

PROCEDURESSection 504 Process (ADA)

Section 504 of the Rehabilitation Act of 1973 and its implementing regulations prohibit discrimination on the basis of disability by any program or activity that receives or benefits from federal funding. Section 504 requires that disabled students be provided with a free appropriate public education including education with non-disabled peers to the maximum extent appropriate.

The Section 504 Process consists of four steps: (1) Referral; (2) Evaluation; (3) Eligibility Determination; and (4) the Section 504 Plan. For eligible students with a plan, the District must also provide regular reviews of the plan, reviews to support changes in program and/or transitions across grade levels, and conduct re-determination evaluations.

I. Referral

The referral may be made by a parent, staff member, or the student, and may be made at any time. A referral must be made in writing and dated at the time the request is made, including the reason for the referral. Referrals should be directed to the designated Section 504 Coordinator at the student's school building. Parents will be provided with copies of referrals and consent forms.

II. Evaluation

An assessment or evaluation team will conduct an individual, multi-source evaluation of a student referred for a Section 504 evaluation beginning with a thorough review of the student's educational records. The nature and extent of the information needed to make an eligibility decision is determined on a case-by-case basis by the team of persons knowledgeable about the student, the meaning of evaluation data and placement options. Additional evaluation tests will be conducted by the school if deemed necessary. Parental consent will be obtained prior to the initial evaluation. Other sources of information that may be considered include:

- Observations of the student
- Standardized tests or other assessments by school staff
- Parent/Student/Teacher interviews
- Behavior rating scales or other checklists
- Pertinent medical information
- Information provided by the parent

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III. Eligibility Determination

The eligibility determination is made by the evaluation team, which may include the classroom teacher, instructional resource teachers and appropriate related services staff, if needed. The team will meet to make the determination within 30 school days of the referral. The 504 Team will determine eligibility under Section 504 and determine what services and/or accommodations are needed to meet the student's needs as they relate to the educational setting, if any.

Please note that a diagnosis of a physical or mental impairment does not, in and of itself, determine eligibility under Section 504. There must also be separate findings that the impairment substantially limits a major life activity.

IV. Section 504 Plan

Where a student is found to be eligible, a Section 504 Plan will be developed. The building Section 504 Team, which includes the parents, will be responsible for determining the special accommodations and services that are needed to ensure that the student receives a free appropriate education. The Plan will specify how services will be provided and by whom.

The Section 504 Plan will be signed by the Building Administrator. Prior to implementation, a copy of the Plan will be provided to the parent, which indicates the School District's intent to implement the plan. The parent will also be provided a copy of the Notification of Parental Rights.

If a Section 504 Plan is developed for a student, only school personnel with implementation responsibilities will be informed of the existence and particulars of the plan. Staff will be informed on the contents of the plan when the plan is created, revised, and at points of transition, including transfers between buildings, or changes in schedule, staff, or program.

The Section 504 Coordinator will monitor the student's progress and the effectiveness of the student's plan and meet with the parent(s) at least annually to determine whether the Section 504 Plan continues to be appropriate or whether any changes are thought to be necessary. A Section 504 team meeting will be convened at any time to review the changes in student need or other appropriate concerns.