



CALHOUN CITY SCHOOLS

A Tradition of Excellence in Academics, Arts and Athletics

Section 504 System Manual

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Mission Statement

The mission of Calhoun City Schools is to inspire all students to become life-long learners in the pursuit of excellence.

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The purpose of this manual is to outline Calhoun City Schools' process and procedures for serving students with disabilities under Section 504.

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SECTION 1: GENERAL INFORMATION

Important Acronyms:

- 504: Section 504 of the Rehabilitation Act of 1973
- ADA: American with Disabilities Act

- CCS: Calhoun City Schools
- ESS: Exceptional Student Services
- FAPE: Free Appropriate Public Education
- IDEA (Individuals with Disabilities Education Act)
- IEP: Individualized Education Program
- IHP: Individual Health Plan
- OCR: Office of Civil Rights
- Rtl: Response to Intervention
- MTSS: Multi- Tiered System of Supports
- SPED: Special Education
- SST: Student Support Team

What is Section 504?

Section 504 is a part of the Rehabilitation Act of 1973, a civil rights statute focused on the prevention of discrimination. The purpose of Section 504 is to prohibit discrimination based on disability. Section 504 has no age limits and serves all disabilities. Section 504 states: *No otherwise qualified individual with a disability in the United States...shall, solely by reason of her or his disability be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.*

How Does Section 504 Affect Schools?

If a school receives any federal financial assistance, all programs or activities of the school are obligated to abide by Section 504 regulations. The regulation basically says, "If you take our money, you must play by our rules." Public schools receive federal funds. Therefore, they must comply with this law. Public schools comply by providing a free and appropriate public education (FAPE) to each qualified student with a disability.

Accommodations must also be provided to families who need accommodations in order to participate in school activities. For example, a parent who is deaf and requires an interpreter to communicate with the child's teacher will need to have one provided for parent-teacher conferences and other visits to school.

Who Enforces 504?

he Office of Civil Rights (OCR). The Office of Civil Rights has many documents and information available at its website:

<http://www2.ed.gov/about/offices/list/ocr/index.html>

OCR is a part of the U.S. Department of Education and is headquartered in Washington, DC. OCR has a regional office in Atlanta, Georgia.

OCR enforces civil rights laws prohibiting discrimination in education programs on the basis of: race, color, national origin, disability, and age.

What is ADA?

The Americans with Disabilities Act (ADA) of 1990 provides protection from discrimination in employment, public education, transportation and public accommodations.

The ADA was amended by Congress to supersede Supreme Court decisions that had too narrowly interpreted the ADA's definition of a disability. The Amendments Act went into effect on January 1, 2009. Although the Amendments to the ADA did not change the language in Section 504 of the Rehabilitation Act of 1973, the ADA Amendments had implications as to how 504 is interpreted. The Amended ADA is generally considered to have "broadened" Section-504 protections.

Although the ADA provides civil rights protections for our students as well, compliance with the requirements of Section 504 will ensure compliance with the ADA. Accordingly, the District looks to our Section 504 procedures to ensure equal access to education for our students with disabilities.

How Does Section 504 Define *Disability*?

Section 504 offers a very broad and inclusive definition of *disability*. Under Section 504, a person may be considered disabled if the individual:

Has a mental or physical impairment, which substantially limits one or more major life activities.

Persons protected from discrimination include those who have:

A record of such impairment; or
is regarded as having such impairment.

What is Considered a Major Life Activity?

Major Life Activities include, but are not limited to: caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, reading, concentrating, thinking, communicating and working.

Major bodily functions are also included, such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions

What's the Difference between Special Education and 504?

IDEA	Section 504
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In Georgia, a child must have one of the following disabilities AND must be found to need special education services.

- Autism Spectrum Disorder
- Emotional and Behavioral Disorder
- Deaf/Hard of Hearing
- Other Health Impairment
- Specific Learning Disability
- Mild, Moderate, Severe Intellectual Disability
- Orthopedic Impairment
- Significant Developmental Delay
- Speech/Language Impairment
- Traumatic Brain Injury
- Blind/Visual Impairment

List is from categories of eligibility in Georgia Special Educational Rules/Regulations

<http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Special-Education-Services/Pages/default.aspx>

There are specific guidelines governing special education eligibility and services.

