

***Wakulla County School  
Board***

**Section 504 of the  
Rehabilitation Act of  
1973  
And the Americans with  
Disabilities Act  
Amendments of 2008**

**Revised November 2021**

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# **SECTION 504 OF THE REHABILITATION ACT OF 1973 COORDINATORS' HANDBOOK**

## **INTRODUCTION**

Pursuant to Section 504 of the Rehabilitation Act of 1973, the District has a duty to identify, refer, evaluate and if eligible, provide a free, appropriate public education to disabled students. For additional information about the rights of parents of eligible children or for answers to any questions you might have about identification, evaluation, or placement into Section 504 Programs, please contact the District's Section 504 Coordinator.

This handbook is designed to provide information concerning referral, evaluation, staffing, 504 accommodation plans, and reevaluation procedures to school administrators, 504 contacts, referral coordinators, guidance counselors, school psychologists, social workers, and teachers.

For information regarding a student or parent alleging discrimination as it relates to Section 504 of the Rehabilitation Act to any educational program or activity, contact the Executive Director of Exceptional Student Education and Student Services, Wakulla County School District.

For information regarding an employee, student, parent or applicant alleging discrimination with respect to employment, contact the Director of Human Resources, who also serves as the equity coordinator for the Wakulla County School District.

### **Credits:**

Guidance, forms, verbiage and support included in this manual has been provided by Exceptional Consulting Services; (ECS, Inc.); Resolutions in Special Education (RISE); and District Implementation Guide for Section 504: a Publication by Florida Department of Education, Division of Public Schools Bureau of Exceptional Education and Student Services, 2011.



## **SECTION 504 OF THE REHABILITATION ACT OF 1973**

In 1973, the Vocational Rehabilitation Act was signed into law. As part of the Act, Congress enacted Section 504. This Section states that disabled persons cannot be discriminated against based solely on their disability. This law became the first federal civil rights law to protect the rights of disabled persons. The official name of the Act is "Nondiscrimination on the Basis of Handicap in Program and Activities Receiving or Benefiting from Federal Financial Assistance."

## **IMPLICATIONS OF SECTION 504 AND IDEA**

The federal government views these two requirements as different but compatible, Section 504 is a basic civil rights statement on behalf of disabled persons. IDEA 2004 (Individuals with Disabilities Education Improvement Act of 2004) is a support program to assist states and districts with the provision of a free appropriate public education (FAPE) to disabled students. Any recipient of federal education funds is bound by the requirements of Section 504.

Both programs require:

- Child identification, location, and evaluation
- Free appropriate public education
- Nondiscriminatory testing
- Procedural safeguards
- A continuum of alternative placements

## **DETERMINING ELIGIBILITY UNDER SECTION 504 and ADA**

A student may be considered a student with a disability if the student has a mental or physical impairment that substantially limits a major life function. Students with disabilities who are not eligible under the Individuals with Disabilities Education Act (IDEA) may be eligible for services and protection including educational accommodations under Section 504 of the Rehabilitation Act of 1973. However, any student identified as a student with disability under IDEA is afforded all the protections described under Section 504.

To be eligible as a student with disabilities under 504 for services and protection against discrimination, a student must be determined, as a result of an evaluation to have a "physical or mental impairment." That impairment must "substantially [limit] one or more major life activities," (Section 104.3(j) (1) & (2) of Title 34). The federal regulations define physical or mental impairment as

"any 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 lymphatic, skin, endocrine or any mental psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities."

Major life activities include but not limited to:

- Caring for one's self
- Seeing
- Breathing
- Working
- Walking
- Performing manual tasks
- Learning
- Hearing
- Speaking

ADAAA expanded the list of major life activities to now include major bodily functions (such as the immune system and normal cell growth), sleeping, standing, lifting, bending, reading, concentrating, thinking and communicating. Interacting with others is also considered a major life activity.

The ADAAA also declared that an impairment which is episodic or in remission is a disability if it would substantially limit a major life activity when active. So conditions such as seasonal allergies, asthma, migraine headaches, or cystic fibrosis, may be considered impairments.

While neither ADAAA or Section 504 requires an evaluation on demand, students whose conditions are in full remission may not have a current need for services, but may need evaluation to determine eligibility if the conditions substantially limit a major life activity. There may be cases when a student is in remission and a parent requests an evaluation. Then the district has the option of determining the student Section 504 eligible, but not in need of services. This should be clearly documented on the forms, ***Section 504 Evaluation & Re-Evaluation***.

ADAAA found at 42 USC Section 12102(4) (E) states (sic) the determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures such as medication, medicinal supplies, equipment or appliances, low vision aids (excluding contact lenses or glasses), prosthetics including limbs and devices, hearing aids and cochlear implants, mobility devices, or oxygen therapy equipment and supplies. Further included is use of assistive technology, reasonable accommodations or auxiliary aids or services, and learned behavioral or neurological modifications. Health care plans may be considered mitigating measures.

Therefore, it is imperative that school districts use extreme caution in the use of the mitigating measure principle to deny disability determination for Section 504.

Services and protections under Section 504 include program accessibility, prohibition of discrimination and provision of reasonable accommodations in employment practices, and non-discriminatory practices in the area of education. The provision of a non-discriminatory education ensures that the student receives a free appropriate public education in a non-segregated educational setting and has been appropriately placed through the administration of a variety of assessments. Procedural safeguards are afforded the student and the parent. The student identified as disabled under Section 504 is also afforded an equal opportunity to participate in nonacademic and extracurricular services and activities in the same manner as nondisabled peers.

Most commonly in the area of education, schools will determine if learning, as a major life activity, is impacted by the student's disability. The Office for Civil Rights (OCR) provided some guidance and stated, "By definition, a person who is succeeding in regular education does not have a disability which substantially limits the ability to learn." Saginaw City (MI)



Sch. Dist., EHLR 352:413 (OCR 1987).

Non-academic services may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the schools, and employment of students including employment by the school and assistance in making employment outside the school.

A 504 Accommodation Plan may be necessary for a student determined to be a student with a disability as described in Section 504 to ensure this student has equal access to academic and non-academic educational activities.

Students identified as disabled and who have been determined eligible for exceptional student education services under IDEA are also afforded the protections under Section 504. The student with disabilities under IDEA is provided accommodations through the individual education plan (IEP) process and is not in need of a 504 Accommodation Plan.

## **DEFINITION OF TERMS**

***Qualified student:*** One who is of age during which non-disabled individuals are provided education services of any age during which it is mandatory under state law to provide such service to individual with disability or one who is entitled to FAPE under IDEA. For example if FAPE is provided to students ages 3-22, then a student within that age range is qualified with a disability under Section 504.

***Disability:*** May include but is not limited to any 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, genito-urinary, hemic lymphatic, skin, endocrine or any mental psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

***Major life activity (MLA):*** Include functions such as “care for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working...” This list is not exhaustive. ADAAA expanded the list of MLA’s.

***Substantial limitation:*** The standard for substantial limitation of a student’s ability to learn is -- “by definition, a person who is succeeding in regular education does not have a disability which substantially limits the ability to learn. (Saginaw City (MI) Sch. Dist. 352 EHLR 413 (OCR 1987).)” Future ADA amendments may change the substantial limitation definition.

A substantial limitation is determined by comparing how the student functions in the affected major life activity to how the average non-disabled student functions in the same major life activity (average person in the general population). If the student suspected of a disability is functioning commensurate to the average non-disabled student, the student is likely not in need of a Section 504 plan...

***Functioning below level:*** Students, who pass each grade while functioning further below the norm for their age, are not succeeding in general education and should be evaluated to determine eligibility for services. Rtl may be considered as an evaluation process.

**Temporary disability:** Eligibility decisions must be made on a case-by-case basis taking into consideration the severity of the temporary impairment and how long it could potentially limit a major life activity.

**504 Plan:** A plan developed by a team of school personnel that addresses the effects the student's disability has on his or her access to educational opportunities. The accommodations indicated on the plan should be such as to provide the child with equal access without providing the child with an undue advantage. The plan has been said to "level the playing field" for the child. The plan must address: the nature of the student's disability and the major life activity it limits; the basis for determining the disability; the educational impact of the disability; the necessary accommodations; and placement in the least restrictive environment.

**Discrimination:** The discrimination aspect of the Rehabilitation Act of 1973 applies to all students with disabilities. Students with disabilities cannot be otherwise denied access to a facility or a service solely due to their disability.



