# Waco Independent School District

# Section 504 Handbook



## **WACO ISD**

The Waco ISD does not discriminate on the basis of race, color, religion, sex, age, national origin, or disability in admission, access, treatment or employment in its programs, services and activities. Applicants, students, parents/guardians, employees, referral agencies and all organizations holding agreements with the District are hereby notified of this policy. Any person with concerns regarding Section 504 or the Americans with Disabilities Act is instructed to contact:

Kourtni Parnell Director of 504/RTI/Dyslexia 254-799-0983

#### TABLE OF CONTENTS

#### SECTION 1: RESPONSIBILITIES OF THE CAMPUS SECTION 504 COORDINATOR

Background Information

Overview of Section 504 Coordinator Responsibilities

Required Documentation

Providing Paperwork to Parents

Notification to PEIMS Coordinator of Student's 504 Eligibility Status

Notifying School Staff of Accommodations and Services Plans

#### **SECTION 2: REFERRAL AND EVALUATION PROCESSES**

Child Find under Section 504

How Referrals Are Initiated

The Referral Process

Timelines for Paperwork following Request for Evaluation

When Parental Consent is not Obtained within Timelines

When Student is not Living with Two Biological Parents

District Refusal to Evaluate

Purpose of the Evaluation

Determining Eligibility under Section 504

Timelines for Completing Initial Evaluations

**Evaluation Materials** 

Steps for Completing Section 504 Evaluations

Decisions about Type and Amount of Data Needed for Evaluation

Dyslexia/Dysgraphia Evaluations

School Health Protocols and Evaluations

Reevaluations

#### **SECTION 3: SECTION 504 COMMITTEE MEETINGS**

Required Members of the Section 504 Committee

Types of 504 Committee Meetings

Steps for Conducting Section 504 Committee Meeting

After the Meeting

What to do if Parents are Unable to Attend a Meeting

Audio-Recording of Section 504 Committee Meetings

Writing Section 504 Committee Minutes

#### **SECTION 4: PLACEMENT AND SERVICES**

Placement Decisions

Considerations for Placement in the Least Restrictive Environment (LRE

Change of Placement

Termination of 504 Services or Initiation of Special Education Services

Non-academic Services

Determining Appropriate Accommodations

Behavior Intervention Plans (BIPs

#### SECTION 5: COORDINATION OF SECTION 504 WITH OTHER PROGRAMS

Dyslexia Program and Section 504
RTI, General Education Homebound and Section 504
Special Education and Section 504
Referral to Section 504 by the ARD Committee
Referral to Special Education by the 504 Committee

#### **SECTION 6: LEGAL ISSUES/PARENT RIGHTS**

Discrimination Prohibited

Oversight of IDEA vs. Section 504

Role of OCR in Overseeing Section 504 in the Public Schools

Private Lawsuits

Notice of Rights and Procedural Protections under Section 504

The Right to a Free, Appropriate Public Education

Parental Notice and Consent

Parental Refusal or Withdrawal of Consent

Parental Right to Review Records

Transfer of Educational Rights at Age 18

Confidentiality

Extra-Curricular Activities

Disciplinary Change in Placement for Students with Disabilities

Legal Remedies for Parents

#### **APPENDICES:**

District flowchart for Section 504 Evaluations

Forms for Section 504

Checklist for 504 meetings

Prior Written Notice

Vision/Hearing Screenings

Dyslexia Teacher Input

Dyslexia Parent Input

#### SECTION 1: RESPONSIBILITIES OF THE CAMPUS SECTION 504 COORDINATOR

#### **Background Information**

Section 504 of the Rehabilitation Act of 1973 is a non-discrimination statute enacted by the United States Congress, the purpose of which is to prevent discrimination and to ensure that persons with disabilities have opportunities and benefits comparable to those provided to persons without disabilities. Section 504 states, in part, that "No otherwise qualified individual in the United States shall, solely on the basis of his handicap, be excluded from participation, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance..." The law went into effect in 1977. In 1990, Congress passed the Americans with Disabilities Act, which extended these rights to most of the private sector. However, when cases involving Section 504 and ADA went to court in the 1990's and the first few years of the 21st century, the courts were defining disability more narrowly than Congress had intended. Because of this trend in case law, Congress decided to amend the ADA in 2008, and these changes were also applied to Section 504. The goal of the amendment was to provide the broadest possible coverage and to strengthen the disability laws. The Office of Civil Rights (OCR) of the USDE, which is responsible for enforcement of these laws in public elementary and secondary schools, provided guidance for their implementation following the 2008 amendments.

Under Section 504 as amended in 2008, an eligible student is one who: a) has; b) has a record of; or c) is regarded as having a physical or mental impairment that substantially limits a major life activity such as seeing, hearing, eating, sleeping, breathing, working, standing, walking, lifting, bending, speaking, reading, concentrating, communicating or learning. Accordingly, the District has adopted policies and procedures to ensure that discrimination does not take place.

The Section 504 program is coordinated and overseen by the District Section 504 Director, Kourtni Parnell.

#### Overview of Campus Section 504 Coordinator Responsibilities

WISD utilizes a case manager model in coordinating the educational services of all students with disabilities. A campus Section 504 coordinator serves as the case manager for all students evaluated and/or served under Section 504. Case manager responsibilities for campus Section 504 Coordinators include the following:

- Accept 504 referrals from parents. If the referral is for dyslexia or a related disorder, confer with the campus Dyslexia teacher to determine the appropriateness of the referral.
- If a referral is not considered, appropriate and will not be accepted, send the Notice of Decision (see appendix) Upon request, Kourtni Parnell can assist with a draft of this letter, but the campus 504 Coordinator will finalize, and send the letter.
- If the referral will be accepted, gain consent to communicate with the health care provider who has made the diagnosis and solicit input regarding the student's impairment and the degree to which it causes limitation to one or more major life activities. Maintain a record of all referrals and evaluation due dates.
- Provide parents with all notices (including *Notice of Rights and Procedural Protections under Section 504*) and obtain their consent (for placement and evaluation) as required under Section 504 and WISD standard practices.
- Gather background data for initial evaluations, reviews of existing data, 3 year re-evaluations and additional evaluations prior to any change in placement; share background data with other evaluators (e.g., evaluation specialists testing for dyslexia); and lead the Section 504 Committee in completing 504 eligibility evaluations during Section 504 meetings.
- Schedule, provide notice, choose multidisciplinary team members and lead the Section 504 Committee meetings, including evaluation meetings, annual review meetings, and review meetings as needed.
- Ensure that evaluation and placement are conducted by a team of at least three District staff members who are knowledgeable about the student, the evaluation data and placement options (and, for students

with dyslexia, the meaning of the dyslexia evaluation, dyslexia and related disorders, the reading process, and dyslexia instruction), and that decisions about placement are based on the child's individual needs and consideration of the least restrictive environment (LRE).

- Complete evaluations (and monitor completion of evaluations for dyslexia and related disorders) within established WISD timelines.
- Complete all required paperwork before, during and after the initial evaluation meeting according to legal requirements and WISD standard practices for Section 504.
- Notify staff with an educational need to know of Section 504 Accommodations and Services Plans
- Maintain appropriate documentation and records, including records of all contacts with parents in the online *SuccessEd* system
- Educate and inform campus staff and parents about the responsibilities of the District under Section 504 to students with disabilities.
- Fulfill child find duties by referring any child suspected of having an impairment that creates a substantial limitation in one or more major life activities, creating a need for accommodations and/or services.
- Know when a referral for special education should be considered and follow District procedures for consulting with special education administrators about a possible SPED referral (RTI paperwork sent for a campus referral and an on-campus review with SPED administrators scheduled for a parent referral).
- Keep campus and District administrators informed regarding any issues involving a Section 504 student that may require administrative attention.
- Ensure the implementation of all legal requirements and WISD standard practices relating to Section 504 on the assigned campus.
- Receive parent grievances and requests for due process hearings as applicable and work with the District 504 administrators as appropriate to resolve grievances/conduct hearings.
- Maintain confidentiality of all Section 504 student data.

#### Required Documentation

Required documentation will take place on *SuccessEd* and District forms according to timelines discussed throughout this handbook and summarized in *Appendix A*. The most frequently referenced forms are found in *SuccessEd*; each campus Section 504 coordinator has access to the remainder of the forms electronically.

All forms will be completed in *SuccessEd* system.

Section 504 coordinators should log any phone conversations or informal meetings with parents. Text messages, e-mails, and all other documents become educational records upon records request.

#### **Providing Paperwork to Parents**

Notice and consent is always required prior to conducting an initial evaluation and placing a student into Section 504 protection. With each notice, a parent should also receive the *Notice of Rights and Procedural Protections under Section 504*. After the meeting the parents should be provided with a copy of appropriate paperwork as noted on checklist in appendix.

Note: In this handbook, the term "parent" will also be used to mean the "adult student" in the case of a student age 18 or older, unless the parent has obtained legal guardianship. All legal rights of the parent transfer to the student at age 18 unless the parents have obtained legal guardianship.

#### Notification to PEIMS Coordinator of Student's 504 Eligibility Status

Each time a student is initially identified for eligibility for services under Section 504 or dismissed from eligibility under Section 504, the campus PEIMS clerk should be notified within 5 working days. State law requires that all 504 eligible students should be tracked in PEIMS. PEIMS office must also be notified specifically if a student qualifies as a student with dyslexia or a related disorder (e.g., dysgraphia or developmental spelling disability) or no longer qualifies under this eligibility category, as the number of students identified as having dyslexia or a related disorder must be tracked in PEIMS as well.

#### Notifying School Staff of Accommodations/Services Plan

Teachers and other school staff responsible for implementing Section 504 Student Services Plan should be provided a copy of current service plan within 5 working days of an initial or revised service plan. Campus coordinator should obtain a teacher receipt of 504 service plan. Starting the 20-21 school year, all 504 student service plans (with student accommodations) will be uploaded into Branching Minds for dissemination. An email with a read receipt shall be sent to notifying the staff. A copy of the read email shall be kept for documentation purposes for a calendar year.

SECTION 2: REFERRAL AND EVALUATION PROCESSES

#### Child Find under Section 504

The District has a positive duty to locate and evaluate students with disabilities <u>who are suspected of being</u> <u>eligible for services</u> under Section 504. District 504 administrators will be responsible for developing and publishing child find activities. In deciding whether a disability is suspected, expected duration of the impairment and need for accommodations and/or services must be considered. Generally, a short-term impairment (less than 6 months) is not considered a disability and would not qualify a student under Section 504; however, the severity of the impairment and degree of need must also be considered. Additionally, the District does not have an obligation to evaluate students who may technically meet the definition of disability, but the disability does not affect's one or more of life's major activities.

#### How Referrals Are Initiated

Referrals may be initiated verbally or in writing by school personnel (including the RTI Committee, Intervention Team, campus nurse, or Special Education Department), by the student's parent or legal guardian, or by outside service providers. Referrals should be made or forwarded to the campus Section 504 Coordinator. Referral will always be considered for a child with a diagnosed impairment who is tested for special education but is found ineligible. They may also be considered for some students exiting special education (though many of these students' needs can be met through RTI accommodations).