DEA is a funding law. School districts are provided federal funds to provide special education services.

What is considered a disability under 504 is much broader than that of special education. Any individual with a mental or physical impairment that substantially limits a major life activity is *disabled* under 504.

The guidelines governing 504 eligibility and services are less clearly defined than those of special education. Each school district must define its own process and procedures for ensuring 504 compliance.

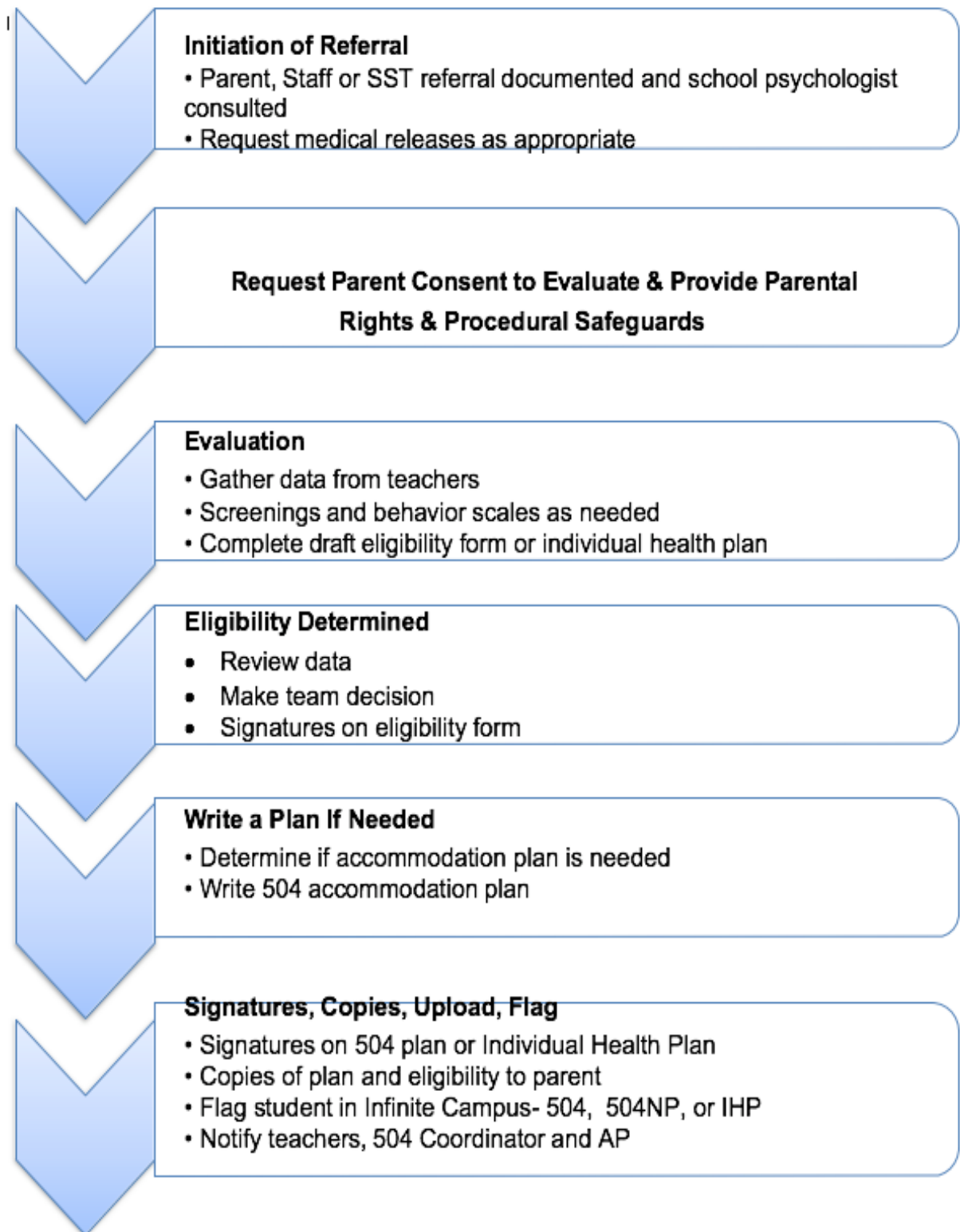
504 is an anti-discriminatory law. All individuals with disabilities are protected from discrimination under 504. Such individuals may or may not need a 504 plan.