## 504 ACCOMMODATION PLAN PROCEDURES

Students determined to have a disability that affects a major life function may be in need of a 504 Accommodation Plan to provide the student access to the same educational opportunities as non-disabled students. A team of school personnel makes that determination if a student is a student with a disability, the disability affects a major life activity, and a 504 Accommodation Plan is needed to provide the student with a disability access to educational opportunities.

### PARTICIPANTS

**504 Contact/Designee:** The principal designates a school-based person as the 504 contact/designee. This contact/designee facilitates parent and school communication, manages the organization of the written documentation, coordinates the evaluation activities, schedules 504 meetings regarding referral, evaluations, eligibility and plan reviews, and monitors the Accommodation Plan. This person is also responsible for insuring that the MIS (Management Information System) contains current data relating to students' 504 Plans.

**504 Team:** The team should be comprised of persons knowledgeable about the student. The team may be the same persons who participate as members of the school MTSS (Multi Systems of Support)/RtI (Response to Interventions) Team. The team must include the 504 contact/designee, and the student's teacher. In addition, as appropriate, the team may also include administration, the guidance counselor, the school nurse, a social worker, a psychologist or school administrator, and/or a behavior specialist. Other school and district personnel as appropriate may also participate. The parents should also be a part of the team.

### REFERRAL PROCESS

A student may be referred by a teacher, parent, administrator or other person with a legitimate interest and knowledge of the student. To begin the consideration process a student must be brought before the Intervention Support Team. Based on the discussion of the team, the *Section 504 Referral* forms must be completed. Conference notes should provide a summary of the Team's discussion.

Information reviewed by the team may include but is not limited to the student's cumulative educational record, district and statewide assessment scores, classroom student work sample and tests, anecdotal records, medical information, input from classroom teachers and parents.

During the intervention team meeting, the team needs to address the following questions:

- What area of the student's classroom performance is of most concern?
- What interventions, methods, strategies or services have been tried in an effort to deal with the concerns? What have been the results?
- Does the student use any special accommodation in class(es)?

Parents may refer their child for consideration of 504 eligibility. Parents may provide a private evaluation, including but not limited a medical report, a psycho-educational evaluation, neuropsychological evaluation, or a psychiatric evaluation. These reports can



be considered in determining if a referral for consideration of 504 eligibility is moved forward. Regarding parent referrals, the team should ask the following questions:

- What type of disabling tendencies do you feel your child may have or exhibit?
- What are your areas of concerns regarding your child's educational performance?
- How do you believe your child's disabling tendencies affect his school performance?

Medical reports provided by the parent should include the medical diagnosis with a description of the disabling condition and the medical implication if any for instruction.

The 504 Team must review the *Section 504 Referral* and determine whether to proceed with a Section 504 Evaluation. If the team decides that the process should continue, parents are provided with a copy of procedural safeguards, entitled *Notice of Rights for Disabled Students and their Parents Under 504 of the Rehabilitation Act of 1973*, along with the *Notice and Consent for Section 504 Evaluation & Re-Evaluation* and *Parent Input for Section 504 Evaluation*. The teachers of the student are also provided with *Teacher Input for Section 504 Evaluation* in order to provide data on an instructional and behavioral rating scale.

The team may decide to proceed with an evaluation under IDEA. At this point, parents are provided with Notice of Procedural Safeguards for Parents of Students with Disabilities, and asked to sign Consent for Evaluation under IDEA and the evaluation proceeds under the process described in the Special Programs and Procedures (S P & P) Document.

Another option is for the team to decide that there is no evidence to proceed with further evaluation under Section 504. The decision is recorded on the along with the reasons listed under "Conference Notes". The Referral is filed in the student's cumulative folder of educational records.

## EVALUATION

All available records and student data should be reviewed by the 504 Team as part of the evaluation process. Data sources may include cumulative records, attendance records, student observations, documented interventions, standardized aptitude and achievement tests, teacher recommendations, student's physical condition, and/or medical physician's report. The team determines if any further evaluation is needed.

The team will consider a private evaluation as part of the evaluation data. If a parent provides a private evaluation, the team determines if the evaluator is a "trained clinician" with the skills necessary to make a determination as described in the DSM ~~IV~~5.

If the team determines that sufficient evaluation data is present to make a disability determination regarding Section 504, or that no additional evaluation data is required, the team goes forward with the disability determination process for Section 504.

If the team determines that additional assessment information is necessary, the team will designate the team members to be involved in assessment process (psychologist, counselor, social worker, teacher, etc.). Additional assessment information may include behavior ratings forms, standard academic achievement assessments; screening for sensory or physical concerns; or medical information.



At the conclusion of the evaluation process, a Section 504 Meeting is scheduled to review evaluation findings and make a disability determination. The *Section 504 Meeting Notice* and *Notice of Rights for Disabled Students and their Parents Under 504 of the Rehabilitation Act of 1973* are provided to the parents/guardians and the 504 Team is notified of the date/time/location to convene by the school Section 504 Coordinator.

## **DISABILITY DETERMINATION**

The team making the determination can be the same persons as those required for the 504 Team assisting with the evaluation process. These participants may include parent(s) or guardian(s), administrator, a school guidance counselor, school social worker or school administrator, the student's teachers, and other appropriate personnel. However, the team must include the 504 contact/designee, persons knowledgeable about student including classroom teachers, and individuals with the authority to commit the necessary resources to implement the plan, if developed.

The Team completes *Section 504 Initial Evaluation & Re-Evaluation* to determine if student meets the requirements as a qualified student with a disability under Section 504 of the Rehabilitation Act of 1973 and the ADA.

If a student is determined to be a student with a disability as defined under Section 504, the *Wakulla School District Section 504 Referral, Notice and Consent for Section 504 Evaluation & Re-Evaluation, Parent Input for Section 504 Evaluation* and *Teacher Input for 504 Evaluation* and other reviewed data is filed in a teal colored folder stamped Section 504 and housed with the student's cumulative educational records. The school data entry clerk, or principal's designee, enters the data into the district MIS system and uploads the *Section 504 Plan*, if developed.

## **NEED FOR SECTION 504 PLAN**

If the student is determined disabled under 504, the team determines if a *Section 504 Student Plan* is needed.

- Is the disability affecting a major life activity of the student?
- Is the child learning?
- Is the child progressing adequately through the general curriculum?
- Does the student's disability prevent him or her from learning?
- Does the disability limit the student's equal access to educational opportunities?
- Based on the medical report if provided by the parent, what is the medical implication for instruction?

Based on the answers to these questions, the team determines if the student needs a *Section 504 Student Plan*, and if so develops the Plan with accommodations/services.

**The disability determination and the completion of the accommodation plan, if determined appropriate, can all be scheduled for the same meeting.**

## ACCOMMODATION PLAN

The parents are invited to develop the plan. The 504 Team develops the plan based on the student's disability and the effect of the disability on the major life activity. The student's regular teacher (s) is a key part of developing the plan and making the recommendations for the appropriate interventions. Specific accommodations that are currently provided in the classroom(s) for the student may be included on the plan. The Committee Meeting Participants Form is signed by those in attendance. Parents are encouraged to actively participate. Parents receive copies of the *Notice of Rights for Disabled Students and their Parents Under 504 of the Rehabilitation Act of 1973* and a copy of the *Section 504 Student Plan* at the meeting. If they are not in attendance, the *Notice of Section 504 Evaluation Results*, a copy of the *Section 504 Student Plan* and *Notice of Rights for Disabled Students and their Parents Under 504 of the Rehabilitation Act of 1973* are sent home with the student.

At the conclusion of the meeting, the *504 Student Plan* along with all the other documentation, including the medical statement with diagnosis; and evaluation data is placed in a "teal-colored" folder marked "Section 504" and filed in the student's educational cumulative record. The plan will also be uploaded in the district student data system and be saved in PEER. The 504 contact/designee will monitor the implementation of the plan. The 504 contact will also insure that the school data clerk, or principal's designee, is provided with data regarding plan development for entry into the student data system.

### *What Does a Plan Look Like?*

The plan assists the student with a disability in receiving equal access to educational opportunities and provides the student with the same opportunity to benefit from educational programs, services, and activities as the non-disabled peer.

