

Section 504 Policies and Guidelines Manual for Identifying and Serving Eligible Students



All students of the Jackson-Milton Local Schools have equal educational opportunities. Students have the right to be free from discrimination on the basis of disability in all decisions affecting admissions; membership in school-sponsored organizations, clubs or activities; access to facilities; distribution of funds; academic evaluations or any other aspect of school-sponsored activities. Any limitations with regard to participation in a school-sponsored activity are based on criteria reasonably related to that specific activity.

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INTRODUCTION

Section 504 of the Rehabilitation Act of 1973 (commonly referred to as "Section 504") prohibits discrimination against students on the basis of disability.

This Manual contains information, guidelines, policies, procedures, and forms to achieve compliance with Section 504 with respect to the education of the District's students, in a manner consistent with the District's non-discrimination policies.

The District expects its employees to be knowledgeable about its Section 504 procedures. If you have Section 504 questions concerning either current or prospective students, please contact: .

Kimberly Fisk
Section 504 Coordinator
Email: Kim.Fisk@jmlocal.com
Office: 330-538-3232, ext. 1204
Fax: 330-538-0821

Building administrators or designee are ultimately responsible for Section 504 compliance within their building and are responsible to ensure processes and procedures are followed by all staff.

Although Section 504 also applies to employment and facility access by individuals with disabilities, this Manual only addresses student issues under Section 504.

OVERVIEW

Section 504 is a federal law which prohibits discrimination against persons with disabilities. The law provides:

No otherwise qualified individual with a disability. . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. . . .29 USC § 794

One of the principal purposes of Section 504 is to ensure that students with disabilities are not denied access to educational facilities, programs, and opportunities on the basis of their disability.

For a student to have a disability which may be protected under this law, he or she must: **(1) have a mental or physical impairment, (2) which substantially limits, (3) one or more major life activities.** For a student to be considered an "eligible student" under Section 504, all three criteria must be fulfilled.

Under Section 504, schools that receive federal funds may not discriminate against eligible students with disabilities. Section 504 also protects students who have a record of a disability, and students who are regarded as having a disability. Discrimination against students in either category is prohibited under Section 504.

Section 504 requires the District to provide a free appropriate public education ("FAPE") to each eligible student who has a physical or mental impairment which substantially limits a major life activity. Under Section 504, FAPE consists of the provision of regular or special education and related aids and services designed to meet the student's individual educational needs as adequately as the needs of non-disabled students are met and in accordance with Section 504 requirements pertaining to educational setting, evaluation, placement, and procedural safeguards. The FAPE obligation extends to all students described in this paragraph, regardless of the nature or severity of their disability. The District shall not discriminate against any student having a disability, a record of having had a disability, or who is otherwise regarded as having a disability. The District shall also, as required by law, attempt to locate and identify each student within the District's jurisdiction who may be an eligible student under Section 504. The District shall evaluate each student identified under Section 504 and provide each eligible student with a FAPE as defined by law.

DEFINITIONS

"Free Appropriate Public Education" ("FAPE")

A "free appropriate public education" is the provision of regular or special education and related aids and services that are designed to meet the individual educational needs of students with a disability as adequately as the needs of non-disabled students are met and is based on adherence to procedures that satisfy Section 504 requirements pertaining to educational setting, evaluation, placement, and procedural safeguards.

"Individual with a Disability"

An "individual with a disability" is a person who:

- Has a physical or mental impairment which substantially limits one or more of such person's major life activities
- Has a record of such an impairment; or is regarded as having such an impairment.

"Physical or Mental Impairment"

A "physical or mental impairment" includes, but is not limited to:

- Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine; or
- Any mental or psychological disorder, such as a cognitive impairment, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

The Section 504 regulation does not provide an exhaustive list of specific diseases or conditions that may constitute a physical or mental impairment because of the difficulty of developing a comprehensive list of possible diseases and conditions.

"Substantially Limits"

A student who has a physical or mental impairment that substantially limits a major life activity is considered a student with a "disability" under Section 504. This determination is made on a case-by-case basis. Substantially limits is not clearly defined but an impairment is a qualifying disability if it substantially limits the ability of an individual to perform a major life activity as compared to most people in the general population.

Except for ordinary eyeglasses or contact lenses, the ameliorative effects of mitigating measures may not be considered when assessing whether a student has an impairment that substantially limits a major life activity. "Mitigating measures" include, but are not limited to: medication; medical supplies, equipment or appliances; low-vision devices (devices that magnify, enhance, or otherwise augment a visual image); prosthetics (including limbs and devices); hearing aids and cochlear implants or other implantable hearing devices; mobility devices; oxygen therapy equipment and supplies; use of assistive technology; reasonable accommodations or auxiliary aids or services; and learned behavioral or adaptive neurological modifications.

A temporary impairment does not constitute a disability for purposes of Section 504 unless it is of such severity that it results in a substantial limitation of one or more major life activities for an extended period of time. This determination is to be made on a on a case-by-case basis.

If a student has an impairment that is episodic or in remission, the District must consider whether the impairment, *when active*, would substantially limit a major life activity. If it would, then the student meets the definition of a student with a disability.

