



COCISD

Section §504 Handbook

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Intent of Handbook

This Section §504 Handbook is designed to help campus 504 Coordinators, administrators, teachers, staff, parents/guardians, and students understand the purpose of Section §504, how eligibility is determined, and the referral process. 504 forms are generated in **Success Ed**, a computer program that **COCISD** utilizes to assist campus coordinators with documentation of all processes and steps needed to identify and serve a student that qualifies for Section §504 services.

Purpose of Section §504

Section §504 of the Americans with Disabilities Act (ADA) was created and passed into law to prohibit discrimination on the basis of disability and to ensure that all students with disabilities have educational opportunities and benefits commensurate to those provided to students without disabilities.

Free Appropriate Public Education (FAPE)

Under Section §504, a Free Appropriate Public Education (FAPE) 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 disabilities as adequately as the needs of non-disabled students are met. The processes and procedures to ensure that students are evaluated and qualified under Section §504 appropriately are designed to ensure the student has been afforded a FAPE.

Section §504 is primarily a regular education responsibility. Section §504 includes the following protections:

- ☐ Prohibits the exclusion of any qualified disabled person from participation in any preschool education or daycare program, adult education, or vocational program offered by the district;
- ☐ Requires that each qualified disabled person be provided the same health, welfare, and/or social services as the district provides other persons;
- ☐ Requires a system of identification of eligible students and annual notice
- ☐ Requires that facilities, programs, and activities of the school district be accessible, usable, and open to qualified persons; and
- ☐ Requires that a free appropriate public education (FAPE) be provided to each qualified disabled person, including nonacademic and extracurricular activities

Child Find and General Operational Guidelines for Section §504

As part of the ongoing identification and referral process, **COCISD** will make reasonable efforts to identify students with disabilities that may qualify for services under Section §504 ("Child Find"). **COCISD** shall inform the parents or guardians of these potentially eligible students of the District's duties under Section §504. As part of the Child Find effort, the District shall annually publish the Child Find Notice. Additionally, staff within the District are provided information regarding the District's overall early intervention process, are trained on how to initiate a Section §504 referral, and how to identify students who should be referred.



Campus Coordinators for Section §504

Campus	Contact	Email
JSE	Janet <u>Sanve</u>	isanve@cocisd.om
CIS	Kim Harris	keubanks@cocrsd.org
LJH	Jessica Caso	jcaso@codsd.org
COHS	Barbara Bailey	bbairejl@cocisd.org
ADMIN	Missy Eichman	meichman@cocisd.org



In **COCISD**, designated **Section §504 personnel** coordinate all Section §504 activities including the referral, evaluation, eligibility determination, and provision of services. Responsibilities include, but are not limited to:

- Training campus staff on campus Section §504 processes and accommodations
- Responding to inquiries/questions from parents/guardians and school staff members regarding general Section §504 and Section §504 issues
- Participating in MTSS/RTI meetings for Section §504 referrals
- Coordination and scheduling of meetings and distribution of notices to appropriate individuals
- Collection of data or necessary information for all Section §504 meeting types -initial, dismissals, reviews, and reevaluations
- Conducting initial eligibility, dismissal, reviews, and reevaluation meetings
- Sharing appropriate documents with parents and guardians
- Sharing and reviewing current accommodation plans with all individuals who need to know about the individual student's Section §504 plan at the beginning of the year, transfer between campuses, or at initial school enrollment; and,
- Coordinating the notification of teachers or relevant staff members of the updated plan when modifications or changes have been made.

Central Administration Section §504/ADA Coordinator

COCISD's District Section §504 Coordinator serves as the liaison between campuses and central administration. The District Section §504 Coordinator's main responsibility is to provide continual training in accordance with federal, state, and local mandates, provide support for all campus Section §504 Coordinators, and ensure federal mandates and regulations are implemented with fidelity. **Missy Eichman** serves as the District Section §504 Coordinator and can be contacted at meichman@cocisd.org.

Section §504 Overview

The Rehabilitation Act of 1973 is a federal statute also known as Section §504. This legislation guarantees anti-discrimination protection for persons identified as having a disability in school. Eligibility for Section §504 includes any individual who has a physical or mental impairment that substantially limits one or more life activities, has a record of such an impairment, or is regarded as having such an impairment. The term "disability" includes a broad range of disabilities and impairments; as such, there is no exhaustive list. In order for a disability or impairment to meet the definition of disability under Section §504, the impairment must substantially limit one or more major life activities.

Major life activities include, but are not limited to:

- Caring for oneself
- Speaking
- Brain functioning
- Seeing
- Breathing
- Bowel function
- Hearing
- Learning
- Bladder function
- Eating



- Reading
- Neurological function
- Sleeping
- Concentrating
- Respiratory function
- Walking
- Thinking
- Circulatory function
- Standing
- Communicating
- Endocrine function
- Lifting
- Working Digestive function
- Bending
- Normal cell growth Reproductive function
- Functions of the Immune System
- Performing manual tasks

Referrals

The student (if age appropriate), teacher, administrator, counselor, parent/guardian, private practitioner, agency representative, or another individual who suspects that a student may have an impairment and may be eligible for services under Section §504, can make a referral to the District. A Section §504 referral should be made to the campus Section §504 Coordinator.

Notice to Parents and Parent Consent

Parents/guardians shall be given written notice of Parent and Students Rights Under Section §504 when asked for informed consent to evaluate their student and at all meetings of the Section §504 Committee. Parent/guardian consent will be obtained before the initial student evaluation procedures for the identification, diagnosis, and determination of specific education services are executed through Section §504.