The plan may address classroom accommodations in regard to

- Physical arrangements
- Assignments
- Organization
- Lesson Presentation
- Test Taking
- Behavior

The plan may address physical accommodations such as:

- Transportation
- Controlled environments
- Traveling distances
- Frequent hydration

The plan may address medical issues such as:

- Regularly scheduled time to receive insulin
- Opportunities to use inhaler
- Accommodations to address physical limitation due to disease



### ***Implementation of the Plan***

When completed, the 504 Student Plan for a specific student is provided to all relevant school personnel who are responsible for the implementation of the plan. This includes all classroom teachers of the student, and any other person who may be responsible for the implementation of the plan such as the health-care workers, social workers, guidance counselors, bus driver, and coach. Accommodations, as appropriate are to be provided throughout the school year for the student.

### ***Review of the Plan***

The disability determination and plan review re-occurs as frequently as needed, but at least annually. This should proceed through the 504 Team process. The parent/guardian is invited to the Review Meeting, using the ***Notice and Consent for of Section 504 Evaluation & Re-evaluation*** indicating an Annual Review as the purpose for the meeting. Also and provided is the with ***Notice of Rights for Disabled Students and their Parents Under 504 of the Rehabilitation Act of 1973***. The school 504 Team reviews current evaluation information at the time of the annual review. The reviewed information can include but is not limited to academic progress in the classroom, standardized test scores, behavior plans, medical needs, classroom observations, work samples, etc.

The ***Section 504 Evaluation & Re-evaluation Form*** must be completed to determine if the student continues to have a need for accommodations and if the accommodations in place are still effective in assisting the student access to educational opportunities.

If the team reviews the ***Section 504 Plan*** and the available evaluation data, and determines the accommodations have been ineffective, the team is to revise the ***Section 504 Plan***. A revision of the plan may occur by considering different strategies, more effective accommodations based on the evaluation data or other placement options.

If the team reviews the ***Section 504 Plan*** and the available evaluation data, and determines the student is no longer disabled under Section 504, refer to the Dismissal section.

To document these activities in any of these scenarios, the team is to complete the ***Section 504 Committee Action Form***, which is saved in PEER, and a copy is filed in the student's teal Section 504 folder.

The school staff member responsible for entering Section 504 data should update the student data system with the new plan date and next annual review date as well as other necessary data elements. In addition, the new plan should be uploaded to the student data system for access by teachers/staff who work with the student.

### **DISMISSAL**

At any time the 504 Team may determine a student is not eligible for Section 504 or is no longer in need of a Section 504 Plan. The school 504 contact/designee will schedule and notify the parents of the meeting using the ***Section 504 Committee Meeting Notice***. Under purpose of meeting, it should state "review of data for possible dismissal. Parents are also provided with ***Notice of Rights for Disabled Students and their Parents Under 504 of the Rehabilitation Act of 1973***. Other meeting participants may include a school administrator,

classroom teacher(s), school psychologist, school social worker, guidance counselor, and other appropriate personnel. Each case is individualized. The school 504 contact is responsible for notifying team members of the date/time/location of the meeting. As in the initial intervention team, the participants of the team must be knowledgeable about the student.

Based on the evaluation data, the team can determine that the student is no longer disabled under Section 504 and then dismiss the student. The meeting is documented on the ***Section 504 Initial Evaluation & Re-Evaluation*** form.

Appropriate signatures should be documented on the ***Section 504 Committee Meeting Participants Form***. If parents are in attendance, they are provided with copies of forms and if not the copies are sent home with the student.



## TRANSFER STUDENTS

When a student enrolls in Wakulla County Schools either from another Florida school district or from an out-of-state school district, the school asks, "Has your child received any special help or services at his/her former school?" The parent may also provide information about previous services on the Student Registration form that is completed upon entry into Wakulla County Schools. If the answer is yes, the school should attempt to determine what type of help or services was provided and contact the previous school to verify 504 eligibility.

Upon receipt of documentation of or verification of 504 eligibility, the 504 contact/designee is directed to convene an Intervention Support Team meeting as outlined in these procedures to determine if accommodations are still necessary in Wakulla County Schools.

## ARTICULATION FROM SCHOOL TO SCHOOL

Students who are eligible under Section 504, with or without a Plan, are designated in the student MIS System with a 504 beside the student's name. The Section 504 Plans are uploaded and may be accessed by any school staff member with a legitimate need to access that student's information.

## DISCIPLINE

A student considered a student with a disability under Section 504 cannot be removed for a long-term period (more than 10 days) if the team determines that the behavior was a manifestation of the student's disability. The long-term removal constitutes a change in placement and the school must review the 504 plan, re-evaluate the student and hold a manifestation determination hearing.

If however, through the manifestation determination hearing, the team determines the student's behavior was not a manifestation of the student's disability, the school can impose the same disciplinary action as it would for a non-disabled student.

A suspension or expulsion of a student with disabilities for more than 10 consecutive school days is considered a significant change of placement by the Office for Civil Rights, US Department of Education. In addition, in some instances, a series of short-term suspensions may also be considered a significant change of placement if the series of short-term suspensions creates a pattern of exclusion. Section 504 specifically states that a re-evaluation must be conducted for a student before the school district can make "any significant change of placement." A long term removal or a series of short term removals is considered a change of placement.

To conduct a manifestation determination meeting, the 504 team (same team members that participate in the eligibility and plan development) must meet and complete the *Manifestation Determination Checklist for Section 504 Eligible Students*. Parents must receive adequate prior notice of the meeting by sending home the *Section 504 Committee Meeting Notice*, and writing Manifestation Determination for the purpose of the meeting. A copy of *Notice of Rights for Disabled Students and their Parents Under 504 of the Rehabilitation Act of 1973* must also be provided with the meeting notice. The process is similar to the completion of the form for IDEA students with disabilities. The parent

receives a copy of the completed form if they attend the meeting, and a copy is sent home with the student, if they do not. Copies of the Manifestation Determination Checklist are also filed in the student's teal 504 folder.

## **TESTING ACCOMMODATIONS**

Florida Statutes allow for testing accommodations for students identified as students with disabilities under Section 504. The accommodations must be described in the 504 Accommodation Plan in order to be allowable on the statewide assessments. The accommodations must be provided to the student throughout the school year in the classroom setting and as part of the daily instruction.

## **SECTION 504 AND THE FLORIDA STATUTES**

Section 504 of the Rehabilitation Act of 1973 is currently referenced in Florida Statute that relates to promotion and retention of students.

### **Good Cause Promotion**

Students with disabilities who are eligible for Section 504 Accommodation Plans can be considered for a Good Cause Promotion as described in Section 1008.25 (6), Florida Statutes. Students with a disability with 504 Accommodation Plan and who participate in the state assessment can be provided a Good Cause Exemption. The Section 504 Accommodation Plan must reflect that the student has received intensive remediation in reading for more than 2 years, but the student still demonstrates a deficiency in reading, and the student was previously retained in Kindergarten, grade 1 grade 2, or grade 3.

### **Implementation Of House Bill 1329**

House Bill 1329 related to McKay scholarship was passed and effective July 1, 2011. It provides for a McKay Scholarship to eligible Students With Disabilities (SWDs) who have a Section 504 plan under the conditions in the law. Information regarding this opportunity is provided to parents upon development of a Section 504 Plan at each annual review meeting and by US mail prior to April 1 each year. For more information on McKay Scholarships, visit [www.floridaschoolchoice.org](http://www.floridaschoolchoice.org).



## **Wakulla County School District**

### **PROCEDURES FOR RESPONDING TO STUDENT SERVICE ANIMAL REQUESTS**

#### **PURPOSE**

The purpose of these procedures is to provide a system for responding to a request for a student with a disability to bring his/her service animal to school or to a school function or event.

#### **GENERAL STATEMENT OF PROCEDURES**

Wakulla County Schools will comply with all state and federal laws, regulations and rules regarding the use of service animals by students with disabilities under appropriate circumstances.

#### **DEFINITION OF "STUDENT WITH A DISABILITY"**

A student with a disability is defined as one who has been determined to be disabled by an appropriate team pursuant to the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act (Section 504).

#### **DEFINITION OF "SERVICE ANIMAL"**

As defined by federal regulations implemented under Title II of the Americans with Disabilities Act (ADA), a service animal includes any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability including, but not limited to, a physical, sensory, psychiatric, intellectual, other mental disability or autism. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for purposes of this definition. (Note: The ADA regulations also include the allowance of a "miniature horse" that is a service animal in appropriate circumstances).