What is the Difference Between a 504 Plan and an Individual Health Plan?

An individual health plan (IHP) outlines the medical needs of a child at school. A 504 plan includes accommodations beyond medical needs outlined in an IHP. Although all children with an IHP are considered covered by Section 504, not all children with an IHP need an individual 504 accommodation plan.

What is the Difference Between a 504 Plan and an Individual Health Plan?

Section 504 Plan	Individual Health Plan
<p>A 504 Plan is for students who have a mental or physical impairment, which substantially limits one or more major life activities and whose impairment has an educational, academic, physical or emotional need for an accommodation plan under Section 504.</p> <p>The student’s possible needs for other kinds of special services and accommodations either under IDEA or Section 504 from school personnel in order to safely access and participate in the school environment indicate a need for an accommodation plan.</p>	<p>Students with a specific health care need fit under the broad definition of an “individual with a disability” under Section 504.</p> <p>If a student does not have an educational, academic, physical or emotional need for an accommodation plan, an Individual Health Plan may be appropriate to meet the student’s health needs under Section 504.</p> <p>Individual health service providers review the Individual Health Plan and ensure that the development, review and implementation of individual health care plans consider whether there is any reason to believe that the student needs to be referred for an evaluation under Section 504 or IDEA.</p> <p>If there becomes an educational need for accommodations, special education or related services beyond those set forth in the Individual Health Plan, then the health providers will collaborate with the 504 team to develop a 504 plan, if appropriate.</p>



Step 1: Referral

What is the 504 Referral Process?

A 504 referral can be initiated by a parent, a teacher, a Student Support Team, an IEP/Eligibility Team (when a child is found ineligible for special education), or by other school staff as appropriate (such as the nurse or counselor).

Many medical conditions may be “covered” under 504. School nurses work with parents to develop individual health plans for students as needed. School nurses will work closely with the school’s 504 Appointee to ensure appropriate referrals for 504 evaluations.

Teachers need to consult with the school’s 504 Appointee about concerns regarding 504. When a parent expresses a concern to a teacher or school personnel, he/she is directed to the 504 Appointee. When parents request a 504 evaluation, they will be asked to complete the “504 Parent Referral Form.” Staff may be asked to complete the “504 Staff Referral Form.”

Parents are provided written notification of the referral for a 504 evaluation. Parents are also provided a copy of 504 Rights and Procedural Safeguards. A copy of Rights and Procedural Safeguards, as well as links to important 504 information and resources, are available on the District’s website under Academic Supports.

Referral for 504 versus Special Education Evaluation?

MTSS and SST processes guide district intervention decisions and facilitates appropriate referrals for special education evaluations.

An effective SST process should have a high “hit-rate,” meaning that most students referred for special education evaluations should qualify for services. Failure to respond to increasingly intensive interventions, including SST, is a “trigger” for child-find under IDEA. Remember, IDEA requires the need for special education.

504 does not require the need for services. The threshold is “lower” for reasonable suspicion of a disability. Child find may be triggered by the provision of an outside evaluation and/or diagnosis or the presence of certain medical conditions. This may happen at any “Tier” in the pyramid of interventions. Generally, however, the district should not be expected to have reasonable suspicion of a disability when a student has not needed interventions beyond best practices Tier 1 instruction.

Step 2: Evaluation

Is an Evaluation Required for 504 Eligibility?

Yes.

Do We Need Parental Consent?

Yes. OCR frequently opines that Section 504 requires informed parental consent before a student can be evaluated. OCR considers written parent consent as sufficient under 504. The Calhoun City Schools “Parental Consent for 504 Evaluation” form will be used to document written consent.

Confusion about consent when reviewing data: An evaluation for 504 may not always involve individually administered tests by school personnel; all needed data may already be available for review by the team. The cornerstones of Multi-Tiered System of Supports and Student Support Team processes are frequent data collection, data review and analysis, and data-driven instructional decisions. Parent permission is not required when reviewing data for instructional decisions. However, CCS requires parental consent for evaluation before this same data can be used for the purpose of determining whether or not a child has a disability.

What Happens if a Parent Withholds Consent to Evaluate for 504?

