Northeastern Local School District
Guidelines for Special Education

Special Services
4435 Bosart Road
Springfield, Ohio 45503

Section 504 Overview 504 – Who Is Eligible?
Any person who has a ***physical or mental*** impairment that ***substantially limits*** one or more of the person's ***major life activities***.

Major Life Activities

- The term "major life activities" includes, but is not limited to, several activities, including caring for one's self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. This is a non-exhaustive list.
- The term "major life activities" also includes the operation of a major bodily function, including functions of the immune system, normal cell growth, and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, muscular, and reproductive functions.

Substantially Limits

- Unable to perform a major life activity that the average person in the general population can perform.
- Must consider:
  - nature and severity of impairment.
  - duration or expected duration of impairment.
  - permanent or long-term impact resulting from the impairment.

Who Then? Who Should Be Considered?
Any student referred for IDEA, but the decision is not to evaluate.
Any student evaluated for IDEA but determined not to be eligible;
Any student suspected of having any disability;
Any student who continues to display problem behaviors;
Any student with a major health concern/diagnosis;
When a parent requests consideration for 504 services;
When a teacher requests consideration for 504 services.

Who Makes The Referrals?
Generally, ***teachers*** and ***parents*** make most of the referrals.

- Counselors will take information provided by the teacher/parent and complete the 'Suspected Disability Referral' form in SameGoal to begin the 504 process.

Consent for Evaluation
Obtain written parent consent prior to 504 evaluation. Consent forms are generated in SameGoal as a separate document from the 504 Evaluation or Plan.

Student/Parent Rights

Provide parents/students with Notification of their Rights upon receiving consent; prior to beginning the evaluation; or when reviewing a 504 plan. Notification of Rights includes:

- Informed of specific due process rights
- Equal access to academic/non-academic activities
- Appropriate education in the least restrictive environment
- Fair evaluation
- Administrative appeals process
- Examine/obtain copies of all relevant school records

Who Evaluates? Who Determines Eligibility?

Placement decisions should be made by a team, including those who are knowledgeable about the child, the meaning of the evaluation data, and the placement options. This team includes the student and the student's parent/guardian, and could also include teachers, the school nurse, school-based counselors, administrators, etc.

Requirements for Evaluation

- Determine if a physical or mental impairment is present.
- Determine if the impairment results in a substantial limitation of one or more major life activities (not limited to learning or impact on educational performance);
- Review relevant data to determine the nature and impact of the disability.

Tools for Evaluation

- In interpreting evaluation data and in making placement decisions, the evaluation team shall draw upon information from a variety of sources, assessment data, teacher recommendations, classroom data, physical condition, social or cultural background, and adaptive behavior.
- A variety of evaluation data must be used. (This data may include group standardized testing, screening tests for ability and achievement, work samples, record review, and observations.)

Eligibility Determination

- The team must determine "if there is a substantial limitation to one or more major life activities." **This is a team judgment decision.*

Requirements for 504 Plan

Determine the types of accommodations and placement required to enable the student to receive a free and appropriate education.

504 Reevaluation

Schools are only required to reevaluate students who are receiving 504/ADA services periodically (at request or aligned with the re-evaluation); before a significant change of placement; or when conditions warrant. Northeastern Local School District follows the three-year re-evaluation schedule used with IDEA.

Discipline and Section 504 and the ADA

Students having a Section 504 Plan are treated similarly to students having an IEP with regard to discipline. First, these students can definitely be disciplined. Rules and standards can be applied to these students just as they are applied to nondisabled students. The important thing to consider is that these students have an equal opportunity to be successful with classroom rules and behavioral regulations. In order to ensure this with some students, a behavior intervention plan may be necessary to have in place.

Before taking certain actions with students with a 504 Plan, school personnel must follow specific steps. The following summarizes some of the considerations when dealing with students with a 504 Plan:

- Disciplinary procedures for students under 504 are similar to those under IDEA.
    - Under IDEA, 504, and the ADA, additional procedures may apply in addition to the usual procedures provided to regular education students subject to discipline.
- A removal of more than ten days is considered a significant change of placement and requires the procedural requirements of 504.
    - A ***manifestation determination*** must be made before suspending or expelling a student with a 504 Plan for more than ten days.

- Suspensions resulting in a total of ten or less days in a school year are permissible. A series of suspensions that are each of ten days or fewer in duration, that creates a pattern of exclusions, may also constitute a “significant change of placement.” The determination of whether a series of suspensions creates a pattern is made on a case-by-case basis. In no case, however, may serial, short exclusions be used to avoid the requirement of a manifestation determination before suspensions of more than ten days. Among the factors considered in determining whether a series of suspensions has resulted in a “significant change of placement” are the length of each suspension, the

proximity of the suspensions to one another, and the total amount of time that the child is excluded from school. A series of suspensions that, in the aggregate, are for ten days or fewer is not a significant change of placement.

- If a *manifestation determination* shows no relationship between the behavior and disability, then the student may be disciplined as any other student.

- If a manifestation determination shows that there is a relationship between the behavior and disability, then the student may NOT be expelled or suspended; the school should consider the appropriateness of the current program and consider appropriate changes.

- Students with a 504 Plan do not have to be provided with educational services during an expulsion or suspension for behavior not related to the disability.

- The *manifestation determination* review is conducted by the members of the student's 504 school team and the parent.

Accommodations and Modifications

In order for schools to provide an appropriate education for students who are protected under Section 504 and the ADA, accommodations and modifications will likely be necessary. These may be implemented in special education classrooms or general education classes. The vast majority of accommodations and modifications for students served under 504 and the ADA will occur in general education classrooms. Any student must be provided a free appropriate public education. Accommodations need to take into account both the functional limitations of the student and the alternative methods of performing tasks or activities, which would permit a student of varying abilities to participate without jeopardizing learning results.

Examples of Accommodations (This list is not exhaustive)

Administrative Accommodations

- ☐ Provide each teacher with a copy of the accommodation plan
- ☐ Late arrival/early dismissal
- ☐ Allowed to leave class early
- ☐ Regular meetings with students' teachers/team
- ☐ Health plan for students
- ☐ Special parking
- ☐ Scheduled breaks/check-ins with a counselor/mental health therapist

Classroom/Academic Accommodations

- ☐ Provided with a daily schedule
- ☐ Use of the elevator
- ☐ Preferential seating: near the board, teacher, away from distractions, etc.
- ☐ Extra time for assignments
- ☐ Assignments on larger lined paper
- ☐ Provided an additional set of books
- ☐ Provided with the necessary note-taking materials
- ☐ Information presented in smaller chunks
- ☐ Participation in cooperative learning groups
- ☐ Allowed to submit late work
- ☐ Provided with lecture notes
- ☐ Provided with large print materials
- ☐ Instructions for outlining key ideas
- ☐ Repeated or paraphrased instructions
- ☐ Redirection to tasks
- ☐ The homework assignment notebook will be used
- ☐ Participation in the development of a behavior management plan
- ☐ Behavior checklists
- ☐ Scheduled Breaks
- ☐ Attempt to work independently before assistance is provided

Testing Accommodations

- ☐ Extended time for tests
- ☐ Small group testing
- ☐ Oral testing (student may answer orally)
- ☐ Reader during testing
- ☐ Tests in large print
- ☐ Reduced the length of tests
- ☐ Individually tested
- ☐ Provided with a scribe

***** Make sure listed accommodations comply with ODE guidelines for State Assessments*****

Special Considerations:

- ☐ Monitoring students closely on the field trip
- ☐ Special restroom accommodations
- ☐ In-service teacher(s) on the child's disability
- ☐ Intervention strategies for transitional periods (cafeteria, physical education, etc.) Special transportation

STUDENT 504 PLAN CHECKLIST

Date	Initial 504 Documents/Guidelines
	Suspected Disability Referral (New document to be opened in SameGoal) - Referral can come from parents/teachers, but Counselors should fill out the official referral form.
	Parental Consent (New document to be opened in SameGoal) - To be signed by the parent before completing the 504 Evaluation.
	Meeting Notification/Invitation (New document to be opened in SameGoal) - Provide Notice of Parent and Student Rights Information
	504 Evaluation - Completed by the team to determine qualification for a 504 plan
	504 Plan - Completed by the team if the student qualifies
	PR-01 - Written by the counselor to explain what was considered by the 504 team.

Date	Annual Review 504 Documents/Guidelines
	Meeting Notification/Invitation (New document to be opened in SameGoal) - Provide Notice of Parent and Student Rights Information
	504 Plan - Completed by the team
	PR-01 - Written by the counselor to explain what was considered by the 504 team.

Date	504 Reevaluation Documents/Guidelines
	Parental Consent (New document to be opened in SameGoal) - To be signed by the parent before completing the 504 Evaluation
	Meeting Notification/Invitation (New document to be opened in SameGoal) - Provide Notice of Parent and Student Rights Information
	504 Evaluation - Completed by the team to determine qualification for a 504 plan
	504 Plan - Completed by the team if the student qualifies
	PR-01 - Written by the counselor to explain what was considered by the 504 team

Date	**Exiting a Student from a 504 Documents/Guidelines**
	Parental Consent (New document to be opened in SameGoal) - To be signed by the parent before completing the 504 Evaluation
	Meeting Notification/Invitation (New document to be opened in SameGoal) - Provide Notice of Parent and Student Rights Information
	504 Evaluation - Completed by the team → disability does not substantially limit one or more major life activities
	504 Discontinuation-Completed by the team-Add Dates and obtain parent signature
	PR-01 - Written to explain what was considered by the 504 team and exiting the student from a 504 plan.