"Major Life Activities"

To be eligible under Section 504, a student's physical or mental impairment must interfere with one or more "major life activities." A "major life activity" includes, but is not limited to functions such as:

- Caring for oneself
- Performing manual tasks
- Walking
- Seeing
- Hearing
- Speaking
- Breathing
- Learning
- Working
- Eating
- Sleeping
- Standing
- Lifting
- Bending
- Reading
- Concentrating
- Thinking
- Communicating
- Operation of major bodily functions (including but not limited to functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions)

This list is not exhaustive. An activity or function not found on the list may nonetheless be a major life activity. A student is protected from all forms of discrimination and is eligible under Section 504 if the student has an impairment that substantially limits one or more major life activities, including, but not limited to, learning.

"Record of Impairment" and "Regarded as Having an Impairment"

Section 504 also protects students from discrimination who have a record of an impairment or who are regarded as impaired. A student is "regarded as" having an impairment if the District perceives the student as impaired. The District shall not treat students differently based upon a record that shows that the student was disabled in the past, or based upon an assumption or perception of disability. The District is not required to develop a Section 504 plan for a student who either has a record of an impairment or who is regarded as having an impairment, but who is not otherwise currently eligible under Section 504.

"Current Users of Illegal Drugs"

A student who is currently engaging in the illegal use of drugs is not eligible for services or protection under Section 504 when the District takes disciplinary action on the basis of such drug use even if the student is otherwise a student with a disability. A student who is a former drug user or who is participating in a drug rehabilitation program, however, may be eligible for Section 504 services and protection if the student otherwise meets the definition of an "individual with a disability" as described above.

CHILD FIND

Every year, the District shall attempt to identify and locate every student residing in the District who may be a student with a disability under Section 504, regardless of whether he or she is receiving a public education. The District shall notify parents of those students of the District's Section 504 obligations.

PRE-REFERRAL ASSISTANCE

Pre-referral assistance is an important first step in serving students experiencing difficulties in school. Teachers may vary instructional and behavioral methodologies and expectations.

If, at any time, a teacher, counselor, administrator, or other professional staff member has reason to believe that the student's difficulties may be attributable to a disability, the student should be referred for an evaluation. If a parent/guardian at any time requests an evaluation, the District must either honor that request or notify the parent/guardian of his/her due process rights under Section 504.

PARENT RIGHTS

Section 504 guarantees certain rights to parents of students with disabilities. A Section 504 Notice of Procedural Safeguards has been developed for distribution to parents.

SECTION 504: THE PROCESS

This section of the Manual addresses important steps in the Section 504 process including: **referral, evaluation, eligibility determination, development of the Section 504 Plan, review, and reevaluation.**

A. Referral - Form A - pages 18-19

A student who, because of a suspected disability, is believed to need services under Section 504 is typically referred for a Section 504 evaluation by a parent, guardian, teacher, other certified school employee, the student if 18 years of age or older, or other concerned adult individual. Upon the receipt of a referral:

- The referral should be reduced to writing.
- The parent should be provided written notice of the referral, and be asked to provide written consent to a Section 504 evaluation (**Form B - page 20**).
- The parent should be provided with a copy of "Section 504 Notice of Procedural Safeguards" (**Form C [page 21] - this can be printed right from SameGoal**) with notice of the referral.

Once the District has received parent consent to evaluate, the District may begin the evaluation process. If a parent refuses to consent to an initial evaluation, the District may, but is not required to, use due process hearing procedures to seek to override the parent's refusal to consent to the evaluation. Additionally, if a parent refuses to consent to an evaluation that is necessary for a determination of eligibility, the 504 Team may determine that the student is not eligible under Section 504.

B. Evaluation - Form D - pages 22 = 25

The evaluation is the starting point for determining whether a student is an eligible student under Section 504.

The District is required to conduct an evaluation before providing Section 504 services. The nature and extent of the information needed to make a Section 504 eligibility decision is determined on case-by-case basis by a group of persons knowledgeable about the student, the meaning of evaluation data, and the placement options, *i.e.*, the Section 504 team. Information obtained through the evaluation process must be documented and all significant factors must be considered.

The evaluation must draw upon information from a variety of sources and may include:

- School records review

- Observations of the student
- Standardized tests or other assessments by school staff
- Parent/Student/Teacher interviews
- Behavior rating scales or other checklists
- Pertinent medical information (**Form E - page 26- Physician Questionnaire** can be used)
- Information provided by the parent
- Other relevant information

Where formal testing is determined to be necessary, the evaluation procedures must ensure that:

1. Tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer.
2. Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient.
3. Tests are selected and administered so as best to ensure that when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except when those skills are the facets that the tests purport to measure).

A medical diagnosis of a physical or mental impairment does not, in and of itself, determine Section 504 eligibility. As mentioned above, Section 504 requires the District to draw upon information from a variety of sources in making its eligibility determination. A medical diagnosis is only one source of information. Additionally, the District may request, but cannot require a parent to provide a medical statement or authorize the release of the student's medical information as part of the evaluation process. If the District determines, based on the facts and circumstances of the individual case, that a medical assessment is necessary for an appropriate evaluation, the District must ensure that the child receives this assessment at no cost to the parents. If alternative assessment methods meet the evaluation criteria, those methods may be used in lieu of a medical assessment. If a parent refuses to consent to a medical assessment and alternate assessment methods are not available, the 504 Team must proceed to make an eligibility determination based on the information it has on hand.

