

Buffalo Lake – Hector – Stewart High School

Independent School District #2159

Section 504 Guidelines

SECTION 504 OF THE REHABILITATION ACT

Section 504 of the Rehabilitation Act of 1973 is a civil rights statute which provides that: "No otherwise qualified individual with disabilities in the United States. . . shall, solely by reason of his/her disability, be excluded from the participation in; denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial assistance or activity conducted by any executive agency or by the United States Postal Service." 29UCSs/794

DEFINITIONS

Who is an "Individual with Disabilities?"

An individual with disabilities is the same as "a person with disabilities" defined in 34 CFR 104.3(j). That definition is as follows:

(j) "Person with disabilities." (1) "Persons with a disability" means any person who (i) has a physical or mental impairment which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment.

The legal definition contained in Section 504 does not set forth a list of specific diseases and conditions that constitute physical or mental impairment because of the difficulty of ensuring the comprehensiveness of such a list. However, the definition includes such diseases and conditions as orthopedic, visual, speech, and hearing impairments; cerebral palsy; epilepsy; muscular dystrophy; multiple sclerosis; cancer; heart disease; diabetes; mental retardation; emotional illness; attention deficit disorder (ADD); attention deficit hyperactive disorder (ADHD); acquired immune deficiency syndrome (AIDS); and human immune deficiency virus (HIV) positive.

There are three criteria used to qualify a person as an individual with disabilities under the regulations.

1. A person is considered disabled under Section 504 if she/he has a physical or mental impairment which substantially limits one or more major life activities (e.g. any student who is eligible to receive services under the individuals with Disabilities Education Act). A physical or mental impairment does not constitute a disability for purposes of this part of the definition unless its severity is such that it results in a substantial limitation of one or more life activity.
2. A person is considered disabled under Section 504 if she/he has a record or history of such an impairment (e.g. a student with learning disabilities who has been dismissed from the special program for students with learning disabilities, a student

identified/diagnosed as having an attention deficit disorder, a student who has cancer, a student in recovery), has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activity. An example of misclassification is a limited English proficient student who is mistakenly determined eligible for the special program for students with a mental disability.

3. A person is considered disabled under Section 504 if she/he is regarded as having an impairment. A person can be found eligible under this section if he/she:
 - a. has a physical or mental impairment that does not substantially limit a major life activity but is treated by the district as having such a limitation (e.g. a student who has scarring, a student who walks with a limp); or
 - b. has a physical or mental impairment that substantially limits a major life activity only as a result of the attitudes of others toward such impairment (e.g. a student who has epilepsy and is not allowed to try out for sports or cheerleading); or
 - c. has no physical or mental impairment but is treated by the district as having such an impairment (e.g. a student who tests positive for HIV but has no physical effects from it).

Who is a “qualified” individual with disabilities?

With respect to preschool, elementary, secondary and adult education services, a person with a disability of an age during which persons with disabilities are provided such services, of any age during which it is mandatory under state law to provide such services to persons with disabilities, or to whom a state is required to provide a free appropriate education under Section 612 of the Individuals with Disabilities Education Act, is qualified. 34 CFR 103.4(k) For school districts, this means all school-age persons with disabilities, ages 3 – 21.

Parents who have a disabling condition are also protected by Section 504. For example, a district should provide an interpreter or some equivalent service to a parent who is deaf in order to ensure that the parent has an equal opportunity to participate in school initiated activities.

What is a “major life activity?”

Major life activities, under Section 504, includes caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. Other examples of major life activities include walking, standing, reading, concentrating, thinking, communicating. It also

includes major bodily functions, such as oas functions of the immune system, digestive functions, and brain function. The disabling condition need only substantially limit one major life activity in order for the student to be eligible. 34 CFE 104.3(j). Schools must consider the impact of the student's disability on all major life activities, not just learning.

What constitutes discrimination under Section 504?

Discrimination under Section 504 34 CFR 104.4(b) occurs when a recipient of federal funds:

1. denies a student with a disability the opportunity to participate in or benefit from an aid, benefit, or service which is afforded non-disabled students (e.g., district practice of refusing to allow any student with an individual educational plan (IEP) the opportunity to be on the honor roll, denial of credit to a student whose absenteeism is related to his/her disabling condition, expelling a student for behavior related to his/her disabling condition, refusing to dispense medication to a student who could not attend school otherwise);
2. fails to afford the student with disability an opportunity to participate in or benefit from the aid, benefit, or service that is equal to that afforded (e.g., applying a policy that conditions interscholastic sports eligibility on the student's receiving passing grades in five subjects without regard to the student's disabling condition);
3. fails to provide aids, benefits, or services to a student with a disability that are as effective as those provided to non-disabled student (e.g., placing a student with a hearing impairment in the front row as opposed to providing her with an interpreter);
4. provides different or separate aids, benefits, or services that are provided to non-disabled students (e.g., segregating students in separate classes, schools or facilities, unless necessary);
5. aids or perpetuates discrimination by providing significant assistance to an agency, organization, or person that discriminates on the basis of disability (e.g., sponsoring a student organization that excludes persons with disabilities);
6. denies a person with disabilities the opportunity to participate as a member of a planning or advisory board strictly because of his/her disabling condition.
7. otherwise limits the enjoyment of any right, privilege, advantage or opportunity enjoyed by others (e.g., prohibiting a person with a physical disability from using a service dog at school);

8. in determining the site or location of a facility, makes selections which effectively exclude persons with disabilities, denies them benefits, otherwise subjects them to discrimination (e.g., allowing students with disabilities to be located in inferior facilities, such as trailers, wings in basements, and unnecessarily restrictive classrooms due to lack of classroom space).