State-Mandated Assessments

Accommodations for STAAR tests or other state-mandated tests will be made for a Section §504 student when the accommodations:

1. have been determined to be necessary for the student to participate in the assessment,
2. are supported and consistent with accommodations provided and utilized by the student in the classroom, and
3. are approved by TEA.

Transfer Students

When students transfer into **COCISD** with a Section §504 Plan, the campus Section §504 coordinator will schedule a Transition Section §504 meeting within 30 school days. The Section §504 Committee will complete a records review and determination of eligibility in order to make a local decision to confirm the student is eligible and whether revisions to the existing plan are necessary. Until this meeting occurs, the transfer Section §504 Plan will be implemented to the extent feasible. Parent(s)/guardian(s) should inform the school of the previous Section §504 plan during registration.



IDEA (Special Services) and Section §504 Identification and Eligibility

Both the Individual with Disabilities Act (IDEA) and Section §504 require students receive a free appropriate public education (FAPE); but they differ in how they define FAPE and how they qualify students. Below is a review of how the two statutes compare.

IDEA

- Requires that the child be fully and comprehensively evaluated by a multidisciplinary team.
- Requires informed and written parental/guardian consent.
- Requires a reevaluation of the child at least once every three years, or if conditions warrant a reevaluation, or if the child's parent/guardian or teacher requests a reevaluation.
- Does not require reevaluation before a significant change in placement.

Section §504

- The evaluation draws on information from a variety of sources and is documented.
- Decisions about the child, evaluation data, and placement options are made by knowledgeable individuals through the Section §504 Committee
- Requires "periodic" reevaluation.
- No provisions made for independent evaluation at the school's expense.
- Requires reevaluation before a significant change in placement.

IDEA

- Requires an individualized education program (IEP).
- "Appropriate" education means a program designed to provide "educational benefit" for a person with disabilities.
- Placement may be any combination of special education and general education classrooms.
- Provides related services, if required. Related services may include speech and language therapy, occupational therapy, physical therapy, counseling services, psychological services, social services, and transportation.

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- Does not require an IEP, but does require a plan.
- "Appropriate" means an education comparable to the education provided to those students who are not disabled.
- Placement is usually in a general education classroom. Children can receive specialized instruction, related services, or accommodations within the general education classroom.

IDEA

- Must provide impartial hearings for parents/guardians who disagree with the identification, evaluation, or placement of the student.
- Requires written consent.
- Describes specific procedures.
- An impartial appointee selects a hearing officer.
- Provides "stay-put" provision (the student's current IEP and placement continues to be



implemented) until all proceedings are resolved.

- Parents/guardians must receive ten days' notice prior to any change in placement.
- Enforced by U.S. Department of Education, Office for Special Education and the Texas Education Agency (TEA).

Section §504

- Must provide impartial hearings for parents/guardians who disagree with the identification, evaluation, or placement of the student.
- Does not require parental consent.
- Requires that parents/guardians have an opportunity to participate and be represented by legal counsel -- other details are left to the discretion of the school.
- A hearing officer is usually appointed by the school.
- No "stay-put" provisions.
- Does not require that parents/guardians are notified prior to the student's change of placement, but they still must be notified.
- Enforced by the U.S. Department of Education, Office for Civil Rights and the Texas Education Agency.

When Schools Should Consider the Existence of a Disability & Possible Section §504 Plan

- A student shows a pattern of not being successful with current instruction.
- MTSS/RTI interventions are not successful over time.
- Suspension or expulsion is being considered for any student.
- Retention is being considered for any student.
- A student returns to school after a serious illness or injury.
- A student is referred for evaluation but it is determined that a special education evaluation is not needed.
- A student is evaluated and is found not to qualify for special services under IDEA.
- A student exhibits a chronic health condition.
- A student is identified as "at-risk" or exhibits the potential for dropping out of school.
- Substance abuse is a known issue.
- A disability of any kind is suspected.

Evaluation Data That Can Be Utilized to Determine Section §504 Placement

- Parent Information
- Achievement Tests
- Health Information/Records
- Results of Classroom Interventions
- Observations
- Anecdotal Records



- Attendance Records
- STAAR and other assessment data
- Portfolios
- Medical Records
- Discipline Records
- Outside Evaluations
- Grades
- Intelligence and Aptitude Testing
- Any other relevant information



Evaluation Data Sources	Medical/Health	Social Behavioral	Academic	Individuals
Examples	Hearing & Vision, School Health Records, Individual Health Plan, Outside Medical Evaluations	Behavioral Data, Disciplinary Records, Outside Psychological Evaluations, Intervention Progress Monitoring Data, Social and Developmental History	Universal Screening Data, Intervention Progress Monitoring Data, Curriculum Based Assessments, State Assessment Results, Grades, Benchmarks, Quizzes, Unit Tests	Observations and Input From: Student, Family, Teachers, Behavior Specialists, Counselors, School Nurse, Interventionist, Campus Administrator

*Image from TEA

The Referral Process

Section §504 referrals can be made by families or campus staff to the campus Section §504 coordinator. Below are examples of circumstances in which referral are often made:

