



Kennewick School District

Section 504

Complete Packet

F-1 Referral and Recommendation Form

F-2 Prior Written Notice of Action

F-3 Parent Consent for Section 504 Evaluation

F-4-1 Notice of Rights

F-4-2 Restraint, Isolation and Other Uses of Reasonable Force Regulation 2155

F-5 Section 504 Student Eligibility Form

F-6 Section 504 Plan

F-7 Manifestation Report

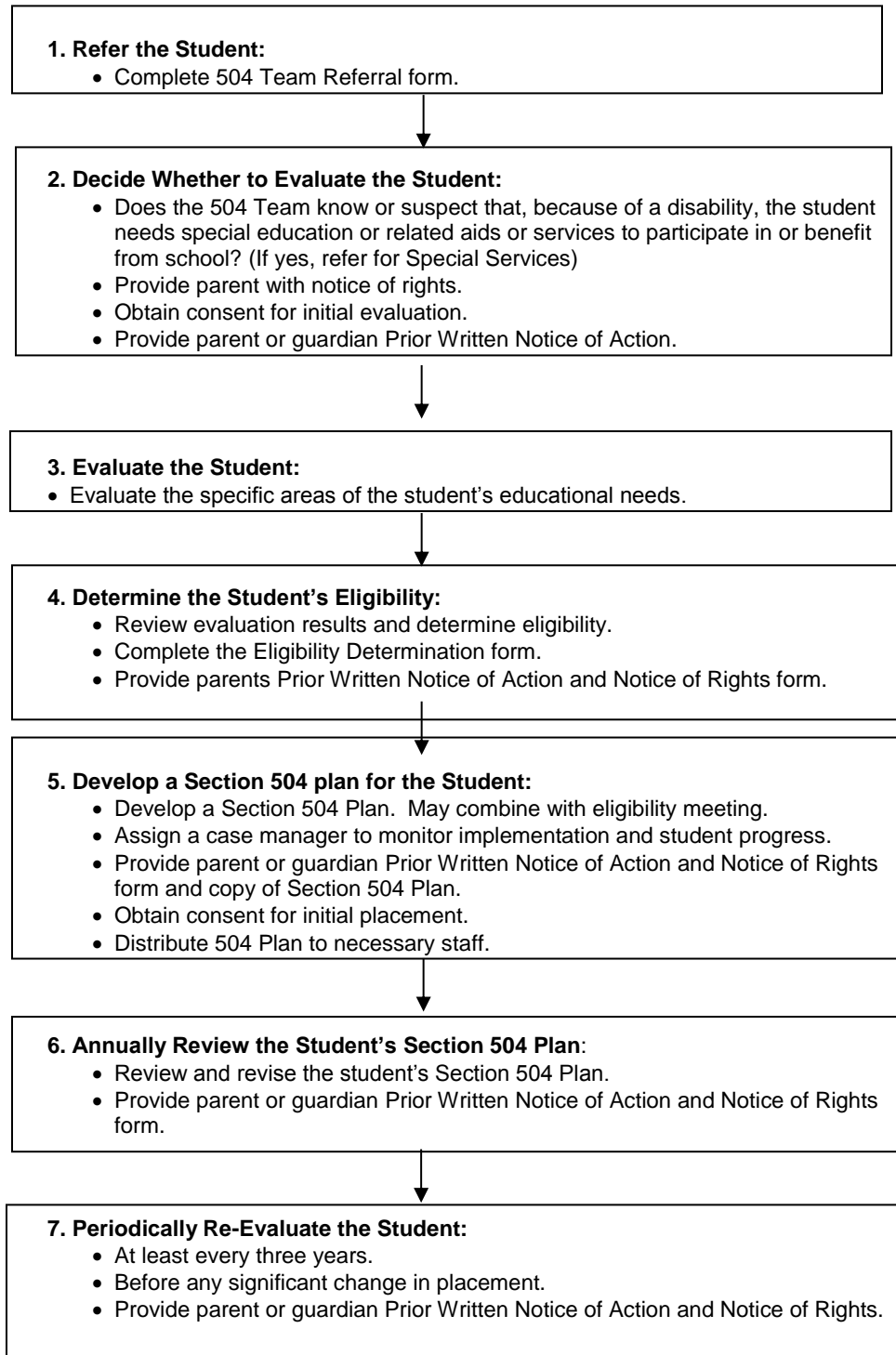
F-8 Section 504 Complaint Form

F-9 Section 504 Exit Form

F-10 Authorization for Mutual Exchange of Confidential Information if needed



Section 504 Process Flow Chart





Section 504 Process

1. Refer Student to the 504 Team

Any person (e.g. a parent, guardian, school staff, or persons outside the school) can refer a student for evaluation under Section 504. A concerned person should refer a student for evaluation if the person knows or suspects that, due to a physical or mental impairment, the student needs special education or related aids or services to participate in or benefit from the district's education program. Referral can be made via a 504 Referral form.

2. Decide Whether to Evaluate the Student under Section 504

The school team reviews the referral, the student's file, and consults with teachers, parent or guardian, the student (if appropriate), and others who have relevant information. The 504 Team decides whether to evaluate the student under Section 504.

If the 504 Team knows or suspects that the student is eligible as a disabled student under the IDEA, the 504 Team refers the student for evaluation under those processes.

If the 504 Team knows or suspects that the student is eligible as a disabled student under Section 504, the 504 Team provides the parents Prior Written Notice of Action and Notice of Rights and refers the student for evaluation. The parent or guardian must provide consent prior to an initial evaluation.

If the referral information indicates that the student is not eligible as a disabled student under Section 504, the 504 Team provides the parents Prior Written Notice of Action and Notice of Rights.

3. Evaluate the Student under Section 504

After the parent or guardian has been notified of the decision to evaluate (and has consented if the evaluation is an initial evaluation), qualified persons evaluate the specific areas of the student's educational needs. The parent or guardian may also choose to have the student independently evaluated, at their own expense.

4. Determine the Student's Eligibility under Section 504