Absent extenuating circumstances, the District's evaluation and the development of a Section 504 Plan, if necessary, should be completed no later than 30 school days following the District's receipt of the parent's consent to evaluate. If an extension of time is required, the parent must be notified in writing of the extension, the reason for the extension, and the expected date of completion of the process.

C. Eligibility Determination

The eligibility determination must be made by a group of persons knowledgeable about the student, the meaning of evaluation data, and placement options and must be documented in writing. The parent of the student should be given a meaningful opportunity to provide input into identification, evaluation, and placement decisions for his/her child. Therefore, the parent should typically be included in this process.

D. Section 504 Plan - Form F - pages 27-29

Where a student is found to be eligible under Section 504, the need for a Section 504 Plan must be determined. The Section 504 Team, which should include the parent, will be responsible for determining the services that are needed to provide the student a FAPE. The Plan should specify how services will be provided and by whom.

The Section 504 Plan shall be signed by the Section 504 Coordinator/Designee, indicating the District's intent to implement the plan. A copy of the Plan, along with the Section 504 Notice of Procedural Safeguards, must be provided to the parent.

If a Section 504 Plan is developed for a student, all school personnel with implementation responsibilities should be informed of the existence and particulars of the Plan. Failure to implement the Section 504 Plan can result in non-compliance with Section 504.

E. Review of Section 504 Plan

The Section 504 Team should be convened and the student's Section 504 Plan updated at least annually and also whenever the student's situation warrants a review (*e.g., during natural transition periods-new school year, when a teacher or parent raises concerns, or when the student's performance changes*).

F. Reevaluation

A reevaluation should be completed at least once every 3 years to redetermine eligibility under Section 504 and before any significant change in the student's placement.

G. Prior Written Notice - Form G -page 30

The parent/Guardian is provided a copy of a Prior Written Notice at the conclusion of each meeting. This document is a summary of what was discussed during the meeting.

H. Invitation - Form H - page 31

The Parent/Guardian is provided a formal invitation prior to each meeting. A Google Invite is also shared but the invitation if SameGoal must be provided and signed for each meeting.

I. Discontinuation - Form I - page 32

If a child is found no longer to be eligible for services a discontinuation should be signed by the parent/guardian in addition to the 504 coordinator.

SUSPENSION AND EXPULSION OF SECTION 504 STUDENTS

Students who are eligible under Section 504 have certain additional protections when charged with a violation of the Code of Student Conduct which may result in a suspension or expulsion that constitutes a significant change in placement. **Similar to suspension or expulsion of a student with a disability under the IDEA, it is necessary to conduct a manifestation determination for a Section 504 student when:**

- The suspension or expulsion will be for more than 10 consecutive school days; or
- The student has been subjected to a series of suspensions that total more than 10 school days in a school year and a pattern of exclusion exists. Whether a series of suspensions creates a pattern of exclusion is determined on a case-by-case basis taking into account the following factors: the length of each suspension, the proximity of the suspensions to one another, the similarity of the behavior that resulted in the removals and the total amount of time the student is excluded from school.

If either of the situations above applies, then the District is required to conduct a manifestation determination before any significant change in student's placement may occur. The manifestation determination should be conducted within 10 school days of the decision to change the student's placement. The parent must be invited to participate in the meeting and provided a copy of the Section 504 Notice of Procedural Safeguards. The purpose of the manifestation determination is to review whether the student's misconduct was caused by, or had a direct and substantial relationship to the student's disability; or whether the conduct was a direct result of the District's failure to implement the student's Section 504 plan.

This determination should be made by a group of persons knowledgeable about the student, the meaning of evaluation data, placement options, the student's Section 504 Plan, and the disciplinary incident. In making its determination, the Section 504 Team must review all relevant information in the student's file, the student's Section 504 plan, any teacher observations of the student, and relevant information provided by the parent.

If the Section 504 Team concludes that the student's conduct is a manifestation of the student's disability, the student must remain in (or be returned to) his/her current educational placement unless the parent and the District agree to change the student's placement. If the 504 Team concludes that the student's conduct is not a manifestation of the student's disability, the District may apply the relevant disciplinary procedures applicable to all students. Unlike the IDEA, there is no requirement to provide a student whose conduct is not a manifestation of the student's disability educational services during a disciplinary change in placement unless services are provided to similarly-situated non-disabled students.

Please note that Section 504 allows a student to be disciplined, without going through the manifestation determination review process, when the infraction results from the student's current illegal use of drugs or alcohol in violation of the Code of Student Conduct.

In the case of a Section 504 student who carries or possesses a firearm to or at school, on school premises, or to or at a school function, the District may place the student in an interim alternative

educational setting for up to 45 school days if a student without a disability would be similarly disciplined. The Section 504 team must meet to develop the interim alternate educational setting after evaluating the student as described above in this Manual. The interim alternate educational setting must be educationally appropriate and the services provided must enable the student to continue to progress in the general curriculum. The interim alternate educational setting must also address the behavior prompting the disciplinary action. A manifestation determination must be held within 10 school days.