Referrals should be made for students who require frequent implementation of a school health plan, who may emotional or psychological issues, or who have a potentially life threatening disease or disorder such as epilepsy or diabetes.

#### The Referral Process

Regardless of the source of the referral, parents will be provided with the *Notice of Rights and Procedural Protections under Section 504* at the time of referral. Notice of the proposed evaluation must also be provided and consent obtained from the parent or adult student prior to beginning the evaluation process (with the exception that gathering data already available in the student's educational records is acceptable prior to obtaining consent).

#### <u>Timelines for Paperwork Following Request for an Initial Evaluation</u>

- 1. If the District decides to evaluate: The campus coordinator should meet with the parent to explain the Section 504 process and provide the following to the parent. Consent forms must be received back from the parent within 10 school days from the day a request for evaluation under Section 504 is received:
  - Notice of Rights and Procedural Protections under Section 504
  - ➤ Notice of Release/Consent to Request Confidential Information (for health care provider, if applicable)
  - Notice of and Consent for Initial Section 504 Evaluation under

(Please see Appendix C for additional forms that that may need to be sent to parents for initial evaluations. Some of these forms are required under specific circumstances; others are optional).

- 2. *If the District decides NOT to evaluate:* The following must be <u>received by the parent within 15 school</u> days:
  - Notice of Decision (copy placed in cum folder for documentation purposed)
  - Notice of Rights and Procedural Protections under Section 504.

The campus Section 504 coordinator who is unable to obtain written consent within 15 school days should have documentation of multiple (at least 2) attempts to obtain the consent using multiple methods (e.g., through mail, sending form home in backpack following a telephone call to alert the parent, asking parent to come to the school, and/or home visit). If signed consent cannot be obtained within timelines, the campus Section 504 coordinator should consult with Kourtni Parnell.

#### When Student is not Living with Two Biological Parents

Consent and notice documents should be sent to all persons who have the right to make educational decisions for the student. If parents are divorced or there is some living arrangement other than with two biological parents, please check the documents in the cumulative file, or request a copy of the divorce decree and/or any other legal documents showing custody and parental rights. Although notice and the opportunity to give consent must be provided to all parents with educational decision-making rights, consent need only be obtained from one parent in order to proceed. If one parent with rights is actively refusing consent and the other is providing consent and wanting to move forward, consult with Director of 504.

Referral information should be recorded by the campus Section 504 coordinator (referral date, report-by date and meet-by date). It is recommended the Campus 504 Coordinator maintain a referral log to track timeline of the dates.

Note: A Checklist for Completing an Initial Evaluation and Section 504 Meeting in the Appendix of this Handbook allows you to check off all of the steps above, along with the steps involved in evaluation and initial evaluation meetings.

#### District Refusal to Evaluate

When a parent requests an evaluation under Section 504, the section 504 coordinator, with the help of the campus SAT committee, will decide whether an evaluation is needed. In the case of dyslexia or related disorders, the campus dyslexia specialist should be consulted to help review data and decide on the appropriateness of a referral. If there is uncertainty about the implications of the data, administrators in charge of Section 504 may be consulted.

In general, the District will err on the side of caution in responding to parent requests to evaluate under Section 504, and the referral will usually be taken. MTSS (RTI-academic) cannot be used as a "roadblock" to testing simply because a student has not "finished the tiers." If a parent requests testing and data available thus far indicate a suspicion of a disability, the referral should be taken.

However, there are some circumstances in which the District may refuse to evaluate (e.g., the parent/adult student cannot name or identify any disorder/impairment, the District already has input from a health provider indicating that the condition is mild and produces only minor limitations, the impairment is of short duration, the evaluation is for dyslexia and the student is performing well in reading, etc.). In such cases, the Campus Coordinator should send a Notice of Decision to parent within 15 working days. A copy should be maintained in cum folder for documentation purposed, and the parent/adult student should be provided a copy of the *Procedural Safeguards* document. The letter and *Notice of Parental Rights and Procedural Safeguards* under Section 504 documents must be sent to parents so that they are received within 15 school days of parental request for evaluation.

#### Purpose of the Section 504 Evaluation

The purpose of an eligibility evaluation under Section 504 is to:

- 1. determine whether the student has a physical or mental impairment that substantially limits a major life activity; a record of such impairment; or being regarded as having such an impairment AND has a need for accommodations and services under Section 504;
- 2. determine eligibility; and
- 3. if the student is eligible, determine what services, accommodations, or change in placement, if any, are needed in order to provide a free, appropriate public education (FAPE) and determine an accommodations and services plan if needed.

In addition to Section 504 eligibility evaluations, which are generally completed within a Section 504 meeting, there are other individualized evaluations, such as evaluations for dyslexia and dysgraphia, which are completed prior to the meeting in which eligibility for Section 504 is determined. These evaluations are reviewed in the 504 meeting prior to the 504 eligibility evaluation.

#### Determining Eligibility Under Section 504

In making the 504 eligibility determination, the following should be considered:

- An eligible student under Section 504 is one who: a) has; b) has a record of; or c) is regarded as having a physical or mental impairment that *substantially limits* a major life activity such as seeing, hearing, eating, sleeping, breathing, working, standing, walking, lifting, bending, speaking, reading, concentrating, communicating or learning.
- "Substantially limits" should be considered without regard to the helpful effects of mitigating measures (ADHD medications, hearing aids, behavioral therapy, etc.), with the exceptions of ordinary glasses or contact lenses.
- Episodic conditions or conditions in remission are considered a disability if, when active, they would substantially limit a major life activity.
- "Regarded as" focuses on a person being subjected to a discriminatory or harassing act because of an actual or perceived mental or physical impairment, and does not constitute a disability if the impairment is both transitory (less than 6 mos.) and minor. However, such a person is entitled to protections under the law whether or not the impairment is perceived to substantially limit a major life activity.
- Duration of a disability under Section 504 is generally longer than 6 months, but there is no firm rule about duration, and the duration may be shorter depending upon the severity of the disorder. Both severity and duration should be taken into account in determining whether a student should be referred to/served under Section 504.
- There is no comprehensive or exhaustive list of "major life activities."
- School districts should not limit their consideration to major life activities which seem most related to academic achievement, such as thinking, reading, concentrating or learning. Instead, the law is intended to protect persons with substantial limitations on a broad array of major life activities.

#### **Timelines for Completing Initial Evaluations**

- > Evaluations (with exceptions as described below) are due by the 45<sup>th</sup> school day following date of signed parental consent.
- For Dyslexia evaluations, an additional 30<sup>th</sup> calendar days are allowed to hold the 504 evaluation meeting.
- Timelines may only be extended with permission of Section 504 administrators in extreme circumstances when the absences have been frequent and the student has been minimally available for testing, and even in such cases may only be extended by as many days as the student has been absent since consent for testing was obtained

Exception to the usual timelines: If a school district receives written consent signed by a student's parent at least 35 but less than 45 school days before the last instructional day of the school year, the evaluation must be completed by the end of the school year. If a district receives written consent less than 35 school days before the last instructional day of the school year, then usual timeline of 45 school days applies. "School day" does not include summer school.

#### **Evaluation Materials**

Tests and other evaluation materials and procedures used for the purposes of evaluation and placement of children with disabilities must be selected and administered so as not to be racially or culturally discriminatory. For a child with impaired sensory, manual, or speaking skills, tests will be selected and administered to accurately reflect the student's aptitude, achievement level, or whatever other factors the test purports to measure, rather than reflecting the child's impairment. A trained evaluator will choose standardized tests that have been validated for the specific purpose for which they are used, and will administer them in conformance with the instructions provided by their producer.

All tests and evaluation materials will be provided and administered in the student's native language or other mode of communication (This may be done through the use of an ancillary evaluator or interpreter). Materials and procedures used to assess a child with limited English proficiency will be selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills. No single procedure will be used as the sole criterion for determining an appropriate educational program for a student.

#### Steps for Completing Section 504 Evaluations

- 1. Unless the District will be testing for dyslexia or a related disorder, confirm with the parent verbally that a licensed or certified health care provider has diagnosed an impairment that might substantially limit a major life activity. Be sure that parent is able to specify the health care provider and the diagnosis.
- 2. If possible, meet with the parent to discuss Section 504 and review the following items:
  - <u>Notice of and Consent for Initial Section 504 Evaluation</u>-for parents to sign and return within 15 school days of referral and prior to evaluation. This form is only required for INITIAL evaluations or in an instance where the Section 504 Committee is requesting additional information through individualized assessment.
  - Notice of Rights and Procedural Protections under Section 504
  - <u>Parent Input</u> (for parents to complete and return; this form is required for dyslexia and related evaluations and is generally beneficial for other 504 evaluations, though depending on the nature of the referral, the needed information may be gathered from the parents in other ways).
  - <u>Notice of Release/Consent to Request Confidential Information</u> allows you to communicate with the health care provider making the diagnosis and to send the *Documentation of Student Disability by Certified/Licensed Health Care Provider* form to the provider for their official diagnosis and input (Note: this form may not be needed for dyslexia evaluations). It is recommended that a release of information be obtained and that the impairment be documented in writing from a physican; although it is not required to have this in writing. The Section 504 committee can look for other types of evidence or stsat to support an impairment.
- 3. Once you have obtained the signed consent for the evaluation and the <u>Notice of Release/Consent to Request Confidential Information</u> form from the parent to communicate with the health care provider, immediately FAX the *Release* and the *Documentation of Student Disability by Physician/ Health Care Provider* form to the provider for their official diagnosis and input.
- 4. In addition to ensuring that the parent has signed and returned the <u>Notice of and Consent for Initial</u> <u>Section 504 Evaluation</u> form <u>Notice of Release/Consent to Request Confidential Information</u> form

(before you FAX the health care provider), ensure that parent returns the <u>Parent Input</u> form if applicable.

- 5. Record the referral information and due dates for report and meeting.
- 6. Ensure that evaluation is conducted within timelines. (45 school days from the day that parental consent is obtained, with an additional 30 days to hold the meeting/eligibility evaluation in the case of an evaluation for dyslexia or a related disorder. Exception: for referrals obtained 35-44 school days before last instructional day of school year, the evaluation is due by end of school year. Regular timelines apply for referrals received less than 35 school days before the last instructional day.)
- 7. If applicable, review any previous evaluations, including outside evaluations provided by the parent.
- 8. Gather background data for the evaluation as needed (including information from forms listed below) and enter this data into the <u>Section 504 Evaluation</u> form (found in <u>SuccessEd</u>) prior to the meeting. Information should include:
  - Grades, attendance records, behavioral records, school medical records, and universal screener records (if applicable) gathered and entered (Note: For dyslexia evaluations, this information should be shared with the dyslexia specialist).
  - Information from vision/hearing/health records
  - Teacher information from *Teacher Input Form*
  - Parent information from Parent Input Form or other source
  - Information from Documentation of Student Disability by Physician/ Health Care Provider
- 9. For dyslexia, dysgraphia, submit a request for testing into Eduphoria with a copy of the parent consent for testing.
- 10. Load parent consent, parent information, teacher information into of SuccessED.
- 11. Mail the parent the copy of the notice of Section 504 meeting.
- 12. Hold section 504 meeting to complete the *Section 504 Evaluation* (after reviewing Dyslexia, Dysgraphia, or related evaluation) as documentation of the meeting and evaluation results. Complete *Section 504 Student Services Plan* and any additional forms as appropriate.