*Note: "Equally effective" means equivalent, as opposed to identical. Moreover, to be equally effective an aid, benefit, or service need not produce equal results; it must merely afford an equal opportunity to achieve equal results.

When school staff should consider the existence of a disability and possible 504 protection?

- When suspension or expulsion is being considered for any student.
- When retention is being considered for any student.
- When a student shows a pattern of not benefiting from the instruction being provided.
- When a student returns to school after a serious illness or injury.
- When a student is referred for evaluation but it is determined not to do an evaluation under the IDEA.
- When a student is evaluated and is found not to qualify for Special Education services under the IDEA.
- When a student exhibits a chronic health condition.
- When a student is identified as "at risk" or exhibits the potential for dropping out of school.
- When substance abuse is an issue.
- When a disability of any kind is suspected.
- When a new building or remodeling is being considered.

CLASSROOM AND FACILITY ACCOMMODATIONS

The following information provides examples of ways in which the needs of children with disabilities (or Section 504 disabilities) may be accommodated in the regular classroom environment.

AREA OF CONCERN	ACCOMODATIONS
Parent/student/teacher communication	<ul style="list-style-type: none"> Develop a daily/weekly journal. Develop a parent/student/school contacts. Schedule periodic parent/teacher meetings. Provide parents with duplicate sets of texts.
Staff Communications	<ul style="list-style-type: none"> Identify resource staff Network with other staff. Schedule building team meetings. Maintain on-going communication with building Principal.
School/community/agency/communication	<ul style="list-style-type: none"> Identify and communicate with appropriate personnel working with student. Assist in agency referrals. Provide appropriate carryover in the school environment.
Instructional day	<ul style="list-style-type: none"> Allow student more time to pass in hallways. Modify class schedule
District policies/procedures	<ul style="list-style-type: none"> Allow student increase in numbers of excused absences for health reasons. Adjust transportation/parking arrangements. Approve early dismissal for agency appointments.
Modification of classroom/building climate to accommodate student needs.	<ul style="list-style-type: none"> Use air purifier Control temperature Accommodate specific allergic reactions. Plan for evacuation for wheelchair-bound students. Schedule classes in accessible areas.
Difficulty sequencing and completing steps to accomplish specific tasks (e.g., writing a book report, term paper, organized paragraphs, division problems, etc.)	<ul style="list-style-type: none"> Break up tasks into workable and obtainable steps. Provide examples and specific steps to accomplish task.

Shifting from one uncompleted activity to another without closure.	Define the requirements of a tasks (e.g., your math is finished when all 6 problems are completed and corrected; do not begin on the next task until it is finished.)
Difficulty following through on instruction from others	<p>Gain student's attention before giving directions. Use alerting cues. Accompany oral directions with written directions.</p> <p>Give one direction at a time. Quietly repeat directions to the student after they have been given to the rest of the class. Check for understanding by having student repeat the directions.</p> <p>Place general methods of operation and expectations on charts displayed around the room and/or sheets to be included in student's notebook.</p>
Difficulty prioritizing from most to least important	<p>Prioritize assignments and activities.</p> <p>Provide a model to help students.</p> <p>Post the model and refer to it often.</p>
Difficulty sustaining effort and accuracy over time.	<p>Reduce assignment length and strive for quality (rather than quantity).</p> <p>Increase the frequency of positive reinforcement (catch the student doing it right and let him know it.)</p>
Difficulty completing assignments	<p>List and/or post (and say) all steps necessary to complete each assignment.</p> <p>Reduce the assignments into manageable sections with specific due dates.</p> <p>Make frequent checks for work/assignments completion.</p> <p>Arrange for the student to have a "student buddy" with phone number in each subject area.</p>
Difficulty with any task that requires memory	<p>Combine seeing, saying, writing and doing. Student may need to sub-vocalize to remember.</p> <p>Teach memory techniques as a study strategy (e.g., mnemonics, visualization, oral rehearsal, numerous repetitions).</p>
Difficulty with test taking	<p>Allow extra time for resting, teach test taking skills and strategies, and allow students to be tested orally. Use clear, readable and uncluttered test forms. Use test format that the student is most comfortable with. Allow ample space for student's response. Consider having lines answer spaces foe essay or short answer questions.</p>

