



**STUDENT SECTION**

**504**

**HANDBOOK**

**A GUIDE TO MEETING THE NEEDS OF  
DISABLED STUDENTS UNDER  
SECTION 504  
OF THE REHABILITATION ACT**

PROCEDURES AND FORMS FOR IDENTIFICATION,  
EVALUATION, AND PLACEMENT UNDER SECTION 504

October 2017

RICHLAND SCHOOL DISTRICT  
615 Snow Avenue  
Richland, WA 99352

BOARD OF DIRECTORS

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Rick Schulte

Dear Staff:

Richland School District (“District”) recognizes and supports the right of students to enjoy equality of treatment and access to opportunities in education. Our diverse student population is strengthened by its commitment to embrace all learners, including those with disabilities. Section 504 of the Rehabilitation Act of 1973 (“Section 504”) guarantees that students with disabilities have the ability to access a free appropriate public education (“FAPE”).

This handbook describes the requirements of Section 504 as it applies to a duty to provide FAPE to students with disabilities. This handbook is designed to assist staff in understanding what Section 504 is, which students are subject to protections afforded under Section 504, what Section 504 requires in terms of FAPE for eligible students, and how Section 504 should be implemented.

Students, families, and staff all benefit when the requirements set forth under Section 504 are applied uniformly and consistently in every school. If you have a question related to Section 504 that is not addressed in this handbook or if you need further guidance related to a particular student, you should consult with the Assistant Superintendent of K-5 and Assessment, who is the District’s Section 504 Program Coordinator (“Program Coordinator”). You may also contact the District’s General Counsel for guidance and assistance.

This handbook does not address Section 504 as it relates to employees. Questions about employment-related accommodations should be forwarded to the Human Resources Department.

Thank you in advance for reviewing this guide and for your efforts to serve our learners.

Sincerely,

Rick Schulte  
Superintendent

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## I. GENERAL INFORMATION ABOUT SECTION 504

### A. DEFINITIONS

#### 1. Section 504

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is a Federal civil rights law that is designed to eliminate disability discrimination in programs and activities that receive Federal funds. Since all public school districts receive Federal funds, all public school districts must comply with Section 504. Under Section 504, denying a disabled student a free appropriate public education (“FAPE”) constitutes disability discrimination.

#### 2. Students Eligible under Section 504

Any school-aged student who has a mental or physical impairment that substantially limits one or more major life activity qualifies under Section 504. “Physical or mental impairment” means any physiological or psychological disorder or condition. The definition of physical or mental impairment under Section 504 is broad, includes students with life-threatening health conditions (conditions that will put a student in danger of death during the school day if a medication or treatment order and/or a nursing plan are not in place), and is not limited to any specific diseases or categories of medical conditions. Addiction to drugs or alcohol may be a physical or mental impairment that may result in a student being eligible for Section 504.

Even a temporary impairment (with an actual or expected duration of 6 months or less) is a disability under Section 504 if it is severe enough that it substantially limits a major life activity. While students with temporary impairments have the right to all necessary accommodations, related services and supports, schools are given great latitude in addressing these impairments in an expedited fashion. Therefore schools are not required to follow the formal evaluation detailed in this handbook and should instead note the temporary disability and accommodations in the “log entries” section in PowerSchool.

A physical or mental impairment *substantially limits* a major life activity for a student if the impairment substantially limits the student’s ability to perform a major life activity as compared to the student’s non-disabled age/grade peers. There is no single formula or scale that measures substantial limitation.

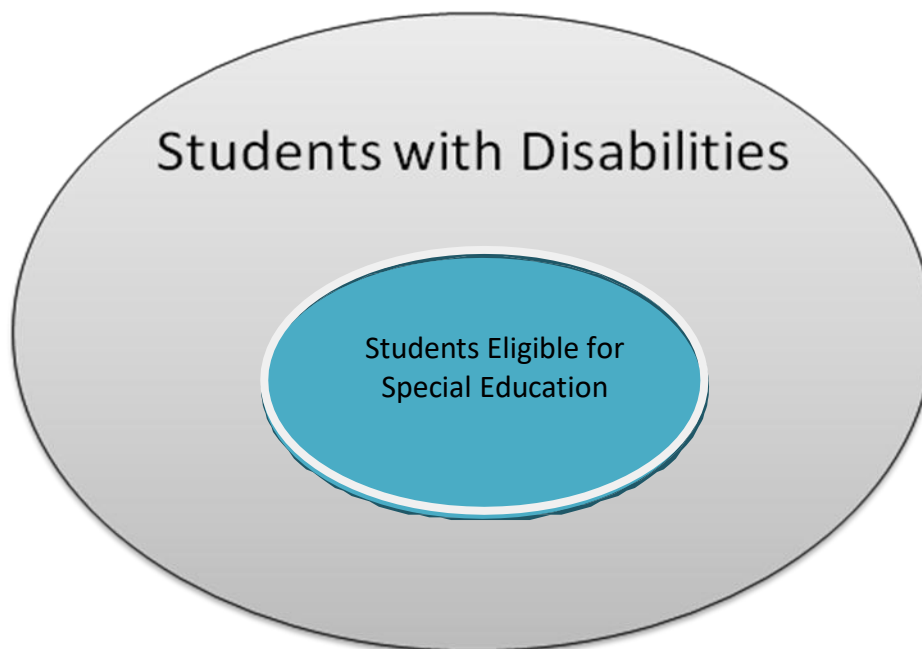
Major life activities include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating, immune system function, normal cell growth function, digestive function, bowel function, bladder function, neurological function, brain function, respiratory function, circulatory function, endocrine function, and/or

reproductive functions. The ability to participate in and benefit from school is a major life activity for a school-aged student. The above list of major life activities is not exhaustive.

Mitigating measures used by a disabled student to manage his or her impairment or lessen the impact of his or her impairment (i.e., medication, medical devices, related aids and/or services, etc.) must be disregarded when determining whether a student's impairment constitutes a disability under Section 504.

Section 504 does apply to pre-school students with disabilities enrolled in a District or Federally funded preschool. The Individuals with Disabilities Education Act ("IDEA") requires that pre-school students with disabilities be provided FAPE. Pre-school students with disabilities or suspected disabilities most of the time are referred to the Special Education Department.

Students with disabilities pursuant to Section 504 include students who are eligible for Special Education. The difference is that students who are eligible for Special Education are in need of specially designed instruction as a result of a disability that is impacting their ability to access education. No student should be on both a Section 504 Plan and an Individualized Education Program ("IEP") at the same time.



**3. Free Appropriate Public Education (“FAPE”)**

FAPE is an education that is designed to meet a disabled student’s individual educational needs and is based upon procedures that satisfy Section 504’s identification, evaluation, placement, and/or due process requirements. Typically, this includes accommodations and/or related aids that a student needs in order to participate in and benefit from the District’s education program.

Under Section 504, FAPE does not include specially designed instruction. Students who are suspected of being in need of specially designed instruction should be referred for a Special Education eligibility evaluation.