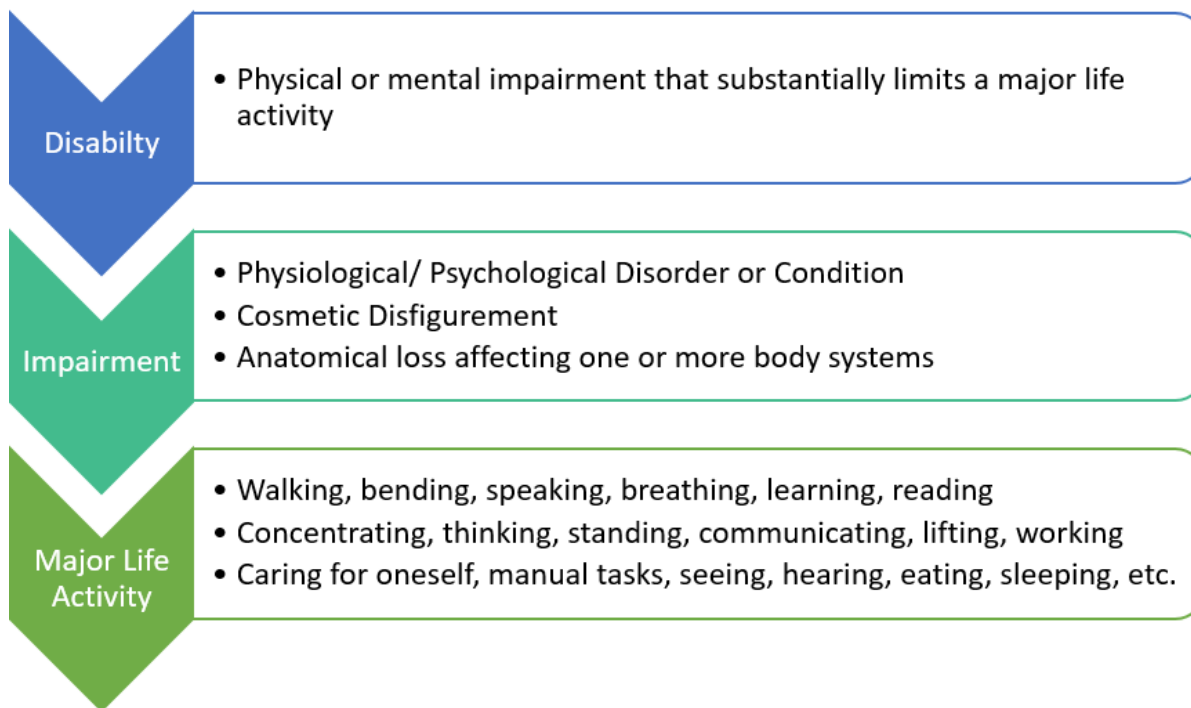
- The student has a “hidden disability,” such as low vision, poor hearing, heart disease, or a chronic illness, such as diabetes.
- Parents/guardians have received an outside evaluation and are requesting Section §504 protections and/or accommodations.
- The student has a chronic medical condition that is not covered by the IDEA.
- The student has a disability identified by IDEA, but is not eligible for special services and related services because the student does not need specially designed instruction.

After the referral is made, parents/guardians will be provided with a consent to evaluate form and the Notice of Rights and Protections. Upon receiving a referral for a Section §504 evaluation and parental consent, campuses have 30 school days after the date they received signed consent in which to gather data to evaluate the student’s needs and conduct an initial Section §504 meeting.

Initial Section §504 Meeting

After the Section §504 coordinator has gathered data related to the Section §504 referral, this data will be reviewed and discussed with the Section §504 Committee which collectively determines Section §504 eligibility and possible accommodations needed.





Restrictive Environment

Per TEA, Section §504 regulations MANDATE that students with disabilities are to be educated with their peers without disabilities to the maximum extent appropriate. The expectation for students protected under Section §504 is placement in the general education setting unless the school can demonstrate that the education of the student in the general education setting with supplementary aids and services cannot be achieved. If this cannot be achieved a referral for a special services evaluation should be made.

Section §504 – Academic Referrals

Academic referrals generally stem from information shared in the campus MTSS/RTI committee meeting. Students who are struggling academically and identified as needing Tier 2 or Tier 3 intervention services may also be eligible for services under Section §504. The MTSS committee may also be the members of the Section §504 Committee, which must include a campus administrator, at least one teacher of the student, the student (if age appropriate), and a parent or guardian. Below are eSTAR forms parents/guardians and coordinators will complete through the process.

Initial Referral Forms to be Completed and Shared with Parents/Guardians and Staff

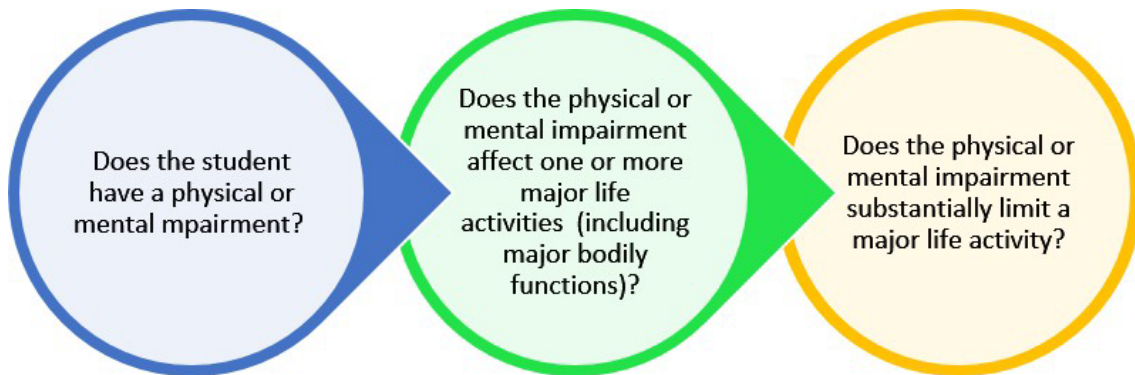
- ✓ **Initial Referral** – The referral form is designed to be completed by the person initiating the referral, and supplemented as necessary by the Campus Section §504 coordinator.
- ✓ **Parent Consent to Evaluate** – This form should be provided to, and completed by the parent/guardian after the referral is made prior to the onset of the beginning of the evaluation.
- ✓ **Notice of Parent and Student Rights** – Requirement of the Office for Civil Rights and available in English and Spanish.