Confusion from non-verbal cues (misreads body language, etc.)	Directly teach (tell the students) nonverbal cues mean. Model and have student practices reading cues in a safe setting.
Confusion from written material lectures and audio-visual material difficulty finding main idea from presentation, attributes greater importance to minor details.	<p>Provide student with copy of reading ideas underlines or highlighted.</p> <p>Provide an outline of important points from reading material.</p> <p>Teach outlining, main idea/details concepts.</p>
Confusion from spoken material, lectures and audio-visual material (difficulty finding main ideas from presentation, attributes greater importance to minor details)	<p>Provide student with a copy of presentation notes. Allow peers to share notes from presentation (have student compare own notes with copy of peer's notes).</p> <p>Provide framed outline of presentations (introducing visual and auditory cues to important information). Encourage use of tape recorder.</p> <p>Teach and emphasize key words (the following ..., the most important point..., etc.)</p>
Difficulty sustaining attention to tasks or other activities (easily distracted by extraneous stimuli)	<p>Reward attention. Break up activities into small units. Reward for timely accomplishments.</p> <p>Use physical proximity and touch. Use earphones and/or study carrels, quiet place, or preferential seating.</p>
Frequent messiness or sloppiness	<p>Teach organizational skills. Be sure student has daily, weekly and/or monthly assignment sheets, list of materials needed daily, and consistent format for papers. Have a consistent way for students to turn in and receive back papers, reduce distractions.</p> <p>Give reward points for notebook checks and proper paper format.</p> <p>Arrange for peer who will help with the organization.</p> <p>Provide clear copies of worksheets and handouts and consistent format for worksheets. Establish a daily routine, provide for what you want the student to do.</p> <p>Assist student to keep materials in a specific place (e.g. pencils and pens in pouch).</p>

	Be willing to repeat expectations.
Poor handwriting (often mixing cursive manuscript and capitals with lower case letters)	Allow for scribe and grade for context, not hand writing. Allow for use of a computer or typewriter. Consider alternative methods for student response (e.g. tape recorder, oral response, etc.) Don't penalize student for mixing cursive and, manuscript (accept any method of production).
Difficulty with fluency in handwriting (e.g. good letter/word production but very slow and laborious)	Allow for shorter assignments (quality vs. quantity). Allow alternate method of production (computer, scribe, oral presentation, etc.)
Poorly developed study skills	Teach study skills specific to the subject area organization (e.g., assignment calendar), textbook reading, note taking (finding main detail, mapping, outlining, skimming, summarizing).
Poor self-monitoring (careless errors in spelling, arithmetic, reading)	Teach specific methods of self-monitoring (e.g. Stop-Look-Listen). Have student proofread work when it is complete.
Low fluency or production of written material (takes hours on a 10 minute assignment)	Allow for alternative method for completing assignment (oral presentation, taped-repeated visual presentations, graphs, maps, pictures, etc.) with reduced written requirement. Allow for alternative method of writing (e.g., typewriter, computer, cursive or printing, or a scribe).
Apparent inattention (under active, daydreaming, not there)	Get student's attention before giving directions, tell students how to maintain attention, (Look at me while I talk; watch my eyes while I speak) Attempt to actively involve student in lesson (e.g. cooperative learning).
Difficulty participating in class without being interruptive, difficult working	Seat student in close proximity to the teacher. Reward appropriate behavior (catch student being good). Use study carrel if appropriate.

<p>Inappropriate seeking of attention (clowns around, exhibits loud excessive other's attention appropriately or exaggerated movement such as attention-seeking behavior, interrupts, butts into other children's activities, needles others)</p>	<p>Show student (model) how to gain other's attention appropriately. Catch the student when appropriate and reinforce.</p>
<p>Frequent excessive talking</p>	<p>Teach students hand signals and use to tell student when and when not to talk. Make sure students is called upon when it is appropriate and reinforce listening.</p>
<p>Difficulty making transitions (from activities to activities or class to class); takes an excessive amount of time to "find pencil," gives up, refuses to leave previous tasks; appears agitated during change.</p>	<p>Program student for transitions. Give advance warning of when a transition is going to take place (now we are completing the worksheet, next we will . . .) and the expectations for the transition (and you will need. . .) Specifically say and display lists of materials needed until a routine is possible. List steps necessary to complete each assignment. Have specific locations for all materials (pencil pouches, tabs in notebooks, etc.). Arrange for an organized helper (peer).</p>
<p>Difficulty remaining seated or in a particular position when required to. Frequent fidgeting with hands, feet or objects; squirming in seat</p>	<p>Give student frequent opportunities to get up and move around. Allow spaces for movement. Break tasks down to small increments and give frequent positive reinforcements for accomplishments (this type of behavior is often due to frustration). Allow alternate movement when possible.</p>
<p>Inappropriate responses in class often blurted out; answers given to questions before they have been completed</p>	<p>Seat student in close proximity to teacher so that visual and physical monitoring of student behavior can be done by the teacher. State behavior that you do want (tell the student how you expect him to behave.)</p>
<p>Agitation under pressure and competition (athletic or academic)</p>	<p>Stress efforts and enjoyment for self, rather than competition with others. Minimize timed activities; structure class for team effort and cooperation.</p>