If parental consent is withheld and the school system has reason to believe the child needs special instruction or related services, then both 504 and IDEA afford that districts may use due process hearing procedures to seek to override the parental denial of consent for initial evaluation. However, neither 504 nor IDEA require school systems to initiate due process in the event that parents do not consent to an evaluation.

Does the system have to conduct a 504 evaluation when the parent requests one?

No.

If the system has reasons to deny an evaluation, then parents must be notified and due process procedures must be followed. Verbal parent requests are not, “official.” Only written parent evaluation requests are considered by the school system. E-mail notification is regarded as a written request.

When a teacher or other school official receives a written request for an evaluation, the 504- appointee is notified as soon as possible. Some parental evaluation requests will be honored by offering a special education evaluation and parents will be asked to sign an IDEA consent to evaluate for determining eligibility. Following IDEA procedures shall suffice for a 504 evaluation. In these situations, if a parent refuses to sign the IDEA consent to evaluate, the school system will not be required to conduct a 504 evaluation per parent request "in lieu of" a special education evaluation.

When parents request an evaluation, the request is forwarded to the Lead Special Education Teacher and School Psychologist. Calhoun City Schools follows the process for addressing parent evaluation requests outlined in the system's Exceptional Student Services Manual which complies with 504 guidelines.

How Much Information is Needed to Determine 504-eligibility?

A medical diagnosis in and of itself is not enough for a 504 evaluation. Evaluations must be comprehensive, but are tailored to the specific needs of each child.

OCR maintains that an evaluation under 504 must draw upon a variety of sources so that the possibility of error is minimized. 504 eligibility must be determined by a team. This team must include persons knowledgeable about the child.

The scope of the evaluation is determined by “the multidisciplinary committee gathered to evaluate the student” (504FAQ Questions 19, “Protecting Students with Disabilities” as Modified 03/17/2011).

Rarely will 504 require the district to conduct a comprehensive psychological evaluation. Comprehensive psychological evaluations are normally completed through the IDEA regulatory process.

Does a Doctor’s Diagnosis or Note Obligate the School to Write a 504?

No. A doctor’s opinion is relevant to eligibility, but it does not determine eligibility.

What Should I do if I receive an Outside Evaluation or Medical Information?

Give any received evaluations or medical information to the school 504 Appointee. "Outside" psychological and/or educational evaluations shall be forwarded to the school psychologist for review. The school's Lead Special Education Teacher will also be notified.

Remember, IDEA rules and regulations must also be followed when addressing the needs of students who have or may have a disability.

What is the Timeline for Completing a 504 Evaluation?

CCS will complete initial 504 evaluations within 60 school days after receiving parental consent to evaluate. School days do not include weekends, school holidays, summer breaks, or closings.

Does a Special Education Evaluation Fulfill 504 evaluation requirements?

Yes.

What About Reevaluations?

For all students with 504 plans, a reevaluation consideration meeting will occur every three years. At this meeting, the 504 team will review available data to decide if additional evaluations are needed to re-determine eligibility status.

If no additional evaluations are needed for the team to conclude that the student is still eligible, then the child will still be regarded as a student with a disability under 504. His/her plan will continue as appropriate.

The reevaluation consideration meeting may result in the team deciding that no additional evaluations are needed to determine ineligibility. Decisions regarding eligibility status will be clearly documented using the District's appropriate 504 forms.

Sometimes there may be a need for evaluation more frequently than every three years. The 504 Appointee will address parent and teacher concerns about 504 eligibility and evaluations as needed.

Step 3: Eligibility Determination

Who Determines 504-Eligibility?

A 504 Team.

Who Needs to be on the 504 Team?

The OCR requires that a 504 Team consists of persons knowledgeable about the child. The Team may include counselors, nurses, school psychologists, speech pathologists, or other service providers who are able to provide meaningful input. A school psychologist will be consulted for all initial Section 504 referrals.

District Requirements:

- The 504 Appointee coordinates the development of an appropriate 504 Team.
- 504 Teams shall include a general education classroom teacher.
- A minimum of 3 team members is expected at meetings. A parent may serve as one of the 3 team members.

Are Parents Required to be on the Eligibility Team?

No. However, CCS is committed to 100% parent participation in eligibility determinations. Refer to Section 7 for additional information regarding parent participation.

What Does the 504 Eligibility Team Need to Decide?