- ✓ **Teacher Input** - To be completed by all the student's teachers.
- ✓ **Parent Input** - To be completed by the student's parents/guardians.
- ✓ **Health Form** - To be completed by the school nurse.

When all forms have been collected, the campus Section §504 coordinator will set an initial Section §504 meeting to review the information.

- ✓ **Notice of Meeting** - Parents/guardians will be called, emailed, or sent a form as an invitation to attend the meeting as a Section §504 Committee member. In the initial Section §504 meeting, committee members will consider all of the information and evidence that is presented in order to make an informed decision.
- ✓ **Initial Evaluation** – Committee members will review all information presented and then answer 3 questions to determine Section §504 eligibility.



If the answers to all three questions are yes, then the committee will decide what type of plan is needed to best serve the student's needs.

- ✓ **Section §504 Services Plan** – The committee will determine which, if any, accommodations the student may need to mitigate the academic or behavioral difficulties they are experiencing based on the data.

Note: Accommodations are aligned to a demonstrated need. Research has shown that there have been no more than 3 or 4 accommodations needed for most students; however, all students are unique and plans will be made as such.

During the Section §504 Meeting

During the meeting the Section §504 Committee will address/discuss the following:

- Celebration of student's strengths
- Student input related to educational experience and challenges
- Parent input relevant to the student's impairment and the educational impact
- Staff input regarding student performance in academics and behavior
- Review of all evaluation data

After the Section §504 Meeting

Parents/guardians will receive a copy or have shared electronic access to copies of Section §504 service plan. All teachers and staff with a need who work with the student are given a copy of the **accommodation plan**.



Subsequent Reviews

Section §504 plans will be reviewed as needed, in 2-year intervals, and at designated grade levels. Campuses will strive to conduct review meetings on or before the day and month the plan was developed/reviewed the prior year. However, if for some reason this date is not attainable due to scheduling conflicts, etc., all plans will be reviewed within the academic year. All forms and relevant information will be housed electronically in Success Ed and will be a record in the student's permanent folder.

Students Section §504 plans transitioning from elementary to Intermediate school, Intermediate to middle school and middle to high school will follow the student to the next campus. All accommodations in a Section §504 plan will be provided at the receiving campus.

Section §504 – Dyslexia Referrals

Based on recent guidelines established by the Texas Dyslexia Handbook, initial referrals for a possible learning disability in the area of reading, including a student suspected or identified as having dyslexia, are initiated through the special education referral process. The diagnostician will meet with parents/guardians to provide the Notice of Consent for Evaluation, a copy of the Notice of Procedural Safeguards and to obtain informed consent for the Full Individual and Initial Evaluation (FIIE).

Section §504 – Behavior Referrals

Behavior referrals usually result from information shared by teacher observations and in the school's MTSS/RTI committee or may be the result of a doctor's note diagnosing ADD or ADHD. Students who are struggling behaviorally may be eligible for services under Section §504. MTSS/RTI committee members may also serve as members of the Section §504 Committee, which must include a campus administrator, a teacher of the student, the student (if age appropriate), and a parent or guardian. Based on the unique needs of the student, the campus behavior specialist and/or school nurse may also be asked to serve on the Section §504 Committee for behavior referrals.

Forms to be Completed and Shared with Parent/Guardians and Staff

- ✓ **Referral** – The referral form is designed to be filled in by the person initiating the referral, and supplemented as necessary by the Campus Section §504 coordinator.
- ✓ **Parent Consent** – This form should be provided to and completed by the parent/guardian after the referral is made prior to the beginning of an evaluation.
- ✓ **Notice of Parent and Student Rights** – Requirement of the Office of Civil Rights and available in English and Spanish.
- ✓ **Teacher Input** – To be completed by all the student's teachers.
- ✓ **Parent Input** – To be completed by the student's parents/guardians.

When all forms have been collected, the campus Section §504 coordinator will set a Section §504 meeting to review the information. Follow previous initial review steps for during and after the meeting.



If an Issue Arises Due to Behavior - Manifestation Determination Review (MDR)

✓ Manifestation Determination Evaluation (MDR) – Disciplinary removals of more than ten days constitute a significant change in placement, and Section §504 regulations require a reevaluation prior to any change in placement. The ten days can be consecutive or non-consecutive. Further, the reevaluation before a change in placement must consider whether the behavior is a manifestation of the student’s disability.

When disciplinary removals cause the need for a reevaluation, two questions are posed and answered by the committee:

If either of the questions is answered “yes,” the behavior must be considered to be a manifestation of the student’s disability. In that event, the student cannot be placed in ISS, expelled or placed in the school’s disciplinary alternative education setting (DAEP) for more than 10 school days.

Was the conduct in question caused by, or directly and substantially related to the student’s disabilities?

Was the conduct in question the direct result of the school’s failure to implement the student’s Section 504 plan, if there was any such failure?

Note: A school may remove a student to DAEP/JJAEP without regard to whether the behavior is a manifestation of a disability, for up to 45 school days for the following:

- ☐ bringing a weapon to school or a school function;
- ☐ possessing, selling, soliciting, or using illegal drugs or a controlled substance;
- ☐ inflicting serious bodily injury upon another person at school or at a school function

✓ Notice of the Results is a letter to parents/guardians stating the outcome of the manifestation Determination evaluation meeting.

Note: If an MDR has been called within a six weeks period, you may use current documents to help in the reevaluation process.