IMPARTIAL DUE PROCESS HEARING

A parent who disagrees with the identification, evaluation, placement, or the provision of a free appropriate public education of a student with a disability under Section 504 has the right to request an impartial due process hearing. Request for a Section 504 due process hearing must be made in writing to the District's Section 504 Coordinator. Upon receipt of such a request, the necessary arrangements will be made by the District, including the selection of a hearing officer. A person who is an employee of the District, or any person having a personal or professional interest which would conflict with his/her objectivity in the hearing, may not be appointed as a hearing officer. Any party to a hearing has the right to:

1. Be accompanied and advised by counsel or an individual with special knowledge or training about the problems of children with disabilities;
2. Present evidence and cross-examine witnesses;
3. Obtain a written or electronic verbatim record of the hearing or obtain alternate forms of the verbatim record to be provided in the parent's native language;
4. Obtain written or electronic findings of fact and decisions; and
5. Seek judicial review of a hearing officer decision.

A hearing will be scheduled not more than 30 calendar days following receipt of the parent's written request. The parent/guardian will receive notice of the hearing, have the opportunity to examine relevant records, and have an opportunity to participate in the hearing and be represented by counsel. The hearing officer will, not later than 30 calendar days after the hearing, draft a written decision (with specific findings of fact) and send a copy of the decision to each party and/or their attorneys/representatives. In the absence of an appeal, the District will implement the decision of the hearing officer 15 calendar days of the District's receipt of the decision

GRIEVANCE PROCEDURE

Any person who believes they have been discriminated against by the District on the basis of disability, or who believes the District otherwise violated Section 504 of the Rehabilitation Act of 1973 and/or Title II of the Americans with Disabilities Act of 1990, has the right to file a complaint through the District's grievance procedure.

A person who wishes to file a complaint should contact:

**Kimberly Fisk
504 Compliance Officer
13910 Mahoning Avenue
North Jackson, Ohio 44515
Phone: 330-538-3232 ext. 1204
Fax: 330-538-0821**

A person may file a complaint with the Office for Civil Rights (OCR) if he/she does not wish to use the District's grievance procedure.

A person who wishes to file a complaint with OCR should contact:

**Office for Civil Rights
U.S. Department of Education
65 W. Superior Ave. #885
Cleveland, OH 44413
FAX: (216) 522-2573; TDD: 800-877-8339
Telephone: (216) 787-3150
E-mail: OCR.Cleveland@ed.gov**

A discrimination complaint may be filed with OCR at any time. Additionally, if a person is dissatisfied with the District's resolution of a complaint, that complaint may be filed with OCR at the address above within 60 days of the District's resolution.

SECTION 504 OF THE REHABILITATION ACT OF 1973 Examples of Accommodations and Modifications

In order for the Jackson-Milton Local Schools to provide an appropriate education for students who are identified with a disability under Section 504, accommodations and modifications are

likely to be necessary. These may be implemented in special education classrooms or general education classrooms, but the vast majority of accommodations and modifications for students served with Section 504 Plans will occur in general education environment. All students must be provided a free and appropriate public education. There are numerous accommodations and modifications that schools can include in students' educational plans. The Office of Civil Rights (OCR) has previously provided examples of these accommodations and modifications. The following are OCR examples and are not intended to be exhaustive. Whether an accommodation or modification is necessary as well as the type is always made on a case by case basis based upon a student's individual needs.

- A student with a long term, debilitating medical problem such as cancer, kidney disease, or diabetes may be given special consideration to accommodate the student's needs. For example, a student with cancer may need a class schedule that allows for rest and recuperation following chemotherapy.
- A student with a learning disability that affects the ability to demonstrate knowledge on a standardized test or in certain testing situations may require modified test arrangements, such as oral testing or different testing formats.
- A student with a learning disability or impaired vision that affects the ability to take notes in class may need a note taker or tape recorder.
- A student with a chronic medical problem such as kidney or liver disease may have difficulty in walking distances or climbing stairs. Under Section 504, this student may require handicapped parking, sufficient time between classes, or other considerations, to conserve the student's energy for academic pursuits.
- A student with diabetes, which adversely affects the body's ability to manufacture insulin, may need a class schedule that will accommodate the student's special needs or provisions for the dispensing of insulin or eating foods that will help control sugar levels.
- A student with a mental illness or psychiatric problem student may need an adjusted class schedule to allow time for regular counseling or therapy.
- A student with epilepsy who has no control over seizures, and whose seizures are stimulated by stress or tension, may need accommodations for such stressful activity as lengthy academic testing or competitive endeavors in physical education.
- A student with arthritis may have persistent pain, tenderness or swelling in one or more joints. A student experiencing arthritic pain may require a modified physical education program.
- A student with severe allergies may need a plan so school personnel are trained in the proper procedures if an allergic reaction occurs.

SECTION 504 OF THE REHABILITATION ACT OF 1973

List of Sample Accommodations (This list is not exhaustive)

Physical Arrangement of the Classroom

- seat student near the teacher

- seat student near the teacher's aide
- seat the student near teacher's desk
- seat the student near teacher aide's desk
- seat the student near positive role models
- seat the student away from negative role models
- seat the student near the chalkboard
- seat the student away from other students
- increase the distance between desks in the classroom
- stand near the student when giving directions/presenting lesson
- avoid distracting stimuli such as air conditioner and high traffic area
- provide an air purifier in classroom
- provide special temperature control equipment
- permit special toileting accommodations
- hold classes on the first floor (or other accessible areas) of the building
- move the student closer to what is being viewed
- locate the student in a room with minimized distractions
- permit the student to work in a study carrel

