTATION

Section 504 *QUICK GUIDE* for Chairperson

MANIFESTATION

A re-evaluation **must** be completed prior to a significant change in placement (e.g., from regular school to the SEA Program)

Forms needed for ALL 504 Manifestation meetings

- 504 Meeting Invitation # 501
- 504 Parent Rights # 502
- 504 Planning Notes # 505
- 504 Teacher Input Form # 507
- 504 Manifestation Review # 511

Forms used AS NEEDED for 504 Manifestation meetings

- 504 Eligibility Report # 508 - 3 Pages
- 504 Plan # 509
- 504 Teacher Documentation # 512

STEP 1: SET UP THE MEETING

- a. Send the parent:
 - 504 Meeting Invitation # 501
 - 504 Parent Rights # 502
 - 504 Planning Notes # 505
- b. Give the Teacher:
 - 504 Teacher Input Form # 507
- c. Invite teachers, psychologist, dean/SRO, principal/administrative designee
- d. Invite others as needed (nurse, transportation, etc.)

STEP 2: AT THE MEETING

- a. Give / Mail (if parent is not at meeting) the parent 504 Parent Rights # 502
- b. Complete 504 Manifestation Review # 511
 - All Participants Sign
 - Give / Mail (if parent is not at meeting) **parent a copy** of 504 Manifestation Review

STEP 3:

If the manifestation review does lead to a significant change in placement (out of school suspension greater than 10 cumulative school days or placement from regular school to the SEA Program) a re-evaluation must be held prior to the change and include the following:

- Complete the 504 Eligibility Report and give/mail (if parent is not at meeting) **parent a copy** # 508 - 3 Pages
 - Determine need for a 504 Plan
 - Review Accommodation Guide {consult the 504 Manual}
 - Develop and/or revise 504 Plan * # 509
 - Inform parents of their McKay option and website address
 - All Participants Sign
 - Give / Mail (if parent is not at meeting) **parent a copy** of the 504 Plan # 509
- IF NEEDED - Complete Transportation Form # 510

If the manifestation review does not lead to a significant change in placement (out of school suspension less than 10 cumulative days)

- Follow Step 3 above but skip completion of the Section 504 Eligibility Report.

STEP 4: AFTER THE MEETING

IF NEEDED -

- Give **each teacher a copy** of the Section 504 Plan # 509
- Obtain signatures on Teacher Documentation Form # 512

STEP 5: COMPLETE THE PROCESS

- a. Enter information in FOCUS (see Appendix in the manual)
- b. File originals of all forms in student's 504 Folder
- c. Place student's 504 Folder in 504 drawer near Confidential ESE files
- d. Place a 'Notice of Section 504 File' in student's cumulative folder

* The Team may need to modify accommodations and consider additional behavioral support in the form of a formal behavioral plan. A Functional Behavior Assessment (FBA) may be appropriate in this endeavor.

SECTION 504

QUICK GUIDE for

GRIEVANCE PROCEDURES

Section 504 *QUICK GUIDE for Principal and Chairperson* **GRIEVANCE PROCEDURES**

These complaint processes are separate, distinct and voluntary.

STEP 1: A meeting will be held with the school-based Section 504 Team along with a school administrator responsible for Section 504 to resolve concerns.

STEP 2: When the parents/guardians disagree with the decisions made by the Section 504 Committee, they will put their concerns in writing to the school principal who will hold a conference with the parents/guardians and attempt to resolve the issue within ten (10) school days of the receipt of the written request. The school principal will make results available in writing to all concerned parties.

STEP 3: Should an attempt to resolve the concerns prove unsuccessful, parents/guardians have the right to a district level grievance process accomplished by filing a written complaint to the Coordinator of Psychological Services. The Coordinator of Psychological Services will have fifteen (15) school days from receipt of the complaint to investigate and turn the findings over to a Section 504 District Review Committee. The District Review Committee will be comprised of a multidisciplinary team of experts in the field of physical and mental disorders. The team will provide its written findings to the parents/guardians within ten (10) school days of receipt of the complaint from the Coordinator.

STEP 4: When parents/guardians request mediation with respect to the findings of the Section 504 District Review Committee, the request for mediation will be given in writing to the Coordinator of Psychological Services. The Coordinator will request mediation from the Department of Education within ten (10) school days of the receipt of the written request. The mediator will complete a report to summarize the results and document the mediation process.

STEP 5: If the concern has not been resolved through mediation, the parents/guardians can make an appeal in writing to the Superintendent who has ten (10) school days to make a final determination.