Threat Assessments

A Threat Assessment is a guide designed to assist in the investigation of potential danger (identify circumstances and situational factors that may increase concern for potential youth aggression) and to assist school staff in the development of an intervention plan. Threat Assessments are conducted when:

- ☐ There is a weapon or report of a weapon at school or an attempt to bring a weapon to school.
- ☐ An administrator determines or is unable to determine if a situation poses a risk to school personnel or the community.
- ☐ Threat or aggression is causing considerable fear or disruption to normal activity.
- ☐ There is continued intent to carry out a threat.
- ☐ Threat or aggression is specific to an identified target, and there is a motive and plan.
- ☐ There is a history of threats or extreme aggression (violence).
- ☐ Staff, parent, student, or community member perceives threatening circumstances.

After a Threat Assessment has been conducted, the Team will determine if the student requires updated Section §504 accommodations. If so, the Section §504 Coordinator will schedule a Section §504 meeting, utilizing the Threat Assessment as a critical piece of data. If not, the Section §504 Coordinator will continue to monitor the student. If a Section §504 student is the claimant (i.e., alleged victim) in the incident requiring a Threat Assessment, the Section §504 student who is the claimant will have a re-evaluation meeting to address whether additional accommodations are needed for the Section §504 student as the claimant.

Section §504 – Health Concerns Referrals

Referrals for health issues usually result from information shared by the parent and the student's doctor. The Section §504 Committee for this type of referral should include a campus administrator, a teacher of the student, the student (if age appropriate), and a parent or guardian. The school nurse should also be asked to serve on the committee for health referrals.

Initial Referral Forms to be Completed and Shared with Parents/Guardians and Staff

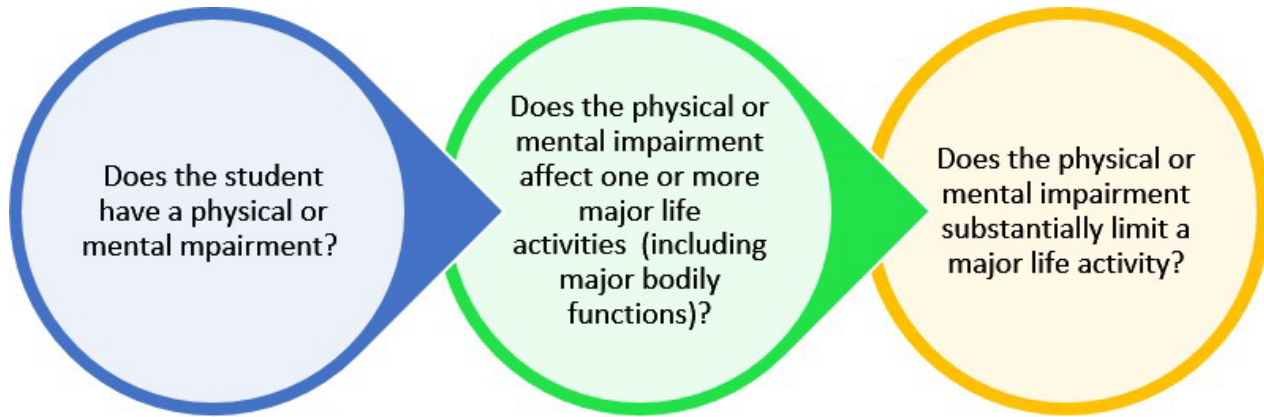
- ✓ **Initial Referral** – The referral form is designed to be filled in by the person initiating the referral, and supplemented as necessary by the Campus Section §504 coordinator.
- ✓ **Parent Consent to Evaluate** – This form should be provided to and completed by the parent/guardian after the referral is made prior to the onset of the beginning of the evaluation.
- ✓ **Notice of Parent and Student Rights** – Requirement of the Office of Civil Rights and available in English and Spanish.
- ✓ **Teacher Input** - To be completed by all the student's teachers.
- ✓ **Parent Input** - To be completed by the student's parents/guardians.
- ✓ **Health Form** - To be completed by the school nurse.

When all forms have been collected, the campus Section §504 coordinator will set an initial Section §504 meeting to review the information.



✓ **Notice of Meeting** - Parents/guardians will be called, emailed, or sent a letter as an invitation to attend the meeting as a Section §504 Committee member. In the initial Section §504 meeting, committee members will consider all of the information and evidence that is presented in order to make an informed decision.

✓ **Initial Evaluation** – Committee members will review all information presented and then answer the following 3 questions to determine Section §504 eligibility.



If the answers to all three questions are yes, then the committee will decide what type of plan is needed to best serve the student's needs.

✓ Section §504 Services Plan – The committee will determine which, if any, accommodations the student may need to mitigate the academic or behavioral difficulties they are experiencing based on the data.

Note: Accommodations are aligned to a demonstrated need. Research has shown that there have been no more than 3 or 4 accommodations needed for most students; however, all students are unique and plans will be made as such.

During the Section §504 Meeting

During the Meeting the Section §504 Committee will address/discuss the following:

- Celebration of student's strengths
- Student input related to educational experience and challenges
- Parent input relevant to the student's impairment and the educational impact
- Staff input regarding student performance in academics and behavior
- Review of all evaluation data

After the Section §504 Meeting

Parents/guardians will receive a copy or have shared electronic access to copies of the Section §504 service plan. All teachers and staff with a need who work with the student are given a copy of the accommodation plan.

Subsequent Reviews

Section §504 plans will be reviewed as needed, in 2-year intervals, and at designated grade levels. Campuses will strive to conduct review meetings on or before the day and month the plan was developed/reviewed the prior year. However, if for some reason this date is not attainable due to scheduling conflicts, etc., all plans will be reviewed within the academic year. All forms and relevant information will be housed electronically in **Success Ed** and will be a record in the student's permanent folder.

Students Section §504 plans transitioning from elementary to **Intermediate** school, **Intermediate to middle school and middle** to high school will follow the student to the next campus. All accommodations in a Section §504 plan will be provided at the receiving campus.