#### Decisions about Type and Amount of Data Needed for Evaluations

Decisions about the type and amount of data that need to be gathered for a given evaluation are made on a case-by case basis. Dyslexia evaluations (discussed in the section below) require extensive gathering of background information, since many factors including second language issues, cultural factors, intellectual disability, emotional factors, sensory factors and general health factors should be ruled out as the primary cause of the student's reading problems before dyslexia should be diagnosed. The *Teacher Input Dyslexia Information form*, and the *Parent Input Dyslexia form* should always be used for dyslexia and related (e.g., dysgraphia) evaluations. For these evaluations, you will also need to gather more extensive information about grades, attendance, behavior and health from school records and school personnel.

On the other hand, when a disability for which the student is being evaluated is based on a medical disorder that affects a major life activity other than reading or learning, less extensive data will need to be collected from the school. For example, if a student has an orthopedic impairment due to an amputation following a car accident, grades and attendance may not be particularly relevant to making a decision about the presence of a disability. Thus, you might enter something like "average" or "above average" in the section on grades, and "adequate" or "poor" under attendance, without being more specific. In some cases, you may wish to gather information needed from teachers and/or parents via telephone, email or in person rather than using the *Teacher Input* form and the *Parent Input form*.

Dyslexia/Dysgraphia Evaluations

Dyslexia/Dysgraphia evaluations can fall under Section 504 in the state of Texas. Waco ISD follows the procedures outlined in the most recently adopted version of *The Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders* produced by the Texas Education Agency (TEA), including domains to assess and procedures for identification. Evaluation for Section 504 accommodations and services as a student with dyslexia/dysgraphia is a 3-step process, as follows:

- 1. A qualified evaluator first evaluates the student for Dyslexia and/or Dysgraphia (using the template *Evaluation for Dyslexia or Dysgraphia Evaluation Template*) and makes recommendations regarding a diagnosis.
- 2. The Section 504 Committee then reviews the evaluation and makes the determination as to whether or not the student is diagnosed with Dyslexia and/or Dysgraphia (using the *Section 504 Evaluation* form).
- 3. The 504 Committee then determines whether the dyslexia and/or dysgraphia causes a substantial limitation in a major life activity (e.g., reading), thereby qualifying the student for services under Section 504.

Dyslexia and Dysgraphia evaluations will be conducted jointly by the Section 504 Coordinator and the campus Dyslexia Specialist.

#### School Health Protocols/Evaluations

the school health plan/protocol.

- School nurses have been notified that whenever they are provided instructions by a physician for handling a medical issue other than administering routine medication (e.g., seizure protocol, diabetes protocol, etc.) to a student, they need to notify the school counselor/Section 504 coordinator because:
  - ➤ this raises a "child find" issue\* (i.e., if the student is not already served under Section 504 or SPED, this needs to be considered, since most children with complex medical issues will at least qualify under Section 504), AND
  - > for a child identified under Section 504 or SPED), the Section 504/ARD committee must approve any medical plan or protocol that goes beyond routine medication administration.
- The counselor/Section 504 Coordinator will notify the nurse whether or not the child is currently under Section 504 (or SPED) and if not, whether or not he/she will be evaluated under Section 504 (or SPED).
- For children who are identified under Section 504 or SPED, the case manager (campus counselor/504 coordinator for Section 504 and Evaluation Specialist for SPED) must work closely with the nurse to ensure that there is only one medical plan/health protocol in place. There should never be two plans (e.g., one set of physician's orders for dealing with seizures in the nurse's office and a different school health protocol developed for Section 504 or SPED in the counselor's office or the special education file). Instead, the nurse and case manager should work together to ensure that there is ONE school health plan or protocol that is in both the nurse's office and the counselor's office or SPED file, and is distributed to staff working with the child as needed.
- If the nurse already has a current plan for dealing with a complex medical issue (e.g., "seizure protocol," "diabetes protocol," etc.) from the physician that is a separate document from other medical orders, then this document can be provided to the case manager, who may take it as a "draft" to a Section 504 or ARD committee meeting and propose its formal adoption. A copy of the document should be marked "Adopted by the Section 504 (or ARD) committee on (date)

  \_\_\_\_\_\_." The case manager is responsible for distributing this document to staff as needed. The school nurse is responsible for providing any training needed by staff for implementing
- In these cases, the school nurse should be a member of the Section 504 committee.
- If a child under Section 504 or SPED has a complex medical issue but the nurse does not have physician's orders for dealing with the issue, the Section 504 or ARD committee should request an information from the physician. The case manager will gain parental consent for both the school

nurse and himself/herself to communicate with the physician, and the case manager and school nurse will work together to get the needed input from the physician.

\*Note: If a serious injury occurs to a child with a health condition who was never evaluated for 504 or SPED, the school may be sued for monetary damages. This is because under federal law, the District has a "child find" obligation to identify, evaluate, and serve any child eligible for Section 504 or special education.

#### Re-evaluations

Re-evaluations are conducted every 3 years or more frequently if conditions warrant or if the child's parent or teacher requests a re-evaluation, but not more than once a year (unless parent and District agree otherwise). Before a re-evaluation for eligibility is conducted, the District should thoroughly review any previous evaluations, including previous 504 eligibility evaluations. Although some data may be reaccepted from the previous evaluation, it is expected that this will take place on an individual basis and the reason for not gathering new data in a given area will be well documented.

<u>Re-evaluations MAY also be conducted prior to any change of placement</u>. In some cases, if an evaluation has been recently conducted, these evaluations may be very informal and consist solely of a review of existing data entered onto a new *Section 504 Evaluation* form. A change of placement includes (but is not limited to):

- expulsion
- serial suspensions that exceed 10 days in a school year
- significant change in programming or related services
- transferring a student to homebound instruction
- exit from Section 504 or from a program within Section 504 (such as the Dyslexia Program).

Note: A list of forms needed for initial evaluations and re-evaluations may be found in Appendix.

## SECTION 3: SECTION 504 COMMITTEE MEETINGS

### Required Members of the Section 504 Committee

The Section 504 Committee will be composed of at least three professional staff members who, collectively, are knowledgeable about:

- > the child,
- > the meaning of the evaluation data, and
- > the placement options.

For students with dyslexia, additional committee members are required (or the three committee members must have this additional knowledge). The additional knowledge includes knowledge of:

- > the meaning of the dyslexia evaluation data
- > the reading process
- dyslexia and related disorders
- > dyslexia instruction

Although parents have no legal right to participate in meetings, it is WISD standard practice to invite parents to any Section 504 Committee meeting in which the child's eligibility, placement, or services will be discussed. If a parent attends, the parent will be (at least) the 4<sup>th</sup> member of the committee.

## Types of 504 Committee Meetings

There are four types of Section 504 Committee Meetings:

- 1. *Initial evaluation meetings* This is the initial meeting in which eligibility is first determined.
- 2. Annual meetings This meeting is to review one year's progress and plan for the next year.
- 3. Review meetings These are additional meetings that are held as needed, to review an outside evaluation or a three-year reevaluation, to consider a change of accommodations and/or services, to address a parent concern, etc.
- 4. *Manifestation Determination* These are meetings held when a student is out of placement for more than ten days or being consider for an alternative placement.
- 5. Transfer meeting (Annual Review) This meeting occurs when a student transfers into WISD from another district and already has been identified as a Section 504 student. The school may choose to accept the previous school's service plan. If this is the case, the plan needs to state "accepted by WISD" with date. The plan needs to be upload into Branching Minds for dissemination to appropriate staff. It is recommended that an "Annual Review" be held within the school year in the Successes system. Please note: If a dyslexia student transfers from another school district, consult with your campus dyslexia specialist to ensure the testing is a valid measure and meets the states eligbilty requirements. Additional dyslexia testing may need to be requested.

The annual review meeting may be held up to a couple of months early if needed to complete a 3-year re-evaluation within timelines in the meeting. Annual meetings must be held on or before the previous year's meetings. If the accommodations and/or services plan are changed in a review meeting that plan should only be in place until the date of the annual meeting. It should not extend beyond the date of the upcoming annual meeting.

# Steps for Conducting Section 504 Committee Meetings

- 1. Schedule the time and location of the Section 504 Committee meeting.
- 2. District staff should be invited to the meeting using the Outlook Calendar meeting invitation system.
- 3. Parents should generally be provided with a *Notice of Section 504 Meeting* form at least five days in advance of the meeting. (If a meeting needs to be set up quickly, a shorter notice is acceptable if the parent agrees). Notice should be sent to all persons with the right to make educational decisions for the child.

- 4. As a courtesy, it is best practice for the Campus 504 Coordinator or designee to follow up with a phone call/phone message to let the parent/adult student know the time and date of the meeting.
- 5. If parents are unable to attend a Section 504 meeting and wish to re-schedule, it is the decision of the Campus 504 Coordinator whether or not to reschedule.
- 6. If an evaluation is to be completed in the meeting, come to the Section 504 Committee meeting prepared with *a draft* of the background information on the *Section 504 Evaluation* form in *SuccessEd*.
- 7. Prepare in advance a *draft Section 504 Student Services Plan* form in *SuccessEd* as appropriate based on the *Teacher Input* form(s), *Parent Input* form, and/or other information gathered. Develop/approve the final plan in the meeting.
- 8. Use the *Section 504 Evaluation* form to document decisions made in the meeting following the order of items on the form (in *SuccessEd*). Respond to all areas on the form including notes sections to explain information and decisions made.
- 9. If this is an Initial evaluation and the parent or adult student is present at the meeting, present the form entitled *Parent Consent for Section 504 Service* (Consent from only one parent is required).

#### After the Meeting

- 1. If a student was found newly eligible (or dismissed) from Section 504 and, more specifically, as a student with dyslexia or a related disorder, notify campus PEIMS clerks within <u>5 school days</u> of the meeting or of the date you received parental consent for initial placement. Tell clerk the "active date," which is the day after the meeting if the parent was in the meeting and signed consent at that time, or the day after you receive signed parental consent if the parent was not in the meeting.
- 2. <u>Provide parents with paperwork from the meeting and evaluation</u>. Send parents a copy of the applicable forms. Also, <u>in the case of an initial evaluation only</u>, if the parent was not present at the meeting, provide the form entitled *Parent Consent for Section 504 Service* and request that parent complete and return it.
- 3. Ensure that parent signs and returns the *Parent Consent for Section 504 Service* form within 5 school days if possible, but in no case more than 10 school days. If consent is not obtained within 10 school days, the case manager must have documentation of at least 2 attempts using multiple methods (phone call followed by form sent home in backpack, form sent through the mail, home visit, request to come to school and sign the form, etc.) to obtain the consent. In this circumstance, please consult K. Parnell about what action should be taken.
- 4. Complete and print the services plan (if applicable), upload service plan into Branching Minds, send staff email with read receipt. Print copy of email and maintain in records for one calendar year. Services may not begin until consent for placement is obtained.
- 5. Print and File paperwork in student's yellow folder. LOCK ALL draft forms completed and/or uploaded into *SuccessEd within 5 school days if possible, but in no case more than 10 school days* of the Section 504 committee meeting (unless you are still pursuing consent for initial placement with the help of Section 504 administrators):
  - Notice/Consent for Initial Section 504 Evaluation\* (signed by parent and uploaded)
  - Notice of Release/Consent to Request Confidential Information\* form (signed by parent and uploaded)
  - Documentation of Student Disability by Physician/Health Care Provider (uploaded into SuccessEd)
  - Notice of Section 504 Meeting (completed in SuccessEd)
  - Section 504 Evaluation (completed in SuccessEd)
  - Section 504 Student Services Plan (completed in SuccessEd)
  - *Health Information* (if applicable)
  - Parent Input (uploaded into SuccessEd)
  - Teacher Input (uploaded into SuccessEd)
  - Parent Consent for Section 504 Service (signed by paren and uploaded into SuccessEd) (FOR INITIAL EVALUATIONS ONLY)

- *Notice of Section 504 Evaluation Results* (completed in *SuccessEd*)
- Copies of any other letters/forms used in the evaluation process (outside evaluations, behavior plan, FBA, manifestation determination, transportation information, etc.)