Lesson Presentation

- pair students to check work
- teach through multi-sensory modes
- provide written outline
- provide peer note-taker
- write key points on board
- use computer-assisted instruction
- allow student to tape record lessons
- make sure directions are understood
- provide peer tutoring
- include a variety of activities during each lesson
- have student review points orally
- break longer presentations into shorter segments
- provide visual aids
- provide daily posted schedule for student
- encourage participation in Title I programs
- encourage participation in cooperative learning groups
- provide visual instruction (overheads, etc.)
- repeat or paraphrase instructions
- remind student about listening
- present information at higher volume, where appropriate
- allow the student to ask questions

Assignments/Worksheets

- give extra time to complete tasks
- assist the student in using homework assignment notebook

- require fewer responses to achieve grade
- allow the student to complete work late
- use self-monitoring devices
- allow student to tape record assignments/homework
- simplify complex directions
- provide a structured routine in written form
- reduce homework assignments
- give assignments on larger lined paper
- provide more drill and practice activities
- provide study skills training/learning strategies
- hand worksheets out one at a time
- give frequent short quizzes and avoiding long tests
- do not grade based on handwriting
- shorten assignments; breaking work into smaller segments
- reduce the reading level of assignments
- allow typewritten or computer printed assignments

Test Taking

- give extended time
- allow open book exams
- give take home tests
- allow extra time for exam
- use more objective (fewer essay) responses
- give exam orally
- allow student to give test answers on tape recorder
- read test item to student
- give frequent short quizzes, not long exams
- test with curriculum based assessment
- give tests in large print
- orally review test material
- reduce length of tests
- test in small group setting
- printed tests in black, large letters
- provide a scribe
- provide student with instructions and/or lessons on test-taking

Organization

- provide peer assistance with organizational skills
- Student asked to repeat phrases, key concepts, and/or directions
- assign volunteer homework buddy
- allow student to have an extra set of books at home
- send daily/weekly progress reports home
- develop a reward system for in-school work and homework completion
- provide student with a homework assignment notebook

- present information in smaller chunks
- allow lessons to be taped
- provide the student with lecture notes
- provide the student with large print materials
- provide the student with handouts in large print
- provide the student with instructions for outlining key ideas
- provide the student with instruction in learning strategies
- provide the student with taped texts

Behaviors

- give extra privileges and rewards
- implement time-out procedures
- keep classroom rules simple and clear
- cue student nonverbally to stay on task
- make prudent use of negative consequences
- mark student's current answers, not errors
- allow for short breaks between assignments
- implement a behavior management system
- allow student time out of seat to run errands, etc.
- praise specific behaviors
- ignore behaviors not drastically outside classroom limits
- use self-monitoring strategies
- increase immediacy of rewards
- contract with the student
- provide second chances due to inconsistent performance
- provide help and reassurance to handle moods and frustration
- avoid asking student to read orally in class (unless he/she volunteers)
- pair student with a good role model
- amend the usual consequences for misbehavior (particularly those behaviors that don't harm others)
- teach social communication skills, such as greetings, conversation, turn-taking, sharing, and/or negotiation
- provide positive concrete reinforcements (e.g., stickers, crackers, earning parent-provided toy, recess time, etc.) where age appropriate
- allow for a cooling-off place away from class

Administrative Accommodations

- refer to vocational rehabilitation
- provide each teacher a copy of accommodation plan
- reassign to a different teacher
- reassign to a male teacher
- reassign to a female teacher
- allow student to leave school before end of day
- allow student to leave class early

- permit a variance from attendance policy
- develop a health plan for the student
- permit special parking privileges for the student
- assign the student to a guidance counselor or other caseworker
- referral to parenting program(s)
- monitor the student closely on field trip
- inservice the teacher(s) and staff about the student's disability
- provide social skills group experiences
- provide assistance from teacher's aide
- develop intervention strategies for transitional periods (e.g., cafeteria, physical education, etc.)
- alert bus driver as to student needs and/or accommodations
- make referrals for agency involvement
- provide group/individual counseling

THIS STUDENT HAS A 504 PLAN

Print on pink paper and place this notice in the front of the cumulative folder.

If this student moves, make sure a copy of the 504 Plan Pink Folder is forwarded with the other information in the cumulative record.

NOTE:

- **Copy of plan is available in IEP Anywhere**
- **Original filed with 504 Contact Person at school site.**

Section 504 Suspected Disability Referral

Jackson-Milton Local School District

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

CHILD'S INFORMATION

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

Please complete this form if you suspect that this student may have a physical or mental impairment that substantially limits one or more major life activities.

NATURE OF CONCERN (attach additional documentation if necessary)

1. Check the suspected physical or mental impairment.

- Allergy _____ Asthma Attention deficit disorder/ADHD Brain injury
- Cancer Cerebral Palsy Developmental aphasia Diabetes Dyslexia Emotional illness Epilepsy
- Hearing impairment Heart disease Minimal brain dysfunction Multiple sclerosis Muscular dystrophy
- Orthopedic impairment Recovering chemically dependent Seizures Speech impairment Visual impairment
- Other: _____

State any evaluative/data source supporting the suspected impairment.