#### **DEFINITION OF "WORK OR TASKS" PERFORMED BY THE SERVICE ANIMAL**

The work or tasks performed by a service animal must be directly related to the student's disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effect of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for purposes of these procedures.

#### **PROCEDURES/REQUIREMENTS**

A request to bring a service animal to school or to a school function by or on behalf of a student with a disability is subject to the following procedures and requirements:

1. Parents/adult students must submit a written request to bring the service animal to school or to a school function to the school principal's office, using the **Wakulla County School District Student Request to bring a Service Animal to School or School Function** form. Unless it is readily apparent (i.e., it can be easily observed) that the animal is trained to do work or perform



tasks for the student, the request must identify and describe the service animal and what work or task(s) the service animal is trained to perform that is/are directly related to the student's disability. In addition, the individual requesting that the service animal attend school with a student must provide documentation that the animal is properly immunized as required under state and local law and registered and licensed in accordance with all state and local animal licensing and registration requirements.

2. Requests to bring a service animal on School System property must, whenever possible, be made a reasonable time before bringing the animal school to afford the System adequate time to properly address the request and make any necessary adjustments to the educational environment to appropriately accommodate the service animal's presence. A service animal may not be on school property without prior approval by the school principal or his/her designee.
3. As part of the consideration of a request to bring a service animal to school, the School System can require proof of immunization and all animal licensing and registration requirements under applicable state and local law. In addition, individuals who have service animals are not exempt from local animal control or public health requirements.  
  
If the parent/student refuses to provide proof of immunization or proper licensing or registration of the animal as required by state or local law, the School System may refuse to allow the student to bring the service animal to school or to a school function/event.
4. Once the School System has received a proper formal request for a student to bring a service animal to school, a meeting of the student's IEP or 504 Team (as applicable) will be scheduled and convened. The Team will conduct a case-specific inquiry as to whether the animal meets the definition of a service animal that performs work or tasks directly related to the student's disability.
5. If it is decided that the service animal will be allowed to accompany the student to school and/or to school functions/events, the Team will also discuss a plan for introducing the service animal to the school environment, any appropriate training needed for staff and students regarding interaction with the service animal, and other activities or conditions deemed necessary by the Team, including procedures for attending school functions/events (such as field trips, bus rides, etc.).
6. The issue of allowing the service animal to accompany the student to school or to a school function/event is subject to periodic review, revision or revocation by the student's IEP/504 Team at least annually and typically will be conducted when the student's IEP or 504 Plan are reviewed.
7. Service animals must wear proper identification and always have a harness, leash, tether or other form of proper restraint mechanism, unless the handler is unable because of a disability, to use a harness or other form of restraint mechanism or the use of a harness or other restraint would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
8. The Wakulla County School District is not responsible for the care or supervision of a service animal. Arrangements for the care/supervision of the service animal must be made by the parent/adult student and any costs incurred to handle the service animal will be the responsibility of the parent/adult student.
9. The Wakulla County School District retains the discretion to exclude or remove a service animal from its property if:

- a. the animal is out of control and/or the animal's handler does not effectively control the animal's behavior;
  - b. the animal is not housebroken;
  - c. the animal poses a direct threat to the health or safety of others that cannot be eliminated by making reasonable modifications; or
  - d. the animal's presence would constitute a fundamental alteration in the School System's programs/activities.
10. The parent/ student, depending upon the circumstances and applicable law, may be deemed liable for any damage to school property and any injury to individuals caused by the service animal. Federal law provides that if the Wakulla County School District normally charges students for damages caused, then that student may be charged by damages caused by the service animal.
11. If it is determined that the student will not be allowed to bring his/her service animal to school or to a school function/event, that determination will be considered a grievable discrimination issue and subject to the Wakulla County School District's internal grievance procedures. Parents also may be entitled to initiate a due process hearing under the IDEA or Section 504 if they claim that the refusal constitutes a "denial of FAPE" to the student under the IDEA or Section 504. Parents may also file a Complaint with the Office for Civil Rights (OCR).



## **Wakulla School District Section 504 Grievance Procedure**

If a parent disagrees with the actions of the school's Section 504 Committee in regard to the child's educational program, the parent may pursue a grievance using the procedure described below. The purpose of this procedure is to secure, at the level closest to the student, fair solutions to complaints that may arise from time to time. Before invoking this formal grievance procedure, the parent should first informally talk to the teacher outside of regular class time (if the matter is classroom related), or the principal or designee (if the matter is not classroom related or the parent does not feel comfortable speaking with the teacher) in an attempt to informally solve the problem. If this informal process does not resolve the issue, then the parent may proceed with the following formal grievance procedure. The parent must follow each level in turn and any complaints made to the Superintendent or Board will be referred back to the appropriate level of the grievance procedure.

**Level 1 – Principal:** The parent submits a description of the problem in writing, along with the proposed solution, to the principal within five (5) school days after the informal discussion. The student's parent must sign the grievance. The principal will investigate and decide how s/he will resolve the problem, consulting with the district 504 Coordinator as appropriate. The principal will make his/her decision in writing within five (5) school days after receiving the grievance, and will provide it to the parent.

**Level 2 – Area Superintendent or Designee:** The parent may request, in writing, that the Area Superintendent or designee review the decision. The parent must request within five (5) school days after receiving the principal's decision. The Area Superintendent or designee will review the principal's decision and will decide whether to uphold the principal's decision or to change it, consulting with the district 504 Coordinator as appropriate. The Area Superintendent or designee will make a decision in writing within five (5) school days after receiving the request for review, and will provide it to the parent. This is the final step of the grievance procedure. The next level of review is the impartial hearing.

You have the right to an impartial hearing if you wish to contest any action of the district with regard to your child's identification, evaluation, or placement under Section 504 (34 CFR 104.36). You have the right to participate personally at the hearing, and to be represented by an attorney, if you wish to hire one. If you wish to contest an action taken by the section 504 Committee by means of an impartial hearing, you must submit a Request for Hearing to the Districts Section 504 Coordinator at:

Belinda McElroy  
69 Arran Road  
Crawfordville, FL 32327

A date will be set for the hearing and an impartial hearing officer will be appointed. You will then be notified in writing of the hearing date, time, and place.

If you disagree with the decision of the hearing officer, you have a right to seek a review of that decision before a court of competent jurisdiction (normally, your closest federal district court).

You also have a right to file a complaint with the Office for Civil Rights (OCR) of the Department of Education. The address of the OCR Regional Office that covers this school district is:

Director, Office for Civil Rights  
61 Forsyth St., SW, Suite 19T70  
Atlanta, GA 30303-8927, Tel. 404-974-9406



# ***FORMS***

<b>Student:</b>	<b>Student ID #:</b>	<b>Date of Birth:</b>
Grade:	Referral Date:	School/District:
Referred by:	Position/Relation to Student:	
Reason for Referral (attach additional pages if necessary):		

Is this student enrolled in school?		Yes		If No, explain.
This student has been absent ____ days out of ____ school days this school year. Reason(s):				
This student was absent ____ days out of ____ school days last school year. Reason(s):				
List schools previously attended:				

Current Year Grade Report by Grading Period									-	Year Grades		-	Year Grades	
Subject:	1	2	3	4	5	6	Final		Subject:		Subject:			

Over time, this student's grades: (check the appropriate box)

have become higher each year	stayed about the same each year	have become lower each year
dropped suddenly in ____ grade	Data not available	

Compared with most of the other students in this school, this student's grades: (check the box)

are better	are about the same	are worse
data not available		

Has the student ever been retained? \_\_\_\_ If YES, list grade level(s) where retention occurred and reason for retention(s)



<b>Discipline Information</b> (Attach copies of any behavioral plan or contract)			
Identify the behaviors exhibited by the student (check all that apply)			
Poor attention and concentration		Shifts from one uncompleted task to another	
Often loses things necessary for tasks		Interrupts or intrudes on others	
Excessively high/low activity level		Difficulty working with peers	
Difficulty following directions		Difficulty remaining seated	
Fidgets, squirms or seems restless		Confrontational/assaultive	
Dress code violations		Leaves class without permission	
Brings inappropriate items to school		Other	
In response to these behaviors, what behavior management techniques have been attempted?			
Results of these techniques:			
Has this student been suspended, expelled or removed to an alternative placement during the previous or current school year?		N o	Yes (see below)
If yes, explain and attach copies of <i>all</i> disciplinary referrals (including those that resulted in discipline other than suspension, or expulsion). Report totaling removal days.			