Inappropriate behaviors in a team or large group sport or athletic activity (difficulty waiting turn in games or group situations)	Give the student a responsible job (e.g., team captain, care and distribution of the balls, scorekeeping, etc.); consider leadership role. Have student in close proximity to teacher.
Frequent involvement in physically dangerous activities without considering possible consequences.	Anticipate dangerous situation and plan for in advance. Stress Stop- Look - Listen. Pair with responsible peer. (Rotate responsible students so they don't wear out!)
Poor adult interactions. Defies authority. Sucks up on Hangs on.	Provide positive attention. Talk with student individually about the inappropriate behavior (What you are doing is . . . A better way of getting what you need or want is . . .)
Frequent self-putdowns, poor personal care and posture, negative comments about self and others, low self-esteem.	Structure for success. Train students for self-monitoring, reinforce improvement, teach self-questioning, strategies (What am I doing? How is that going to affect others?)
Difficulty using unstructured time, recess lunchroom, locker room	Provide student with a definite hallway purpose during unstructured activities (The purpose of going to the library is to check out. . . , the purpose of.... is....). Encourage group games and participation (organized school clubs and activities).
Losing things necessary for task or activities at school or at home (e.g., pencils, books, assignments before, and after completion of a given task)	Help student organize. Frequently monitor notebook and dividers, pencil pouch for everything and everything in its place. Provide positive reinforcement for good organization. Provide student with a list of needed materials and their locations.
Poor use of time (sitting, staring off into space, doodling, not working on task at hand)	Teach reminder cues (a gentle touch on the shoulder, hand signals, etc.) Tell the student your expectation of what paying attention looks like (You look like you are paying attention when. . .)

Give the student a time limit for a small unit of work with positive reinforcement for accurate completion. Use a contract, timer, etc., for self-monitoring.

Resource:

Anchorage School District - Attention Deficit Disorders. Suggested Classroom Accommodations for Specific Behaviors.

SECTION 504 PROCESS

1. Child Study Team Referral
2. Child Study Meeting – principal, counselor, 504 coordinator, teachers, possibly – school nurse, special ed., specialties, etc.
3. Section 504 Pre-assessment of Referral
4. Review of Referral – Child study team, same as #2 above
5. Letter to parents
6. Teacher meeting to determine regular and special education and related aids and services.
7. Section 504 Parent meeting with Sec. 504 plan
8. Section 504 plan in place
9. Annual review of Section 504 plan
10. Annual Section 504 review

LIST OF SECTION 504 FORMS

1. BLHS Public Schools Policy Statement on Compliance with State and Federal Law Prohibiting Discrimination
 - 1b. Policy Statement – large print
2. Section 504 of the Rehabilitation Act 1973 – with definitions of “substantially limits”
3. BLHS Grievance Procedure for Complaints of Discrimination and Harassment.
 - 3b. Title IX, Section 504/ADA and Equity Grievance Procedure for Buffalo Lake – Hector – Stewart School District #2159.
4. BLHS Schools Section 504 Pre-assessment and Referral
 - 4b. BLHS Schools Section 504 Review of Referral
5. BLHS Public Schools Assessment Parent Notification.
6. BLHS Schools Section 504 Student and Parent Rights in Identification, Evaluation and Placement.
7. BLHS Notice of Section 504 Conference
8. BLHS Public Schools 504 Plan
9. BLHS Section 504 Review – Parent Notification
10. BLHS Public Schools Section 504 Self-Evaluation Review Form

BLHS Public Schools Policy Statement on Compliance with State and Federal Law Prohibiting Discrimination

It is the policy of the Board of Education of Buffalo Lake-Hector-Stewart School District #2159 to comply with federal and state law prohibiting discrimination on the grounds of race, color, national origin, creed, religion, sex, marital status, status with regard to public assistance, age, disability, or in its educational program or employment policies as required by Titles VI and VII of the Civil Rights Act of 1964, Title IX (1972 Education Amendments) and Section 504 of the Rehabilitation Act of 1973.

Inquiries regarding compliance with Title IX, Section 504, or the Americans with Disabilities Act should be directed to the principal of the Buffalo Lake –Hector – Stewart High School; phone 320-848-2233, Box 302, Hector, MN 55342, or the Office of Civil Rights:

**OCR Region V
U.S. Department of Education
500 W. Madison Street, Suite 1475
Chicago, IL 60661
Telephone: 312-730-1560
Fax: 312-730-1576**

Agency meetings, hearing, and conferences will be held in accessible locations. Auxiliary aides, interpreters, reader, amanuenses, audio tapes, large print readings, and emergency evacuation procedures will be provided, upon 10 day prior request, to participants with a disability.

Upon 24 hour prior request, this notification is available on audiotape or large print.

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Inquiries regarding compliance with Title IX, Section 504, or the Americans with Disabilities Act should be directed to the principal of the Buffalo Lake –Hector – Stewart High School; phone 320-848-2233, Box 307, Hector, MN 55342, or the Office of Civil Rights:

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Upon 24 hour prior request, this notification is available on audiotape or large print.

SECTION 504 of the Rehabilitation Act of 1973

Section 504 is an Act which prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. The Act defines a person with a disability as anyone who:

1. Has a mental or physical impairment which substantially limits one or more major life activities which include such activities as: caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
2. Has a record of such an impairment; or
3. Is regarded as having such an impairment.

In order to fulfill its obligation under Section 504, the Buffalo-Lake-Hector Stewart School District #2159 recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. Nor discrimination against any person with a disability will knowingly be permitted in any of the programs and practices in the school system.

The school district has specific responsibilities under the Act, which includes the responsibility to identify, evaluate, and if the person is determined to be eligible under Section 504, to afford access to appropriate educational services.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing office.