What to do if Parents are Unable to Attend a Section 504 Committee Meeting at the Scheduled Time
If parents are unable to attend a Section 504 meeting and wish to re-schedule, it is the decision of the Campus
504 Coordinator whether or not to reschedule. When the input or information is needed from the parents, the
meeting will need to be re-scheduled. On the other hand, if the District has sufficient information to proceed
without the parents and the parents do not respond to the invitation, the meeting may proceed without them (as
long as consent for the evaluation has been obtained, if applicable). For annual review meetings, it is
acceptable to tell the parents that due to the volume of meetings it is not possible to work around every parent's
schedule.

#### Audio-Recording of Section 504 Committee Meetings

The district, the parent, or the adult student may audio-record the Section 504 Committee meeting. All participants in the meeting shall be informed that such a recording is being made. If a parent or adult student notifies the Committee that he/she will record the meeting, the District will also record the meeting and make reference to the audiotape in the minutes of the meeting.

#### Writing Section 504 Committee Minutes

The following guidelines shall be followed in writing minutes for all Section 504 Committee meetings:

- Minutes can be transcribed in comments section during meeting and typed into comments box in *Successed* after completion of meeting.
- The members present for the meeting shall be listed with first and last name. If an individual other than the parent or a school employee is present for the meeting, the individual's title (e.g., parent advocate, private therapist, etc.) should also be listed.
- The purpose of the meeting should be outlined briefly. One or two sentences are sufficient to explain the purpose of the meeting. Example: "The Section 504 committee met to conduct an initial evaluation under Section 504 and to develop a Services Plan if needed."
- Minutes should reflect the general "flow" of discussion. However, all Section 504 meeting notes should not look alike. You should be able to discern something unique about the child's current needs and status, concerns that were discussed, how concerns were addressed, etc.
- Minute-takers should be careful to reflect that "draft" documents, such as Section 504 Plans, have been reviewed <u>first</u> and then accepted.
- Any concerns brought up or requests made by the parents/adult student should be reflected in the minutes, along with the school's response to the concern(s)/request(s).

While the minutes are not intended to be a "transcript" of the meeting, they should accurately reflect the general discussion of the meeting, as well as any specific issues or concerns that were addressed.

#### SECTION 4: PLACEMENT AND SERVICES

#### Placement Decisions

Placement decisions regarding a child who is identified under Section 504 are made by the Section 504 Committee, which is composed of at least three professional staff members who, collectively, are knowledgeable about the child, the meaning of the evaluation data, and the placement options. Parents will be invited to any Section 504 Committee meeting in which the child's eligibility, placement, or services will be discussed. A re-evaluation (using the *Section 504 Evaluation* form) is required prior to any change in placement. The District guarantees placement in the least restrictive environment (see section below).

#### Considerations for Placement in the Least Restrictive Environment (LRE)

WISD ensures the provision of educational and related services to eligible students in the least restrictive environment (LRE) appropriate for the student. Students with disabilities must have the opportunity to participate in educational programs and activities with non-disabled students whenever appropriate. In addressing LRE issues, the Section 504 Committee should consider how services provided under Section 504 can allow the student to access the general curriculum and extracurricular activities to the same extent as student without disabilities. The child will only be removed if he/she cannot be served satisfactorily in that environment even with supplementary aids and services. The instructional day for students with disabilities will be commensurate with that of non-disabled students unless a shortened school day is medically required as determined by the 504 Committee after reviewing input from the physician.

#### Change of Placement:

A re-evaluation MAY BE completed prior to any change in placement, which may include (but is not limited to) the following:

- expulsion
- serial suspensions that exceed 10 days in a school year
- significant change in programming or related services
- transferring a student to homebound instruction
- exit from Section 504 or from a program within Section 504 (such as the Dyslexia Program).
- transfer to WISD

This reevaluation may consist solely of an informal review of data, but *Evaluation for Section 504 Eligibility* and *Placement* form should be completed.

#### <u>Termination of 504 Services or Initiation of Special Education Services</u>

When a student will no longer be served under the Section 504 program, either because he/she no longer needs services or because he/she will now be served under special education Section 504, the case manager should hold a on the "*Reevaluation* Meeting" to document the student no longer qualifies for Section 504 services. The campus 504 Coordinator will notify PEIMS campus clerk of discontinued eligibility.

If a 504 student is dyslexic and a parent and/or staff member feels the student no longer needs dyslexia instruction before the students has completed the MTA program, the Dyslexia Exit Criteria Form (see appendix) should be completed by the 504 committee and upload into SuccessEd.

#### Non-academic Services, including After School Care and Special Transportation

WISD provides equal opportunity in areas such as counseling, physical education and athletics, transportation, health services, recreational activities, special interest groups or clubs, referrals to other agencies and employment. This also includes the after-school child care program. If general education students must compete for, meet certain criteria for, or try out for membership or participation in a non-academic organization or activity, then students with disabilities are not guaranteed that they will be chosen, but only that reasonable

accommodations will be made to allow them to try out or compete such that they have an equal opportunity to demonstrate the required skill, ability, or attribute.

When a student receives special transportation, please complete the form entitled *Transportation Information* form in *SuccessEd*. A copy should be sent to Natalie Richards in the Special Education Department.

#### <u>Determining Appropriate Accommodations</u>

In considering accommodations within the context of a Section 504 Committee meeting, it is important that they have a basis in formal or informal evaluation data and are related to the student's disability.

Accommodations for STAAR must be based on data presented in the meeting demonstrating (with objective evidence such as test scores) that the student performs better with than without the accommodation. The accommodations plan must address the identified disability. A student identified with dyslexia must have the section completed on the accommodations plan identifying the services to address dyslexia. The case manager should be careful not to use the word "modifications" to mean "accommodations." Any accommodations that can be provided under special education may also be provided under Section 504.

#### Behavior Intervention Plans (BIPs)

A BIP may be developed for students served under Section 504. If a student is being dismissed from special education at the time of admission to Section 504 and has an effective BIP in place, the committee may take the information from that BIP and create a BIP using the *Behavior Intervention Plan* in *SuccessEd*. Once created, the BIP should be uploaded into Branching Minds (like service plan), email should be sent to appropriate campus staff and a read email receipt should be printed and maintained for an academic calendar year.

If a 504 student has a pattern of behavior, or the committee feels the student's behavior is affecting his/her educational progress, the campus 504 Coordinator should contact the campus behavior specialist PRIOR to the scheduled meeting for assistance in writing the behavior plan. The behavior specialist should be invited to all meetings, thereafter.

#### SECTION 5: COORDINATION OF SECTION 504 WITH OTHER PROGRAMS

#### Dyslexia Program and Section 504

Dyslexia services (unless the student has another disabling condition under IDEA in addition to Dyslexia) fall under Section 504. At WISD, a qualified evaluator will first evaluate the student for Dyslexia. The Section 504 Committee will then review the data and recommendations from the evaluation and will make the determination as to whether or not the student has Dyslexia (using the *Section 504 Evaluation* form). However, a third step is required: Even if the student is determined to have Dyslexia, the 504 Committee must determine whether the dyslexia causes a substantial limitation in the major life activity of reading, thereby qualifying the student for services under Section 504. Thus, determination of services for dyslexia is a three-step process: 1) dyslexia evaluation; 2) dyslexia diagnostic determination by 504 committees; and 3) evaluation for eligibility under Section 504.

#### Response to Intervention (RTI), General Education Homebound (GEH) and Section 504

In some rare cases, a child may require homebound instruction for a significant but short-term condition (less than approximately 6 months) that is not considered a disability. In such cases, the child's needs will be dealt with by a General Education Homebound (GEH) committee through the 504 committee. In other cases, there may be a milder condition (e.g., a broken limb) for which the student needs accommodations for the classroom and for state assessment, but which would not qualify a child under Section 504 because of the short duration of the impairment. In this case, the student's needs would be dealt with through the campus SAT committee. The campus SAT committee can develop accommodations plans for students without disabilities who need accommodations, even if these students are not receiving tiered instruction.

Additionally, a disability affecting reading or learning will generally not be suspected until the student has been provided with research-based interventions through MTSS and has failed to respond adequately to these interventions. When a student completes Tier 3 cycle (2 times), and if adequate progress has not been made, he/she may be referred for a Section 504. It is recommended that a student should be referred for a special education evaluation if this is the case. A student should be referred to a special education evaluation at any time of a staff member feels a disability is present. Please note child find responsibilities.

#### Special Education and Section 504

Special education and Section 504 both serve students with disabilities, but "disability" is defined differently under these two statutes. Under federal law (IDEA), "disability" (for special education purposes) is defined as having one of 13 specifically listed impairments and, on the basis of the impairment, having a need for special education and related services. Having "a need for special education and related services" has been defined through the courts as needing educational services that can only be provided through special education and cannot be provided through general education, with MTSS processes in place, the line between what is available in general education and what is only available in special education has changed considerably. In the world of MTSS, the only services provided exclusively by Special Education are the following:

- provision of a modified curriculum (generally only for students with intellectual disabilities)
- placing the student in a segregated or pull-out program with other disabled students.
- placing the student into educational programs or providing the student with educational services (not just related services) that are paid for out of IDEA-B funds.

Section 504 defines a student as having a disability if the student has a mental or physical impairment that substantially limits a major life activity, a record of such impairment, or regarded as having such impairment. All students who qualify under IDEA for special education also qualify under Section 504, but their needs under Section 504 are addressed by the ARD committee. A student served by special education (even a "speech only" student) should never also be served by a Section 504 committee, because the two committees may be working at odds with one another.

Not all students who qualify under Section 504 also qualify under special education. Special education is focused more specifically on the student's needs with regard to learning and education, and only considers other types of impairments if they fall under one of 13 eligibility categories under IDEA and impact learning or the educational process. For example, a student who is in a wheel chair but whose education and learning are not affected would not qualify for special education. However, this student likely would qualify under Section 504, since this law covers a wider array of major life activities, including the major life activity of "walking."