2. Identify any major life activity(ies) and/or major bodily function(s) that are limited.

activities:

- Bending
- Breathing
- Caring for ones self
- Communicating
- Concentrating
- Eating
- Hearing
- Learning
- Lifting
- Performing manual tasks
- Reading
- Seeing
- Sleeping
- Speaking
- Standing
- Thinking
- Walking
- Working
- Other: _____

bodily functions:

- Bladder
- Bowel
- Brain
- Circulatory/Cardiovascular System
- Digestive system
- Endocrine system
- Immune system
- Neurological system
- Normal cell growth
- Respiratory system
- Reproduction
- Other: _____

3. Indicate how any major life activity(ies) and/or major bodily function(s) is/are substantially limited.

4. To date, what accommodations/modifications/interventions or special provisions have been made to assist the student?

Form A

Section 504 Suspected Disability Referral

Jackson-Milton Local School District

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

Signature of Person Making Referral Relationship to Student Date

The signature of the individual receiving this referral documents that a copy of this form and Section 504 Procedural Safeguards have been given or sent to the parent or guardian.

Signature of Person Receiving Referral Title of Person Receiving Referral Date Received

DRAFT

Form A

Section 504 Parent Consent for Evaluation

Jackson-Milton Local School District

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

CHILD'S INFORMATION

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

Date: _____

Dear _____,

Your child has been referred to the Section 504 team to determine whether he/she has a disability that substantially limits one or more major life activities. This evaluation will determine eligibility for protection under Section 504 of the Rehabilitation Act of 1973 (as amended) and/or the Americans with Disabilities Act (ADA) (as amended).

The Section 504 evaluation team will consider the following areas:

Your signed consent is required to complete this evaluation. The results will be communicated to you and appropriate school personnel. All results are confidential in accordance with State and Federal laws pertaining to education and/or health records. The school will obtain and review information from a variety of sources including you in order to make a proper evaluation of your child's condition. The evaluation will be completed within approximately sixty (60) calendar days.

Name: _____ Title: _____
Address: _____ City: _____ State: _____ Zip Code: _____
Telephone: _____ Email: _____
School District: _____

RESPONSE TO SECTION 504 PARENT CONSENT FOR EVALUATION

COMPLETE AND RETURN TO THE CHILD'S SCHOOL

CHILD'S NAME: _____ DATE OF BIRTH: _____

As parent/guardian:

- I DO consent to this evaluation.*
- I DO NOT consent to this evaluation.

* Consent may be revoked at any time.

Signature of Parent/Guardian Date

Form B

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

WHAT IS SECTION 504?

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

YOUR CHILD'S EDUCATION

Your child has the right to:

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

YOUR CHILD'S EDUCATIONAL RECORDS

You have the right to:

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

THE SECTION 504 PROCESS

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

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

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

IF YOU DISAGREE WITH THE DISTRICT'S DECISION

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

You have the right to file a complaint of discrimination with the U.S. Department of Education's Office for Civil Rights (OCR), or to file a complaint in federal court. Generally, an OCR complaint may be filed within 180 calendar days of the act that you believe was discriminatory. The regional office is located at:

OCR Website: www.ed.gov/OCR

Form C

Section 504 Evaluation

Jackson-Milton Local School District

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

CHILD'S INFORMATION

NAME: _____ ID NUMBER: _____
STREET: _____
CITY: _____ STATE: _____ ZIP: _____
GENDER: Male Female GRADE: _____
DATE OF BIRTH: _____
DISTRICT OF RESIDENCE: _____ COUNTY OF RESIDENCE: _____
DISTRICT OF SERVICE: _____

MEETING INFORMATION

MEETING DATE: _____
MEETING TYPE:
 INITIAL 504 EVALUATION
 REVIEW 504 EVALUATION

SECTION 504 TIMELINES

REFERRAL DATE: _____
CONSENT DATE: _____
NEXT REVIEW: _____

PARENTS'/GUARDIAN INFORMATION

ADDITIONAL INFORMATION

504 EVAL FORM STATUS

(Check when complete)

- 1. TEAM SUMMARY
- 2. ELIGIBILITY DETERMINATION
- 3. SIGNATURES

DRAFT

Form D

Section 504 Evaluation

Jackson-Milton Local School District

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

SECTION 1. TEAM SUMMARY

Sources of information considered by the Section 504 team in determining eligibility:

- Parent recommendation
- Physician diagnosis
- Educational evaluation/performance
- Major health problem
- Teacher observation/recommendation
- Behavioral evaluation/performance
- Ineligibility for services under IDEA
- Other:

Summary of data and evaluation information that was presented:

SECTION 504 TEAM DETERMINATIONS

1. The student has a physical or mental impairment.

Yes No

What physical or mental impairment has the team identified?

- Allergy _____
- Asthma
- Attention deficit disorder/ADHD
- Brain injury
- Cancer
- Cerebral palsy
- Developmental aphasia
- Diabetes
- Dyslexia
- Emotional illness
- Epilepsy
- Hearing impairment
- Heart disease
- Minimal brain dysfunction
- Multiple sclerosis
- Muscular dystrophy
- Orthopedic impairment
- Recovering chemically dependent
- Seizures
- Speech impairment
- Visual impairment
- Other:

List attached sources of documentation:

2. If student has a physical or mental impairment, does the impairment result in a substantial limitation of one or more major life activities?

Yes No

The term "substantially limits" means that the student is (a) unable to perform one or more major life activities that a typical student of approximately the same age can perform or (b) significantly restricted as to the condition, manner, or duration under which a particular life activity is performed as compared to a typical student of approximately the same age. The impairment must be substantial when compared to the typical student of approximately the same age.

Identify any major life activities (including operation of bodily functions) that are substantially limited.