1) Does the student have a physical or mental impairment? The first part of having a disability under 504 is documentation of a physical or mental impairment. School system awareness of a condition often prompts a referral for 504 evaluations.

2) Does the impairment substantially limit one or more major life activities or major bodily functions?

How Does the Team Answer the Eligibility Questions?

By reviewing the evaluation data. The CCS “504 Eligibility Determination Form” is designed to facilitate the team decision process. The “Eligibility Determination Form” serves as documentation of the team decision as to whether or not the child has a disability under 504; and, if the child needs a 504 Accommodation Plan.

Is a Medical Diagnosis Necessary for Documenting a Physical or Mental Impairment?

No.

Although a medical diagnosis is not always necessary, there must be adequate documentation that the student has a mental or physical impairment in order to be eligible as a person with a disability under 504.

In most cases, adequate documentation of a mental or physical impairment will include a diagnosis from a person considered licensed or qualified by the State of Georgia to make the diagnosis.

For all parent reported medical or psychological conditions, attempts will be made to receive appropriate documentation. Parents/guardians will be asked to sign an authorization to release information. Release forms are kept with the 504-appointee, who may work with the system school psychologist to obtain information.

What Does Substantially Limited Mean?

This has generally been interpreted as deviating from the average. Does the student’s impairment cause him/her to have much more difficulty with a major life activity or major bodily function compared to the average person without a disability?

There is no numerical formula for deciding substantial limitation. The ADA (Amended 2008) makes clear that the limitation does not have to be severe to qualify.

The team must review the evaluation data to determine if there is substantial impairment in one or more of the major life activities or major bodily functions.

What Are Mitigating Measures? Why are they Important in the 504-eligibility Determination?

Mitigating Measures are anything used to treat or ameliorate the effects of a physical or mental impairment. With the exception of corrective lenses or ordinary contacts, teams cannot consider mitigating factors when determining if a student is Section 504-eligible.

When determining 504-eligibility, the team must “take out” the mitigating measures, such as medication for the treatment of ADHD, accommodations and assistive technology devices the student is using, prosthetics, medical supplies and devices, and hearing aids. An intervention provided through the MTSS/SST process may be considered a mitigating factor.

When mitigating factors are “taken out” of the eligibility process, *an impairment may be a disability even if there are no current substantial limitations of a major life activity. Mitigating factors are considered when determining if the 504-eligible student actually needs a 504 plan.*

Example Scenario (504 Eligible student who does not need a 504 plan) Joe with ADHD:

When not on medication, Joe's ADHD substantially limits the major life activities of learning and concentrating. Therefore he is 504-eligible, meaning that he has a disability. However, Joe is successful with his current medical treatment and standard educational practices (Tier 1). Although Joe is recognized as having a disability under the 504 definition, the 504 team concludes that an individual 504 accommodation plan is not needed.

What About Episodic or in Remission Impairments?

An episodic impairment or impairment in remission may be a disability if it substantially limits a major life activity when active. (ADA Amendments Act 2008). Students with these types of impairments, however, may not require a 504 plan because the student’s impairment is intermittent, in remission, or is controlled by medication or other mitigating measures.

What is Not Covered by Section-504:

Only physical and mental disabilities are included. Students with learning problems *resulting from environmental, cultural, or economic disadvantage are not covered under Section 504.*

English Language Learners: A student is not disabled when learning problems are due to lack of English language proficiency. A student's primary or Native language does not constitute a mental or physical impairment.

Temporary Impairments: A 504 eligibility consideration is generally not necessary if the temporary impairment has an expected duration of 6 months or less. Most cases of broken bones are temporary impairments. The severity of the temporary impairment is taken into consideration when deciding if a 504 referral is warranted. Although not required to consider 504 due to temporary impairments, the school district is not prevented from doing so when needed. Some State mandated tests require a student receiving accommodations to be "coded" as 504 or SPED. When it is likely that an injury or other temporary disability will necessitate accommodations for the student to have equal access to testing, then a 504 referral will be initiated. Example scenario: Student breaks hand a week before the Milestones. A 504 plan is developed and the student receives a scribe as a testing accommodation.

Step 4: Placement: Write a 504 Accommodation Plan (If Needed)

Does Everyone who is Eligible under 504 Need a Plan?

No. Recall, 504 is an anti-discriminatory law. Many students will be protected from discrimination by this law; however, not all of these students will require an accommodation plan.