#### Referral to Section 504 by the ARD Committee

In some cases, a student will be dismissed from special education but will be referred for an evaluation under Section 504. Since disability is defined differently under the two laws, the student who no longer has a disability under IDEA may continue to have a disability as defined under Section 504. For example, the student may continue to have the impairment (e.g., ADHD) but no longer have a need for specialized instruction. Nevertheless, if the ADHD significantly impacted the student's capacity to maintain attention, the student would continue to qualify under Section 504.

#### Referral to Special Education by the 504 Committee

A student may be referred to Special Education by the Section 504 committee when it is believed that, based on the student's impairment; the student needs services that can only be provided through special education.

#### **SECTION 6: LEGAL ISSUES/PARENT RIGHTS**

#### Discrimination Prohibited

Section 504 prohibits discrimination on the basis of disability in programs receiving Federal financial assistance (including the public schools). A person with a disability cannot be denied the opportunity to participate in or benefit from an aid, benefit or service, and may not be offered an aid, benefit or service that is not equal to that afforded persons without disabilities. The aids, benefits or services provided to persons with disabilities can only be different from those provided to persons without disabilities to the extent that the difference is necessary in order for the person with a disability to receive equally effective aids, services, or benefits.

#### Oversight of IDEA vs. Section 504

The Office of Civil Rights (OCR), a component of the Department of Education (DOE), enforces Section 504 of the Rehabilitation Act of 1973 as amended (Section 504), a civil rights statute which prohibits discrimination against individuals with disabilities. OCR also enforces Title II of the Americans with Disabilities Act of 1990 (Title II), which extends this prohibition against discrimination to the full range of state and local government services, programs and activities (including public schools) whether or not they receive federal funds. The Office of Special Education and Rehabilitative Services (OSERS), also a component of the DOE, administers IDEA, a statute which partially funds special education programs. State education agencies are responsible for administering IDEA within the state and distributing the funds for special education programs. IDEA is a grant statute which attaches many conditions to the receipt of funds; Section 504 and ADA are antidiscrimination laws and do not provide any funding.

#### Role of OCR in Overseeing Section 504 in the Public Schools

OCR provides technical assistance to school districts, parents, and students upon request. It also receives complaints from parents, students, or advocates and conducts agency initiated compliance reviews. Except in extraordinary circumstances, OCR does not review the results of individual placement or other educational decisions as long as the District complies with the procedural requirements of Section 504. OCR will generally not evaluate the content of a services plan or attempt to resolve any disagreement between the parent and the school. However, OCR will investigate specific situations in which a student with a disability is allegedly treated differently than students without disabilities (e.g., excluded from certain activities or programs). Additionally, a grievance or complaint by a parent could trigger a general OCR compliance visit. If noncompliance is found, OCR will negotiate with the District to try to bring it into voluntary compliance. If this is unsuccessful, OCR may initiate administrative proceedings to terminate DOE financial assistance to the District or refer the case to the Department of Justice for judicial proceedings. Below are some of the ways the District can be proactive in avoiding sanctions imposed by OCR:

- Closely follow District standard practices with regard to Section 504.
- Maintain complete Section 504 files.
- Maintain documentation of all contacts (phone calls, conversations, emails, etc.) involving Section 504.
- Be sure that documentation supports procedural compliance.
- Ensure that decisions are based on data/documentary evidence.

#### Private Lawsuits

A person may at any time file a private lawsuit against a school district for issues involving Section 504. The Section 504 regulations do not contain a requirement that a person file a complaint with OCR and exhaust administrative remedies before filing a private lawsuit. Also, unlike IDEA (which does not allow parents of students to sue for financial compensation), there are no limits placed on the types of compensation complainants may receive in a Section 504 lawsuit.

#### Notice of Rights and Procedural Protections under Section 504

Districts are required under Section 504 to develop procedural safeguards for parents/students under Section 504. Procedural safeguards include information about identification, evaluation, placement, notice, the right to review records, impartial due process hearings, and the right to council and review procedures. A *Notice of Rights and Procedural Safeguards under Section 504* form will be provided to the parent/adult student:

- in response to a parent request for evaluation
- upon initial placement
- at all transfer Section 504 meetings upon enrollment in the District
- upon request by a parent
- when parents file a grievance or due process hearing under Section 504
- when the District refuses to comply with a parent request.
- at any manifestation determination review meeting

When a parent/adult student requests an evaluation under Section 504, the campus Section 504 coordinator will provide the parent with the *Notice of Rights and Procedural Protections under Section 504* within 15 school days of the request for evaluation. This document should be sent to all persons who have the right to make educational decisions for the student. If parents are divorced, please check the documents in the cumulative file, or request a copy of the divorce decree and/or any other legal documents showing custody and parental rights.

#### The Right to a Free, Appropriate Public Education

A student who is found eligible under Section 504 has the right to a free, appropriate public education (FAPE). This means that the child's education will be designed to meet his/her individual educational needs as adequately as the needs of non-disabled students are met. No fees will be imposed upon the parents of the child except the same fees imposed on the parents of non-disabled children.

#### Parental Notice and Consent

Specific notice must be given to parents/adult students under Section 504 upon 1) evaluation, 2) identification; and 3) placement. Consent must be obtained from the parents prior to initial or individualized evaluation and initial placement. Consent need only be obtained from one parent, but all required notices should be sent to all persons who have the right to make educational decisions for the student. If parents are divorced, please check the documents in the cumulative file, or request a copy of the divorce decree and/or any other legal documents showing custody and parental rights.

The following procedures will be used to fulfill these requirements:

#### Notice / Consent for Initial Section 504 Evaluation

Notice should be provided to parents and consent obtained for any evaluation under Section 504. The requirement for notice of evaluation will be fulfilled by providing the parent with the form entitled *Notice / Consent for Initial Section 504 Evaluation and ensuring that the consent is obtained within 15 school days of the referral*. This form will specify the nature, scope, and timelines of the proposed evaluation (Dyslexia evaluation, evaluation for eligibility for services, etc.).

The campus Section 504 coordinator who is unable to obtain this written consent within timelines should have documentation of multiple (at least 2) attempts to obtain the consent using multiple methods (e.g., sending form home in backpack following a telephone call to alert the parent, asking parent to come to the school and sign the form, mailing the form home, and/or making a home visit). If signed consent cannot be obtained within timelines, the campus Section 504 coordinator should consult with a District-wide administrator in charge of Section 504.

#### Parent Consent for Section 504 Service

Parents must provide consent for a student's initial placement in the Section 504 program and initial receipt of services. A *Parent Consent for Section 504 Service* form should be provided to parents and their written consent for services should be obtained within 5 school days if possible, but in no case more than 10 school days of the 504 meeting in which the decision for initial placement was made. Ideally, the parents will attend the meeting and consent for initial placement will be obtained in the 504 Committee meeting. However, if parents do not attend and if written consent cannot be obtained from the parent/adult student within 10 school days of 504 Committee meeting in which placement was determined, the campus Section 504 coordinator should have documentation of multiple (at least 3) attempts to obtain the consent using multiple methods (e.g., sending form home in backpack following a telephone call to alert the parent, asking parent to come to the school and sign the form, mailing the form home, and/or making a home visit). If consent is not obtained within 10 school days, the case manager should consult with the District-wide administrators coordinating Section 504.

Notices should be sent to all persons with the right to make educational decisions for the child. In the case of divorced parents, you will have to check the divorce decree and/or other legal documents. Consent need only be obtained from one parent in order to proceed.

#### Parental Refusal or Withdrawal of Consent

If the parent refuses (or does not respond to a request for) or withdraws consent for an initial evaluation or placement/services, then the District may (but is not required to) pursue a hearing in an effort to "override" lack of parental consent. In the case of withdrawal of consent, the parent must sign a second *Parent Consent for Section 504 Service* form revoking consent. The school district may, but is not required to, initiate a due process hearing under Section 504 if it is believed that the student needs the evaluation/ placement/services in order to receive FAPE.

#### Parental Right to Review Records

The District must permit parents or representatives of parents to inspect and review educational records relating to their student. The District may presume that the parent has authority to inspect and review the student's records, unless the District has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation, and divorce.

#### Transfer of Educational Rights at Age 18

At age 18, WISD transfers educational rights from the parent to the adult student. The adult student will be involved and encouraged to participate in the Section 504 Committee meetings and will have all the other rights of parents described in the Procedural Safeguards. All consents must be granted and signed by the student.

#### Confidentiality

WISD maintains strict confidentiality of student information and records. Student records may include student work, notes, files, meeting documents, and other materials which are maintained in writing, found in computer memory banks, or on film. Personally identifiable information regarding a given student or information about Section 504 Committee meeting proceedings should never be discussed with another person unless that person has an "educational need to know" the information. Materials distributed in Section 504 Committee Meetings (copies of evaluation reports, draft accommodations plans, etc.) must be kept out of the hands and out of the view of other students, staff (unless they have a need to know in order to serve the students), and parents of

other students. Students should not be discussed with others outside of the school setting in a way which identifies them without a release of confidential information form signed by the parent or adult student.

In accordance with Family Educational Rights and Privacy Act (FERPA), WISD employees must have written permission from the parent or adult student in order to release any information from a student's education record, with the following exceptions. Records may be released without written permission to:

- school officials with legitimate educational interest;
- other schools to which a student is transferring;
- specified officials for audit or evaluation purposes;
- appropriate parties in connection with financial aid to a student;
- organizations conducting certain studies for or on behalf of the school;
- accrediting organizations;
- in order to comply with a judicial order or lawfully issued subpoena;
- appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

WISD staffs also maintain confidentiality of all information relating to Section 504 Committee Meeting proceedings. With the exceptions of release of records listed above, WISD staff may not discuss such proceedings or provide 504-related documents to any person or organization without the written consent of the parent or adult student. Confidentiality of information must be maintained during the times of collection, storage, disclosure, and destruction of information.

When sending emails about a student, case managers should avoid using the student's full name whenever possible. It is best to use initials or a student's first name and initial for the last name (unless the first name is very uncommon and easily identified).

<u>Extracurricular Activities</u> – Schools have a duty to provide reasonable accommodations to students with disabilities if necessary in order for them to participate. Accommodation is not necessary if it would fundamentally change the nature of the activity.

- A guidance letter update from OCR on extracurricular athletic activities said that to prevent extra meetings
  for students who want accommodations to participate, these accommodations could be determined outside
  the context of a formal 504 meeting. If this is done, the agreement must be documented, the
  Accommodations Plan revised, and the revised plan and documentation placed in the student's file.
- For students with disabilities requesting participation in extracurricular activities and after school programs, it is the decision of the 504 committee whether the required accommodations are "unreasonable." If not, the District must provide the accommodations. Case law has shown that very few accommodations are considered "unreasonable" for school districts

## Disciplinary Change in Placement for Students with Disabilities

- For short-term removals, campuses have 10 FAPE-free days of removal before a manifestation determination review (MDR) is required. At some point, short term removals become a "pattern of exclusion" requiring an MDR. Attorneys generally recommend holding an MDR by the 10<sup>th</sup> day and generally not removing a child for more than 10 days of short-term removal in any one school year.
- For long term removals have the MDR as soon as possible, but it must be prior to reaching 10 days.
- At the Manifestation Determination Review meeting (MDR), Committee members will review all relevant information in the student's file, including the 504 Plan, any teacher observations, and any information provided by the parent(s) in order to answer two questions:

- 1. Was the conduct in question caused by, or did it have a direct and substantial relationship to, the child's disability?
- 2. Was the conduct in question in question the direct result of the District's failure to implement the 504 Plan?