<b>Early Intervention &amp; Alternative Programs</b> (attach relevant plans or other documentation)			
What types of efforts have been attempted to meet the student's needs? (check all that apply)			
Alternative Learning Setting		Title I	
ESL/Bilingual Ed. Program		Tutoring	
		Summer School	
		FCAT remediation	
Other:			
If the student received assistance from the schools' problem solving team, please attach plans created for the student and data gathered on student's response.			
List services or programs considered and rejected for this student? Why?			
Has the student ever been special education eligible?	No	Yes, please attach dismissal report	
Has the student ever been referred to special education?	No	Yes, please attach eligibility report	

<b>Mitigating Measures</b> (Identify any mitigating measures currently in use by the student or provided for the student's benefit. Check all that apply, describe measure(s) in use)	
	Medication:
	Medical supplies, equipment, or appliances:
	Low-vision devices (which do not include ordinary eyeglasses or contact lenses):
	Prosthetics including limbs and devices:
	Hearing aids and cochlear implants or other implantable hearing devices:
	Mobility devices:
	Oxygen therapy equipment and supplies:
	Assistive technology:
	Reasonable accommodations (includes early intervention, RTI, differentiated instruction and informal help from teachers):
	Auxiliary aids or services (includes health plans, emergency plans):
	Learned behavioral or adaptive neurological modifications (including dyslexia and remedial instruction):
	Other:

Evaluation Data from State Assessment (FSA/EOC)								
FSA Latest Administration School Year:			FSA Previous School Year:			EOC School Year:		
Subject	Level	Scale Score	Subject	Level	Scale Score	Subject	Pass? (Y/N)	Level
Reading			Reading					
Mathematics			Mathematics					
Writing			Writing					
Science			Science					

Over time, this student's test scores: (check the appropriate box)			
have become better each year	have stayed about the same each year	have become worse each year	
dropped suddenly in ____ grade	data not available		
Compared to the mean of the district/school/classroom, this student's test scores: (circle comparison group and check the appropriate box)			
improved each year	stayed about the same each year	worsened each year	Other:

<b>Health Information</b> Person conducting screening:			
Attach information relating to any doctor's order, diagnoses, or evaluation pertaining to disability (example, medical reports, psychological reports, ADD w/wo Hyperactivity diagnostic information, etc.)			
Does student exhibit any signs of health or medical problems?		No	Yes. If yes, attach observations.
Is there a need for further assessment of referral of a medical problem?		No	Yes (see below)
If further assessment is necessary, please describe what new data is necessary.			
Is student receiving any medication at school?		No	Yes, list medications
Does the student require adaptive equipment or facility adaptation?		No	Yes, attach list of needs
Does the student have a physical or mental impairment that is episodic?		No	Yes
If yes, please describe the condition, when and how often it is active, and its impact on the student when it is active.			
Does the student have a physical or mental impairment that is in remission?		No	Yes
If yes, please describe the condition, when it was active, at what point it went into remission, and its impact on the student when it was active.			



<b>Vision</b>	Type of screening:	Date of screening	
<i>(Vision examination must have been administered within a year from the date of referral)</i>			
Visual acuity before correction:	Right _____	Left _____	
Visual acuity with correction:	Right _____	Left _____	
Interpretation of results:			
Does student exhibit any signs of health or medical problems?	<input type="checkbox"/>	No <input type="checkbox"/>	Yes. If yes, attach observations.
Is there a need for further assessment of a medical problem?	<input type="checkbox"/>	No <input type="checkbox"/>	Yes (see below)
If further assessment is necessary, please describe what new data is necessary.			
As a result of the screening, is there any indication of a need for further assessment or adjustment?	<input type="checkbox"/>	No <input type="checkbox"/>	Yes, please explain.
Has any follow-up treatment been recommended?	<input type="checkbox"/>	No <input type="checkbox"/>	Yes, please explain.

<b>Hearing</b>	Date of most recent screening:	Type of screening:	
Results:			
Interpretation of results:			
As a result of the screening, is there any indication of a need for further assessment or adjustment?	<input type="checkbox"/>	No <input type="checkbox"/>	Yes. If yes, explain.
Has any follow-up treatment been recommended?	<input type="checkbox"/>	No <input type="checkbox"/>	Yes, please explain.

Conference Notes

**Notice of Rights for Disabled Students and their Parents  
Under §504 of the Rehabilitation Act of 1973**

The Rehabilitation Act of 1973, commonly known in the schools as “Section 504,” is a federal law passed by the United States Congress with the purpose of prohibiting discrimination against disabled persons who may participate in, or receive benefits from, programs receiving federal financial assistance. In the public schools specifically, §504 applies to ensure that eligible disabled students are provided with educational benefits and opportunities equal to those provided to non-disabled students.

Under §504, a student is considered “disabled” if he or she suffers from a physical or mental impairment that substantially limits one or more of their major life activities, such as learning, walking, seeing, hearing, breathing, working, and performing manual tasks. Section 504 also applies to students with a record of having a substantially-limiting impairment, or who are regarded as being disabled even if they are truly not disabled. Students can be considered disabled, and can receive services under §504, even if they do not qualify for, or receive, special education services.

The purpose of this Notice is to inform parents and students of the rights granted them under §504. The federal regulations that implement §504 are found at Title 34, Part 104 of the Code of Federal Regulations (CFR) and entitle eligible student and their parents, to the following rights:

1. You have a right to be informed about your rights under §504. [34 CFR 104.32] The School District must provide you with written notice of your rights under §504 (this document represents written notice of rights as required under §504). If you need further explanation or clarification of any of the rights described in this Notice, contact appropriate staff persons at the District’s §504 Office and they will assist you in understanding your rights.
2. Under §504, your child has the right to an appropriate education designed to meet his or her educational needs as adequately as the needs of non-disabled students are met. [34 CFR 104.33].
3. Your child has the right to free educational services, with the exception of certain costs normally also paid by the parents of non-disabled students. Insurance companies and other similar third parties are not relieved of any existing obligation to provide or pay for services to a student that becomes eligible for services under §504. [34 CFR 104.33].
4. To the maximum extent appropriate, your child has the right to be educated with children who are not disabled. Your child will be placed and educated in regular classes, unless the District demonstrates that his or her educational needs cannot be adequately met in the regular classroom, even with the use of supplementary aids and services. [34 CFR 104.34].
5. Your child has the right to services, facilities, and activities comparable to those provided to non-disabled students. [34 CFR 104.34].
6. The School District must undertake an evaluation of your child prior to determining his or her appropriate educational placement or program of services under §504, and also before every subsequent significant change in placement. [34 CFR 104.35].
7. If formal assessment instruments are used as part of an evaluation, procedures used to administer assessments and other instruments must comply with the requirements of §504 regarding test validity, proper method of administration, and appropriate test selection. [34 CFR 104.35]. The District will



appropriately consider information from a variety of sources in making its determinations, including, for example: aptitude and achievement tests, teacher recommendations, reports of physical condition, social and cultural background, adaptive behavior, health records, report cards, progress notes, parent observations, and scores on TAKS tests, and mitigating measures, among others. [34 CFR 104.35].

8. Placement decisions regarding your child must be made by a group of persons (a §504 committee) knowledgeable about your child, the meaning of the evaluation data, possible placement options, and the requirement that to the maximum extent appropriate, disabled children should be educated with non-disabled children. [34 CFR 104.35].

9. If your child is eligible for services under §504, he or she has a right to periodic evaluations to determine if there has been a change in educational need. Generally, an evaluation will take place at least every three years. [34 CFR 104.35].

10. You have the right to be notified by the District prior to any action regarding the identification, evaluation, or placement of your child. [34 CFR 104.36]

11. You have the right to examine relevant documents and records regarding your child (generally documents relating to identification, evaluation, and placement of your child under §504). [34 CFR 104.36].

12. You have the right to an impartial due process hearing if you wish to contest any action of the District with regard to your child's identification, evaluation, or placement under §504. [34 CFR 104.36]. You have the right to participate personally at the hearing, and to be represented by an attorney, if you wish to hire one.

13. If you wish to contest an action taken by the §504 Committee by means of an impartial due process hearing, you must submit a Notice of Appeal or a Request for Hearing to the District's §504 Coordinator at:

*Wakulla County School District Section 504 Coordinator  
Wakulla County School Board  
69 Arran Road  
Crawfordville, FL 32327*

A date will be set for the hearing and an impartial hearing officer will be appointed. You will then be notified in writing of the hearing date, time, and place.