Section §504 Homebound

Per TEA, in some situations, students suffer from an illness or injury that causes excessive absences as the result of hospitalization or other severe illness. Immediately after receiving a licensed physician's written recommendation that a student be confined at home or hospital bedside for a minimum of four weeks (**does not have to be consecutive**), the Section §504 coordinator will schedule an initial evaluation meeting if the student has not been previously served under Section §504, or a reevaluation to consider a change in placement if the student is already served under Section §504. The committee will follow Section §504 evaluation procedures and consider transition plans for leaving and returning to the school environment. The committee that makes the determination is composed of the Director of Homebound Services, a campus administrator, a teacher of the student, the student's counselor, the student (if age appropriate), and a parent or guardian and nurse if needed.

Homebound education is provided by a certified general education teacher in core academic subjects. In order to qualify for the General Education Homebound (GEH) status, a student must meet the following conditions:

1. **The student is expected to be confined at home or hospital bedside for a minimum of four weeks. The weeks need not be consecutive.**
2. **The student is confined at home or hospital bedside for medical or psychological reasons only.**
3. **The student must have a current medical or psychological condition that is documented by a physician licensed to practice in the United States. Except in cases of medically fragile students, potential medical conditions or concerns that students may develop medical conditions do not constitute grounds for GEH program eligibility.**

Section §504 Dismissal Meetings

When a Section §504 student no longer demonstrates a substantial limitation of a major life activity based on a physical or mental impairment, no longer demonstrates the need for accommodations per their current disability based on student, teacher and/or parent data and feedback, or is determined to be eligible for Special Education services, a dismissal meeting must be held to review the evaluation data.

Further, a student's parent/guardian may request a student be dismissed from Section §504 or revoke consent to Section §504 at any time. If a parent requests dismissal or revokes consent, a Section §504 review is generally conducted to discuss the dismissal. However, there are times when this may have been discussed in a prior Section §504 review meeting and it is confirmed between the parent/guardian and campus Section §504 coordinator. A student dismissed from Section §504 remains eligible for Section §504 protections, and is still a student with a disability. However, the student is no longer eligible for Section §504 services (accommodations). Dismissal paperwork will

be sent to the parent/guardians. Should a parent/guardian change their decision at a later time, COCISD may reactivate the Section §504 process at that time by convening a Section §504 meeting or reevaluation depending on how much time has elapsed.

Student Participation in Section §504 Meetings

COCISD recommends that students participate in their Section §504 meetings as soon as they can and be encouraged to provide input and voice into their accommodation and services plan. Students are automatically invited to the Section §504 meetings starting in middle school as students should be aware of the accommodations created by the Section §504 Committee and have a full understanding of how to appropriately advocate for their needs.

Attendance

Section §504 Committees meet to address students with disabilities who miss significant amounts of school and are not served by homebound services. The campus attendance **clerk** and Section §504 Coordinator will monitor student attendance and convene the Section §504 Committee as needed to proactively prevent truancy and provide support as needed.

The Section §504 Plan and Accommodations

Section §504 plans include the following:

- ☐ Description of the disability or impairment.
- ☐ List of major activities substantially limited by disability or impairment.
- ☐ Data sources used to make plan decisions.
- ☐ Overview of meeting discussion.
- ☐ Accommodations for the classroom, testing, and behavior.
- ☐ Who will monitor the plan.
- ☐ Names of committee members present and their signatures.
- ☐ Documentation of parent receipt of Notice of Parent and Student Rights.

The procedures outlined herein for development of the Section §504 Plan and accommodations were developed in accordance with state and federal laws and regulations. Fidelity to these procedures ensures both the District generally and individual student Section §504 Plans specifically, are legally compliant.

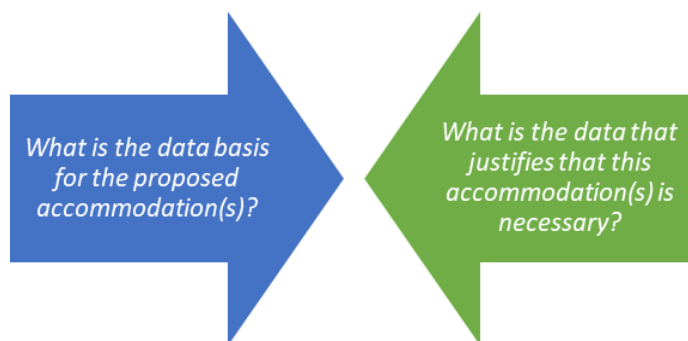
Accommodations are designed to change how students access learning and the physical school environment and must be created based on the impact of the impairment on each individual student's ability to access the aid, benefits, and services of the general education environment and calculated in such a way to remove the barriers to access. Accommodations should "level the playing field" as opposed to providing an advantage to the student and should never alter what a student learns, which would be a modification. Section §504 regulations mandate that students be educated with their non-disabled peers to the maximum extent appropriate based on their individual needs. The first setting choice is in a general education setting with accommodations that provide supports that connect the student to curriculum and instruction. Accommodations should address all impacted areas of the student's school environment including the classroom, testing, and behavior.

The following are common examples of types of accommodations (NOT an EXHAUSTIVE LIST) a student may receive but are meant to provide examples of ways to think about accommodating students with disabilities. **Accommodations will be decided by the committee based on the individual needs of the student.**

- ❑ **Instructional** – changing the parameters of instruction (extra time, chunking assignments, organizational strategies, etc.)
- ❑ **Environmental** – adapting the environment around the student (change student seating, making space for certain tasks, etc.)
- ❑ **Behavioral** – promoting positive behavior through accommodations (positive verbal and/or nonverbal reinforcements, reward systems, redirection, frequent reminders, etc.)
- ❑ **Supplemental Aids** – highlighted text and manipulatives, color transparencies
- ❑ **Medical** - creation/implementation of an individualized health plan, access to the nurse, access to the restroom as needed, and ability to have snacks as needed for diabetic sugar regulation.