**4. Related Aids and Services**

“Related aids and services” means any service that a disabled student needs to participate in and/or benefit from the District’s education program (e.g., if, without a specific related aid and/or service, a disabled student is unable to participate in or benefit from the District’s education program, the aid and/or service in question is a necessary related aid or service for the student). Related aids and/or services include but are not limited to:

- School health services
- Counseling services
- Environmental, instructional, and/or behavioral accommodations
- Transportation services
- Provision of a modified schedule, grading system, and/or curriculum

**5. Parent(s)/Guardian(s) (“Parent(s)/Guardian(s)”)**

"Parent(s)/guardian(s)" means a natural or adoptive parent, a legal guardian, a foster parent, a District-appointed surrogate parent, and/or a person acting in the place of a parent, such as a grandparent or step-parent with whom a student actually lives.

**6. Adult Student (“Adult Student”)**

An adult student is a student who is 18 years of age or older who has not been judged incapacitated by a court of law. An adult student assumes and is entitled to exercise all Section 504 rights, duties, and/or responsibilities that were previously held by his or her parent(s)/guardian(s).

**7. Referral Team (“RT”)**

The Instructional Support Team decides whether the student should be evaluated for eligibility under Section 504. The team will be comprised of school officials.

**8. Section 504 Team**

The Section 504 team makes decisions regarding the evaluation, re-evaluation, and/or placement of students under Section 504. The membership of any particular student's Section 504 team will vary depending upon the needs of each student.

The composition of a Section 504 team is fluid and may change within a school year or between school years as a student’s needs and/or services change. A Section 504 team must consist of at least **two** people and must include persons knowledgeable about the student, can interpret the meaning of the student’s current evaluation data, and have authority to make placement options. It is the Section 504 team that determines the scope of evaluations and if students qualify for Section 504, develops Section 504 Plans, and makes “manifestation determinations” for purposes of disciplinary exclusion from school.

**9. Section 504 Building Coordinator (“Building Coordinator”)**

The Building Coordinator is a staff member at each school who is designated to coordinate Section 504 activities within the school and is responsible for coordinating all aspects of the Section 504 referral and evaluation process. For instance, the school nurse will be the Building Coordinator for Individualized Health Care Plans and the school counselor will be the Building Coordinator for 504 plans.

**10. Section 504 Program Coordinator (“Program Coordinator”)**

The Program Coordinator is the Assistant Superintendent of K-5 and Assessment, or their designee. The Program Coordinator oversees the District's compliance with Section 504 and provides all training related to Section 504.

**11. Individual Health Care Plans (IHP)**

An Individual Health Care Plan (IHP) is a written plan for students with special health care needs that may require attention and services during the school day, may require emergency or crisis intervention, or whose medical condition impact the student’s performance or presence at school. An IHP is a type of 504 plan. It has the same enforceability of a 504 plan and requires the same procedural safeguards and consent by parents. The generic term “504 plan” encompasses IHPs.

**B. OVERVIEW OF THE SECTION 504 PROCESSES**

**1. Referral**

Parent(s)/guardian(s) and/or school staff can refer a student for a Section 504 evaluation if they know or suspect that, due to a disability, the student needs accommodations to participate in or benefit from the District’s education program. Parent(s)/guardian(s) and/or school staff can refer a student for an IHP evaluation if they know or suspect that a student has a medical condition require attention and services during the school day, may require emergency or crisis intervention, or whose medical condition impact the student’s performance or presence at school.

Any person can refer a student for evaluation under Section 504. Referrals need to be captured in writing. Staff members should fill out a Student Referral (Form 504-3) for a person who wishes to make a referral but is unable to write.

A student does not have to have a formal medical diagnosis to be referred for consideration as a disabled student pursuant to Section 504.

**2. Decision to Evaluate**

After receiving a Section 504 referral, the RT must decide whether to evaluate the student and must notify the student's parent(s)/guardian(s) of its decision. As a general rule, students should be evaluated if staff know or suspect that the student, because of a disability, is not attending school, advancing from grade to grade, meeting the standards of personal independence or social responsibility expected of his or her age or cultural group, has a serious medical condition, life-threatening medical condition, or otherwise needs accommodations or related aids or services to participate in or benefit from the District's education program. This decision must be communicated to the Student's parent using the Notification of Determination on Referral for Evaluation (Form 504-4).

**3. Consent**

Under Section 504, the District **must** obtain written consent from a parent(s)/guardian(s) **before** a student's initial evaluation and **before** a student is placed on a Section 504 Plan/IHP for the first time. Consent must be informed, meaning the parent(s)/guardian(s) must be fully informed of all information relevant to the activity for which consent is sought in his or her native language or other mode of communication. This must be done using the Parent Consent for an Evaluation (Form 504-5).

The District **must** notify a parent(s)/guardian(s) **before** it re-evaluates or significantly changes a student's placement, but does **not** need to obtain consent.

**4. Initial Evaluation**

The scope of Section 504 evaluations will be specific to the student at issue. An evaluation may include a review of assessments conducted by District staff or can be a review of outside assessments. Any evaluation should be broad enough to enable the RT to determine whether a student has a disability that substantially limits a major life activity and the nature and extent of the student's need for services, accommodations, and/or modifications to receive FAPE. Or broad enough for the RT to determine whether a student has a medical condition that requires attention and services during the school day, may require emergency or crisis intervention, or whose medical condition impact the student's performance or presence at school.

The results of an evaluation are documented in the Individualized Evaluation Report/Section 504 Plan (Form 504-8).

Mitigating measures (e.g., medication, medical devices, related aids and services, etc.) **must be disregarded** when determining eligibility under Section 504.

Staff should encourage families to share any information they have that is relevant to determining if the student is eligible under Section 504 and should obtain authorization to speak with health care providers using the Release for Exchange of Information and Records (Form 504-11).

**While it is very useful to have supporting information from a health care provider to consider as part of the evaluation process, families cannot be required to provide proof of a diagnosis to determine if a student is eligible under Section 504. Likewise an official diagnosis is only one factor in deciding if a student is eligible under Section 504.**

**5. Section 504 Plan (“Section 504 Plan” or “IHP”)**

A Section 504 Plan is a written plan that describes the educational and related aids and services that the Team determines a disabled student needs to receive FAPE. Section 504 Plans are documented using the Section 504 Plan (Form 504-8)/Individualized Health Care Plans (Form 504-10). The content of a Section 504 Plan is fluid and may change within a school year or between school years as a student’s needs and services change.

A Section 504 Plan must be sufficiently detailed to allow staff to address the individual needs of the student and should outline the specific modifications, adjustments, accommodations, and/or other related aids and services to be provided to the student to ensure the ability to access FAPE.

For a student whose only disability is a life-threatening health condition, an Individual Health Plan (“IHP”) (Forms are on SharePoint/Intranet) will serve as the student’s Section 504 Plan. The process used to put such plans in place (RCW 28A.210.320) is based on procedures that satisfy the requirements of Section 504, including the school nurse conducting an assessment and providing procedural safeguards. If the life-threatening condition affects the student’s education, then a Section 504 Plan/IHP would be written that includes accommodations for both the life- threatening health condition and academic accommodations in one plan.

Section 504 Plans will be communicated to all necessary staff by the Building Coordinator in a timely fashion.

**6. Section 504 Placement**

Placement under Section 504 means the related aids, services, accommodations, and/or modifications that a student needs to receive FAPE. Placement decisions under Section 504 must be documented, be based upon a student’s evaluated needs, be made by persons knowledgeable about the student, who know the meaning of the student’s evaluation data, and have authority to make placement decisions. In addition, placement decisions must ensure that disabled students are

educated in the least restrictive appropriate placement. Parental consent **must be obtained before** a student is placed on a Section 504 Plan for the first time.