14. If you disagree with the decision of the hearing officer, you have a right to seek a review of that decision before a court of competent jurisdiction (normally, your closest federal district court).

15. You also have a right to present a grievance or complaint to the District's §504 Coordinator (or designee), who will investigate the situation, take into account the nature of the complaint and all necessary factors, and respond appropriately to you within a reasonable time.

16. You also have a right to file a complaint with the Office for Civil Rights (OCR) of the Department of Education. The address of the OCR Regional Office that covers this school district is: *Director, Office for Civil Rights, 61 Forsyth St. S.W., Suite 19T70, Atlanta, GA 30303-8927, Tel. 404-974-9406*

**Wakulla County School District**  
**Notice and Consent for Section 504 Evaluation/Reevaluation**

<b>Student:</b>	<b>School:</b>	
<b>Student ID:</b>	<b>Grade:</b>	<b>DOB:</b>
<b>Parent/Guardian:</b>	<b>Notice Date:</b>	
<b>Address:</b>		

Dear Parent or Guardian:

Section 504 of the Rehabilitation Act of 1973 (Section 504) is a federal law that protects the rights of individuals with disabilities. It requires school districts to "level the playing field" by eliminating disability-related obstacles and ensuring students with disabilities have access to the same activities and programs as their nondisabled peers. For some students, this may include the provision of special accommodations or services that enable them to fully participate in school. The school district is required to seek parental consent to conduct an evaluation for any child who may have a disability under Section 504. In addition, the law requires periodic reevaluation of students who are receiving accommodations and/or services under Section 504 to make sure those supports are appropriate. Your child is being referred for an evaluation under Section 504 for the following reason(s):

In many cases, the Section 504 evaluation simply consists of the Section 504 Committee reviewing and interpreting existing school records, including anecdotal evidence, observations, prior testing, grades, standardized test scores, information provided by the parent, and other data in order to determine if the student has a qualifying disability and, if so, whether the student needs accommodations or services under a Section 504 plan. For students who have been receiving intensive individualized interventions through the problem solving/response to intervention (PS/RtI) process, the evaluation will include a review of the classroom assistance and interventions provided, the results of those efforts, and any other data generated by the process. In addition to reviewing the data described above, the district is proposing the following evaluation procedure(s) or sources of information:

Students with disabilities and their parents have rights under Section 504. If this is an initial evaluation, a notice describing those rights is provided with this form. We must have your consent before we can conduct an initial evaluation. Your consent is voluntary and may be revoked at any time. Revocation will not negate an action that occurred while the consent was in place. A reevaluation can proceed without parental consent if the district has made reasonable attempts to obtain consent and the parent has not responded. If you have any questions or want additional information about your rights or the evaluation process, please contact:

Please indicate whether you consent to the evaluation and return this form to your child's school.

---

I have received notice of my Section 504 parent rights, and I understand that this is *not* an offer of a Special Education/Exceptional Student Education (ESE) evaluation.

Check all that apply:

- ☐ Yes, I **consent** to the proposed Section 504 evaluation.
- ☐ No, I **do not consent** to the proposed Section 504 evaluation.
- ☐ I would like to discuss the proposed evaluation before I provide consent. Please contact me at the phone number below.

---

*Parent/Guardian Signature*

---

*Date*

---

*Phone*



## Wakulla County School Board Parent Input for Section 504 Evaluation

The information requested will greatly assist the §504 Committee in evaluation of your child. If you have additional information that you want the Committee to consider (and that is not requested here) please feel free to attach additional pages. Disregard any question that makes you uncomfortable. If you would prefer to provide this information by phone, please contact \_\_\_\_\_ at \_\_\_\_\_.

<b>Student Name:</b>	Date of Birth:
Address:	Phone:
School:	Grade:

<b>General Information</b>			
Mother's Name:			
Occupation:		Level of Education	
Father's Name			
Occupation:		Level of Education	
With whom does the child live?		Relationship to child:	
Other Children in the Home (attach additional page if necessary)			
Name	Age	Relationship	
Other Adults in the student's Home		Relationship to student	
Compared to other children in the family, this child's development was: (check one)			
Slower	About the same	Faster	
At what age, in months, was the student able to do the following:			
Sat without support	Crawled	Walked without support	
Used spoon fairly well	First word	Reasonably well-toilet trained	

<b>The Student's Friends &amp; Activities</b>							
Does the student prefer to play/socialize with		Girls	Boys	No preference			
Does the student have friends his/her own age?				Yes	No		
Does the student have friends who are younger than the student?				Yes	No		
Does the student have friends who are older than the student?				Yes	No		

<b>The Student at Home</b>					
Please check each item available for the student's use at home:					
Computer		Books		Tape recorder	
Video games		Television		Educational toys	
What kinds of activities does your family do together? (Read, play games, camp, etc.)					
Have there been any important changes within the family during the last three years (For example, changes, moves, births, deaths, serious illnesses, separations, divorce)					
With whom in the family is the student particularly close?					
Has the student ever been separated from the family due to family problem, health reasons, etc? If yes, please explain.					
How did the student react to the separation?					
Describe the student's behavior at home with peers, siblings, neighbors, and parents. (For example, is the student generally well-behaved? Social? Affectionate? Withdrawn?					
What methods of discipline are used with this student at home? (For example, spanking, extra chores, early bedtimes, taking away of privileges; is he/she given rewards for good behavior?)					
How does the student react to discipline?					
Who usually disciplines the student at home?					
The primary language in the home is:					
How long has the student lived in the United States?					
What time does the student go to bed at night?			Does the student eat breakfast?		
What does the student do when not in school? (Please list the student's common indoor and outdoor activities.)					
Does your student have a part-time job after school or on weekends? If yes, please provide the average number of hours worked per week.					

<b>The Student at School</b>			
Has your student talked to you about difficulties or problems at school? Please explain:			
Do you think your student is having difficulties in school?		Yes	No
If you think your student is having difficulties, please explain your concerns.			



What do you think is causing the student's difficulties at school?
When did you first notice the difficulties?
If you have discussed these concerns with the school, please indicate when and with whom you shared your concerns:
If your student qualifies for Section 504, what services or accommodations do you think are necessary so that the student can participate and benefit from school?

<b>Childhood &amp; Medical History</b>				
Has your student ever had the following?	Never	Began at age?	Ended at age?	Still has problem
Frequent fevers				
Frequent earaches				
Frequent vomiting				
Thumb sucking				
Nightmares				
Sleepwalking				
Head banging				
Rocking of body				
Teeth grinding				
Bedwetting				
Fingernail biting				
Temper tantrums				
Run away from home				
Lost consciousness				
Convulsions				
<b>Current Medical Treatment &amp; Medication</b>				
<p>Doctor's reports, letters and diagnoses can be very helpful to the 504 Committee. Please attach the student's medical records so that the Committee can have a more complete picture of your child. If you would prefer, you may give the District written consent to seek those records from your doctors directly.</p> <p>Please notify _____ (504 Coordinator) at _____ to get the necessary form.</p>				
Please identify any medical problem for which your student is currently receiving medical care:				
Does your student appear to have any other physical health problems for which the student is not currently receiving medical care?				
Please list all medications currently taken by your student (over the counter and prescription).				
Please describe any side effects the student experiences from these medications.				
Please identify any medication(s) taken by your student for over 1 year:				
Please describe any hospital stays by your student, including the date, reason for the stay, the duration, and the result of treatment.				

Does your child have a medical condition or illness with symptoms that are sometimes more serious than other times? If yes, please answer the following questions:

What is the name of the condition or illness?

When and how often is the condition or illness a problem for your child?

How does the condition or illness affect your child when the symptoms are most serious?

Did your child used to have a serious medical condition or illness that has gone away? If yes, please answer the following questions:

What is the name of the condition or illness that your child used to have?

When did your child suffer from the condition or illness?

How did the condition or illness affect your child when the symptoms were most serious?

Is the condition or illness likely to return?

Is there any other information about your student or family that you would like the Section 504 Committee to consider when evaluating your student for Section 504 eligibility? If so, please provide it here.