If the answer to both of these questions is "no," then the student's behavior will NOT be considered a manifestation of his/her disability. If the answer to <u>either</u> question # 1 or question # 2 is "yes," then the behavior in question <u>will</u> be considered to be a manifestation of his/her disability.

- A BIP should always be implemented when a student's behavior interferes with the learning of self or others. At the MDR, a BIP will be developed if not already in place; if already in place, it will be reviewed and revised as needed. These steps will occur regardless of whether the behavior in question was or was not considered a manifestation of the student's disability. Campus behavior specialist will assist in writing BIP. Contact the Behavior specialist prior to the meeting for assistance.
- If the behavior in question is <u>not</u> considered to be a manifestation of the student's disability, then a change of placement for disciplinary reasons may extend beyond ten days, so long as the same consequence would apply to students without disabilities. However, the student must continue to receive educational services in order to participate in the regular curriculum.
- If the behavior in question <u>is</u> considered to be a manifestation of the student's disability, the student must be returned to the placement from which he or she was removed, unless there is consensus within the Section 504 Committee meeting (or agreement between the parent(s) and WISD) that the change of placement may extend beyond ten days as a part of that student's BIP.
- A district can be held liable for not holding an MDR for a student who is not served because he/she was never evaluated for Section 504 when the District should have known that the student likely had a disability (in other words, in a failure of "child find" duties situation).
- On the day in which a decision is made to remove a student with a disability from his/her placement for disciplinary reasons, WISD will notify the parents of the decision and provide them with a copy of the Notice of Rights and Procedural Protections document or otherwise notify them of applicable procedural safeguards.

#### Legal Remedies for Parents

#### Due Process Hearing

WISD will provide an impartial hearing to parents/adult students who disagree with the identification, evaluation, or placement of a student with disabilities. The hearing will be conducted at the local level by an impartial person not connected with the District (see Policy FB Local). The hearing officer need not be an attorney. Hearing officer decisions may be appealed to state or federal court.

The parent/adult student must request a hearing within 30 calendar days from the time he/she received written notice of the decision of the Section 504 Committee with which the complainant disagrees. Written notice of the request for a due process hearing must be provided by the parent/adult student to the District 504 Director, Kourtni Parnell. The written notice should specify the area of disagreement, and provide reasons for the disagreement. The parent/adult student should also include any documented evidence or data that supports their position. The parent(s) may not raise issues during the due process hearing that were not raised at the time of the original request for a hearing.

The parent has the right to participate, speak, and present information at the due process hearing, and to be represented by legal counsel or any other type of representative of their choice at their expense. If a parent is to be represented by a licensed attorney, he or she must inform the District's Section 504 Coordinator and the appointed hearing officer of that fact in writing at least seven (7) calendar days prior to the hearing date. Failure to do so shall constitute good cause for a continuance of the hearing.

Within 15 days of the receipt of a clear request for a Due Process Hearing, the District will appoint an impartial Hearing Officer to preside over the hearing and issue a decision. The Hearing Officer will be hired by the District as an independent contractor at no expense to the parent. The Hearing Officer will not be a current employee of the District. The Hearing Office need not be an attorney, but shall be familiar with the requirements of Section 504 and the District's hearing procedures under Section 504. The District's choice of an impartial hearing officer is final and may not be made an issue at the due process hearing.

The appointed Hearing Officer shall issue an Order Setting Hearing Date for the parent and the District's Section 504 Coordinator in writing at his or her earliest opportunity, and shall set a date for a hearing to be held within 15 days of the issuance of the order. The Order will set forth a mutually agreeable time and place for the hearing.

The Hearing Officer may also order a Pre-Hearing Conference at which the parent or his or her representative will state and clarify the issues to be addressed at the hearing. The Pre-Hearing conference can also serve to resolve preliminary matters, clarify issues, and answer questions about the process.

Witnesses will present their information in narrative form, without the question and answer format of formal legal proceedings. Cross examination will not occur, but a party may request that the Hearing Officer at his/her discretion ask another party a question.

The decision of the hearing officer will be made within 45 days of the day of request for a due process hearing. The decision will be made on substantive grounds based on a determination of whether the child received a free, appropriate public education (FAPE) and was not subjected to discrimination on the basis of his/her disability. Procedural inadequacies will not contribute to a finding against WISD unless they significantly impeded the child's right to FAPE or led to discrimination against the student with a disability.

The parent/adult student has the right to appeal the decision of the hearing officer to the state or federal court.

# **APPENDICES**

# **Appendix** Forms for Section 504

- Forms that are underlined, in bold print and accompanied by a single star (\*) are required by law, OCR guidelines, and/or district procedural protections for all students placed in the Section 504 program, and must be used for ALL students if applicable.
- Forms accompanied by a double star (\*\*) are required by law/OCR guidelines only under specific circumstances, as described below.
- Forms accompanied by a triple star (\*\*\*) are required by WISD standard practices.
- Other forms are optional.

Name of Form	Location	When Form is Used
Behavior Intervention Plan	SuccessEd	Required by law only when a student's behavior interferes with his/her learning or the learning of others, including when misbehavior leading to removal from the general education setting is
Checklist for Completing Section 504 Committee Meetings	Hard Copy-	found to be a manifestation of the disability.  Form that can be used for organizational purposes or to ensure compliance.
Contact Log	SuccessEd	Campus Section 504 Coordinators may use this from to document contact with parents and/or conversations with students and staff. DO NOT LOCK this form until the end of the school year.
Notice/Consent for Initial Section 504 Evaluation *	SuccessEd	Required by law/OCR guidelines prior to any evaluation or re-evaluation. It also contains the plan for the nature and scope of the evaluation. This form can be printed in English or Spanish.
Notice of Release/Consent to Request Confidential Information	SuccessEd	Required by law any time information is exchanged about a student with any person or organization except employees of WISD with educational need to know. Sent to parents at the beginning of the evaluation process so that the 504 coordinator can seek input from the health care provider or other outside services, such as counseling. This form can be printed in English or Spanish.
Notice of Section 504 Evaluation Results***	SuccessEd	This form will be used after a Section 504 meeting has occurred as a summary for the parents/guardians of the decisions made. This form can be printed in English or Spanish.
Notice of Section 504 Manifestation Determination Evaluation Results***	SuccessEd	This form will be used after a Section 504 Manifestation Determination meeting has occurred as a summary for the parents/guardians of the decisions made. This form can be printed in English or Spanish.

Notice of Section 504 Meeting*  Parent Consent for Section 504  Service*	SuccessEd  SuccessEd	Although an invitation to the meeting is not required by law, it is District standard practice to do so and includes our Section 504 Notice of Rights and Procedural Protections, so this form must be provided to parent or adult student to notify parent of meeting and encourage participation. This form can be printed in English or Spanish.  Required by law/OCR guidelines only one time upon initial placement in 504 by parent or adult student. This form is also used if a parent chooses to revoke consent and remove a student from Section 504 evaluation or placement and services. This form can be printed in English or Spanish.
Parent Input	SuccessEd	Collected as part of an initial evaluation or reevaluation to help the committee to make placement decisions. In lieu of using the form, the 504 coordinator may gather information in a parent meeting, over the telephone, or in the actual Section 504 meeting. However, all information on this form is needed for dyslexia evaluations. This form can be printed in English or Spanish.
Referral Information	SuccessEd	This optional form can be used to gather pertinent background information for a new referral. If this form is NOT used, all of the information must be addressed and documented in the <i>Section 504 Evaluation</i> form.
Section 504 Evaluation*	SuccessEd	This form is required by law for all Section 504 committee meetings to determine eligibility and placement recommendations.  These meetings could include initial evaluations, annual reviews, periodic reviews, three-year reevaluations, or manifestation determination meetings. Manifestation determination meetings are required by law prior to a change of placement (within 10 days of disciplinary removal) to determine whether the behavior in question is a manifestation of the disability and whether the change in placement can proceed.  This form can be printed in English or Spanish.
Section 504 Student Services Plan	SuccessEd	Spells out the accommodations and services the student will receive. Must be provided to all school personnel who will be responsible for implementation. This form can be printed in English or Spanish.

Teacher Input form	SuccessEd	Collected as part of an evaluation to help the committee to make placement decisions. Teacher information may be gathered in other ways.  However, all information on this form is needed for dyslexia evaluations.
Texas General Education Homebound Supplement*	SuccessEd	This form should be completed in the event that a Section 504 committee agrees that the student is in need of homebound services. This form can be printed in English or Spanish.
Transportation Information***	SuccessEd	To be used when a student qualifies under Section 504 for special transportation as a related service or if other information for transportation needs to be sent to Natalie Richards, Special Education Department. This form can be printed in English or Spanish.
Notice of Decision *	Appendix	To be provided to parent/physician upon denial of 504 evaluation within 15 working days of request.
Dyslexia Exit Criteria	Appendix	To be completed when the 504 committee, staff member, or parent recommends a dyslexia student no longer participate in the MTA prior to the completion of the program.

# **504 Initial Meeting**

Prior to the meeting complete: \_ Notice and Consent for Initial Section 504 Evaluation \* \_ Section 504 Procedural safeguard (print with consent)\* \_\_ Parent Input\* (If dyslexia referral, use Dyslexia parent input in appendix of manual) \_ Referral Information \_\_ Teacher Input\* (If dyslexia referral, use Dyslexia parent input in appendix of manual) \_ Forms returned and placed in folder \_ If dyslexic/dysgraphia referral, enter request into Eduphoria w/parent consent. \_ Upload forms into SuccessEd \*No need to go back into program and type info. Leave blank in program and lock. Scan copy into Success Ed and place original in folder. \_\_ *Notice of Section 504 Meeting* to parent \_ send email invite to campus staff (must include gen ed. teacher, admin, and dyslexia specialist (if app.)

\_ Copy to: \_ parent's \_ folder

\_ Forms locked and printed

At meeting 504 coord. completes:

\_\_Section 504 Evaluation (click initial evaluation)
\_\_Section 504 Student Service Plan (optional)
\_\_Notice of Section 504 evaluation results
\_\_Parent consent for Section 504 service \*
\_\_Forms locked and printed
\_\_Copy to: \_\_parent \_\_folder
\_\_Service plan and or BIP uploaded into Branching Minds
\_\_Email sent to teacher with read receipt. Keep a copy of read email receipt for a calendar year.
\_\_Notify PEIMS by email the start date of student.
Services cannot start until consent for 504 services is

signed and obtained by parent.