**7. Annual Review and Periodic Re-evaluation**

Section 504 Plans must be reviewed at least annually and revised if necessary. While there is no set requirement for how frequently a student should be re-evaluated pursuant to Section 504, as a general rule students should be re-evaluated every 3 years or whenever needs change. It is also wise to consider conducting a re-evaluation before or shortly after a student transitions from elementary school to middle school or from middle school to high school.

**8. Record Retention**

All signed originals of all Section 504 Plans and IHPs must be forwarded to the Program Coordinator. Also a copy of the student's Section 504 Plan will be placed in the student's cumulative file. Copies of any IHPs for life threatening health conditions will also be maintained in the student's nursing file.

The Building Coordinator should also ensure that notice of Section 504 status is electronically reflected in the student database (PowerSchool) for all students eligible for Section 504.

## C. 504 PROCESS FLOW CHART

### 1. Refer the Student:

- Complete Student Referral (Form 504-3) and return to the Building Coordinator.



### 2. Decide Whether to Evaluate the student:

- Does the RT know/suspect that, because of a disability (significantly impacting a major life activity), the student needs accommodations or related aids or services to participate in or benefit from school?
- Provide parent(s)/guardian(s) Notification of Determination on Referral for Evaluation (Form 504-4), Parent Consent for Evaluation (Form 504-5), and Notice of Parent/Student Rights under Section 504 (Form 504-1).
- Obtain consent for initial evaluation.



### 3. Evaluate the Student:

- Evaluate the specific areas of the student's educational needs.
- 504 Team reviews all data made available to it, i.e., District evaluations, parent provided evaluations, teacher reports, reports cards, etc.



### 4. Determine Student's Eligibility:

- Review evaluation results and determine eligibility.
- Complete the Eligibility or Non-eligibility (Form 504-7).
- Provide parent(s)/guardian(s) Notice of Parent/Student Rights under Section 504 (Form 504-1).



### 5. Develop and Monitor Section 504 Plan:

- Develop a Section 504 Plan/IHP; may combine with eligibility meeting (Form 504-8).
- Building Coordinator will monitor implementation and student progress. Building Coordinators will also provide copies of the Plan to necessary building staff.
- Provide parent(s)/guardian(s) Notice of Parent/Student Rights under Section 504 (Form 504-1) and copy of Section 504 Plan (Form 504-8).
- Obtain consent for initial placement.
- Review and revise the student's Section 504 Plan annually, providing parent(s)/guardian(s) Notice of Parent/Student Rights under Section 504 (Form 504-1).
- Re-evaluate at least once every 3 years or whenever the student's needs change.

II. **DETAILED INFORMATION REGARDING IDENTIFICATION, EVALUATION, AND PLACEMENT PROCEDURES**

**A. IDENTIFICATION/CHILD FIND PROCEDURES**

Under the Individuals with Disabilities Education Act (“IDEA”), as amended and state regulations, all school districts have an obligation to identify students with disabilities age 3 to 21 living within the District, regardless of school attendance. This "Child Find" process also identifies students who may be students with disabilities pursuant to Section 504. Below are the steps that are taken as part of the Child Find process:

**1. Enrollment Questionnaire**

At the time of enrollment, parents will be asked if the student needs or is suspected of needing services under Section 504.

**2. Providing Information to Families and Posting Notices**

The District and/or individual schools will encourage identification of potential Section 504 students by notifying all parent(s)/guardian(s) in the school and the District of the availability of Section 504 services, accommodations, and/or modifications, including posting conspicuous notices in school buildings.

**3. Advising Staff of the Referral Process**

Individual schools will also encourage staff members to identify students they believe are potentially disabled and could be eligible for Section 504. Staff members could include teachers, counselors, nurses, paraprofessionals, and/or other staff members who have had personal interactions with the student. Staff should be advised to identify potentially eligible Section 504 students whose disabilities are not limited to learning or other academic problems.

**4. District IDEA Child Find Activities**

Special Education staff will separately work to identify students with disabilities by providing materials to be distributed to health care providers and day care and preschool providers by offering developmental screenings and by providing information regarding the resources available to birth to 3 and preschool children who may have a disability.

## **B. REFERRAL, EVALUATION, AND PLACEMENT PROCEDURES**

### **1. Referral to the Building Coordinator**

Students suspected of having a disability may be referred to the Building Coordinator for evaluation, by any source, in writing (or orally by the parent if the parent does not know how to write or has a disability that prevents a written statement). Sources include, but are not limited to, parent(s)/guardian(s), medical personnel, District and/or other public agency personnel, community agencies, civil authorities, and other interested persons. Persons making referrals should complete the Student Referral (Form 504-3). Persons who make oral requests to school staff for a Section 504 referral should be directed by school staff to also make their request in writing using the Student Referral (504-3). If the referring person is unable to write, staff will document the referral in writing using Form 504-3. All referrals received by school personnel will be referred to the Building Coordinator. The Building Coordinator is responsible for coordinating all aspects of the Section 504 referral and evaluation process.

### **2. Referral by Building Coordinator to the RT for Possible Evaluation**

Within five (5) school days of receipt of a request for referral, the Building Coordinator will refer the student to the RT for consideration of a Section 504 evaluation. A referral to the RT may also be made in the following circumstances:

- When a student is referred for IDEA, but the decision is not to evaluate or is deemed ineligible for special education services;
- When a student is not responding to general education academic interventions;
- When a student is returning to school after a serious illness or injury or after alcohol and/or drug treatment;
- When a student has a “life threatening health condition;”
- When a student has a temporary impairment that will be substantially limiting for an extended period of time; and/or
- When a student has an impairment that is episodic or in remission that is substantially limiting.

If the Building Coordinator knows or suspects that the student is eligible as a disabled student under the IDEA, is an English language learner, or has other needs, the Building Coordinator should refer the student for evaluation under those processes.

### **3. Consideration of the Referral**

The Building Coordinator will coordinate a meeting of the RT to consider the referral. The RT is made up of the Building Coordinator (school nurse or school counselor), at least one staff member who is knowledgeable about the student, and if possible a parent. The makeup of the RT will vary depending on the student being referred and the nature of the suspected disability. The RT is encouraged to

invite parent(s)/guardian(s) to this review. However, parent attendance and consent is not required at this stage.

The RT should review the referral; collect and examine existing school, medical, and/or other records in the possession of the parent, District, and/or other public agency; and determine whether or not to conduct an evaluation. The RT decision will be made within twenty five (25) school days of receiving the referral. The decision shall be written and shall identify the persons making the decision using the Notification of Determination of Referral for Evaluation (Form 504-4).

If the SIT knows or suspects that the student is eligible as a disabled student under the IDEA, is an English language learner, or has other needs, the RT should refer the student for evaluation under those processes.

A RT must evaluate a student if staff know or suspect that the student, because of a disability that substantially impacts a major life activity, needs accommodations or related aids or services to participate in or benefit from the District's education program, regardless of whether the student has a medical diagnosis.

#### **4. Notice and Consent**

Parent(s)/guardian(s) will be notified of the RT decision in writing through the Notification of Determination on Referral for Evaluation (Form 504-4).

Parent(s)/guardian(s) may challenge a decision to not evaluate the student through the Section 504 hearing process. If the decision is made to evaluate a student, consent to evaluate **must** be obtained using the Parent Consent for Evaluation (Form 504-5).