The Family Educational Rights and Privacy ACT (FEPR) also specify rights related to educational records. This Act gives the parent or guardian the right to: 1.) inspect and review his/her child's educational records; 2.) make copies of these records; 3.) receive a list of all individuals having access to those records; 4. ask for an explanation of any items in the in the records; 5.) ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; and 6.) a hearing on the issue if the school refuses to make the amendment.

If there are any questions, please feel free to contact the BLHS Principal at Box 307, Hector, MN 55342, phone number 320-848-2233.

You may also contact the Office for Civil Rights at:

OCR Region V
U.S. Department of Education
500 W. Madison Street, Suite 1475
Chicago, IL 60661
Telephone: 312-730-1560
Fax: 312-730-1576

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Note: After the ADA Amendment Act of 2008, the term "substantially limits" means

- (i) Restricted as to the conditions, manner or duration under which the individual can perform the major life activity.
- (ii) It does not mean that the impairment prevents or severely or significantly restricts the major life activity.

**Title IX, Section 504/ADA and Equity Grievance Procedure
Buffalo Lake – Hector – Stewart School District**

Date: _____

Complainant's Name: _____

Person Completing the Report: _____ Relationship to Complainant: _____

Address: _____ Phone: _____

1. What is the nature and date of the grievance that you have brought?

2. What persons are responsible for the alleged discrimination?

3. What action are you requesting?

Grievant Signature
(or that of his/her designee)

Date

This grievance report must be submitted within 30 days of the alleged violation to BLHS Principal, Box 307, Hector, MN 55342, who will respond within 10 days. The BLHS School District assures that complaints may be made without fear of reprisal.

BLHS Grievance Procedure for Complaints of Discrimination and Harassment

I. Definitions

- A. **Discrimination Complaint:** A written or oral complaint alleging that a policy, procedure, or practice discriminates on the basis of race, color, national origin, sex or disability.
- B. **Harassment Complaint:** A written or oral complaint related to comments or conduct of supervisors, coworkers, or patrons which interferes with an employee's or student's performance or threatens an employee's or student's sense of well-being in the work or educational environment.
- C. **Grievant:** A person who submits a complaint alleging discrimination or harassment based on race, color, national origin, sex, or disability.
- D. **Title IX, Section 504/ADA, or Equity Coordinator:** Within 10 days after receiving respondent's answer, refers the written complaint and respondent's answer to the principal. This designee also schedules a hearing with the grievant, the respondent, and the principal or other designee.
- E. **Respondent:** The person alleged to be responsible for the violation described in a complaint. The term may be used to designate persons with responsibility for a particular action or those persons with supervisory responsibility for procedures and policies in those areas covered in the complaint.
- F. **Day:** Day means a working day. The calculation of days in complaint processing shall exclude Saturdays, Sundays, and holidays.
- G. **Principal:** The administrator of a public elementary, middle, or high school in which the alleged discrimination or harassment occurred.

II. Pre-Filing Procedures

Prior to filing of a written complaint, the student or employee is encouraged to visit with the Title IX, Section 504/ADA, or Equity Coordinator and to make a reasonable effort to resolve the problem or complaint.

III. Filing and Processing Discrimination Complaints

- A. **Grievant:** Submits written complaint to the Title IX, Section 504/ADA or Equity Coordinator stating the grievant's name, nature and date of alleged violation, names of persons responsible (where known), and requested action. Complaint must be submitted within 30 days of alleged violation. Complaint forms are available in the school office. The complaint should be signed by the grievant or his or her designee.
- B. **Title IX, Section 504/ADA, or Equity Coordinator:** Contacts respondent within 10 days and asks respondent to:
 - 1. Confirm or deny facts.
 - 2. Indicate acceptant or rejection of student's or employee's requested action; or
 - 3. Outline alternatives.

****If appropriate, an investigation shall follow the filing of the complaint. All interested persons, including the complainant and the person against whom the complaint is lodged, will be afforded an opportunity to submit relevant evidence, written or oral, to the investigator.
- C. **Respondent:** Submits answer within 10 days to Title IX, Section 504/ADA, Equity Coordinator.
- D. **Title IX, Section 504/ADA, or Equity Coordinator:** Within 10 days after receiving respondent's answer, refers the written complaint and respondent's answer to the principal. The Title IX, Section 504/ADA, or

Equity Coordinator also schedules a hearing with the grievant, the respondent, and the principal or other designee.

- E. **Principal, Grievant, Respondent, and Title IX, Section 504/ADA, or Equity Coordinator:** Hearing is conducted.
- F. **Principal:** Within 10 days after the hearing, the principal issues a written decision to the student or employee, respondent, and Title IX, Section 504/ADA, or Equity Coordinator.
- G. **Grievant:** If the grievant is not satisfied with the principal's decision, he or she must notify the Title IX, Section 504/ADA, or Equity Coordinator within 10 days and request a hearing with the superintendent.
- H. **Title IX, Section 504/ADA, or Equity Coordinator:** Within 10 days of request, schedules a hearing with the grievant and superintendent.
- I. **Superintendent, Grievant, respondent, and Title IX, Section 504/ADA, or Equity Coordinator:** Hearing is conducted.
- J. **Superintendent:** Issues a decision within 10 days following the hearing.
- K. **Grievant:** If the grievant is not satisfied with the superintendent's decision, he or she must notify the Title IX, Section 504/ADA, or Equity Coordinator within 10 days and request a hearing with the local board of education.
- L. **Board of Education or Hearing Panel established by the Board, Grievant, Respondent, and Title IX, Section 504/ADA, or Equity Coordinator:** Hearing is conducted.
- M. **Board of Education:** Issues a final written decision within 10 days after the hearing regarding the validity of the grievance and any action to be taken.
- N. **Office of Civil Rights:** A complaint may be filed at any time with the Office for Civil Rights, at the following address:
 - OCR Region V
 - U.S. Department of Education
 - 500 W. Madison Street, Suite 1475
 - Chicago, IL 60661
 - Telephone: 312-730-1560
 - Fax: 312-730-1576