STEP 6: **Hearing Procedures** - Parents/guardians also have the right to voluntarily request an impartial due process hearing at any time without seeking mediation or without filing a district level complaint/grievance pursuant to the Florida Administrative Procedure Act (F.S. Chapter 120.) To obtain a due process hearing, a written request should be made to the Superintendent. Parents/guardians and the school district have the right to examine all relevant educational records of the student, call and examine witnesses, provide testimony and to be accompanied and advised by legal counsel in any due process proceeding and any related appeals. The district will contract with the Division of Administrative Hearings (DOAH) to appoint an Administrative Law Judge (ALJ) as a Due Process Hearing Officer upon receipt of a written request for a due process hearing. The district will grant DOAH the authority to hear the Section 504 matter. Upon completion of the hearing, the ALJ will issue a Recommended Order which will be communicated to all parties. The parties will have an opportunity to submit exceptions to the Recommended Order. The School Board will meet to consider the exceptions and render its Final Order. All of the above hearing proceedings shall be conducted pursuant to the requirements of Section 120.57(1)F.S. Any party may appeal the Board's Final Order pursuant to the requirements of Section 120.68F.S.

Parents/guardians may at any time also request mediation or involvement by the Office for Civil Rights, the federal agency charged with the enforcement responsibility for Section 504. Efforts should be made to assist parents/guardians to resolve disputes on a local level as a first priority. The Office for Civil Rights may be contacted at:

Atlanta Office, Office for Civil Rights
U.S. Department of Education
61 Forsyth Street S.W.
Suite 19T70
Atlanta, Georgia 30303-3104
Telephone: (404) 562-6350
Fax: (404) 562-6455 TDD: (877) 521-2172

Questions regarding procedural safeguards, mediation, grievance procedures or hearing should be directed to Steven Jones, Coordinator of Psychological Services at (941) 255-0808, extension 3062.

SECTION 504

DATA ENTRY PROCEDURES

504 Data Management in FOCUS

Log into Focus at <https://focus.yourcharlotteschools.net> using your user name and password (remember: ALWAYS to keep your password secure).

Select “Students” from the menu and select “Student Info”

Type in the name of the student and click the *Search All Schools* button, if you do not know the school, or you are not in the correct school.

Click **Search**.

Select the 504 info tab

504 Associated Forms

Below the Date Entries in the 504 tab are several 504 forms ready to be uploaded to your desktop by clicking on the link to that form. These forms are WORD documents and are completed by entering the data in the appropriate fields. Save to your desktop. The completed form can then be uploaded into the student’s 504 tab by clicking on the **upload file** link on the appropriate Meeting Date line.

504 Policies and Procedures

Link

504 Initial /Re-Eval Eligibility Date:

504 3-year Re-Eval Date: [Sat 01/11/2014](#)

Current 504 Meeting Date: [Thu 01/13/2011](#)

504 Annual Review Date: [Thu 01/12/2012](#)

504 Plan : -

4 504 Dates Entries

504 Meeting Date	Grade Level	School	Site Coordinator	Exit Date	Upload File
- Mon 12/17/2007	03	021	Sirkin	Wed 12/17/2008	Upload file
- Fri 01/23/2009	04	111	Harrison	Sat 01/23/2010	Upload file
- Thu 01/13/2011	06	121	Booher	-	Download '504.pdf' Replace this file Delete this file
- Thu 01/13/2011	-	-	-	-	Upload file
+ Tue 08/9/2011	<input type="text" value="N/A"/>	<input type="text" value="N/A"/>	<input type="text"/>	-	Upload file

504 Referral Form [Upload file](#)
[Download blank form](#)

504 forms are scanned for uploads using the following procedures:

Scanning 504 Documents

- Go to scanner website by entering the IP of your printer/scanner - ex **10.school#.252.98**, such as **10.131.252.98**.
- Click on **Scan Profile**
- Click on **Create Scan Profile**
- Answer “**YES**” to all prompts
- Next
- Username will appear, enter the same for the password
- Select **Browse**
- Click on the drop down and select the “**Q**” drive. (If you are scanning multiple files, this step is only done once because it will automatically default to the correct folder.)
- Click on **504 Documents**
- **Create file name - use student’s name**
- Save
- Click **Submit**
- Click **YES** if there is a pop-up screen
- Scan entire 504 document file face up, heading on the left
- On the scanner press # and the short cut number, continue

In FOCUS

- On the students 504 tab go to the last entry and click on **Upload File, Browse**.
- Locate the “**Q**” drive, find the **504 Document file**, select and open the current student you are working on and click **upload**.

Data Entry

Add all the necessary information to each form before scanning - if you do not, then any updates will require scanning the entire document and uploading it again.

Enter the 504 Eligibility flag (Student is 504 Eligible [Y], or Not 504 eligible [Z] if exiting the program)

- Enter Date
- Enter Grade Level (the Student Grade level)
- School (the three digit school number)
- Site Coordinator (the Counselor/Social Worker, etc. name)
- Exit Date (if exiting the program)
- Handicap (if known)