# Annual 504 Review meetings or 3 year Re-Evaluation

(on or before date from previous year/3 year)

Prior 504 annual meeting:
_ <i>Notice of Section 504</i> Meeting to parent
_ send email invite to campus staff (must include gen ed.
teacher, admin, behavior specialist and/or dyslexia
specialist (if app.)
_ send <i>Teacher Input*</i>
_ Copy to: _ parent _ folder
_ Forms locked and printed
Upload completed teacher input forms into SuccessEd
*No need to go back into program and type info. Leave blank in program and
lock. Scan copy into Success Ed and place original in folder.
At meeting complete:
Section 504 Evaluation (click annual meeting or
reevaluation )
Section 504 Student Service Plan (optional)
Behavior Intervention Plan (optional)
Forms locked and printed
Copy to:parent folder
Service plan and or BIP uploaded into Branching Minds
Email sent to teacher with read receipt. Keep a copy of

(PLEASE REMEMBER EVALUATION MUST BE DONE EVERY THREE YEARS\* and if you are <u>dismissing</u> a student from 504. Therefore, you would click reevaluation as annual meeting)

read email receipt for a calendar year.

# **Section 504 Manifestation Meeting**

Prior to 504 MDR meeting:
AP notifies you of date of hearing
Notice of Section 504 Meeting to parent
_ send email invite to campus staff (must include gen ed.
teacher, admin, behavior and/or dyslexia specialist (if
app.)
_ Copy to: _ parent _ folder
_ Forms locked and printed
At meeting complete:
Section 504 Evaluation (click manifestation review)
Section 504 Manifestation Determination Evaluation
BIP (create or revise if pattern of behavior)
Notice of Section 504 Manifestation Determination
Evaluation Results
Forms locked and printed
Scan and email MDR, annual meeting, service plan to
Sal & KP
Copy: parent folder

# Student: \_\_\_\_\_\_ ID#: \_\_\_\_\_ DOB: \_\_\_\_\_ Gr: \_\_\_\_ Campus: \_\_\_\_\_\_ Date of Meeting: \_\_\_\_\_\_ Standard protocol dyslexia intervention program services (SPDI), MTA, or dyslexia specially designed instruction (SDI) services exit must be based on a comprehensive and thorough consideration of a preponderance of student data that meets most, or all of the criteria outlined below. Either the Campus Section 504 Committee or the ARD Committee (based on which program student is being served by) can make the decision to exit a student from the District's dyslexia SPDI or SDI if a preponderance of evidence is preliable to a contract and decision.

			a student from the District's dyslexia SPDI or SDI if a preponderance of evidenc th decision.
YES	No	1.	Student has met standards on the STAAR/EOC Reading Writing tests for at least two years;
YES	No	2.	AND Student is reading at grade level as measured by a Reading Inventory Measure from the District's dyslexia SPDI or SDI program and classroom administered fluency checks;
YES	No	3.	AND  The student has completed/mastered all the objectives in the District's dyslexia SPDI or SDI program;
YES	No	4.	AND Student's reading teacher indicates student's grades and performance in the regular reading program demonstrates that there is no longer an education concern or need for placement through the SPDI or SDI program;
YES	No	5.	AND Student's dyslexia teacher, regular reading program teacher (or ELA) and parent are in agreement that student no longer has an educational need for
YES	□ No □ N/A	6.	the SPDI or SDI program.  Student demonstrates minimal to no measurable progress in the District's SPDI or SDI program and/or an inability to grasp the concepts taught
Yes	□ No □ N/A	7.	in the support services after consistent implementation and is demonstrating regression. This must be supported by documentation of parent conferences as well as progress reports on the impact of the SPDI or SDI services on student learning. This lack of progress must be documented in either the student's Section 504 committee minutes or ARD minutes. Student must be referred for further evaluation. Factors such as behavior and/or absenteeism prevent the student from benefiting from the District's SPDI or SDI program. This must be supported by documentation of parent conferences as well as progress reports on the impact of the program's interventions on student learning. This lack of benefit must be documented in either the student's Section 504 committee minutes or ARD minutes along with documentation indicating District remediation.

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3-2019 2-36

A student exited from SPDI or SDI program services will continue to be monitored by the dyslexia teacher on a six-week basis and may continue to require a Section 504 plan or IEP to be implemented in the general education classroom or least restrictive environment to meet their individual needs. All students receive an annual review by either the campus Section 504 Committee or ARD Committee.					
	or SDI program services and begins to show or SDI program by either the campus Section				
YES No 2. The data used for makin Section 504 or Speci or	The student has met the above exit criteria  The data used for making this decision is on file with this form in the student's  Section 504  or Special Education  folder.  A parent conference was held prior to this committee decision to collect parental input.  At this time, the student does NOT meet exit criteria; however, the parent has requested that the student be exited from the SPDI  or SDI				
COMMITTEE SIGNATURES: Section 504 ARD					
Signature	Position				
Signature	Position				
Signature	Position				
Signature	Position				
Signature	Position				
Signature	Position				
Signature	Position				

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2-37

### WACO INDEPENDENT SCHOOL DISTRICT

### PRIOR WRITTEN NOTICE FOR PARENT REQUESTING §504 OR SPECIAL EDUCATION INITIAL EVALUATION

Student:	ID#:	DOB:	Gr.:	Campus:	
Date Provided or Mailed:		Method of Delivery:	: Han	d Delivered	Mailed
What action was proposed or Initial Evaluation for §504 Initial Evaluation for Spec. I	Ed. EI	igibility/Placement in § entification/Placement orts used as a basis t	504 t in Spec. Ed. for the deci		
Parent Information Teacher Information TELPAS Results LPAC Information School Records Work Samples	Resp Prog	avior/Discipline Data		State Assessment I Benchmark Results District Evaluations Outside/Third Part Classroom Observa Other:	s s ty Evals
BEFORE making this decision, the Research-Based Strategies Rtl Tiered Intervention Plan Differentiated Instruction	Tutoria	otions or alternative als/Accelerated Instruc Accommodation Plan ia Intervention Plan/Pr	tion 🔲	idered: Language Progra Reading/Math P Other:	
If options were rejected, why	rejected:				
Options were rejected by who	m: Rti Co	ommittee	04 Committ	ee Other:	
Other factors relevant to the d	lecision:				
Notice in Understandable Lang Federal regulations require the language or other mode of come the identification, evaluation, appropriate public education to native language or other mode the notice was translated orally or other mode of communication	at parents and imunication ear or education and your child/your of communication or by other mution. The particular and the par	ch time the District p I placement of your u, or upon conductin ation of the parent/a eans to the parent/a	roposes or r child/you, g a manifest dult studen dult studen	refuses to initiate or the provision tation determinat t in not a written t in his/her native	or change of a free tion. If the language language
Name of Translator/Interpret	er:		Translat	ion Date:	
Signature of Interpreter, if us	ed:		-		
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	Student Rights Under §504 Gafeguards: Rights of Parents of ties
The parents of a child with a disability/adult student with a procedural safeguards of Section 504 of the Rehabilitation Act, a Disabilities Education Improvement Act (IDEIA), as amended. A Under Section 504 or the Notice of Procedural Safeguards: Rights is provided upon initial referral and is provided with this notice. I procedural safeguards under either §504 or Special Education, ple 799-0983 or the Special Education Office at 254-755-9570. Other Education Service Center — Region 12 at 254-297-1313 or the staf Center —	s amended, and/or the Individuals with copy of the Parent and Student Rights of Parents of Students with Disabilities If you have any questions regarding the ease call: Waco ISD §504 Office at 254-reparent information resources include:
Signatures:	
Parent:	Date:
Special Ed. Assessment Personnel:	Date:
Campus §504 Coordinator:	Date:
Campus Administrator:	Date:

Note: Campus  $\underline{must}$  respond to parental request for evaluation "not later than the 15<sup>th</sup> school day after the date the district receives the referral." [SB816 amending TEC §29.004(a) — effective 9-1-2013.]

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### HEALTH SCREENING

Student:			B	irthdate:	********************************	_ Age	;		
Campus:			Grade:	II	)#:				
Referring Teach	ner:	***************************************		Date:	***************************************	******	**************	-	
Please Return F	orm To;	and the second s	Protessant (************************************	Retur	n Date: _			·	
VISION SCRE	ENING:								
Name of Screene	r:			Date o	f Screenin	g:			
Type of Screening	g: 🗆	Snellen	□ H.O.T.V	<i>I</i> . (					
Screened with gla	isses:	Yes 🗆	No						
Far Vision:									
	Right	Left	Bot	h	Results				
	20/	20/	20/	Pas	s Fa	il			
Near Vision:	appears to	be adequate fo	or school work	k based on tea	icher or nu	ırse repo	rt	☐ Yes	□ No
Comments:							•		
HEARING SC	REENING	<u>3:</u>							
Name of Screener	r:			Date o	f Screenin	g;			_
Type of Screening	g: Pure To	ne Sweep Cho	ock	@ 25 1	Decibels				
9.		1000 Hz	2000 Hz	4000 Hz	Re	sults			
	Right	-	~~~~	THE PARTY OF THE P	Pass	Fail			
	Left				Pass	Fail			
As a result of the	atment bees	recommende	d for vision /	hearing?		□ Yes			
Comments:		The contraction	***************************************		***************************************			<del></del>	
HEALTH APP	RAISAL:								
Does the student e If yes, ple	exhibit any : case explair	signs of health	or medical p	roblems?		□ Yes	□ No		
Is there a need for	further me		ent?			☐ Yes	□ No		
Is the student rece		edication or i				☐ Yes	□ No		
Additional Comm									
For students bein								status ind	icates a need f
he nurse to be inc				Yes   No	T304-5+ D	-washi p	HEALAN	Seered III	inames a mooti i
Signature:	***************************************		***********************	Pos	sition:				
Date									

### WACO INDEPENDENT SCHOOL DISTRICT

# TEACHER INTERVIEW FOR THE ENGLISH SPEAKING STUDENT AT-RISK FOR DYSLEXIA (DYSLEXIA SCREENING CHECKLIST)

Studen	t-			ID#:	DOB:	G	rade:	Campus:
	(TE)	malat	ad Dur	····	Position:	9	idde.	25
Checkli	IST CO	mpiec	eu by:		Position:			Subject:
Return	Com	pletec	Form To:			By	γ.	
					_			
Date Completed By Teacher:								
DIRECTIONS: Please respond to each of the following statements by checking (X) the blanks describe the student. The form may be used by the Rtl Team, Section 504, or Education as a way to gather information from teachers on whether the studen characteristics of dyslexia and is in need of referral for a dyslexia evaluation.						eam, Section 504, or Special whether the student exhibits		
YES	No							
		1.	HAS STUDENT	BEEN RETAINED?	IF "YES," WH	AT G	RADE?	
		2.	STUDENT LAC	KS PHONEMIC AWA	RENESS/PHONOLO	OGICA	L PROCESS	ING SKILLS.
,			Has diffi words Has diffi the begi Has diffi real wor	culty recognizing wo culty blending sound culty identifying spec nning, middle, and er culty blending onset- ds culty breaking words	s to form real cific sounds at nd of words rimes to form		Has difficul combining: Has difficul Has difficul	ity counting the syllables in a word ity segmenting, deleting, and/or sounds in a word ity producing rhyming words ity producing sounds (phonemes) e.g., man sounded out as:
		3.	STUDENT HAS	DIFFICULTY WITH LI	ETTER KNOWLEDG	E.		
			random	e to identify letters p e to write the alphab e				recite the alphabet in sequence nging or chanting)
		4.	STUDENT HAS	UNUSUAL DIFFICUL	TY WITH SPELLING	- BEY	OND WEE	KLY SPELLING TEST.
			instead of Misplace Has poo Has trou Has over (becuz fo Demons (dady fo	es silent "e" r sequencing of soun- ble connecting sound r-reliance on auditory or because) trates consistent lett	ds ds to letters of features er reversals		(p for b; m ed) Has difficult Is not able t spelling wo Adds or on	nits additional sounds into words tes incomplete letter patterns