After the student has been evaluated, the student's Section 504 Team reviews the evaluation data and decides if the student is eligible as a disabled student under Section 504. At that time, the 504 Team fills out the Section 504 Eligibility Determination Form. The 504 Team must include persons knowledgeable about the student, the student's evaluation data, and placement options. In making its eligibility decision, the 504 Team must consider information from a variety of sources, including any relevant information submitted by the parent or guardian. The student is eligible as a disabled student under Section 504 if the student has a physical or mental impairment that substantially limits a major life activity. For a school aged student, the ability to participate in or benefit from a district's education program is a major life activity



If the 504 Team determines that the student is eligible as a disabled student under Section 504, the 504 Team gives the parent or guardian Prior Written Notice of Action and Notice of Rights and the Team meets to develop a Section 504 Plan for the student.

If the 504 Team determines that the student is not eligible as a disabled student under Section 504, the 504 Team gives the parent or guardian Prior Written Notice of Action and Notice of Rights.

5. Develop a Section 504 Plan for the Student

After a student is determined eligible under Section 504, the student's 504 Team meets to develop a Section 504 Plan for the student. The Section 504 Plan can be developed at the same time that eligibility is established. The Section 504 Plan describes what educational or related aids or services the student needs to receive a free appropriate public education. The 504 Team provides the parent Prior Written Notice of Action and Notice of Rights and a copy of the student's Section 504 Plan. The parent or guardian must provide consent prior to an initial placement. The Section 504 Plan be distributed to all personnel responsible for carrying out the accommodations.

6. Annually Review the Student's Section 504 Plan

A student's 504 Team meets annually to review the student's Section 504 Plan to ensure that it is meeting the student's needs. If the Section 504 Team decides that the student's Section 504 Plan needs to be revised, the Section 504 Team provides the parent or guardian Prior Written Notice of Action and Notice of Rights and a copy of the student's revised Section 504 Plan.

7. Periodically Re-evaluate the Student

A student's Section 504 Team periodically re-evaluates the student to determine continued eligibility and if the student's educational needs have changed. Before a re-evaluation, the Section 504 Team provides the parent or guardian Prior Written Notice of Action and Notice of Rights. Re-evaluations must occur at least every three years and before any significant change in a student's placement. Significant changes in placement include initiating or discontinuing a service, significantly increasing or decreasing the amount of a service, and certain disciplinary removals from school (e.g. long-term suspensions and expulsions).