#### **5. Evaluation**

Once a RT decides to evaluate a student and once parent consent has been obtained, the student will be evaluated for Section 504 eligibility by the Section 504 team. The Building Coordinator will facilitate the assembly of the Section 504 team. Members of the team could include the parent, school nurse, teacher(s), counselor, school psychologist, principal, assistant principal, and/or any other appropriate school personnel member. At a minimum, the team shall include:

- At least one person knowledgeable about the suspected disability/health condition;
- At least one person knowledgeable about the meaning of the evaluation data;
- A person qualified to conduct assessments that the Team believes are necessary to determine eligibility (if the Team believes such assessments are necessary);
- At least one person knowledgeable about the student; and/or
- At least one person knowledgeable about the placement options.

A single person can fulfill multiple roles, dependent upon qualifications and interactions with the student at issue.

The determination of whether a student is substantially limited in one or more major life activity will be made **without regard to any ameliorative effects of mitigating measures**, which include, but are not limited to: medication, medical supplies, equipment, low-vision devices, prosthetics, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment and supplies, assistive technology, reasonable accommodations, auxiliary aids or services, or learned behavior or adaptive neurological modifications.

Low vision devices do not include ordinary eyeglasses or contact lenses. The ameliorative effects of ordinary eyeglasses or contact lenses may be considered in determining whether the impairment substantially limits a major life activity.

The evaluation shall be sufficient to identify the related aids and services needed to provide FAPE. The Team should use assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the student. The Team will gather data and information from a variety of sources. Sources of evaluation data may include, among others, formal testing, student grades, health information, parent information, teacher comments (using Form 504-6), standardized test scores, and disciplinary referrals. The Team will determine the scope of data to be gathered and reviewed. Based on the review, the Team will identify what additional information, if any, is needed to fully evaluate the student. If the Team determines that additional information is necessary, the Team will identify how this information will be obtained and who will have responsibility for obtaining it.

Any assessments selected and administered in the evaluation process should:

- be selected and administered so as not to be racially or culturally discriminatory;
- be administered in the student's native language or other mode of communication, unless it is clearly not feasible to do so;
- be tailored to assess specific areas of educational need; and/or
- include assessments tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.

After reviewing and carefully considering all information obtained by the Team, the Team will determine:

- Whether or not the student has a physical or mental impairment; and/or
- Whether it substantially limits one or more major life activity.

For a school-aged student, the ability to participate in or benefit from a public school's education program is a major life activity.

If the Team determines that the student is eligible under Section 504, the Team will propose services, accommodations, and/or modifications to address the student's disability-related needs.

The Team will convene a meeting, to include the parent(s)/guardian(s), within thirty-five (35) school days to review the determinations and recommendations after written consent for an evaluation has been provided by a parent(s)/guardian(s) and/or an adult student. A report will be written using the Section 504 Plan (Form 504-8). The report shall be signed by each member of the Team and the parent(s)/guardian(s)/adult student and the Notice of Procedural Safeguards will be provided to parent(s)/ guardian(s), including information on the process for challenging the Team's determination.

**a. Automatic Qualification of Students with "Life Threatening Health Conditions," as defined by State Law**

Washington law defines "life threatening health condition" as a health condition that puts a student in danger of death during the school day if a medication and/or treatment order and a nursing care plan are not in place. By definition, a student with a "life threatening health condition" has a physical or mental impairment that substantially limits a major life activity and qualifies as a disabled student under Section 504 for purposes of FAPE. Therefore students with life threatening health conditions automatically qualify for an IHP.

**b. Temporary and Episodic Impairments**

A temporary impairment (with an actual or expected duration of 6 months or less) is also a disability under Section 504 if it is severe enough that it substantially limits a major life activity for a student. The duration (or expected duration) of the impairment and the extent to which it actually limits a major life activity for a student should be the key considerations. For truly temporary impairments, accommodations must be made but the school is provided a great deal of flexibility to address the impairment.

An impairment that is episodic or in remission (i.e., cancer, multiple sclerosis, epilepsy) constitutes a disability under Section 504 if it substantially limits a major life activity for the student when active.

**c. Alcohol Addiction**

A student who is addicted to alcohol, regardless of whether the student is currently using alcohol or is in recovery, may qualify as a disabled student

under Section 504 for purposes of FAPE if the student's alcoholism substantially limits the student's ability to perform a major life activity. Such a student may need a modified schedule, school counseling, and/or another type of accommodation or related aid or service to participate in or benefit from the District's education program. The student, as is the case with all students, must comply with all school rules and board policies relating to the prohibition of alcohol on campus and being under the influence. No student is permitted to use, be under the influence or in possession of alcohol per Policy and RR 3418.

**d. Drug Addiction**

A student who is drug addicted but is in recovery and is not currently engaging in the illegal use of drugs, may qualify as a disabled student under Section 504 for purposes of FAPE if the student's drug addiction substantially limits the student's ability to perform a major life activity. Such a student may need a modified schedule, school counseling, and/or another type of related aid or service to participate in or benefit from the District's education program. A student who is drug addicted and is currently engaging in the illegal use of drugs, however, is excluded from the definition of a disabled student under Section 504.

Note: The District may take disciplinary action against any student with a disability engaged in the illegal use/possession of drugs or in the use/possession of alcohol at school to the same extent that such disciplinary action is taken against non-disabled students. Furthermore, the due process procedures at 34 CFR Part 104.36 will not apply to such disciplinary actions.

**e. Special Consideration for Students Having AIDS or HIV Infection**

Students with Acquired Immune Deficiency Syndrome ("AIDS"), AIDS Related Complex ("ARC"), or otherwise infected with Human Immunodeficiency Virus ("HIV-infected") are individuals with disabilities under Section 504. They either qualify as actually having a physical impairment that substantially limits a major life activity or are regarded as having such a disabling condition.

Depending on the nature of the disease and the student's other conditions, the student may also qualify for services under the IDEA.

Placement of the student must be made by a group of persons knowledgeable about the child, the meaning of the evaluation, and medical information and placement options. A public health representative should be on the team. A student with AIDS should remain in the regular classroom unless currently presenting a risk of contagion, e.g., a contagious opportunistic infection, open lesions that cannot be covered, or the student's parents and school agree on an alternative.

**f. Special Considerations for ADD/ADHD Students**

If the District suspects or has knowledge that a student has an Attention Deficit Disorder (“ADD”) or Attention Deficit Hyperactivity Disorder (“ADHD”) that may be substantially limiting a major life activity such as learning, the District is obligated to recommend an evaluation.

Evaluation of the student and service and placement recommendations should be made by a group of persons knowledgeable about the child, the meaning of the evaluation and medical information, and service and placement options. A qualified medical practitioner’s assessment will be considered as well as the impact of the student’s ADD/ADHD on his/her ability to learn or to otherwise benefit from his/her educational program. The District will ensure that the student’s educational program meets the full range of his/her individual educational needs.

**6. Plan Development and Plan Implementation**

Once the 504 Team has determined that the student is eligible for Section 504 services and has completed the evaluation, the Team will meet and determine the appropriate services, accommodations, and/or modifications that will be provided to address the student’s disability related needs. It is strongly recommended that parent(s)/guardian(s) be invited to participate in the Section 504 Plan development process. It is also strongly recommended the Team creating services, accommodations, and modifications should include the student’s teachers.