YES	No		
		5.	STUDENT IS UNABLE TO READ SATISFACTORILY IN SPITE OF ADEQUATE INTELLIGENCE AND EFFECTIVE CLASSROOM INSTRUCTION.
			GRAINES: Student   Guesses words from initial letter   Reads orally without expression, intonation and/or phrasing   Spends limited amount of time in reading activities — Explain:   Avoids oral reading — Explain:   Makes reading errors that show no connection to the sounds of the letters (e.g., the word "big" is read as "goat")   Is unable to read common one-syllable words or to sound out words (e.g., "mat", "cat", "hop", "nap")   Stumbles on reading multi-syllable words or fails to come close to sounding out the full word   Reading accuracy has improved over time but continues to lack automaticity and is laborious
		6.	STUDENT HAS <u>UNUSUAL</u> DIFFICULTY WITH HANDWRITING.
			Has difficulty staying on the line Has poor organization on the page Has cramped fingers on writing tools Has excessive erasures, especially due to faulty form Overall writing effort is awkward and uneven Writing is virtually illegible Work deteriorates toward the end of writing exercise Has difficulty distinguishing between capital/lower-case letters Has slow, non-automatic letter formation
		7.	STUDENT HAS DIFFICULTY COMPLETING WRITTEN ASSIGNMENTS.
			Uses capital and lower-case letters incorrectly his/her potential Constructs sentences poorly (syntax) Makes many grammatical errors Has many misspellings Paper shows many erasures Has poor organization, spacing Spells the same word several different ways Leaves out words in writing Composes meaningful content in spite of Misuses homophones poor handwriting or spelling Make punctuation errors
		8.	STUDENT HAS DIFFICULTY WITH VERBAL WORKING MEMORY — TEMPORARY MAINTENANCE AND MANIPULATION OF VERBAL INFORMATION.
			□ Requires frequent reminders       □ Forgets the content of instruction         □ Has difficulty remembering multi-step oral directions       □ Uses imprecise language such as vague references to "stuff" or "things"         □ Has difficulty expressing him/herself clearly and fluently       □ Leaves out parts of words or confuses the order of the parts of words         □ Unable to find the exact word such as confusing words that sound alike (lotion for ocean)       □ Unable to come up with a verbal response quickly when questioned

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TEACHER

YES	No					_
		9.	STUDENT HAS DIFFICULTY WITH ORTHOGRAPHIC PROCESSING.			
			Forgets how letters look Confuses letters with similar appearance (n Has trouble cop for h) Misreads little words in text (were for where) Reverses letters when spelling (b for d) — Has a tendency reading Has difficulty lepast the age of 7 Demonstrates reading (on for no) Spells phonetically and violates rules of English spelling Reads at a slow rate  Has trouble rem Has trouble rem Has a tendency reading Has difficulty lepast the age of 7 Demonstrates remove that make phone has significant pending don't (e.g., right)	ying fro aper to miss arning h ninimal semic se problem	m a bo middle now to t proble ense (e.	ok or letters when form letters m with words g., grand), but
		10.	STUDENT DEMONSTRATES THE FOLLOWING ABILITIES THEREFORE RESULAS IT RELATES TO READING ABILITIES.	TING IN	"UNE	KPECTEDNESS"
			Participates in class discussions Shows talent in other areas such as art, drama, music, or sports Has the ability to learn orally in class – science, social studies, etc. Has the ability to learn and express meanings of words (vocabulary) Is fluent at telling stories or giving oral reports Has unusually large verbal or listening vocabulary  Comprehends in Demonstrates a questions after Demonstrates a reading compre Discusses inform sources	bility to listenin in under werage hensior	correct to a st rstandir or abov	tly answer tory ng of math re average
11.	Provi	DE ADD	TIONAL INFORMATION REGARDING STUDENT'S LISTENING COMPREHENS	ION.		
	e En Ree Ree Fo De pr Co lev De Qu Un	joys have sponds	(check all that apply): ing stories read aloud after first presentation – does not often ask for things to be repeated to questions within expected time period to ouestions within expected time period to-or three-step directions ates understanding (verbally or nonverbally) of the main idea of a verbal on ands who, what, when, where, why and how questions appropriate for age ates understanding of vocabulary appropriate for age level ates understanding of temporal (before/after), position (above/below) and we (more/several) concepts ds subtleties in word or sentence meaning (idioms, figurative language) ds a variety of sentence structures (cause-effect passive voice – The ball we day the girl) and clauses (clause that modifies the subject – The dog that exact was hit).	Yes	No	SOMETIMES
12.	PROVI	DE ADDI	TIONAL INFORMATION REGARDING STUDENT'S ORAL EXPRESSION SKILLS			
			(check all that apply):	YES	No	SOMETIMES
Copyrig		Form Uses	ct grammatical structure for a variety of purposes appropriate for age: ulates sentences correctly subject/verb appropriately			3-2019
						TEACHER

	c. Uses verb tenses appropriately		
	d. Uses pronouns correctly - personal demonstrative (this/that)		
	e. Formulates plurals correctly - regular irregular		
•	Labels common objects correctly		
•	Uses appropriate vocabulary		
•	Knows how to begin, maintain, and end a conversation		
•	Tells stories or relates information in the proper sequence with beginning, mid and/or end	ddle,	

#### REFERENCES:

Birsh, Judith R. Multisensory Teaching of Basic Language Skills, 4<sup>th</sup> Edition.

Dehn, Milton J. Working Memory and Academic Learning — Assessment and Intervention.

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3-2019 TEACHER

### **WACO INDEPENDENT SCHOOL DISTRICT**

## DYSLEXIA PARENT INFORMATION FORM FOR ENGLISH SPEAKING STUDENTS (NON-EL)

D-2A

Student:		DOB:	ID#:	Grade:	Campus:
Date:					
DIRECTIONS:		ing the problems or presence of dysle			ool and to detect the ng questions.
Parent(s) Name	e:		Address:		
Home Phone #	:		Mobile Pho	ne #:	
Mother's Work	<b>:</b>		Father's Wo	ork #:	
Educational lev	vel completed by:	Mother:		Father:	
	ings does the child ings live in the ho		Brothers	Sisters	
Do any family r If "Yes," please		istory of learning o	or speech prob	lems? Ye	s No
	as job changes, d	changes within the eaths, births, illnes			Yes No
	iblings, is this child slower	d's ability to learn about the s	-	ught at school: better develop	ped
potty training,		ild reach developn	_	nes (e.g., crawling,	walking, sitting up,
Has your child of "Yes," what g	ever been retaine grade?	d? [	Yes	No	
If "Yes," please	t your child is exp describe the prob Learning/Academ Behavior: Speech: Medical/Physical: Other:	nic:	s in school?	Yes N	o

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MEDICAL HISTORY: Were there any problems before, during or immediately after your pregnan If "Yes," please explain:	ıcy?	Yes		No
Did your child have multiple episodes of middle ear fluid build-up? If "Yes," please explain:		Yes		No
Does your child have chronic earaches (otitis media) or ear tubes?  If "Yes," please explain:		Yes		No
Has your child been examined for vision problems or glasses? If "Yes," please explain:		Yes		No
Is your child currently prescribed glasses (or contact lenses) to correct their vision problem?  If "Yes," please explain:		<b>f</b> es		No
Does your child routinely wear the prescribed glasses (or contact lenses)? If "No," please explain:		<b>/es</b>		No
Does your child have any other physical/health problems, such as allergies, asthma, ADHD, etc.? If "Yes," please explain:		⁄es		No
Is your child currently under the care of a physician and/or taking prescription medications? If "Yes," please explain:		/es		No
	2 year 2 year			
Did your child have mild speech or articulation problems?  If "Yes," please explain:		/es		No
Did your child have trouble rhyming words? If "Yes," please explain:	<u> </u>	res es		No
Did you read to your child from books or magazines before they attended so	chool?	☐ Ye	S	☐ No
Was your child able to recognize and name colors before they attended sch	ool?	☐ Ye	S	No No
Was your child able to count to 10 independently before they attended scho	ool?	☐ Ye	S	No No
Was your child able to put puzzles together independently before they attended to the common school?	nded	☐ Ye	s	☐ No
Did your child attend pre-school (public or private)? f "Yes," did the pre-school provide a structured curriculum for reading and		es g? []	l Yes	No No

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If "	Yes,"	r child attend kindergarten (public or private)? ' did the kindergarten provide a structured curriculum for reading ting?	Yes Yes	☐ No		
tea rea	If your child attended either pre-school and/or kindergarten, did the teacher ever mention or indicate that your child was experiencing any reading or writing difficulties?  If "Yes," please explain:					
Interests and Strengths:  Does your child enjoy: (check all that apply)  Reading books Poetry Journal writing  Coloring Science Computers/technology  Drawing Math Playing with their friends  Other: (specify)  Other: (specify)  Other: (specify)						
Does your child participate in or play: (check all that apply)  Sports						
	ise co		o".			
	Y YE	ARS:	o <b>"</b> .			
EAR	Y YE	ARS:	o".	1		
EAR	Y YE	EARS:	o <b>"</b> .			
EAR	Y YE	Talked later than his/her siblings or peers		r" for <i>"lawn</i>		
EAR	Y YE	Talked later than his/her siblings or peers Used "baby talk" that continued past the normal stage Had difficulty pronouncing words. (i.e., "busgetti" for "spaghetti mower")		r" for "lawn		
EAR	Y YE	Talked later than his/her siblings or peers  Used "baby talk" that continued past the normal stage  Had difficulty pronouncing words. (i.e., "busgetti" for "spaghetti mower")  Did not enjoy listening to books with rhyme		r" for "lawn		
EAR	Y YE	Talked later than his/her siblings or peers  Used "baby talk" that continued past the normal stage  Had difficulty pronouncing words. (i.e., "busgetti" for "spaghetti mower")  Did not enjoy listening to books with rhyme  Unable to recite popular nursery rhymes	", "mawn lowe			
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ONCE ENROL	LED IN SCHOOL:
	Child spends more time than is expected or normal on homework
	Child needs an extraordinary amount of help with homework
	Child prefers to be read to rather than reading to you
	ORY OF DYSLEXIA:  Other family members have been diagnosed with dyslexia and/or learning problems  If "Yes":   Father   Mother   Brother   Sister  If "Yes," who diagnosed the dyslexia?
	Tes, The diagnosed the dysienia.
Return this	ude all additional information that might assist us in helping your child.  form with the Parent Consent for Evaluation to:  t be uploaded into SuccessEd upon request for assessment. Request for initial Dyslexia 504
	are submitted in Eduphoria. Request for initial Dyslexia Special Education evaluations are to the Special Education Office.
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