Section 504 Impartial Hearing Procedure

The parent requests an impartial hearing by filing a written request with District Section 504 Coordinator. The District Section 504 Coordinator is Jack Anderson. (Student Services 222-5003).
Use Form F-8

Step 1. Write Your Complaint

In most cases, complaints must be filed within one year from the date of the incident or conduct that is the subject of the complaint. A complaint must be in writing. Be sure to describe the conduct or incident, explain why you believe discrimination, discriminatory harassment, or sexual harassment has taken place, and describe what actions you believe the district should take to resolve the problem. Send your written complaint—by mail, fax, email, or hand delivery—to the district superintendent or civil rights compliance coordinator.

Step 2: School District Investigates Your Complaint

Once the district receives your written complaint, the coordinator will give you a copy of the complaint procedure and make sure a prompt and thorough investigation takes place. The superintendent or designee will respond to you in writing within 30 calendar days—unless you agree on a different time period. If your complaint involves exceptional circumstances that demand a lengthier investigation, the district will notify you in writing to explain why staff need a time extension and the new date for their written response.

Step 3: School District Responds to Your Complaint

In its written response, the district will include a summary of the results of the investigation, a determination of whether or not the district failed to comply with civil rights laws, notification that you can appeal this determination, and any measures necessary to bring the district into compliance with civil rights laws. Corrective measures will be put into effect within 30 calendar days after this written response—unless you agree to a different time period.

Appeal to the School District

If you disagree with the school district's decision, you may appeal to the school district's board of directors. You must file a notice of appeal in writing to the secretary of the school board within 10 calendar days after you received the school district's response to your complaint. The school board will schedule a hearing within 20 calendar days after they received your appeal, unless you agree on a different timeline. The school board will send you a written decision within 30 calendar days after the district received your notice of appeal. The school board's decision will include information about how to file a complaint with the Office of Superintendent of Public Instruction (OSPI).

Reference: KSD Nondiscrimination and Sexual Harassment Policy 3210 and 3206 WAC [392-190-070](#)



Section 504 Referral and Recommendations

Student _____ Sex _____ Referral Date _____
Address _____ DOB _____ Age _____
Parent/Guardian/Surrogate: _____ Student ID Number: _____
School _____ Grade _____
Teacher(s) _____

Telephone _____
Home _____ Mother's Work _____ Father's Work _____
English Proficient Home _____ Language _____ Screened by ESL _____

Referral made by _____ Position _____

This referral and function of the Section 504 Team have been discussed with the Parent/Guardian/Surrogate
on _____ . Circle One

Description of Concern(s) _____

Provide information to substantiate concern(s) (i.e., pre-referral data, disciplinary information, screening instruments, observations, anecdotal data, reports, examples of student's work _____

Describe interventions already used in attempting to resolve concern(s): _____

TO BE COMPLETED BY THE 504 TEAM Date of 504 Team Meeting _____

- Recommendations
_____ Refer for Comprehensive Evaluation under IDEA
_____ Screen by ESL
_____ Screen/evaluate for Section 504 eligibility
_____ Other, Specify _____

Section 504 Team member responsible to inform **Parent/Guardian/Surrogate** of recommendations (**circle one**):

Name/Position



Prior Written Notice of Action

To: _____ Date: _____

Student's name: _____ DOB _____

Student School ID No. _____ Copy of Parental Rights and Restraint and Isolation Policy 2155 were given to parents YES NO

I. Notice of Action The purpose of this written notice is to inform you that we are:

_____ proposing **to** _____ initiate **a/an**
_____ refusing _____ change
_____ review

Mark all items below that apply:

- evaluation
- disciplinary action
- reevaluation
- Section 504 plan
- eligibility
- other: _____

Description of the proposed or refused action: _____

Reason why we are proposing or refusing to take action is: _____

(Name of building Section 504 coordinator.) Date: _____

If you do not want a section 504 plan, please complete form F-3 and return it to the counselor.



Parent Consent for Section 504 Evaluation

Parent Consent

Student's name: _____ DOB _____

Student School ID No. _____

Yes, I do consent to an initial evaluation for my child.

No, I do not consent to an initial evaluation for my child.

Yes, I do consent to a re-evaluation for my child.

No, I do not consent to a re-evaluation for my child.

Consent:

I understand that my student was referred for and evaluation under Section 504. The evaluation will draw upon a variety of sources, which may include, but may not be limited to school records, teacher observations of my student, parent/student/teacher input, interviews, assessments, and other relevant information. The purpose of the evaluation is to determine whether my child is eligible for services under Section 504. If determined eligible, the evaluation data is used to determine appropriate accommodations, aids, and services to provide my student to access and benefit from their education.

A Copy of *Section 504 Notice of Parent/Guardian and Students Rights* and Restraint and Isolation Policy 2155 were given to parent/guardian on this date.

Signature: _____ Date: _____
parent/adult student/guardian

Signature: _____ Date: _____
parent/adult student/guardian

Section 504 Coordinator: _____ Telephone: _____
Printed Name

IF PARENTS DO NOT RESPOND; ATTEMPT AND DOCUMENT A MINIMUM OF THREE (3) DIFFERENT METHODS OF CONTACT (EMAIL, PHONE, LETTER MAILED HOME, LETTER SENT HOME WITH STUDENT)

Attempt 1 Date Attempt 2 Date Attempt 3 Date

- Copies to: 1) Parents/adult student/guardian
 2) School Section 504 file
 3) District Section 504 coordinator

October 18



Your Rights Under Section 504

Kennewick School District

You have the right to be informed by the school district of your rights under Section 504. This is a notice of you and your child's rights under Section 504 and the rights you have if you disagree with the school district's decisions.

WHAT IS SECTION 504?

Section 504 of the Rehabilitation Act of 1973, commonly called "Section 504," is a federal law that protects students from discrimination based on disability. Section 504 assures that students with disabilities have educational opportunities and benefits equal to those provided to students without disabilities. To be eligible, a student must have a physical or mental impairment that substantially limits one or more major life activity.

YOUR CHILD'S EDUCATION

Your child has the right to:

- Receive a free and appropriate public education.
- Participate in and benefit from the district's educational programs without discrimination.
- Be provided an equal opportunity to participate in the district's nonacademic and extracurricular activities.
- Be educated with students who do not have disabilities to the maximum extent appropriate.
- Be educated in facilities and receive services that are comparable to those provided to students without disabilities.
- Receive accommodations and/or related aids and services to allow your child an equal opportunity to participate in school activities.
- Receive educational and related aids and services without cost, except for those fees imposed on the parents of children without disabilities.
- Receive special education services if needed.

YOUR CHILD'S EDUCATIONAL RECORDS

You have the right to:

- Review your child's educational records and to receive copies at a reasonable cost. You will not be charged if the cost would keep you from reviewing the records.
- Ask the district to change your child's education records if you believe that they are wrong, misleading, or are otherwise in violation of your child's privacy rights. If the district refuses this request, you have the right to challenge the refusal by requesting an impartial hearing.
- A response to your reasonable requests for explanations and interpretations of your child's education records.

THE SECTION 504 PROCESS

Your child has the right to an evaluation before the school determines if he or she is eligible under Section 504. You have the right to:

- Receive notice before the district takes any action regarding the identification, evaluation, and placement of your child.
- Have evaluation and placement decisions made by a group of persons, often called a "504 team", including persons who know your child, the meaning of the evaluation information, and the placement options available.
- Have evaluation decisions based on a variety of sources, such as aptitude and achievement tests, teacher recommendations, physical conditions, medical records, and parental observations.
- Refuse consent for the initial evaluation and initial placement of your child.

If your child is eligible under Section 504, your child has a right to periodic re-evaluations, including re-evaluations before any significant change is made in your child's placement.

