

ROMA INDEPENDENT SCHOOL DISTRICT

PARENT PARTICIPATION IN SECTION 504 COMMITTEE MEETINGS

DEFINITION	Section 504 Committee membership is an interdisciplinary committee. All members must be knowledgeable about the student, the evaluation data, and the placement options. The committee must ensure that all decisions are based on individual student need, least restrictive environment requirements, and shall draw upon a variety of information that shall be documented in reaching their determination.
RECIPIENT	Refers to the institution that receives federal funding, <i>not</i> the parent.
RESPONSIBILITY FOR DECISIONS	Section 504 regulations are very clear that the district (recipient) is required to make the decisions. OCR and case law support that the recipient is responsible and is <i>“to establish standards and procedures for the evaluation and placement of students...”</i>
PARENTAL INVOLVEMENT/ PARTICIPATION	<p>Section 504 and supporting case law do not grant parents the right to demand or to act as educational supervisors. Parents do have the right to question school district choices but do not have the right to dictate the specific terms of those choices, or to act as educational supervisors.</p> <p align="right"><i>Erroll B. vs. Houston ISD (SEA, Oct. 1995)</i></p> <p><i>“There is no requirement under Section 504 that parents physically participate in all placement procedures, only that placement decisions are made by a group of knowledgeable persons who may include the parent.”</i></p> <p align="right"><i>Edmond (OK) School District, 31 IDELR 242 (OCR 1999)</i></p> <p><i>“Section 504 does not require that parents be given the opportunity to attend committee meetings. ‘To assert a cause of action on such a ludicrous and thoroughly unjustified basis is utterly frivolous.’”</i></p> <p align="right"><i>K.U. by Michael U. vs. Alvin ISD, No. G-97-056 U.S. Dist. Ct., southern Dist. of TX, Galveston Div. January 1998, 27 IDELR 347</i></p> <p>OCR noted that Section 504 implementing regulation at 34 CFR §104.35 does not specifically name parents as required 504 team members.</p> <p align="right"><i>Escondido (CA) Elementary School District, No. 09-08-1364 109 LRP 24519 (OCR 2009)</i></p>
PROCEDURAL POSITION	<p>When one (district) is writing a manual such as this, the district personnel are being collaborative while at the same time considering board policy, federal regulations, OCR Letters of Finding, due process hearing documentation, and court cases in their jurisdiction as well as other key courts of the U.S.</p> <p>While it is the procedure in Roma ISD to invite parents to attend and provide input to the §504 committee, <i>“it is the school district personnel (not the parent) who must determine that a student is, in fact, ‘suspected and in need of services under Section 504 due to a disability.’”</i></p> <p align="right"><i>Letter to Mentink, 19 IDELR 1127</i></p>
MEDICAL	<p>Standards of Professional Nursing Practice §217.11. The responsibility of the Texas Board of Nurse Examiners (board) is to regulate the practice of professional nursing within the State of Texas. The purpose of defining standards of practice is to identify roles and responsibilities of the registered professional nurse (RN) in any health care setting. The standards for professional nursing practice shall establish a minimum acceptable level of professional nursing practice.</p> <p>The RN shall: <i>“(4) [Intervention/Stabilizing Patient] institute appropriate nursing interventions which might be required to stabilize a client’s condition and/or prevent complications.”</i></p>