Determining Which Accommodations

When determining the accommodations for students, 2 primary questions are considered?



Accommodations should address all impacted areas based on the disability, including the classroom, testing, state and district assessments, and behavior.

Note: When developing accommodations, please know that some accommodations that are appropriate at one level (elementary), may not be appropriate for the next level (middle school). These will be addressed in review and transition Section §504 meetings. For example, a 5th-grade student may utilize working at the teacher’s table in their elementary school to avoid distractions. At the middle schools, there may not be a designated teacher table, so an accommodation would need to be adjusted to meet the students’ needs in the middle school environment. For example, an **appropriate adjustment may be:**

“Allow student to wear noise-canceling headphones while working to eliminate distractions.”

Advanced Placement and Dual Enrollment

Section §504 and Board Policy FFH(LOCAL) prohibits discrimination based on disability in recommending, enrolling, and serving students in advanced placement and dual enrollment programs. Academic programs offered at high school campuses that generate high school credit on a student’s transcript are subject to FAPE. This means that Section §504 students must be provided

with those accommodations in advanced placement or dual enrollment classes offered by the campus so long as the advanced nature of the course is not altered. The College Board determines what accommodations students will receive on Advanced Placement tests and other national normative tests administered by the College Board. Section §504 Committees will be cognizant of general College Board guidance in developing student testing accommodations. Annually, the District will work with Section §504 Students in applying to the College Board for testing accommodations commensurate with their Section §504 Plan. Students will receive the same testing accommodations they have been approved for by the College Board on tests in Advanced Placement courses.

After School and Summer Programs

Per TEA, schools that offer after-school or summer programs must ensure that all students have equal opportunity for PARTICIPATION. This means that the school may need to make reasonable accommodations to provide students with disabilities access to the program. The accommodations do not have to be identical to those listed in the Section §504 plan and are not a required component of the Section §504 accommodations plan. COCISD will work to provide accommodation in such programs to the best extent reasonable.

Section §504 Plans, Individual Health Plans (IHP), & Emergency Care Plans(EAP)

Protecting students with serious allergies and anaphylaxis at school is approached inateam-based manner in order to limit exposure to life-threatening allergens. Students with severe food allergies are likely to meet eligibility requirements under Section §504 as a person with a physical impairment that substantially limits one or more major life activities. An individual health plan or emergency action plan filed with the campus nurse may be implemented in addition to the Section §504 accommodation plan, and the school nurse should be a member of the Section §504 Committee.

Special Education Referrals

Special education referrals can occur in the following ways:

- A student is currently served through Section §504 and is still unable to access learning appropriately which is, in turn, affecting academics.
- A parent or fellow educator has requested a special education evaluation due to student concerns.

15 school days	If a parent requests an evaluation, the school must, no later than the 15th school day after the date of the request, provide the parent with a meeting to discuss the parent’s request or a Notice of Refusal.
45 school days	From the date of receipt of signed consent, the Initial Evaluation/FIE report must be completed (and provided to the school a minimum of 2 weeks before the ARD).
30 calendar days	From the date of the initial FIE, an ARD must be held.

Grievances

COCISD welcomes and encourages students and parents/guardians to discuss their concerns with the appropriate teacher, principal, or another campus administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level. Informal resolutions are encouraged between the campus and family. Neither the Board nor any District employee shall unlawfully retaliate against any student or parent for bringing a concern or complaint. See Board Policy FNG (Local).

Additional questions regarding Section §504 can be made to the District Section §504 Coordinator
Missy Eichman - meichman@cocisd.org

Sample Section §504 Accommodations Based on Disability

Note: These are common accommodations per common disabilities/impairments seen with Section §504 students. These accommodations are not exhaustive and are not meant to be utilized as a menu in which to pick accommodations. Student accommodations are created for students based on their individual needs and should address providing equitable access. All Section §504 plans should be data-driven and incorporate teacher expertise and available resources.

<p style="text-align: center;"><u>Allergies</u></p> <ul style="list-style-type: none"> ☐ Health care plan for management of condition in the school setting and in emergencies ☐ Avoid exposure to allergy-causing substances: soap, weeds, pollen, food ☐ Allow time for shots/clinic visits ☐ Adapt physical education curriculum during high pollen time 	<p style="text-align: center;"><u>Anxiety</u></p> <ul style="list-style-type: none"> ☐ Preferential seating next to a peer or teacher with whom they feel comfortable or where there are minimal distractions ☐ Provide calming items during instructional periods ☐ Provide warnings or notifications before transitions or changes ☐ Schedule times for the student to be able to get up and walk around or have a specific task for the student to complete
<p style="text-align: center;"><u>Arthritis</u></p> <ul style="list-style-type: none"> ☐ Incorporate accommodations for writing tasks (copy of notes or outlines, use of computer for note-taking) ☐ Incorporate assistive devices for writing (e.g. pencil grips, non-skid surface, computer, etc.) ☐ Health care plan for management of condition in the school setting and in emergencies ☐ Incorporate movement plan to avoid stiffness 	<p style="text-align: center;"><u>Asthma</u></p> <ul style="list-style-type: none"> ☐ Allow the student to have unlimited access to water and use of the restroom (due to medication use) ☐ Allow the student to stay indoors during cold weather and/or poor air quality days ☐ Health care plan for management of condition in the school setting and in emergencies ☐ Adapt activity level for recess, physical education, etc.
<p style="text-align: center;"><u>Attention Deficit Disorder (ADD) and Attention Deficit Hyperactive Disorder (ADHD)</u></p> <ul style="list-style-type: none"> ☐ Seat away from distractions and in close proximity to the teacher/instruction ☐ Provide breaks as needed ☐ Use a timer to assist student to focus on given task or number of problems in time allotted ☐ Provide cool down area 	<p style="text-align: center;"><u>Bipolar Disorder</u></p> <ul style="list-style-type: none"> ☐ Break down assignments into manageable parts with simple directions ☐ Monitor clarity of understanding and alertness (triggers, warning signals) ☐ Allow student to see counselor when needed ☐ Provide extended time on assignments and tests when needed