Do We Need to Write 504 Plans for Students Who No Longer Have A Disability?

No. 504 Accommodations are provided for students who currently have a disability and need a plan in order to meet their needs related to their disabilities.

Remember, 504 is an antidiscrimination law. While plans are not written for those who are no longer disabled, individuals with a history of a disability or who are regarded as having a disability are still protected from discrimination.

Who Needs a 504 Accommodation Plan?

While the team “takes out” mitigating measures when determining if the student has a disability; the team considers the present levels of functioning of the child with current interventions and plans in place.

A child does not need a 504 Accommodation Plan when other plans or general education services are currently meeting the student’s needs. Both SST and Individual Health Plans may be sufficient. However, a student cannot receive state-approved testing accommodations unless he or she has either a 504 plan or IEP.

Who Writes a 504 Plan?

A 504 Plan is constructed by the 504 Team; however, the 504 Appointee or school psychologist must assist the team in completing necessary 504 documentation.

The CCS “504 Individual Accommodation Plan” form is used to facilitate this process.

What Are Appropriate Accommodations, Services and Placements for the 504-Plan? Accommodations and services required to provide FAPE. Each 504 plan is data-driven and individualized based on the needs of the student. What are the effects of the disability? What barriers to FAPE exist because of the disability? These are the questions that guide the 504- accommodation plan.

Do students with an IEP need a 504 plan?

No. The IEP addresses all needs related to the student’s disability and meets 504 requirements.

Are students who are in Dual Enrollment classes eligible to continue receiving accommodations and services?

Accommodations for an IEP or 504 are provided by the college if classes are on the college campus. If Dual Enrollment classes are on the high school campus, accommodations are provided by the high school. High School students are covered by IDEA as long as they are enrolled in high school; college students fall under Sec 504 of the Rehab Act/1973 and the ADA. The student is responsible for making the request for accommodations and appropriate documentation must be provided.

Accommodations are extended to students who have:

- Vision or Hearing Impairments
- Learning Disabilities
- Physical Disabilities
- Medical Impairments
- Psychological Impairments

Supporting Documents

These services include but may not be limited to extra time, note takers, alternate formatted textbooks and files, reading software, screen magnifiers, digital recorders, interpreters, adaptive keyboards, assisted listening devices, and closed-caption televisions.

Step 5: Implementing the 504 Accommodation Plan

Is the 504 Accommodation Plan Optional?

No. The 504 plan is a legally binding document that spells out what is needed for a student with a disability to have equal access to his/her education and school activities. Choosing not to follow a 504 plan violates 504 protections and the rights of the student with the disability. If there are questions about the appropriateness of the 504 plan, then the 504 Appointee should be consulted and a 504-Team meeting scheduled as needed to review and revise the plan.

Step 6: Monitoring and Reviewing 504 Plans

How Often Should 504 Plans be Reviewed?

The 504 team will review all 504 plans periodically as warranted (needs have changed, 504 services are not successful, parent requests changes, upcoming changes in school, etc) but all plans are reviewed at least every 3 years.

SECTION 3: TRACKING ELIGIBLE STUDENTS

Tracking 504 Eligible Students:

The 504-appointee is responsible for ensuring that eligibility forms and plans are uploaded to Infinite Campus and that 504 students are "flagged." CCS uses three flags:

- 504 (These children have a 504 Plan)
- 504 No Plan (These children are 504 Eligible but do not need a plan.)
- Individual Health Plan

Teachers are responsible for being aware of students in their classes who are both 504-eligible and those who have a 504 plan.

Hard copies of eligibility determinations and 504 plans are housed with the 504 Appointee, who ensure transition of files from school to school. Appointees will notify the data specialist at the school level so the student is appropriately documented in the student information system.

Why is it Important to Track all 504-Eligible Students and Not Just Those Who Have a Plan?

A 504- Eligible student, regardless of whether he or she has a plan, is protected from discrimination under 504. The progress of a 504-Eligible student needs to be monitored so that the team can reconvene in a timely manner to reassess the need for a plan.

The 504-Eligible student is entitled to a manifestation hearing even if he/she does not have a current 504 plan.

What happens to Section 504 Records?

Section 504 records are shredded after graduation from high school. For students who transferred out of CCS, the “dead file” is shredded after projected graduation date.