IF YOU DISAGREE WITH THE DISTRICT'S DECISION

If you disagree with the district's decisions regarding your child's identification, evaluation, educational program, or placement under Section 504, you may request mediation or an impartial due process hearing. You and your child have the right to take part in the hearing and have an attorney represent you. Hearing requests and other concerns can be made to your district's Section 504 Coordinator:

Jack Anderson
1000 W. 4th Ave
Kennewick, WA 99336
509-222-5003 jack.anderson@ksd.org

You have the right to file a complaint of discrimination with the U.S. Department of Education's Office for Civil Rights (OCR), or to file a complaint in federal court. Generally, an OCR complaint may be filed within 180 calendar days of the act that you believe was discriminatory. The regional office is located at 915 Second Ave, Room 3310, Seattle, WA 98174-1099. Phone: 206-607-1600 TDD: 206-607-1647 Website: www.ed.gov/OCR.



Section 504 Student Eligibility

Name: _____ Date of Meeting: _____

Date of Birth: _____ School: _____ Student ID Number: _____

1. Describe the nature of the concern: _____

2. Does the student have a mental or physical impairment?

Do not consider the positive/helpful effects of mitigating measures to answer this question (e.g. medicine or devices that assist the student), other than the use of ordinary glasses or contact lenses.) Examples of a physical or mental impairment: physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

- Describe the impairment: _____

3. Does the physical or mental impairment affect one or more major life activities?

Examples of general activities that are major life activities: caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and communicating, as well as major bodily such as the functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

- Describe how the impairment substantially impairs the major life activity: _____

4. Student is eligible under Section 504? Yes or No
Circle one

- If no, Team recommendations: _____

- If yes, recommended accommodations/services: _____



<u>Signature</u>	<u>Date</u>	<u>Agree/Disagree</u>
_____	_____	_____
Case Manager		
_____	_____	_____
Principal/Designee		
_____	_____	_____
Teacher		
_____	_____	_____
Teacher		
_____	_____	_____
Teacher		
_____	_____	_____
Teacher		
_____	_____	_____
Teacher		
_____	_____	_____
Teacher		
_____	_____	_____
Teacher		
_____	_____	_____
Nurse		
_____	_____	_____
Parent		
_____	_____	_____
Parent		

(Parent-Signature acknowledges consent for proposed plan/placement) Distribution: Copy to: Special Services, Parent, School, District Office
Attachment: Section 504 Notice of Parent/Guardian and Students Rights and Restraint and Isolation Policy 2155 were given to parent/guardian on this date.



SECTION 504 MANIFESTATION REPORT

This form should be used whenever long-term suspension or expulsion is being considered as a consequence for serious misbehavior purportedly committed by a student with an identified Section 504 disability. The process is twofold: 1) to review the appropriateness of the Section 504 plan and if it was implemented and 2) to determine if the student's misbehavior was a manifestation of his or her Section 504 disability.

Student Name: _____ Birth Date: _____ School ID Number: _____
Meeting Date: _____ School: _____ Disability: _____

Part I

Describe the alleged incident/behavior that initiated this meeting: _____

Part II

Was the conduct in question the direct result of the district's failure to implement the student's Section 504 plan?

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

The behavioral violation in question WAS a manifestation of the student's disability:

If the conduct is a manifestation of the student's disability, the team needs to review the student's placement and determine if any behavioral supports such as a Behavioral Intervention Plan are appropriate to put in place.

Next Steps:

The behavioral violation in question WAS NOT a manifestation of the student's disability:

The school may administer discipline consistent with the school district's discipline policy and procedure.

Next Steps:

Meeting Attendee Information

Printed Name	Signature	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____



Working with Parent Concerns and Complaints under Section 504 of the Rehabilitation Act of 1973

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 Section 504 coordinator, and other appropriate staff to reach a joint resolution of the issue. However, regardless of whether a parent attempts to resolve the issue at the building level, a parent may file a formal complaint under Section 504 through the following process

Step 1

Parent completes and submits a Section 504 Complaint Form (F-8) to the District Section 504 coordinator. The Section 504 Complaint Form is available at each school's office or online at ksd.org. The complaint should be as detailed as possible and describe why the parent believes that their concerns raise an issue under Section 504. In most cases, complaints must be filed within one year from the date of the incident or conduct that is the subject of the complaint. A complaint must be in writing. Describe what actions you believe the district should take to resolve the problem. Send your written complaint—by mail, fax, email, or hand delivery—to the district superintendent or District Section 504 coordinator.