Form D

Section 504 Evaluation

Jackson-Milton Local School District

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

activities:

- Bending
- Breathing
- Caring for ones self
- Communicating
- Concentrating
- Eating
- Hearing
- Learning
- Lifting
- Performing manual tasks
- Reading
- Seeing
- Sleeping
- Speaking
- Standing
- Thinking
- Walking
- Working
- Other:

bodily functions:

- Bladder
- Bowel
- Brain
- Circulatory/Cardiovascular System
- Digestive system
- Endocrine system
- Immune system
- Neurological system
- Normal cell growth
- Respiratory system
- Reproduction
- Other:

3. Summarize the extent of limitation for each activity identified in relation to the average student. If none identified, summarize lack of substantial limitation:

List attached sources of documentation:

SECTION 2. ELIGIBILITY DETERMINATION

The student is eligible under Section 504/ADA as a person with a disability for the following conditions:

Does this student need regular or special education and related aids and services, including but not limited to, accommodations/modifications/interventions?

Yes. Indicate the type of plan to be written: _____

No. Explain:

The student is NOT eligible under Section 504/ADA as a person with a disability.

Does this student nevertheless need accommodations/modifications/interventions?

Yes. Indicate the type of plan to be written: _____

No. Explain:

Form D

Section 504 Evaluation

Jackson-Milton Local School District

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

SECTION 3. SIGNATURES

NAME	TITLE	SIGNATURE	DATE	DETERMINATION
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PARENT SIGNATURES

I received a copy of the Section 504 Procedural Safeguards for the current year:

Parent Signature Date

- I agree with the Section 504 team recommendations as stated above.
- I disagree with the Section 504 team recommendations as stated above. (Please attach a sheet outlining those areas of the recommendations with which you disagree.)

Parent Signature Date

DRAFT

Form D

Section 504 Physician Questionnaire

Jackson-Milton Local School District

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

CHILD'S INFORMATION

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

SCHOOL: _____ GRADE: _____

PHYSICIAN QUESTIONNAIRE

Date: _____

A referral has been initiated for the above-named student under Section 504 of the Rehabilitation Act of 1973, as amended. In order for a student to qualify for protection under Section 504, s/he must have a physical or mental impairment that substantially limits one or more major life activities (e.g., caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, working, and the operation of major bodily functions such as the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions, etc.). Because the referral is related to medical concerns, we are requesting information from you. The parent/guardian signed the attached Section 504 Release of Information and Records.

Please complete this form and attach any reports pertinent to the medical and/or educational needs of this child. We are NOT requesting evaluation, testing, or services be performed, but reports of diagnostic work performed in the past.

1. What physical and/or mental impairments have been identified that may qualify this student under Section 504?

2. What major life activity(ies) may be substantially limited as a result of the impairment?

3. Detail available medical background, including a written diagnostic statement and copies of any/all reports.

4. What treatments or medications are recommended for this impairment?

5. What precautions or accommodations are recommended for consideration by the school?

Name: _____ Title: _____

Address: _____ City: _____ State: _____ Zip Code: _____

Telephone: _____ Email: _____

School District: _____

Form E

Section 504 Plan

Jackson-Milton Local School District

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

The student covered under this plan is a student with a disability. The accommodations/modifications/interventions listed on this plan comply with the ADA Amendments Act of 2008 and the Rehabilitation Act of 1973 (Section 504).

CHILD'S INFORMATION

NAME: _____ ID NUMBER: _____
STREET: _____
CITY: _____ STATE: _____ ZIP: _____
GENDER: Male Female GRADE: _____
DATE OF BIRTH: _____
DISTRICT OF RESIDENCE: COUNTY OF RESIDENCE: _____
DISTRICT OF SERVICE: _____

MEETING INFORMATION

MEETING DATE: _____
MEETING TYPE:
 INITIAL 504 PLAN
 REVIEW/CONTINUING 504 PLAN

SECTION 504 TIMELINES

LAST EVALUATION: _____
NEXT EVALUATION: _____

SECTION 504 EFFECTIVE DATES

START: _____
END: _____
NEXT REVIEW: _____

PARENTS'/GUARDIAN INFORMATION

ADDITIONAL INFORMATION

Attachments: Yes No
If yes, list documents attached:

504 FORM STATUS

(Check when complete)

- 1. IMPAIRMENT
- 2. ACCOMMODATIONS, MODIFICATIONS, INTERVENTIONS, SERVICES, AIDS
- 3. STATEWIDE AND DISTRICTWIDE TESTING
- 4. SIGNATURES

SECTION 1. IMPAIRMENT

Describe the nature of the disability (physical or mental impairment):

Describe the basis for the disability:

Describe how the disability affects one or more major life activities:

Describe the impact of the disability:

Form F

Section 504 Plan

Jackson-Milton Local School District

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

SECTION 2. ACCOMMODATIONS, MODIFICATIONS, INTERVENTIONS, SERVICES, AIDS

Substantial Limitation (i.e. concern or problem to be addressed)	Accommodation/ Modification/ Intervention/ Services/ Aids	Person(s) Responsible	Location	Begin Date
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Additional information (eg. comments, evaluation procedures):

How will teachers and staff be made aware of this plan?

How will this plan be monitored?

Person responsible for monitoring plan: _____

SECTION 3. STATEWIDE AND DISTRICTWIDE TESTING

Will the child participate in classroom, district wide and state wide assessments with accommodations?