The Team shall develop the Section 504 Plan, using the Section 504 Plan (Form 504-8). This form should incorporate all services, accommodations, and/or modifications that will be provided and indicate who is to provide each service and/or accommodation. The student’s Section 504 Plan will be developed no more than thirty (30) school days after the evaluation determination is issued by the Team. Once it has been determined that a student is a disabled student under Section 504 for purposes of FAPE, the school must provide whatever services it decides the student needs to participate in and benefit from its education program. As a general rule, the District is under no obligation to provide a service that a student’s parent(s)/guardian(s) and/or doctor(s) requests unless, in the District’s determination, the student needs the service to participate in and benefit from its education program.

Once a Section 504 Plan has been completed, the Building Coordinator must send a copy of the Plan to the Program Coordinator at the central office.

On occasion, some services, accommodations, and/or modifications may require additional resources that the school alone is unable to provide. In these situations, the Building Coordinator will promptly communicate with the Program Coordinator

to ensure that necessary support is available to ensure that the service and/or accommodation is provided.

The Section 504 plan must address all areas of the student's disability-related educational needs.

Parent(s)/guardian(s) will be notified of the placement decision and parent(s)/guardian(s) may challenge the decision through the District's Section 504 hearing process. Parental consent is required before implementing an initial Section 504 Plan. If consent is not obtained, the District may choose to initiate procedures to override the lack of parental consent.

In interpreting evaluation data and in making placement decisions, the District will (1) draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background and adaptive behavior; (2) establish procedures to ensure that information obtained from all sources is documented and carefully considered; and (3) ensure that the student is educated with his/her non-disabled peers to the maximum extent appropriate.

In regard to out-of-district placements, if the District affords FAPE to a student but the parent or guardian chooses to place the child elsewhere, the District is not responsible to pay for the out-of-district placement.

Parent(s)/Guardian(s) of students who have a plan developed under Section 504 will be provided a copy of District Policy No. 2164 on the use of isolation and restraint at the time the Section 504 Plan is created.

Restraint or isolation of students who have a Section 504 Plan will be authorized only under the limited circumstances specified in Policy and Rules and Regulation 2164 and each incident will require reporting and Parent(s)/Guardian(s) notification as specified in that policy and superintendent procedure.

#### **7. Sharing of Information**

Once the student's Section 504 Plan is finalized and parent(s)/guardian(s)/adult student consent for an initial placement is received, the Building Coordinator shall immediately notify each of the student's teachers about the services, accommodations, and/or modifications and shall ensure that all services, accommodations, and/or modifications are being provided to the student through periodic monitoring.

#### **8. Location of Section 504 Plans**

The signed original of all Section 504 Plans will be forwarded to the Program Coordinator within one (1) week of implementation. A copy of the student's

Section 504 Plan shall be placed in the student's cumulative file and provided to all of the student's teachers.

Copies of any IHPs for life-threatening health conditions should also be maintained in the student's nursing file. Each Section 504 Plan and IHP must also be sent to the Program Coordinator.

The Building Coordinator should also ensure that notice of Section 504 status is electronically reflected in the District's student database for all students eligible for Section 504.

## **C. ANNUAL SECTION 504 PLAN REVIEW AND PERIODIC RE-EVALUATIONS**

### **1. Annual Section 504 Plan Review**

The period covered by a student's Section 504 Plan is one (1) calendar year. An annual review of each Section 504 student's services, accommodations, and/or modifications by the Team shall be completed each year. Building Coordinators must ensure that the annual review process is completed and any necessary evaluations and program changes are done in a timely manner.

Building Coordinators are expected to begin the process of preparing for the annual review by no later than thirty calendar days before the date any student's Section 504 Plan is set to expire, including gathering information on the student's progress and working with the Team to identify a meeting date sufficiently in advance of the date upon which any Section 504 Plan is set to expire so that if necessary, a re-evaluation can occur before the Section 504 Plan expires.

If the school or District receives information indicating a student may have disability-related educational needs that, because of a change in circumstances or other factors (including, for example, that a student with a disability has stopped attending school), are not currently being addressed by the student's Section 504 plan, the school or District staff who have received the information will take appropriate steps, including scheduling a Team meeting, to consider the information and determine whether a change in the student's Section 504 plan is needed to address the information.

The Team conducting the annual review should include at least one person knowledgeable about the student, at least one person knowledgeable about the disability, and the Building Coordinator. A single person can fulfill multiple roles, dependent upon qualifications and interacts with the student at issue. Again, it is strongly recommended that parent(s)/guardian(s) be invited to participate in the Section 504 Plan review process.

Annually the Team will review the Section 504 Plan. This review is not to evaluate

whether the student continues to be eligible for Section 504 services and/or accommodations, but rather to determine whether the services and/or accommodations that are currently being provided continue to be appropriate. The SIT completes a file review and observation of the student, if observations are determined to be necessary. The Team may determine that:

- the plan continues to be appropriate;
- modifications in the plan may be needed; and/or
- the student should be referred for a re-evaluation.

**a. Renewing a Section 504 Plan**

If the Team determines that no new services, accommodations, and/or modifications are necessary, the Team will renew the Section 504 Plan for another year and document the renewal of the Section 504 Plan. Parent(s)/guardian(s) will be provided notice of the renewal; however parental consent or concurrence with the Team's decision is not required.

**b. Modify the Section 504 Plan, if Needed**

The Team will determine what modifications, if any, are necessary to the Section 504 Plan. Parent(s)/guardian(s) will be provided notice of the modification and may challenge the decisions through the District's Section 504 hearing process using the Request for a Hearing (Form 504- 2). If modifications are made to the Section 504 Plan, then it is considered a new Section 504 Plan and the three (3) year timeline for re-evaluation starts again. The Building Coordinator will send the signed updated 504 Plan to the Program Coordinator within one (1) week of implementation, provide a copy of the new Section 504 Plan to teachers, and will ensure that a copy of the new Section 504 plan is placed in the student's cumulative file and in the student's counseling and/or nursing files, as appropriate.

On occasion some services, accommodations, and/or modifications may require additional resources that the school alone is unable to provide. In these situations, the Building Coordinator will promptly communicate with the Program Coordinator to ensure that necessary central support is available to ensure that the services, accommodations, and/or modifications are provided.

**c. Conduct a Re-evaluation, if Needed**

The Team will conduct the re-evaluation using procedures consistent with the District's initial evaluation and re-evaluation procedures, except that consent from a parent(s)/guardian(s) or an adult student is not needed for a re-evaluation. A re-evaluation is needed prior to making any significant changes in a Section 504 student's educational placement. Significant changes in placement include terminating Section 504 eligibility, initiating or discontinuing a service, significantly increasing or decreasing the amount of a service, and/or certain disciplinary removals from school (e.g., long-term

suspensions and expulsions).

## **2. Periodic Re-evaluations**

The purpose of the re-evaluation is to determine if the student continues to be qualified for Section 504 services, modifications, and/or accommodations because the student continues to have an impairment that substantially limits a major life activity. The re-evaluation also provides information for decisions about the appropriateness of the Section 504 Plan.

A re-evaluation will be conducted when:

- It has been 3 years since the previous evaluation;
- The student's needs have changed; and/or
- When parent(s)/guardian(s) or staff believe the student is in need of a significant change in placement.

Significant changes in placement include terminating Section 504 eligibility, initiating or discontinuing a service, significantly increasing or decreasing the amount of a service, and/or certain disciplinary removals from school (e.g., long-term suspensions and expulsions).