SECTION 4: TRANSFER PROCEDURES:

What Happens to a 504 Plan When a Student Leaves Calhoun City Schools?

A copy will be sent to the new school upon receipt of a request for records. Both eligibility determinations and 504 plans are sent.

Do We Practice Reciprocity Upon Receiving a 504?

Any 504 received by another school system will be forwarded ASAP to the 504 Appointee.

Reciprocity will be granted for out-of-system 504 eligibilities and plans. However, if the 504 Appointee, parent or teacher has concerns about the validity of the eligibility decision and/or appropriateness of the accommodation plan, then a 504 review meeting will be held and the plan amended as needed. Referral for a 504 reevaluation may also be initiated by the review team. The student will continue receiving appropriate accommodations during the evaluation process

SECTION 5: 504 and DISCIPLINE

504 and IDEA are similar regarding discipline guidelines.

“Before implementing a suspension or expulsion that constitutes a significant change in the placement of a student with a disability, a school district must conduct a manifestation determination to determine whether the misconduct in question is caused by the student’s disability and, if so, whether the student’s current educational placement is appropriate.” (OCR Publication – Discipline of Students with Disabilities in Elementary and Secondary Schools, Page 2)

Given the rights, regarding discipline, afforded by Section 504, it is particularly important that school teams develop a Behavioral Intervention Plan for students who present with behavioral problems. Also, the 504 team should identify the types of problem behaviors that should be considered to be a manifestation of the student’s disability.

Manifestation Determination Meeting:

Prior to imposing a suspension beyond 10 days (cumulative) for any student with a disability, the administrator must provide appropriate notification to parent/student and utilize a 504 review committee to conduct a manifestation determination. A manifestation determination must occur within 10 days of any decision to change the child’s placement because of a violation of a code of student conduct.

School administrators work with the 504-appointee to develop the review committee and schedule the manifestation determination.

Parents must receive prior written and oral (phone or in person) notice of the 504 Manifestation Determination meeting, but are not required to be a part of the review committee. If the parent/guardian does not attend the review, then he/she must receive appropriate feedback regarding outcomes.

The purpose of the 504 review committee is to determine if the conduct in question was caused by, or had a direct and substantial relationship to, the child’s disability; or, If the conduct in question was the direct result of the school’s failure to implement the 504 accommodation plan.

To make these determinations, the group will review all relevant information in the student’s file, including the child’s 504 plan, any teacher observations, and any relevant information provided by the parents.

The 504 Manifestation Form is completed by the 504 review committee.

The original "Section 504 Manifestation Determination Form" should be placed in the 504 file and copies given to the parent and the 504 Coordinator.

If the conduct in question is determined not to be a manifestation of the disability, then a copy of the "Section 504 Manifestation Determination Form" must be included with the disciplinary Tribunal referral. For more information regarding CCS disciplinary tribunal policies, contact Amanda Schutz, Ed. S., LCSW, Director of Student Services.

SECTION 6: ROLE OF MTSS AND SST

How does 504 fit-in with MTSS, SST, and the Georgia Pyramid of Interventions?

504 can be thought of as weaving in and out of the Multi- Tiered Systems of Support.

Some students with 504 accommodation plans may not need additional education or behavioral interventions. However, any student with a 504 plan shall have full access to general education interventions when needed. Not accessing the Tiers of intervention as needed due to 504 status is viewed as discriminatory and in violation of 504 protections. Tier 2 and Tier 3 interventions are added to the Section 504 Plan by the Section 504 Team when needed.

SECTION 7: PARENT PARTICIPATION

Notification Requirements:

Parents must receive prior written notice of any 504-team meetings, including eligibility determinations, annual reviews, reevaluation considerations, and manifestation hearings.

Parents must be notified when the student is referred for an evaluation, which is accomplished when requesting parental consent to evaluate. The CCS "Consent to Evaluate Form" includes the Notice of Referral statement.

CCS Meeting and Notification forms will be used to document prior written notice.

Parents must be provided with copies of Parent/Student Rights and Procedural Safeguards with the written notice form.

CCS has a two-notice guideline. Two written notice attempts are made to involve the parent in the 504-Team process prior to continuing the meeting without them.

Generally, 10 calendar days written notice is considered sufficient prior notice to parents/guardians.