 Yes No*If yes, complete the table:*

AREA	GRADE	CHILD WILL BE TESTED WITH ACCOMMODATIONS	DETAIL OF ACCOMMODATIONS
READING		<input type="radio"/> Yes <input type="radio"/> No	
WRITING		<input type="radio"/> Yes <input type="radio"/> No	
MATH		<input type="radio"/> Yes <input type="radio"/> No	
SCIENCE		<input type="radio"/> Yes <input type="radio"/> No	
SOCIAL STUDIES		<input type="radio"/> Yes <input type="radio"/> No	
OTHER		<input type="radio"/> Yes <input type="radio"/> No	

Form F

Section 504 Plan

Jackson-Milton Local School District

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

SECTION 4. SIGNATURES

NAME	TITLE	SIGNATURE	DATE
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** Plans that require expenditure of funds beyond the school's budget must be approved in advance by the Superintendent or Central Office designee.

Superintendent or Designee Date

PARENT SIGNATURES

I received a copy of Section 504 Procedural Safeguards (Notification of Parent/Student Rights).

Parent Signature Date

Required for Initial 504 Plan

- I give permission for this Section 504 plan to be implemented for my child.
- I do not give permission for this Section 504 plan to be implemented for my child.

Parent Signature Date

DRAFT

Form F

Section 504 Prior Written Notice

Jackson-Milton Local School District

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

DATE OF NOTICE: _____

This is to notify you of the district's action regarding _____

1. Type of action:

- Refusal to consent to Section 504 Evaluation
- Initial Section 504 Evaluation
- Section 504 Plan Periodic Reevaluation
- Development of Section 504 Plan
- Section 504 Plan Review
- Change of Section 504 Plan
- Section 504 issues/meetings where the parent(s) disagree with the district
- Manifestation Determination
- Other:

2. A description of the action proposed or refused by the school district:

3. An explanation of why the school district proposes or refuses to take the action:

4. A description of other options that the Section 504 team considered and the reasons why those options were rejected:

5. A description of each evaluation procedure, assessment, record or report the school district used as a basis for the proposed or refused action:

6. A description of other factors that are relevant to the school district's proposal or refusal:

PROVISION OF PROCEDURAL SAFEGUARDS

As a parent of a child with a suspected or identified disability under Section 504, you have procedural safeguard protections under Section 504 of the Rehabilitation Act of 1973, as amended by the ADA Amendments Act of 2008. A copy of Section 504 Procedural Safeguards is enclosed.

If you have any questions about the action(s) described in this form, your rights as described in Section 504 Procedural Safeguards, or other related concerns, please contact the following:

Name: _____ Title: _____
 Address: _____ City: _____ State: _____ Zip Code: _____
 Telephone: _____ Email: _____
 School District: _____

Form G

Section 504 Parent Invitation to Conference

Jackson-Milton Local School District

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

TO: _____ DATE: _____
FROM: _____ WRITTEN NOTICE NUMBER: _____

I am inviting you to attend a meeting to discuss the educational needs of:

CHILD'S NAME: _____ DATE OF BIRTH: _____

PURPOSE FOR MEETING (Check all that apply):

- To determine if your child is eligible, or continues to be eligible, under Section 504
- To develop, review and/or revise your child's Section 504 plan
- To conduct a Manifestation Determination
- Other: _____

THIS CONFERENCE WILL BE SCHEDULED AS A: (check all that apply)

- Face to face meeting
- Video conference
- Telephone conference/ Conference Call

DATE: _____ TIME: _____ LOCATION: _____

OTHER PERSONS WHO HAVE BEEN INVITED TO ATTEND THIS MEETING INCLUDE:

- General Education Teacher
- Student
- District Representative
- Other(s): _____

While it is not required that you attend, we strongly encourage and welcome your participation. Please note that as a parent of a student who is or may be eligible for protection pursuant to Section 504, you have specific rights that are outlined in Section 504 Procedural Safeguards.

You are welcome to bring any information, including formal or informal test results, work samples, etc, to the meeting. You may bring someone who has knowledge or special expertise regarding your child or someone to assist you at the meeting. If you would like to schedule the conference at a different time, date, or location, or schedule a different type of meeting, or if you require an interpreter, please contact:

CONTACT: _____ PHONE: _____

RESPONSE TO SECTION 504 CONFERENCE PARENT INVITATION

COMPLETE AND RETURN TO THE CHILD'S SCHOOL

CHILD'S NAME: _____ DATE OF BIRTH: _____

I will attend/participate I will NOT attend/participate

Another/Others will accompany me (optional)

I would like the location of this meeting changed to: _____

I would like to change the type of meeting to: _____

I would like this meeting rescheduled for the following suggested date and time: _____

A bilingual or sign language interpreter is requested.

Desired language/mode of communication: _____

PARENT SIGNATURE: _____ DATE: _____

Form H

Section 504 Discontinuation

Jackson-Milton Local School District

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

CHILD'S INFORMATION

CHILD'S NAME: _____ ID NUMBER: _____ DATE OF BIRTH: _____

DISCONTINUATION

Meeting Date: _____

Discontinued Effective: _____

The Section 504 Plan for _____ is being discontinued. The student is found no longer to be eligible for services under Section 504.

Parent/Guardian Signature Date

Section 504 Coordinator Date

Form I