Within thirty-five (35) school days from the initiation of the re-evaluation process, the Team will review existing evaluation data and obtain input from the student's teachers and parent(s)/guardian(s) on the student, including:

- Prior evaluations and information provided by the parent(s)/guardian(s) of the student;
- Current classroom-based assessment and observations; and/or
- Observations by teachers and related services providers.

The Team will identify and obtain what additional data, if any, is needed to determine:

- Whether the student continues to have a disability;
- Whether the student continues to need services, modifications, and/or accommodations under Section 504;
- Whether more tests and evaluations are needed to make a determination of the nature and amount of services, modifications, and/or accommodations; and/or
- If no other data is needed, then eligibility can be established using current data.

Parent(s)/guardian(s) will be provided with written notice consistent with the notice requirements for the initial evaluation prior to conducting the re-evaluation; however, parental consent is not required for a re-evaluation.

If the Team determines that the student is no longer eligible for services, accommodations, and/or modifications under Section 504, the Team will document the reasons for the determination using Termination of Services (Form 504-9). The Building Coordinator will ensure that the student's teachers are informed of the determination, that the student's Section 504 eligibility status is updated in the student database, that the documentation outlining the reasons for the determination that the student is no longer eligible is forwarded to the Program Coordinator, and that copies are placed in the student's cumulative file and counseling and/or nursing files, as appropriate.

If the Team determines that the student continues to be eligible under Section 504, a new Section 504 Plan will be developed and implemented in a manner consistent with the initial plan development and implementation procedures, within thirty (30) calendar days. There will be no interruption of services, accommodations, and/or modifications while the re-evaluation is being completed. The new signed original plan will be forwarded to the Program Coordinator within one (1) week of implementation, with copies being placed in the student's cumulative file and in the student's counseling and/or nursing files, as appropriate.

Parent(s)/guardian(s) may challenge re-evaluation decisions through the Section 504 hearing process using the Request for a Hearing (Form 504-2).

### **III. DISCIPLINE AND SECTION 504 STUDENTS**

#### **A. GENERAL OVERVIEW**

Section 504 protects disabled students from being improperly removed from school for misconduct that is related to their disability. As a general rule, Section 504 and IDEA apply to the disciplinary removal of disabled students in a similar manner. Before the District can implement a disciplinary action that constitutes a "significant change in placement," it must evaluate the student to determine whether the student's misconduct was caused by, or had a direct and substantial relationship to, the student's disability or was the direct result of the District's failure to implement the student's Section 504 Plan. This type of evaluation is commonly called a "manifestation determination."

If a disabled student's misconduct is a manifestation of his/her disability, the District cannot implement a disciplinary action that constitutes a significant change in the student's placement. If a disabled student's misconduct is not a manifestation of his or her disability, the District can discipline the student in the same manner that it disciplines non-disabled students for the same misconduct. Under Section 504, unlike IDEA, the District does not have to provide a disabled student educational services during the period of time the student is properly removed from school for disciplinary reasons. However, students must be given the same access to services that are available to non-disabled students who are long-term suspended or expelled,

including access to re-entry programs.

### **1. Significant Change in Placement**

A “significant change in placement” means a significant change in the type or amount of educational or related aids or services that the District provides to a disabled student. A significant change in placement may include but is not limited to:

- terminating eligibility under Section 504;
- initiating or terminating a service;
- significantly increasing or decreasing the amount of a service;
- disciplinary actions that exclude a student from school for more than 10 consecutive school days in a school year; and/or
- disciplinary actions that create a pattern of exclusion from school (e.g., cumulative short-term suspensions that are each 10 school days or fewer in duration that create a pattern of exclusion due to the length of each suspension, the proximity in time of the suspensions, the total amount of time the student was excluded from school, and the similarities of the behaviors that led to the suspensions).

To be considered as a substitute for suspension without being a significant change of placement, an in-school suspension must provide an educational benefit equivalent to that provided to students who are in school. For Section 504 students with certain disabilities, the school must consider whether an in-school suspension that normally expects students to work semi-independently in an environment where they are subject to restricted movements, have limited restroom breaks, and must be silent for extended periods provides an educational benefit equivalent to that provided to students in regular classrooms. In some cases, particularly for periods greater than 10 days, in-school suspension may constitute a significant change in a Section 504 student’s placement because it may interrupt the educational programming called for in the student’s Section 504 Plan.

### **2. Manifestation Determination**

A manifestation determination is needed by the Team when a student’s placement may be significantly changed by disciplinary action for his/her misconduct. Usually, a short-term suspension of 10 days or less does not constitute a significant change in the student’s placement. Therefore, a manifestation determination is not necessary when a student is short-term suspended when the suspension does not constitute a significant change in placement.

A manifestation determination is essentially an evaluation that answers two questions:

#### **a. Is the misconduct in question related to the student’s disability?**

This determination must be based upon evaluation data related to behavior and must be recent enough to afford an understanding of the student's current behavior. Misconduct is a manifestation of a disability if it "is caused by the disability" or "has a direct and substantial relationship to the disability." Misconduct is not a manifestation of a disability if it bears only a weak relationship to the student's disability. A determination that a student knows the difference between right and wrong does not constitute a determination that the student's misconduct was or was not a manifestation of the disability.

**b. Is the misconduct in question the direct result of a failure to implement the Section 504 Plan?**

This determination must be based upon information from a variety of sources, including aptitude and achievement tests, teacher reports, physical condition, social or cultural background, and/or adaptive behavior. If the student is eligible for Section 504 and there is no current Section 504 Plan in place for the student, a new Section 504 Plan should be immediately drafted.

If the Team determines that a student's misconduct was a manifestation of the student's disability or the result of an inappropriate placement, the student must be returned to school, to the educational placement that the student was at the time of the incident.

If the Team determines that the student's misconduct was not a manifestation of the student's disability or the result of an inappropriate placement, the student may be given the same sanction as would be given to a non-disabled student under the same circumstances.

The results of the manifestation determination will be documented by the Team making the decision using the Manifestation Determination Review (Form 504-13) within three (3) school days of the determination. The notification will inform the parent(s)/guardian(s) of their right to initiate a due process hearing to challenge the SIT's decision.

**3. Interim Alternative Educational Settings**

If a Section 504 student possesses, uses, sells, or solicits illegal drugs on school grounds, district transportation, or at a school-sponsored event; carries a weapon to school, district transportation, or a school function; or inflicts serious bodily injury upon another person at school, on district transportation or a school-sponsored event, the District may place the student in an interim alternative educational setting for up to 45 school days.

A weapon excludes knives with blades less than 2-1/2 inches long. Serious bodily injury is an injury that results in:

- a substantial risk of death;

- extreme physical pain;
- protracted and obvious disfigurement; and/or
- protracted loss or impairment of the function of a bodily member, organ, and/or mental faculty.

#### **4. Functional Behavioral Assessments and Behavior Intervention Plans (“BIP”)**

A school should conduct a functional behavioral assessment and implement a BIP for any Section 504 student who has been removed from school more than ten (10) days during the current school year, even if their original qualifying disability was not behavior related. The Team should review the BIP after each removal and exclusion from school to determine whether modifications to the Section 504 Plan are needed. If one or more team member believes modifications are needed, the Team will meet to consider modification of the Section 504 Plan and implementation procedures.