Step 2

Once the district receives your written complaint, the coordinator will give you a copy of the complaint procedure and make sure a prompt and thorough investigation takes place. The superintendent or designee will respond to you in writing within 30 calendar days—unless you agree on a different time period. If your complaint involves exceptional circumstances that demand a lengthier investigation, the district will notify you in writing to explain why staff need a time extension and the new date for their written response. If the District Section 504 coordinator is the subject of the complaint, the Superintendent or a Designee will appoint an impartial investigator. The parent and the District staff will have an opportunity to provide evidence, including documents and witnesses.

Step 3

The District Section 504 coordinator will issue a written decision about the complaint within 30 calendar days of receipt of the complaint, and provide a copy of the decision to the parent. The written decision will contain suggested resolutions to the parents' concerns. Corrective measures will be put into effect within 30 calendar days after this written response—unless you agree to a different time period.

If you disagree with the school district's decision, you may appeal to the school district's board of directors. You must file a notice of appeal in writing to the secretary of the school board within 10 calendar days after you received the school district's response to your complaint. The school board will schedule a hearing within 20 calendar days after they received your appeal, unless you agree on a different timeline. The school board will send you a written decision within 30 calendar days after the district received your notice of appeal. The school board's decision will include information about how to file a complaint with the Office of Superintendent of Public Instruction (OSPI).

If the parent is still dissatisfied after the Superintendent's, or Designee's review, or at any time during the District's complaint resolution process, the parent may file a complaint by writing to: U.S. Department of Education, Office for Civil Rights 915 Second Avenue, Room 3310, Seattle, WA 98174-1099 or 206-607-1600 or www.ed.gov/ocr



Section 504 Complaint Form

Date: _____ Student School: _____

Student Name: _____ Best Phone: _____

Student Address: _____
Street City State ZIP

Person discriminated against/relationship to you _____

Please describe your concerns and why you believe they raise an issue under Section 504. Include a description of what happened, when and where it happened, and who was involved. (Feel free to attach additional pages if necessary) _____

Explain the steps you have already taken to resolve the issue, if any _____

Describe what resolution to your concerns you would like to see _____

Please attach any documents or other information you think will help with the investigation of your complaint.

Printed Name Date

Signature Relationship with Student



Section 504 Exit Plan

Student's name: _____ DOB _____

Student School ID No. _____ School _____

Student/Staff/Parent Requesting Exit: _____

Student Address: _____
Street City State Zip

The following is recommended for this student: _____

Basis for recommendation and options considered:

The following educational staff/individuals have participated in the decision:

Signature	Role
_____	_____
_____	_____
_____	_____
_____	_____

I understand the exit proposed above and indicate my approval or rejection.

Approval _____ Date _____
Signature of Parent/Guardian/Student

Rejection _____ Date _____
Signature of Parent/Guardian/Student

A Copy of *Section 504 Notice of Parent/Guardian and Students Rights* and Restraint and Isolation Policy 2155 were given to parent/guardian on this date.



Authorization for Mutual Exchange of Confidential Information

Student Name: _____ DOB _____

Parent Name: _____ Parent Contact Number: _____

School Attending: _____ Student Number: _____

As parent/guardian of the above-named student I authorize the mutual exchange of confidential information between Kennewick School District and the following, agencies or individual health care providers.

Agency/Health Care Provider	Address	Phone	Fax
Agency/Health Care Provider	Address	Phone	Fax

Parent/guardian signature Date

Student signature (as desired) Date

Adult witness to signature Date

Comments:

In accordance with the requirements of the Family Educational Rights and Privacy Act of 1974, information sent or received by public schools may not be shared with any other party without the written consent of the parent/guardian, or the student (if 18 years or older and not under legal guardianship) This release may be retracted at any time, in writing, by parent/guardian or student. **This authorization can be in effect for no longer than 90 days after it is signed.**

Please send all confidential information to:

Name/Position	Address	Phone	Fax