IV. General Provisions

- A. **Extension of Time:** Any time limits set by these procedures may be extended by mutual consent of the parties involved. The total numbers of days from the date that the complaint is filed until the complaint is resolved shall be no more than 80.
- B. **Access to Regulations:** The school system shall provide copies of all regulations prohibiting discrimination on the basis of race, color, national origin, sex, or disability upon request.

- C. **Confidentiality of Records:** Complaint records will remain confidential unless permission is given by the parties involved to release such information. No complaint record shall be entered in the personnel file. Complaint records shall be maintained on file for three years after complaint resolution.
- D. **Written Assurance:** The complaint form shall contain a written assurance that complaints may be made without fear or reprisal.
- E. **Resolution of Complaints:** The Board encourages all complaints regarding the district to be resolved at the lowest possible administrative level.
- F. **Undue Financial and Administrative Burdens:** The Board, upon recommendations from the superintendent, shall be responsible for making the final decision about undue financial and administrative burdens to the school district that may result from a grievance.

BLHS Schools Section 504 Pre-assessment and Referral

1. Background Information

Name: _____ Age: _____ Grade: _____ Birth Date: _____

Referral Date: _____ School: _____ Student's Teacher: _____

Parents: _____

Address: _____ City: _____ Zip: _____

Home Phone: _____ Work Phone: _____

Is the child receiving extra services at this time? Yes _____ No _____

If yes, what: Special Ed. _____ Title: _____ Other: _____

2. Referral Process

a. Person Submitting Referral: _____ b. Position: _____

c. Suspected Disability: _____

d. Parents Notified of Reason of Referral: Yes _____ No _____ e. Date of Notice to Parents: _____

3. Reason for Referral

The student has a physical or mental disability, or is regarded as having such, which substantially limits the following major life activities:

_____ Learning _____ Walking _____ Seeing _____ Hearing

_____ Performing manual tasks _____ Speaking _____ Breathing

_____ Working _____ Caring for one's self

_____ Other: _____

Comments: _____

4. Specific Interventions Prior to Referral (where conducted)

Date: _____ Intervention: _____ Implemented by: _____

Results of Intervention:

1. _____

2. _____

3. _____

5. Current Student Education Program

___ Regular Class (student schedule attached) ___ Gifted/Talented Program ___ Special Education
___ Chapter I ___ Early Intervention Program ___ School Counseling
___ Lang. Enrichment Program ___ Migrant Education ___ Other: _____

6. Special Education Disclaimer

- a. ___ No referral to special education is necessary. The student's needs can be accommodated in the regular education program.
- b. ___ The student has been assessed, but does not qualify for special education services.
- c. ___ The student has received special education services in the past, but no longer qualifies for special education services. Services provided have been:

___ Learning Disabled ___ Early Childhood Special Ed. ___ Speech Language
 ___ Physically Impaired ___ Mild/Moderate Impaired ___ Emotional Behavior Problems
 ___ Physical Therapy ___ Visually Impaired ___ Moderate/Severe Impaired
 ___ Other Health Impaired ___ Occupational Therapy ___ Hearing Impaired
 ___ Other: _____

7. Student Classroom Performance Summary

Yes No
 ___ ___ 1. Student receives passing grades in all subject areas. If no, the student is currently failing in:

 ___ ___ 2. Student has been retained. If yes, the student was retained in grade _____.
 ___ ___ 3. Student has received disciplinary action for inappropriate behavior. If yes, explain: ___

 ___ ___ 4. Student has special health care needs (medication, allergy, etc.) during class activities, including lunch. Special needs are: _____

8. Student Performance on Standardized Group Achievement Tests:

Test Date: _____ Test Name: _____ Site of Test: _____
 Test Results: _____

9. Screening Tests

Screening _____	Date _____	Results _____
Vision _____	Date _____	Results _____
Hearing _____	Date _____	Results _____
Speech/Language _____	Date _____	Results _____
Developmental _____	Date _____	Results _____

10. Final Determination for Referral

Yes No
 ___ ___ Referred for educational evaluation in the area of suspected disability of _____

_____ Referred for special health care needs.
_____ Parent sent notice of rights.

Suggested areas of evaluation:

_____ Intelligence _____ Self-Help/Functional _____ Vision/Hearing _____ Medical/Health
_____ Academic Achievement _____ Social/Emotional Behavior _____ Speech/Language _____ Physical
Education

Additional information explaining the above reasons which make you feel an evaluation is needed:

11. Referral Submitted

Signature of Referring Person

Date: _____

Signature of Administrator

Date: _____

BLHS Schools Section 504 Review of Referral

Name _____ Grade _____

Date of Team Review _____

A. Review of Referral

1. BLHS Schools Section 504 Pre-assessment and Referral form is attached, including documentation of interventions prior to referral, if conducted.
2. Referral data was collected from qualified personnel.