#### **5. Appeal Rights and Placement during Appeals**

If a parent(s)/guardian(s) disagrees with a determination that a student’s behavior was not a manifestation of the student’s disability or with any decision regarding placement for disciplinary purposes, the parent(s)/guardian(s) may request a hearing to appeal the determination. The Program Coordinator will arrange an expedited hearing.

In reviewing a decision with respect to the manifestation determination, the Program Coordinator shall determine whether the student’s behavior was a manifestation of the student’s disability. The Program Coordinator will also review the appropriateness of the proposed interim alternative educational placement.

If a parent(s)/guardian(s) requests a hearing to challenge the interim alternative education setting or the manifestation determination, the student remains in his/her current setting pending the decision of the hearing officer UNLESS the disciplinary action is related to removal for weapons, drugs, or serious bodily injury. In the case of removal of a Section 504 student for weapons, drugs, and/or serious bodily injury, the student must remain in the interim alternative educational setting pending the decision of the Program Coordinator or until the forty-five (45) school day time period expires, whichever occurs first, unless the parent(s)/ guardian(s) and school agree otherwise.

If a parent(s)/guardian(s) disagrees with the Program Coordinator’s determination that a student’s behavior was not a manifestation of the student’s disability or with any decision regarding placement for disciplinary purposes, the parent(s)/guardian(s) may request a hearing to appeal the determination. The Program Coordinator will arrange an expedited hearing with a hearing officer.

In reviewing a decision with respect to the manifestation determination, the

hearing officer shall determine whether the student's behavior was a manifestation of the student's disability. The hearing officer will also review the appropriateness of the proposed interim alternative educational placement.

If a parent(s)/guardian(s) requests a hearing to challenge the interim alternative education setting or the manifestation determination, the student remains in his/her current setting pending the decision of the hearing officer UNLESS the disciplinary action is related to removal for weapons, drugs, or serious bodily injury. In the case of removal of a Section 504 student for weapons, drugs, and/or serious bodily injury, the student must remain in the interim alternative educational setting pending the decision of the hearing officer or until the forty-five (45) school day time period expires, whichever occurs first, unless the parent(s)/ guardian(s) and school agree otherwise.

#### **6. Protections for Students Not Yet Eligible for Section 504 or the IDEA**

A student who has not been evaluated and made eligible for Section 504 protection may assert any of the protections provided for in these procedures if the school and/or the District had knowledge that the student was possibly eligible for Section 504 accommodations before the behavior that precipitated the disciplinary action occurred. There are additional specific Special Education regulations that come into play if such an assertion is made. Please consult with the Program Coordinator and/or a Director of Special Education if this issue arises.

### **IV. NON-ACADEMIC SERVICES, FIELD TRIPS, EXTRACURRICULAR ACTIVITIES, INTERPRETER SERVICES, TRANSPORTATION, AND MODIFICATIONS TO PHYSICAL STRUCTURES**

The District will provide non-academic and extracurricular services and activities in such a manner as is necessary to afford disabled students an equal opportunity for participation in such services and activities. Non-academic and extracurricular services and activities are ones sponsored by the District and may include counseling services, athletics, transportation, health services, recreational activities, interest groups or clubs, referrals to agencies that provide assistance to disabled persons and employment of students, including both employment by the District and assistance in making available outside employment. The District will observe reasonable health and safety standards for all students.

#### **A. FIELD TRIPS**

As a general rule, schools cannot exclude a disabled student from participating in a field trip for which the student is otherwise eligible to attend unless the school has a legitimate, nondiscriminatory justification for excluding the student. Any decision to exclude a disabled student from participating in such a field trip is a placement decision and must be based upon procedures that satisfy the evaluation, placement, and/or due process requirements of Section 504. It is not permissible under Section 504 to exclude a disabled student from a field trip because:

- the student needs related aids or services (e.g., the administration of medication or the assistance of a school nurse) to participate in the field trip; and/or
- the student's parent(s)/guardian(s) is unable to attend the field trip, unless the participation of the parent(s)/guardian(s) of non-disabled students is required.

When questions arise regarding a student's ability to participate in a field trip due to disability, the Team should consider supplementary aids and services, program modifications, and/or support for school personnel that can be provided to enable the student to participate without changing the basic purpose and/or nature of the program. The student's Section 504 Plan shall include any services, accommodations, and/or services needed to help the student participate in field trips.

If the student is not able to participate in field trips even with the use of supplementary aids and/or services, then an alternative educational program should be provided as appropriate to substitute for the field trip or activity.

## **B. EXTRACURRICULAR ACTIVITIES**

A school must provide disabled students an equal opportunity to participate in extracurricular activities. As a general rule, a school can impose eligibility requirements to participate in extracurricular activities as long as they are neutral on their face with respect to disability, essential to the activity in question, and applied equally to both disabled and non-disabled students alike. A school may be required to modify an eligibility requirement if the requirement discriminates against the student in question based on disability and modification of the requirement would not fundamentally alter the nature of the activity in question.

For example, a school may establish a grade/credit eligibility requirement for participation in an extracurricular activity. If a disabled student wants to participate in the activity and the school determines that the student is unable to satisfy the eligibility requirement because of his or her disability, the school must modify the requirement to enable the student to participate unless doing so would fundamentally alter the nature of the activity.

When a disabled student requests services, accommodations, and/or modifications so that he or she can participate in the extracurricular activity, such a request should be evaluated by the Team. If the services, accommodations, and/or modifications needed by the student in order to participate create a fundamental alteration in the nature of the program or activity, the student may not be qualified to participate.

The 504 team should consult with the Program Coordinator or General Counsel's Office for advice or assistance when necessary. No two situations are alike and no general advice will suffice. Parent(s)/guardian(s) will be notified in writing of Team decisions and reasoning. When disputes exist between the parent(s)/guardian(s) and the Team over athletic participation or the services, accommodations, and/or

modifications to be provided, the grievance procedures should be utilized using the Request for a Hearing (Form 504-2) and Discrimination Complaint (Form 504-12). Please use these procedures to ensure fairness to disabled athletes.

If the issue involves a Washington Interscholastic Activity Association Rule (“WIAA”), e.g., age limits, a Team should also work with the Athletic Department to seek consultation from the WIAA.

If a school has information that a WIAA rule or regulation as applied to a specific student may subject the student to discrimination on the basis of disability, it must take reasonable steps to ensure that application of the rule or regulation does not discriminate against the student on the basis of disability. For example:

- Make an initial determination about whether application of the rule or regulation to the student subjects the student to discrimination on the basis of disability;
- If the initial determination is yes, the District must assist the student to appeal the ineligibility through WIAA’s several levels of appeal, unless the District becomes persuaded during an appeal that applying the rule to the student does not discriminate against the student on the basis of disability; and/or
- If the initial determination is no, the District must provide an internal Section 504 grievance procedure to promptly and equitably resolve the matter.

### **C. INTERPRETER SERVICES**

When a student with a disability needs interpreter services for educational purposes or after school and extracurricular activities, the school should follow the process outlined in Section Two of this manual for referral, evaluation, and/or plan development. These procedures are for Section 504 interpreters and do not apply or include interpreters provided by the bilingual or Special Education departments for academic programming.