Signature of Parent

Date

Signature and Position of  
person assisting (if any)

Date



# **Wakulla County School Board** **Teacher Input for Section 504 Evaluation**

<b>Student Name:</b>	Student ID #:	Grade:
Teacher's Name:	Subject Matter:	Date:

<b>Instructional Rating</b>													
Rate the concerns you have about this student. For each skill, mark: 1= Poor 2=Below Average 3=Average 4=Above Average 5=Superior N=Not observed													
	1	2	3	4	5	N		1	2	3	4	5	N
Reading Skills							Tests						
Math Skills							Follows oral directions						
Written Expression							Follows written directions						
Spelling							Organizational skills						
Classroom work							Interaction with staff						
Homework													

<b>Behavioral Rating</b>							
Rate this student's behavior in relation to other students of the same AGE. For each behavior, mark: 1= Poor 2=Below Average 3=Average 4=Above Average 5=Superior N=Not observed							
	1	2	3	4	5	N	
Generally cooperates or complies with teacher requests.							
Adapts to new situations without getting upset.							
Accepts responsibility for own actions.							
Makes and keeps friends at school.							
Works cooperatively with others.							
Has an even, usually happy, disposition.							
Appropriate attention and concentration							
Compliance with teacher directives							
Brings necessary materials to class							
Fidgets, squirms or seems restless							
Completes tasks on time							
Stays on task, is easily redirected							
Remains seated							
Takes turns, waits for turn							

What have you done differently in your classroom to meet this student's educational/behavioral needs?
What were the results of these efforts?

Wakulla County School District  
Section 504 Committee Meeting Notice

<b>Student:</b>	<b>School:</b>	
<b>Student ID:</b>	<b>Grade:</b>	<b>DOB:</b>
<b>Parent/Guardian:</b>	<b>Notice Date:</b>	
<b>Address:</b>	<b>Phone:</b>	

Dear Parent/Guardian,

This letter is to inform you that the Section 504 Committee is planning a meeting to discuss your child's educational needs. The meeting is scheduled to be held at \_\_\_\_\_ at \_\_\_\_\_. While parents are not required members of a Section 504 Committee, we encourage you to participate in this meeting. Your insights and contributions will be helpful as we determine the most effective and appropriate way to meet your child's needs.

The purpose of the meeting is:

The individuals indicated below are invited to attend. In addition, you have the right to bring other person(s) of your choice to the meeting.

**School-Based Section 504 Coordinator:**

**Administrator/Designee:**

**Teacher:**

**Parent/Guardian:**

**Parent/Guardian:**

**Other:**

Parents of students with disabilities have specific rights and protections. **A copy of the Section 504 Procedural Safeguards is attached.**

Please complete and return the bottom of this form to your student's school. If you have any questions or would like additional information, please contact: \_\_\_\_\_ at \_\_\_\_\_

Student: \_\_\_\_\_ Meeting Date: \_\_\_\_\_ Meeting Time: \_\_\_\_\_

**Please check all that apply, sign, and return this section to the school.**

- ☐ I will attend at the scheduled date and time. I plan to bring: \_\_\_\_\_
- ☐ I will not be able to attend, but will participate by telephone. At the scheduled time, please call me at: \_\_\_\_\_
- ☐ I cannot attend at the scheduled date and time. I would like to reschedule for: \_\_\_\_\_
- ☐ I will not be able to attend. Please hold the meeting without me as scheduled.
- ☐ I am providing written input regarding my child - See attached.
- ☐ I need an interpreter for the following language/mode of communication: \_\_\_\_\_

\_\_\_\_\_  
*Parent Signature*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Phone*



Wakulla County School District  
Section 504 Evaluation/Reevaluation

<b>Student:</b>	<b>School:</b>	
<b>Student ID:</b>	<b>Grade:</b>	<b>DOB:</b>
<b>Evaluation Type:</b>	<b>Meeting Date:</b>	

Dear Parent or Guardian:

A student with a disability that substantially limits one or more major life activities is protected from discrimination under Section 504 of the Rehabilitation Act of 1973. In addition, some students with disabilities require accommodations or services provided in accordance with a Section 504 plan to meet their individual educational needs as adequately as the needs of students without disabilities are met. The school district is required to evaluate any child who may be eligible under Section 504, and to conduct periodic reevaluations. An evaluation (or reevaluation) of your child has been completed.

**Evaluation/Reevaluation Data**

The committee reviewed information from a variety of sources, including the following. When applicable, supporting documentation is attached.

**Eligibility Determination**

The committee considered the following questions:

1. Does the student have a physical or mental impairment? If Yes, what is the impairment?<sup>1</sup>
2. Does the physical or mental impairment affect one or more major life activities or bodily functions? If Yes, which ones?<sup>2</sup>
3. Does the physical or mental impairment *substantially limit* a major life activity or major bodily function?<sup>3</sup> If not, explain why the major life activity or bodily function is **not** substantially limited and describe how the committee addressed the positive impact of mitigating measures (i.e., measures used by or on behalf of the student and their impact).
4. Does the student need Section 504 accommodations or services in order for his or her educational needs to be met as adequately as those of nondisabled peers? If No, explain why the student does not need a plan.
  1. *This is an educational determination only, and not a medical diagnosis for purposes of treatment. All impairments, including those that are episodic, in remission, or mitigated should be listed.*
  2. *For an impairment that is episodic, in remission, or mitigated, this includes the activity or function affected when the disability is present or active.*
  3. *"Substantially limits" does not mean "significantly restricted." When making this determination, the committee should not consider the ameliorative (helpful or positive) effects of mitigating measures (except for ordinary eyeglasses or contact lenses). Additionally, the fact that the impairment is episodic (the impact of the impairment is sometimes substantially limiting, but not always) or in remission does not preclude eligibility if the impairment would substantially limit a major life activity or major bodily function when active.*

**Section 504 Committee Decision**

The Section 504 Committee's analysis of the eligibility criteria as applied to the evaluation data indicates that at this time:

- ☐ Not Eligible - The student was evaluated and is not eligible under Section 504.
- ☐ Eligible + Plan - The student is/continues to be eligible under Section 504. A Section 504 plan that provides a free appropriate public education to the student will be developed or, for reevaluation, the current plan will be reviewed and updated as appropriate. The student will receive the manifestation determination, procedural safeguards, periodic reevaluation, and nondiscrimination protections of Section 504.
- ☐ Eligible + No Plan (In Remission) - The student is/continues to be eligible under Section 504, but does not require a Section 504 plan because the impairment is in remission, and there is no current need for services. The student will receive the manifestation determination, procedural safeguards, periodic reevaluation, and nondiscrimination protections of Section 504. Should the need for a plan develop, the committee will reconvene and develop an appropriate Section 504 plan.
- ☐ Eligible + No Plan (Mitigating Measures) - The student is/continues to be eligible under Section 504, but does not require a Section 504 plan because his or her needs are met as adequately as his or her nondisabled peers due to the positive effect of mitigating measures currently in use. The student will receive the manifestation determination, procedural safeguards, periodic reevaluation, and nondiscrimination protections of Section 504. Should the need for a plan develop, the committee will reconvene and develop an appropriate Section 504 plan.
- ☐ Dismissal - The student is no longer eligible under Section 504 and is exited from the program. The student will now receive regular education without Section 504 services. The student will receive the nondiscrimination and procedural safeguards protections of Section 504 as a student with a record of an impairment, but the manifestation and periodic reevaluation requirements no longer apply.
- ☐ IDEA Eligible/Section 504 Dismissal - The student has been evaluated and determined eligible for exceptional student education (ESE) services as a student with a disability. Consequently, the student will receive a free appropriate public education in accordance with an individual educational plan (IEP) through the IEP team process, and is exited from the Section 504 program. The Section 504 nondiscrimination protections and procedural safeguards continue to apply.
- ☐ Other - Please describe:



Wakulla County School District Section 504  
Plan

<b>Student:</b>		<b>School:</b>	
<b>Student ID:</b>		<b>Grade:</b>	<b>DOB:</b>
<b>Meeting Date:</b>	<b>Temporary Plan Due to Transitory Impairment:</b>		<b>Anticipated Duration:</b>
<b>Meeting Purpose:</b>			

**Impairment**

The following physical or mental impairment(s) substantially limits one or more of the student's major life activities or bodily functions:

The following major life activity or bodily function is substantially limited by the impairment:

**General/Classroom Accommodations and Services**

The following accommodation(s) or service(s) will be provided to facilitate the student's access to classroom instruction and other school activities: Need/Area of Concern:

Accommodation/Service:

Person(s) Responsible:

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**Assessment Accommodations**

The following accommodation(s) is/are necessary to measure the student's academic and functional performance on statewide and districtwide assessments:

**Implementation**

Teachers and other staff are informed of their specific responsibilities related to implementing this Section 504 plan, including when a plan is continued from one school year to the next or a student moves from one school to another, as follows:

**Wakulla County School District  
Section 504 Committee Meeting Participants**

Name: \_\_\_\_\_

Student ID: \_\_\_\_\_

Date of Meeting: \_\_\_\_\_

The Section 504 committee must be a group of people who are knowledgeable about the student (S), the evaluation data (E), or the placement options (P). Each required area of knowledge must be represented on the committee.