B. Review of Learner's Performance

1. Learning: _____

2. Performing Manual Tasks _____

3. Caring for one self: _____

4. Walking: _____

5. Speaking: _____

6. Seeing: _____

7. Breathing: _____

8. Hearing: _____

9. Working: _____

10. Other: _____

C. Assessment Determination

1. As a result of our review, the team has concluded that the person referred has:
_____ a disability which substantially limits a major life activity # _____ above.
_____ no disability which substantially limits a major life activity.

2. This conclusion is based on: _____

D. Team Signatures

	Position
	Position
	Position
	Position

BLHS Public School 504 Assessment Parent Notification

Date: _____

Dear: _____

This letter is to inform you that we have some concerns about _____ progress in grade _____ regarding _____.

We have attempted some interventions/modifications for your child that have included:

In order to discuss further accommodations to ensure that your child is afforded an appropriate education, we have scheduled a meeting to discuss your child's educational needs on _____

at _____ a.m./p.m. This meeting will be held at _____

School in the _____ room. We would appreciate your participation.

If you have any questions, or if this meeting time is not convenient for you, please call me at _____.

We will discuss your questions or arrange a mutually convenient meeting time.

Sincerely,

BLHS High School Office

Cc: Student's Cumulative File

Please complete this section and return by _____ to:

BLHS High School Office
Box 307
Hector, MN 55342

1. _____ I will attend the 504 conference meeting.
_____ I will NOT attend the 504 conference meeting.
2. _____ I would like my child to attend the 504 conference meeting.
_____ I do NOT want my child to attend the 504 conference meeting.
3. Please indicate if there are additional individuals you would like to attend the meeting:

Date _____
Parent/Guardian Signature

BLHS Schools Section 504

Student and Parent Rights in Identification, Evaluation and Placement

The following is a description of student and parental rights granted by federal law. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any other of these decisions.

YOU HAVE THE RIGHT TO:

1. Have your child take part in, and receive benefits from public education programs without discrimination based on disability.
2. Have the school district advise you as your rights under federal law.
3. Receive notice with respect to identification, evaluation, or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with other non-disabled students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided students without disabilities.
6. Have your child receive special education and related services under the Individuals with Disabilities ACT (IDEA), if she/he is found to be eligible, or to receive regular or special education and related aids and services under Section 504 of the Rehabilitation Act of 1973.
7. Have evaluation, and placement decisions made based upon a variety of information sources, and by individuals who know the student, the evaluation data, and placement options.
8. Have transportation provided to an out-of-district school placement setting at no greater cost to you than would incurred if the student were placed in a program operated by the school district, if a free appropriate public education cannot be provided in the district.
9. Give your child an equal opportunity to participate in nonacademic and extracurricular activities offered by the school district.
10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational programs, and placement.
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
12. Receive a response from the school district to reasonable requests for explanations and interpretations of your child's records.
13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your child. If the school district refuses this request, it shall notify you within reasonable time, and advise you of the right to a hearing.
14. Request mediation or an impartial due process hearing related to decisions regarding your child's identification, evaluation, educational program, or placement. You and your child may take part in the hearing

and have an attorney represent you. Hearing requests must be made to Mr. Robert Doetsch, BLHS Superintendent.

15. Ask for payment of reasonable attorney fees if you are successful on your claim.

16. File a local grievance.

The BLHS Section 504 coordinator is: David Hansen

BLHS Notice of Section 504 Conference

Date: _____

School Building: _____

This is to confirm the Section 504 conference meeting that has been mutually agreed upon by the school and parents for the following student.

Student: _____ Grade: _____

Parents: _____

Date of Meeting: _____ Time: _____

Building: _____ Room: _____

Initial Conference _____ Plan Change _____ Annual Review _____ Terminating Conf. _____

A. The purpose of this meeting:

____ discuss evaluation results ____ review of program/placement
____ review instructional progress ____ discuss infraction of school rules as they relate to
disability

____ Other: _____

B. The following individuals will be included:

____ Parents	____ School Social Worker	____ Child Study Coordinator
____ 504 Coordinator	____ School Nurse	____ Special Education Teacher
____ School Counselor	____ School Psychologist	____ Interpreter
____ Classroom Teacher	____ School Principal	____ Other: _____

BLHS High School

CC: Parents
504 Coordinator
School Counselor/Social Worker
Principal
Classroom Teacher
Student's Educational Record

BLHS Public Schools 504 Plan

New _____ Revised _____

Name _____ Date of Birth _____ Home Phone _____

Parents _____ Address _____ Work Phone _____

School: Buffalo Lake-Hector-Stewart High School Teachers _____ Grade _____

Determination of Student Disability under Section 504

_____ The student has a physical or mental impairment which substantially limits one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and walking but:

_____ student does not have a disability under the Individuals with Disabilities Education Act (IDEA);
or _____ student does not need special education and related services.