<p style="text-align: center;"><u>Cancer/Leukemia</u></p> <ul style="list-style-type: none"> ☐ Extended time on tests, classwork, and homework if needed ☐ Health care plan for management of condition in the school setting and in emergencies ☐ Consider possible Section §504 Homebound depending on need ☐ Provide rest breaks and breaks as needed 	<p style="text-align: center;"><u>Cerebral Palsy</u></p> <ul style="list-style-type: none"> ☐ Access to copy of class notes ☐ Preferential seating near the front of the classroom or where learning is best ☐ Provide appropriate assistive technology ☐ Alternative test taking methods (i.e. oral, computer based, etc.)
<p style="text-align: center;"><u>Cystic Fibrosis</u></p> <ul style="list-style-type: none"> ☐ Health care plan for management of condition in the school setting and in emergencies ☐ Provide trash can near student to discard of tissues coughed into ☐ Apply universal precautions such as the correct disposal of fluids ☐ Allow student privacy in which to cough as needed 	<p style="text-align: center;"><u>Diabetes</u></p> <ul style="list-style-type: none"> ☐ Health care plan for management of condition in the school setting and in emergencies ☐ Allows breaks and access to supplies to check blood glucose levels ☐ Extended time to complete assignments ☐ Allow bathroom and fast passes to the school nurse
<p style="text-align: center;"><u>Dyslexia</u></p> <ul style="list-style-type: none"> ☐ Oral administration of tests ☐ Provide appropriate low- and high-tech assistive technology (audio books, electronic readers, audio recorders, text-to-speech software, and speech-to-text programs) ☐ Extended time to complete assignments and tests ☐ Teach mnemonic devices to support learning and memorization 	<p style="text-align: center;"><u>Emotional Disturbances</u></p> <ul style="list-style-type: none"> ☐ Utilize behavior management contracts and/or create BIP ☐ Provide breaks as needed ☐ Prepare the student ahead of time for transitions (set visible timer) ☐ Provide a daily and weekly schedule to reduce anxiety
<p style="text-align: center;"><u>Encopresis/Enuresis</u></p> <ul style="list-style-type: none"> ☐ Allow student to utilize a bathroom pass/secret signal when urgent bathroom needs arise ☐ Allow student to have a change of clothes available at school in the clinic or alternative location ☐ Preferential seating - seat close to the door for quick exit access ☐ Health care plan for management of condition in the school setting and in emergencies 	



<p style="text-align: center;"><u>Epilepsy</u></p> <ul style="list-style-type: none"> ☐ Allow for academic make-up work, extended time on tests/classwork, or shortened assignments if needed following seizure ☐ Health care plan for management of condition in the school setting and in emergencies ☐ Observe for consistent triggers (e.g. smells, bright light, perfume, hair spray) ☐ Warn student (auditory and/or visual warnings) student before displaying potentially sensitive or triggering visuals 	<p style="text-align: center;"><u>Hearing Impairments</u></p> <ul style="list-style-type: none"> ☐ Provide captioning for videos used for instruction ☐ Provide assistive technology; acquire assistive equipment for school use (ie: FM system) ☐ Preferential seating where learning is best ☐ Checks for understanding - repeating of instructions as needed
<p style="text-align: center;"><u>Hemophilia</u></p> <ul style="list-style-type: none"> ☐ Provide student with an extra set of books to keep at home ☐ Provide the student with a seating arrangement that allows them to easily access the classroom and the exits ☐ Provide extra time to make transitions ☐ Provide the student with additional supervision during recess 	<p style="text-align: center;"><u>Learning Disabilities</u></p> <ul style="list-style-type: none"> ☐ Provide extended time on tests and assignments ☐ Allow access to spell checkers and/or word processing ☐ Permit the student to take tests in a small group setting ☐ Provide student with a copy of class notes
<p style="text-align: center;"><u>Orthopedically Impaired</u></p> <ul style="list-style-type: none"> ☐ Provide extra time to get to class ☐ Ensure accessibility to all school facilities - sinks and water fountains ☐ Provide a copy of class notes ☐ Develop a health care and emergency plan 	<p style="text-align: center;"><u>Tourette's Syndrome</u></p> <ul style="list-style-type: none"> ☐ Provide supervision for transition activities, during periods of "acting out" ☐ Provide alternative/larger work-space or appropriate space for the student to act out if indicated ☐ Provide student with a printed copy of instructions in addition to the ones given verbally ☐ Give the student directions in small chunks and check for understanding of the directions given
<p style="text-align: center;"><u>Traumatic Brain Injury</u></p> <ul style="list-style-type: none"> ☐ Monitor for seizure activity and fatigue/mental exhaustion ☐ Provide frequent short breaks during periods of intense concentration ☐ Provide alternative testing environment or structure ☐ Health care plan for management of condition in the school setting and in emergencies 	<p style="text-align: center;"><u>Visual Impairments</u></p> <ul style="list-style-type: none"> ☐ Preferential seating - seat where vision is best ☐ Provide copies of text/reading materials for adaptation (i.e: larger print) ☐ Enlarged print materials, textbooks, workbooks, worksheets ☐ Extended time to complete assignments due to visual fatigue