Section 1002.20, Florida Statutes, states that parents may be accompanied by another adult of their choice at a meeting with school district personnel. The statute requires parents of students with disabilities and school district personnel to sign a document at the end of the meeting stating whether anyone from the district prohibited, discouraged, or attempted to discourage the parents from inviting a person of their choice.

**Parent or Guardian:** When signing below, please check the appropriate box in response to the following question:

*Did any school personnel prohibit, discourage or attempt to discourage you from inviting a person of your choice to today's meeting?*

	No	Yes		S	E	P
_____ <i>Parent/Guardian</i>	<input type="checkbox"/>	<input type="checkbox"/>	_____ <i>Signature</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ <i>Parent/Guardian</i>	<input type="checkbox"/>	<input type="checkbox"/>	_____ <i>Signature</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ <i>Student</i>	<input type="checkbox"/>	<input type="checkbox"/>	_____ <i>Signature</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**School District Personnel:** When signing below, please check the appropriate box in response to the following question:

*Did any school personnel prohibit, discourage or attempt to discourage the parents from inviting a person of their choice to today's meeting?*

	No	Yes		S	E	P
_____ <i>School-Based Section 504 Coordinator</i>	<input type="checkbox"/>	<input type="checkbox"/>	_____ <i>Signature</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ <i>Teacher</i>	<input type="checkbox"/>	<input type="checkbox"/>	_____ <i>Signature</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ <i>Administrator/Designee</i>	<input type="checkbox"/>	<input type="checkbox"/>	_____ <i>Signature</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ <i>School Counselor</i>	<input type="checkbox"/>	<input type="checkbox"/>	_____ <i>Signature</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Parent/Guardian Receipt of Procedural Safeguards**

I have received a copy of the Section 504 Procedural Safeguards and understand my parental rights.

\_\_\_\_\_  
*Parent Initials/Date*

Section 1002.39, Florida Statutes, The John M. McKay Scholarships for Students with Disabilities Program, provides parents the option of keeping their child in the assigned school or requesting a McKay Scholarship to: (1) enroll their child in another public school within the same district; (2) enroll their child in another public school in an adjacent district; or (3) enroll their child in a participating private school. Information on the McKay Scholarship Program is available on the Florida Department of Education website at [www.floridaschoolchoice.org](http://www.floridaschoolchoice.org) or on the Department's hotline at 1-800-447-1636.



## Wakulla County School Board

### Section 504 Manifestation Determination Evaluation

**Procedural Checklist:**

**Both boxes must be checked before the §504 evaluation for manifestation determination can occur.**

Verify how the parent was informed of the date, time, and place for this evaluation			
<input type="checkbox"/>	in writing	<input type="checkbox"/>	by phone
<input type="checkbox"/>		<input type="checkbox"/>	in person
<input type="checkbox"/>	Other?		
Verify that the §504 Committee is a group, including a person with knowledge in each of the required areas. (See below)			

Student:	Student ID #:
School/District:	Date of Evaluation:

**§504 Committee Membership:**

By regulation, the Section 504 Committee is a group of knowledgeable people. Within the group, each required type of knowledge must be present. List each member attending and check the area of knowledge each provides (attach an additional sheet if necessary). Each required area of knowledge must be present on the committee.

Name	Position/Title	Knowledge of ....
		<input type="checkbox"/> The Child
		<input type="checkbox"/> The meaning of the evaluation data
		<input type="checkbox"/> The placement options
		<input type="checkbox"/> The Child
		<input type="checkbox"/> The meaning of the evaluation data
		<input type="checkbox"/> The placement options
		<input type="checkbox"/> The Child
		<input type="checkbox"/> The meaning of the evaluation data
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		<input type="checkbox"/> The Child
		<input type="checkbox"/> The meaning of the evaluation data
		<input type="checkbox"/> The placement options
		<input type="checkbox"/> The Child
		<input type="checkbox"/> The meaning of the evaluation data
		<input type="checkbox"/> The placement options

**Evaluation Data Considered from a Variety of Sources**

The Committee reviewed and carefully considered data gathered from a variety of sources, including the Referral Document. [Please check each type of data reviewed by the Committee, or attach copies of the data.]

<input type="checkbox"/>	Parent input	<input type="checkbox"/>	Student work portfolio
<input type="checkbox"/>	Grade reports	<input type="checkbox"/>	Special education records (specify)
<input type="checkbox"/>	Standardized Tests and Other Tests	<input type="checkbox"/>	Disciplinary records/referrals
<input type="checkbox"/>	Early Intervention data	<input type="checkbox"/>	Medical evaluations/diagnoses
<input type="checkbox"/>	Teacher/Administrator Input	<input type="checkbox"/>	Witness statements
<input type="checkbox"/>	School Health Information	<input type="checkbox"/>	Other

NOTE: If information from a conversation or other data in unwritten form was considered, please document that oral data relied upon by attaching written notes summarizing the conversation or data.)

<b>Behavior subject to disciplinary action</b> (The 504 Committee does not address whether or not the alleged behavior occurred):		
<b>List each of the student's Section 504 qualifying physical or mental impairments:</b>		
<b>The Section 504 Committee reviewed and discussed the data listed above. Based on this review, the Committee has made the following determinations:</b>		
Question #1: Was the conduct in question caused by, or directly and substantially related to the student's disabilities?	Yes	No
Question #2: Was the conduct in question the direct result of the school's failure to implement the student's Section 504 plan, if there was any such failure?	Yes	No
<b>Results:</b> If either of the questions are answered "yes," the behavior must be considered to be a manifestation of the student's disability. In that event, the student cannot be expelled or placed in the school's disciplinary alternative education setting for more than 10 school days.		

Committee Notes:



**Wakulla County School Board  
Notice of Section 504 Manifestation Determination Evaluation Results**

Date \_\_\_\_\_

Dear Parent/Guardian/Adult Student,

This letter is to inform you that the Section 504 Committee had a meeting on \_\_\_\_\_ to discuss your student \_\_\_\_\_ (student's name). A copy of the manifestation determination evaluation form is attached. After careful review of relevant evaluation data indicated on page 1, the Section 504 Committee analyzed the data to answer the manifestation determination questions on page 2. While the evaluation document provides more detail on the Committee's decision, by way of summary, the Committee determined that \_\_\_\_\_ (provide brief summary of decision)

A copy of the 504 Committee's manifestation determination evaluation is enclosed. If your student's Section 504 plan was changed during the meeting, a copy of the new §504 Plan is also attached.

If you have any questions concerning this decision, please call me at \_\_\_\_\_.

I will be more than happy to discuss any questions that you may have.

Sincerely,

Section 504 Coordinator

Encl. (1) Completed Manifestation Determination Evaluation Form  
(2) §504 accommodation plan (if the student had a Plan and if the Plan was changed)

**Wakulla County School District**

**STUDENT REQUEST TO BRING A SERVICE ANIMAL TO SCHOOL  
OR A SCHOOL FUNCTION**

Date \_\_\_\_\_ (request made a reasonable period of time prior to the animal's presence at school or at a school function/event)

Student name \_\_\_\_\_

Parent name(s) \_\_\_\_\_

School \_\_\_\_\_

Unless it is readily apparent or has already been observed by school system personnel, describe the work or task(s) that the service animal performs that is/are directly related to the student's disability:

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Type of service animal: ☐ Dog ☐ Other: \_\_\_\_\_

Name of service animal: \_\_\_\_\_

Name of service animal's handler: \_\_\_\_\_

Documentation attached that the Service Animal is:

☐ Properly and currently immunized, licensed and registered as required by state and local law

Other relevant information the School System should know:

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Please submit completed Request to the school principal. A meeting of the student's 504/IEP Team will be scheduled to address the request.

*Note: This Registration/Agreement is valid until the end of the current school year. It must be renewed prior to the start of each subsequent school year or when a different service animal will be used.*