Team Participation:

Must Parents attend 504 Team Meetings?

Although parent participation in 504 eligibility and placement is not mandated by 504, it is best practice for parents to participate in this process.

Parents will receive prior written notice of initial 504 eligibility and review team meetings. A follow-up phone call and/or e-mail notification shall be attempted. If the parent fails to attend the meeting, another attempt will be made to schedule the meeting in order to include parents. The 504 team may proceed with the meeting if the parent fails to attend after the second notice.

The second attempt procedure may be waived under some circumstances due to the need for 100% compliance with evaluation and review timelines.

Must Parents Consent to the 504 Accommodation Plan?

No.

Parents must consent to the initial 504 evaluation. However, as long as they have been notified of the meeting, parents are not required to participate in either the 504 team eligibility determination or development of the accommodation plan. While parental consent is not required to implement 504 accommodations, school teams must adhere to the Least Restrictive Environment mandate when developing 504 plans. 504 cannot be used to circumvent IDEA processes or override parent refusal of a special education placement

Grievance Procedures:

How do Parents Voice a Concern?

It is our hope that we work as a team (school and parents) to best meet the child's needs. We welcome open communication. A parent does have the right to file a formal grievance.

Parent Grievance Procedure

The best solutions to parent concerns often occur at the school level. Therefore, the District encourages parents to attempt to resolve concerns by working with the building principal, Building 504 Coordinator, and other appropriate staff to reach a joint

resolution of the issue. However, if a parent is unable to resolve the issue at the building level, a parent may file a formal complaint under section 504 through the following process:

1. Parent completes and submits a Section 504 Complaint Form to the District that is available at the district office.
2. The District Section 504/ADA District Coordinator will conduct an investigation. If the Coordinator is the subject of the complaint, the Superintendent will appoint an impartial investigator. The parent and the district staff will have an opportunity to provide evidence, including documents and witnesses.
3. The District Section 504/ADA District Coordinator will issue a written decision about the complaint within 30 calendar days of the complaint, and provide a copy of the decision to the parent. The written decision will contain suggested resolutions to the parents' concerns.
4. If the parent is not satisfied with the resolution of his/her complaint, the parent may request a review of the complaint by the Superintendent. The Superintendent will respond to the parent's request for review within 10 days of receiving the request.
5. If the parent is still dissatisfied after the Superintendent's review, or at any time during the District's complaint resolution process, the parent may file a complaint in writing with: U. S. Department of Education, Office for Civil Rights 915 Second Avenue, Room 33109, Seattle, WA 98174-1099

SECTION 8: DUTIES AND RESPONSIBILITIES

Section 504 School Appointee:

- Maintains compliant building records and documentation for all eligible students.
- Uploads 504 Plans to Infinite Campus.
- Ensures the implementation of Section 504 procedures in the building
 - Coordinates referrals and consults school psychologists
 - Determines appropriate Section 504 team composition Updates flags in student information system and notifies the school data specialist
 - Facilitates evaluation/eligibility determination
 - Provides notices and consents
 - Leads Teams in the Development of Section 504 plans
 - Monitors the implementation of Section 504 plans

- Ensures that annual reviews are scheduled for each Section 504 student
- Serves as a resource to the building administrators, teachers, and parents/guardians.
- Advises the school administrator regarding discipline issues and procedures for Section 504 eligible students being considered for suspension or expulsion.
- Serves as a liaison between the school building and other district staff regarding Section 504 issues.
- Attends District Section 504 training meetings.
- Provides presentations/training to school/system staff.

Section 504 District Coordinator

- Maintains compliant district records and documentation for all eligible students.
- Ensures the implementation of Section 504 procedures in the district.
- Facilitates the implementation of the school board approved Section 504/ADA policy.
- Provides ongoing training and support to district staff.
- Continually monitors the reduction of architecture barriers for individuals with disabilities.
- Facilitates the provision of reasonable accommodations for district employees with disabilities.
- Serves as a daily resource to district administrators, building level teams, and community members regarding Section 504/ADA issues.
- Coordinates Section 504/ADA grievance procedures.
- Serves as the school district's liaison to the Office for Civil Rights (OCR complaint resolution and correction plan implementation).
- Advises the district superintendent and school board regarding Section 504/ADA compliance issues and needs.