From original plan year _____ to _____:

1. Describe the nature of the concern:

2. Describe the basis for the determination of disability. _____

3. Describe how the disability affects a major life activity of caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, or other major life activity:

4. The BLHS Child Study Team has reviewed the files of the above named person and concludes that he/she meets the classification as a qualified individual with a disability under Section 504 of the Rehabilitation Act of 1973. In accordance with the Section 504 guidelines, the school has an obligation to provide the student with a free appropriate public education.

PHYSICAL ARRANGEMENT OF ROOM:

_____ seating student near the teacher _____ standing near student when giving directions/lessons

_____ seating student near a positive role model _____ avoiding distracting stimuli (heaters, windows, etc.)

_____ increasing the distance between desks _____ providing student with a study carrel

_____ other: _____

LESSON PRESENTATION:

___ pairing students to check work

___ providing written outline

___ writing key points on the board

___ allowing student to tape record lessons

___ provide peer tutoring

___ having student review key points

___ providing visual aides

___ providing multi-sensory material

___ making sure directions are understood

___ using computer-assisted instruction

___ using a variety of activities during the lesson ___ breaking presentations into shorter segments

___ repeating and simplifying instructions ___ other:

ASSIGNMENTS/WORKSHEETS

- giving extra time to complete tasks
- simplifying complex directions
- handing worksheets out one at a time
- reducing the reading level of assignments
- allowing student to tape record assignments
- providing study skills strategies
- breaking work into smaller segments
- other: _____
- using self-monitoring devices
- reducing homework assignments
- not grading handwriting
- requiring fewer correct responses to achieve goals
- providing a structured routine in written form
- giving frequent short quizzes vs. long tests
- allowing typed or computer printed assignments

TEST TAKING

- allowing open book exams
- given exam orally
- using more objective items (fewer essay)
- giving frequent short quizzes vs. long essay
- allowing extra time for exams
- giving take-home tests
- allowing student to give test answers on tape
- other: _____

ORGANIZATION

- providing peer assistance w/organizing skills
- allowing student to have set of books at home
- using a reward system for work completion
- other: _____
- assigning volunteer homework buddy
- sending daily/weekly progress reports at home
- providing student with an assignment notebook

BEHAVIORS

- praising specific behaviors
- using self-monitoring strategies
- giving extra privileges and rewards
- keeping classroom rules simple and clear
- making "prudent use" of neg. consequences
- cueing student to stay on task (signals)
- implementing a behavior manage system
- ignoring inappropriate behaviors if not serious
- doing daily/weekly progress reports
- other: _____
- implementing self-recording of behaviors
- contracting with the student
- increasing the immediacy of rewards
- implementing time-out procedures
- allowing for short breaks between assignments
- marking student's correct answers, not mistakes
- allowing student time out of seat to errands, etc.

SPECIAL CONSIDERATIONS

- suggesting parenting programs
- monitoring student closely on field trips
- inservicing teacher(s) on student's disability
- providing social skills group experiences
- other: _____
- alerting bus driver
- suggesting agency involvement
- providing individual/group counseling
- developing intervention strategies for lunchroom, phy ed., etc.

SERVICES REQUIRED:

- Occ. Therapy _____ Phys Therapy _____ Adaptive PE _____ Visually Imp. _____
- Hearing Imp. _____ Transportation _____ Reg. Class _____ Other _____
- Social Worker _____ Aide _____
- Additional Programs _____

NEW PLAN: The undersigned agree to the above recommendations:

_____	Position _____	Date _____
_____	Position _____	Date _____
_____	Position _____	Date _____
_____	Position _____	Date _____
_____	Position _____	Date _____
_____	Position _____	Date _____

REVIEW PLAN:

Reason for Review: _____	Change in program/placement _____	Annual Review _____
_____ Continue	Comments: _____	
_____ Re-evaluate	Comments: _____	
_____ Terminate	Comments: _____	

REVIEW PLAN: The undersigned agree to the above recommendations from the review:

_____	Position _____	Date _____
_____	Position _____	Date _____
_____	Position _____	Date _____
_____	Position _____	Date _____
_____	Position _____	Date _____
_____	Position _____	Date _____

BLHS Public School 504 Parent Notification for Reviewal of Plan

Date: _____

Dear _____ :

This letter is to inform you that we are reviewing _____ 's Section 504 Accommodation Plan for the following reasons:

_____ Annual Review

_____ Change in Plan

_____ Explanation: _____

_____ Termination:

_____ Explanation: _____

In order to discuss the accommodation plan that ensures your child is afforded an appropriate education, we have scheduled a meeting of a team of school personnel on _____ at _____ a.m./p.m. This meeting will be held at the Hector High School in the _____ room. We would appreciate your participation.

If you have any questions, please call me at 320-848-2233.

A copy of your parental rights under Section 504 is being sent with this letter.

Sincerely,

BLHS High School

Cc: Student's Cumulative File

Please complete this section and return by _____ to : BLHS High School Office
Box 307
Hector, MN 55342

_____ I will attend the 504 conference meeting.

_____ I will NOT attend the 504 conference meeting.

_____ I would like my child to attend the 504 conference meeting.

_____ I do NOT want my child to attend the 504 conference meeting.

Please indicate if there are additional individuals you would like to attend the meeting:

Parent/Guardian Signature

Date

Resource:
Belgrade-Brooten-Elrosa Public Schools Section 504 Guidelines
504 Booklet Approved: