SECTION 504

FAMILY GUIDE:
GETTING HELP FOR YOUR CHILD AT SCHOOL

Verona Area School District

VASD MISSION STATEMENT

Each student will acquire the knowledge and skills necessary to achieve their personal goals, thrive in a diverse global society, and lead a healthy, self-fulfilling life.

VASD EQUITY STATEMENT

To meet this mission, the Verona Area School District will ensure that every individual has access to the educational, social, and emotional support they need to feel valued and affirmed in their unique identities and experiences. We acknowledge that inequities and power dynamics exist in our system such that some individuals, on the basis of their identities, face barriers to accessing the opportunities they need to experience success. In acknowledgment of such, the Verona Area School District is committed to disrupting these systems of inequity.

TABLE OF CONTENT

PURPOSE OF THIS GUIDE	3
WHAT IS A SECTION 504 ACCOMMODATION PLAN?	4 - 5
WHAT SHOULD I DO WHEN I HAVE A CONCERN ABOUT MY CHILD?	6
WHAT IF MY CHILD'S MEDICAL PROVIDER HAS MADE A RECOMMENDATION FOR A SECTION 504 ACCOMMODATION PLAN AT SCHOOL?	7
WHAT SHOULD I DO IF I HAVE A CONCERN ABOUT MY 3- OR 4-YEAR-OLD CHILD WHO IS NOT YET IN SCHOOL?	7
HOW DO I MAKE A REFERRAL FOR A SECTION 504 EVALUATION?	8
WHAT ARE THE STEPS OF THE 504 EVALUATION PROCESS?	9
WHAT CRITERIA ARE USED TO DETERMINE IF MY CHILD HAS A DISABILITY?	10
WHAT ARE THE COMPONENTS OF A SECTION 504 ACCOMMODATION PLAN?	11
WHAT IS THE SECTION 504 REVIEW AND/OR REEVALUATION PROCESS?	11
WHAT HAPPENS IF I DISAGREE WITH A SECTION 504 TEAM DECISION?	12
504 PROCEDURAL SAFEGUARDS	13-14

PURPOSE

The purpose of this guide is to provide information on Section 504 Plans and their application within school settings. As caregivers, you play a crucial role in your child's education, and the Verona Area School District (VASD) works in partnership with you to support your child in both academics and social-emotional learning. Together, we work as a team to ensure the best outcomes for your child. For some students, a Section 504 Plan is crucial to ensuring access to learning. This guide provides information about what a Section 504 Plan is and situations in which it may be appropriate for a child.

WHAT IS A SECTION 504 ACCOMMODATION PLAN?

Section 504 of the Rehabilitation Act of 1973 is a federal civil rights law that prohibits discrimination based on disability in programs and activities that receive federal funding. It ensures that individuals with disabilities have equal access to opportunities in various settings, including public schools and other educational institutions. Research shows that while there are many ways to receive support in schools, 1-2% of students may require a Section 504 Plan beyond those already available supports.

Section 504 Plans generally contain accommodations designed to remove barriers due to a diagnosed disability. These plans are not an intervention, but a means of conveying accommodations to provide equitable access to learning when universal accommodations and supports are not demonstrating effectiveness. 504 plans are generally monitored by a pupil services staff member, such as a nurse, counselor, social worker, or psychologist. Unlike an Individualized Education Plan IEP, 504 Plans do not typically include specially designed instruction or alternative curriculum options for students. A 504 Plan is designed to remove barriers within the educational environment for students with disabilities when that disability significantly impacts a major life activity or bodily function compared to same-age peers. Examples of this include, but are not limited to:

- **Chronic illness** requiring frequent monitoring or medication, like diabetes or epilepsy, that substantially disrupts the school day, requiring accommodations such as permission to eat/drink in class to stabilize blood sugar or access to the nurse's office as needed.
- **Mobility impairment,** such as a student using a wheelchair or crutches, making it substantially difficult or impossible to quickly move between classrooms or evacuate in the event of an emergency, requiring accommodations such as elevator key access or adjusted class schedules with extra travel time.
- **Dyslexia or a Reading Disorder** leading to substantial difficulty completing timed reading comprehension tasks or keeping up with a class's required volume of reading, requiring accommodations such as text-to-speech software or a modified reading load.
- **Attention-Deficit/Hyperactivity Disorder (ADHD),** where a student struggles with sustained focus and organization, as compared to their same age peers, so severely that they cannot independently complete classroom tasks, multi-step assignments, and tests within the standard classroom time limit, even when possessing the necessary knowledge, requiring accommodations such as organizational support or extended time on all classroom assignments and tests.

Qualification for a Section 504 Plan is determined through a Section 504 Evaluation to determine if a student has a disability and is demonstrating a current need for accommodations to remove barriers within their educational environment related to a major life activity or bodily function. Taking tests and completing homework can be challenging for all students, and neither is considered a major life activity in itself. Struggling in these areas, even for a student with a diagnosed disability, does not automatically qualify a student for a 504 Plan. A student is more likely to qualify, however, if the disability substantially limits the major life activity of learning, requiring accommodations to remove the barrier/s created by that limitation in all educational activities, not just work completion or tests.

An additional example of this is AP or ACT testing. If a student were to require accommodations for extended time on all educational activities on a daily basis, through a 504 Plan, those accommodations would also extend to standardized assessments, such as AP tests or the ACT. A 504 Plan would not be appropriate if AP testing or the ACT are the first or only instances where extended time is requested as an accommodation, unless the student has a newly diagnosed disability that requires additional consideration through an evaluation.

A Section 504 evaluation is not designed to predict a student's needs for accommodations or supports in future settings. For example, transitions between schools or grade levels can often be a time of increased emotion and challenge for all students. Schools work to support all students with this change of environment. A 504 evaluation and accompanying plan would be appropriate to support a student's current needs if they have a disability that creates barriers related to a major life activity (see examples above) or bodily function, immediately in their current setting, rather than the possibility of future barriers in a different setting. If you are concerned about an upcoming transition, please contact your school-based team to discuss potential supports for your child.

6

WHAT SHOULD I DO WHEN I HAVE A CONCERN ABOUT MY CHILD?

Teachers can offer valuable insights into children's daily experiences and may be able to collaborate with you to address concerns promptly. If concerns continue, you and/or your child's teacher may choose to connect with the school's Multi-Level System of Support (MLSS) Team and/or your school Psychologist.

Every school in VASD has an MLSS system that provides strategies and/or interventions for academic and social-emotional learning. In this system, high-quality instruction, strategic and regular data use, and collaboration interact within a continuum of supports, ranging from universal instruction to targeted interventions, to ensure learner success. MLSS teams meet regularly to discuss student needs and determine additional steps as appropriate, including interventions. In most cases, if a student is making progress within an intervention, they will continue in that intervention until it is no longer needed. However, if a student is not making adequate progress, they may be considered for a special education or 504 Evaluation.

WHAT IF MY CHILD'S MEDICAL PROVIDER HAS MADE A RECOMMENDATION FOR A SECTION 504 ACCOMMODATION PLAN AT SCHOOL?

Medical providers may recommend following up with a child's school to request a Section 504 Plan. However, if a doctor provides a medical diagnosis and recommends a 504 Plan, VASD is still obligated under federal law to conduct an evaluation to determine the extent to which that diagnosed disability impacts the students' access to their Free and Appropriate Public Education (FAPE). A medical diagnosis does not automatically qualify a student for additional supports under Section 504. The diagnosis/disability must cause a substantial limitation on the student's ability to learn or perform another major life activity or bodily function. The school-based evaluation team will consider all data to determine if a 504 Plan of support is appropriate.

WHAT SHOULD I DO IF I HAVE A CONCERN ABOUT MY CHILD, WHO IS THREE OR FOUR YEARS OLD AND NOT YET IN SCHOOL?

If your child is currently three or four years old, does not attend school yet, and you have concerns, please fill out the Early Childhood Request for Assistance Form. You can also reach out to a Verona Area First Five Years (VAFFY) Psychologist to discuss options for next steps. If your child is younger than three years old and receives Birth to Three services through Dane County, the Birth to Three Service Coordinator will submit a referral for evaluation to VASD prior to your child turning three years old if they believe he/she will continue to need services when he/she turns three.

HOW DO I MAKE A REFERRAL FOR A SECTION 504 EVALUATION?

After you have had a conversation with your child's classroom teacher and school-based team and determined that you would like to pursue an evaluation for a Section 504 Accommodation Plan, complete the Request for Support, 504, or Special Education Evaluation Jotform to officially request an evaluation for a Section 504 Accommodation Plan. Once the form has been submitted, you can expect to hear back from a district representative regarding next steps within 15 business days. While 15 days is our district timeline, you can usually expect to hear back sooner.

The linked form will ask you to share information regarding:

- What contact have you had with your child's teacher and school regarding your concerns?
- Has your child undergone an outside evaluation to address your concerns?
- What confirmed medical diagnoses does your child have, if any?
- What community supports are you currently working with to address your concerns, if any (e.g., counseling, occupational therapy, speech therapy)?
- What school-based programs, services, or interventions have been tried to address your concerns, if any, and what has been their result?
- What are some of your child's strengths and interests?
- What type of support and/or contact are you requesting?
- What is the area of concern?

WHAT ARE THE STEPS OF THE 504 EVALUATION PROCESS?

If you are interested in pursuing an evaluation under Section 504, the evaluation process will include the following:

1. The 504 Evaluation case manager (i.e., School Psychologist, School Nurse) will form a Section 504 team including the student's family, the student when appropriate, and school staff who know and have worked with the student.

2. The 504 Evaluation team will determine needs for additional assessment, either through an in-person meeting or conversations with all team members.

3. If the team determines that additional information is needed, such as observations or testing, the 504 Evaluation case manager will complete the Consent for Additional Testing form, which requires a signature from a legal guardian before the process can proceed

4. Once testing consent is obtained, the evaluation team will collect this additional information over approximately the next 60 days.

5. After testing has been completed, the 504 case manager will schedule an eligibility determination meeting. The team will decide if a student is eligible for a 504 Plan.

6. If the student is eligible, the team will develop the 504 Plan together, holding a meeting within approximately 30 days of the eligibility determination meeting. An Initial Placement Consent form needs to be signed by the legal guardian before the plan can be fully implemented.

7. If the team determines that the student is not eligible for a Section 504 Plan, the team will discuss next steps to continue to support the student.

WHAT CRITERIA ARE USED TO DETERMINE IF MY CHILD HAS A DISABILITY?

10

Because Section 504 is a federal law designed to protect the rights of people with disabilities, the evaluation team must carefully consider the data gathered to determine eligibility. Data may include formal testing, previous interventions and supports, background information, medical information, observations of the student in educational settings, and other relevant data.

To be eligible for a Section 504 Plan, a student must meet all of the following criteria:

1. Have a physical or mental impairment.
    a. Physical Impairment: A medical condition affecting one or more body systems.
    b. Mental Impairment: A mental or psychological problem.
2. The impairment must substantially limit one or more major life activities and/or bodily functions:
    a. Major life activities and/or bodily functions may include:
        i. Walking, standing, lifting, bending
        ii. Seeing, hearing, speaking, breathing
        iii. Learning, reading, communicating
        iv. Working
        v. Eating, sleeping
        vi. Concentrating, thinking
        vii. Major bodily functions: bowel, bladder, endocrine functions, etc.
    b. Degree of substantial limitation (at least one must apply):
        - A student cannot do activities that the average student of the same age or grade level can do.
        - A student is limited as to the duration, condition, and/or manner under which the average student of the same age or grade level can perform the same activity.
        - A student's impairment is unique when compared to the average student of approximately the same age, in substantially limiting a major life activity.
3. If an impairment is episodic, intermittent, or in remission, it can be considered if it would substantially limit a major life activity when the impairment is active.
4. There is a substantial impact of the impairment within the school environment.

WHAT ARE THE COMPONENTS OF A SECTION 504 ACCOMMODATION PLAN?

The plan will include parent/guardian information and indicate start and end dates.

Description of the Disability:

a. How the disability significantly impacts daily life activities and/or major bodily functions
AND
b. How does the disability impact the student within the school environment

Present School Performance and Functioning, which may include:

a. Parent/Guardian input
b. Student input
c. Staff input
d. Student's current grades/assessment scores
e. Student's current social-emotional/behavioral functioning

The Accommodations / Modifications on the Plan:

a. Area of need
b. Specifics on how to implement the accommodations/modifications
c. The person responsible for implementing the accommodations/modifications

Related Services:

a. Specific services are provided only if modifications and accommodations are insufficient in offering the student an equitable educational opportunity
b. Specific criteria for progress and exit must be established when the service need is identified

Family Involvement:

a. Ensure effective communication is taking place between the school and family
b. Identify how parent(s)/guardian(s) will be informed of student progress
c. Procedures for addressing any concerns that may arise

WHAT IS THE SECTION 504 REVIEW AND/OR REEVALUATION PROCESS?

1. The 504 Plan team will meet at least annually to review the Accommodation Plan. This is known as the Annual 504 Plan Meeting.
2. Every three years, the team will conduct a Section 504 Reevaluation to determine if the student continues to meet criteria.
3. Any member of the Section 504 team may request a Review/Revise meeting at any time to make changes and/or adjustments to the plan.

WHAT HAPPENS IF I DISAGREE WITH A SECTION 504 TEAM'S DECISION?

If you disagree with a Section 504 team's decision about whether or not a student qualifies for a 504 Plan, contact the District 504 Coordinator, which is the Director of Pupil Services and/or the VASD 504 Compliance Coordinator. These individuals may consult with you or your family and/or attend or reconvene a Section 504 team meeting. You may also refer to the Section 504 Procedural Safeguards on the following pages that summarize parent/guardian and student rights under Section 504 of the Rehabilitation Act. This information is included in the last section of this guide.

VASD Director of Pupil Services:
Adam Zingsheim
Phone: (608) 845-4300
Email: zingshea@verona.k12.wi.us

VASD 504 Compliance Coordinator:
Annie Bialek
Email: bialeka@verona.k12.wi.us

504 PROCEDURAL SAFEGUARDS
PARENT/GUARDIAN AND STUDENT RIGHTS

The following summarizes the rights that Section 504 of the Rehabilitation Act grants to students with disabilities and their parents/guardians. If your child is identified as a child with a disability under Section 504, you and your child have the following rights:

1. The District must allow your child to take part in, and receive benefits from, public education programs without discrimination based on his/her disability.

2. The District must inform you of your rights under Section 504. Specifically, the District must provide you with written notice of your rights under Section 504.

3. You have a right to receive notice regarding identification, evaluation or placement of your child.

4. The District must evaluate your child before determining his or her appropriate educational placement or program of services under Section 504, and before every subsequent significant change in placement. If your child is eligible for services under Section 504, he or she has a right to periodic evaluations to determine if his/her educational needs have changed.

5. The District must provide a free appropriate public education to your child. This means that the District must provide your child with an appropriate education designed to meet his or her educational needs to the same extent as nondisabled students. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the District make reasonable accommodations that allow your child an equal opportunity to participate in school and school-related activities.

6. The District must educate your child in facilities and provide services comparable to those it provides to nondisabled students.

7. Persons who are knowledgeable about your child, the evaluation data, and placement options must make all placement decisions regarding your child. Placement decisions must also be based on a variety of information sources.

8. The District must provide transportation to and from any alternative placement settings at no greater cost to you than would be incurred if your child were placed in a program operated by the District.

9. Your child must have an equal opportunity to participate in nonacademic and extracurricular activities offered by the District.

10. You have the right to examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program and placement.

11. You have the right to request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. You and your child may participate in the hearing and have an attorney represent you.

12. If you disagree with the hearing officer's decision, you have a right to seek review of the decision.

13. You have a right to request payment of reasonable attorneys' fees if your claim is successful.

14. You also have a right to file a complaint with the Office of Civil Rights (OCR) of the Department of Education at any time: Office of Civil Rights, 500 W. Madison Street, Suite 1475, Chicago, IL 60661, (312) 730-1560, or email OCR.Chicago@ed.gov.

Designation of Responsible Employee – Adam Zingsheim, Director of Pupil Services for VASD, is responsible for ensuring that the District complies with Section 504. Adam Zingsheim can be reached at (608) 845-4364 or email zingshea@verona.k12.wi.us.