Once the student is made eligible under Section 504 and the Team determines that the school cannot fund the interpreter service, the team will contact the Program Coordinator requesting approval of such service to the Program Coordinator. The Program Coordinator will promptly respond to the Team’s request in writing. The Program Coordinator will provide funds for the interpreter for that particular school year. The school will then be required to provide the interpreter for the Section 504 student out of school funds for the subsequent years.

If a school requires additional interpreters and/or interpreters for deaf/hard of hearing parent(s)/guardian(s) related to parent/teacher conferences, Section 504 meetings, discipline meetings/hearings, etc., the school will contact the Program Coordinator to arrange for a contract interpreter to be provided. At least 48 hour notice is required for contract interpreters. Once a contract interpreter has been reserved, the Program Coordinator will provide that information back to the school. If the school wishes to terminate the need for a contract interpreter, the school must provide at least 24 hour

notice to the Program Coordinator. If the 24-hour notice is not given, the school will be responsible for paying any costs associated with the cancellation. Any interpreters scheduled outside of this process will be paid for by the school.

#### **D. TRANSPORTATION**

All Section 504 students requiring transportation services will be identified to the Transportation Office by the Building Coordinator. Unless a specific transportation service is identified as a necessary service by the Team, Section 504 students are subject to the same eligibility criteria as all other students.

Because the District provides transportation to some students within a certain geographic area, it will not discriminate in its provision of transportation to students with disabilities.

If the District proposed to terminate a qualified disabled student's bus transportation for inappropriate bus behavior, the District will first determine the relationship between the student's behavior and his/her disabling condition, the appropriateness of the related service of transportation, and the need for re-evaluation. The Parent(s)/Guardian(s) will be provided notice of the results of such determinations and of their right to challenge such determinations.

The length of the bus rides for qualified disabled students should not be longer than that of non-disabled students.

##### **1. Determining Eligibility**

Section 504 students who are eligible for special services transportation will be identified by the student's 504 Team. Each student's name, address, telephone number, emergency number, attending school with starting and dismissal times, and special instructions related or pertinent to the nature of his or her handicap, should be submitted to the Transportation Department by the Program Coordinator.

Schools serving a student suffering from a temporary impairment of six months or less will be given great latitude in providing necessary accommodations, related services, and supports in an expedited manner.

##### **2. Assigning Transportation**

The modes of transportation selected for students with disabilities will be based upon their individual needs as determined by their 504 teams in cooperation with the Transportation Department. The modes used are:

1. Yellow school bus - curb pick up
2. Yellow school bus - community bus stop
3. Special Transportation (vans/small busses)
4. bus passes

5. Taxi
6. Parent reimbursement in lieu of provision of transportation

### **3. Schools Serviced by Transportation**

When a disabled student receives transportation to and from school, schools should follow their normal procedures unless the student requires services, accommodations, and/or modifications in order to access transportation services. If a deviation from the departure schedule is required, the Transportation Office must be notified.

### **4. Student Transportation Records**

The Transportation Department maintains a computer record for each student receiving Section 504 transportation services. These records are used to update information pertaining to the student (residence changes, school changes, etc.) and to maintain statistical data for the program.

### **5. Carrier Notification of Student Status Change**

When students change their residence or school, or when students are added to or deleted from the special services program, the Transportation Department must be notified by the special services program specialists. Changes to routes will require 3 to 5 school days from the time of notification.

### **6. Special Equipment**

Special equipment that may be required for busing student with disabilities, such as restraining harnesses, seatbelts, lap belts, etc., will be provided from District resources. Parent(s)/guardian(s) must provide personal individual items, such as wheelchairs and banana carts. Bus drivers are not authorized to carry medication for students on buses; parent(s)/guardian(s) are responsible for bringing any medication required for the student to the school.

### **7. Length of Day/Entrance and Exit**

Students with disabilities will be treated the same as the non-disabled students with respect to the length of the school day, unless a shortened school day is determined necessary pursuant to the student's 504 plan to meet the student's individual needs. Likewise, students with disabilities should follow the general education school day start and end times, unless an individual start and end time is determined necessary, pursuant to the student's 504 plan, to meet a particular student's individualized needs.

Students with disabilities should use the same entrances and exits as general education students, unless the use of a separate entry or exit is for a legitimate, non-discriminatory reason, such as a determination, pursuant to the student's 504 plan, that the use of separate entrance or exit is necessary to meet the individualized needs of the disabled student.

## **E. MODIFICATIONS TO PHYSICAL STRUCTURES**

A student's access to educational facilities is an inherent right of all students who attend the District and barriers to that access must be removed if possible and, if not, the student must be immediately, without delay, relocated to another school site. The process for requesting modification to the physical structure is the same as any other accommodation and must follow the same procedures outlined in Section Two of this manual.

### **1. Consideration by the 504 Team**

When reviewing a request for physical modifications, the Team must consider not only the student's disability but also how the disability affects the student's access to the programs inside and out of the building. The team should consider:

- Student's disability (evaluate to qualify for Section 504 if not already qualified);
- How student's disability affects their access to the building;
- What other alternatives may be available to meet the student's disability related needs before changing the physical structure; and/or
- Any interim measures necessary to achieve immediate access, including temporary relocation, if necessary.

## **F. APPROPRIATE FUNDING**

The District recognizes that the regular education funding of the District is the funding source for serving students who are qualified as disabled under Section 504 only. However, if students are identified as IDEA eligible, state and federal special education funds can be used. The District will not use money appropriated by the IDEA to serve students found disabled under Section 504 but not the IDEA. The District may use the IDEA money to evaluate a student if the District believes the student may also be eligible under the IDEA.

## **V. INVESTIGATION AND GRIEVANCE PROCEDURES FOR SECTION 504 DISCRIMINATION COMPLAINTS**

The District prohibits discrimination and/or harassment based on national origin, creed, color, race, religion, ancestry, age, economic status, sex (gender), sexual orientation, including gender expression or identity, pregnancy, marital status, physical appearance, the presence of any sensory, mental or physical disability, veteran or military status, or the use of a trained dog guide or service animal. Any student or parent(s)/guardian(s) who believes they have been discriminated against by or within the District on the basis of disability has the option of using the complaint procedures outlined below.

### **A. INFORMAL COMPLAINT PROCESS**

Anyone may use the informal complaint procedures to report and/or resolve complaints of disability discrimination. Use of the informal complaint process is not required prior to filing a formal complaint. Informal reports may be made to any staff member and/or Program Coordinator. Staff and/or Program Coordinator shall direct complaints to the

District's Human Resources Department. The complainant should be informed of the right to file informal and/or formal complaints of disability discrimination.

The complainant will be provided an opportunity to explain their allegation of disability discrimination. Informal remedies include the complainant agreeing not to pursue a formal complaint until the District does a preliminary investigation of the allegations. The District and the complainant may identify an agreeable remedy to the dispute during the informal process. Informal complaints may become formal complaints at the request of the complainant or because the District believes the complaint needs to be more thoroughly investigated.

## **B. FORMAL COMPLAINT PROCESS**

Anyone may use the formal complaint procedures to resolve complaints of disability discrimination using the Discrimination Complaint (Form 504-12). Written complaints should be submitted to the District's Human Resources Department, Richland School District 615 Snow Avenue, Richland, Washington 99352 and/or the Student Section 504 Program Coordinator, 615 Snow Ave, Richland, Washington 99352; email to: [mike.hansen@rsd.edu](mailto:mike.hansen@rsd.edu). The following process will be followed:

- A designee of the Superintendent shall receive and investigate all formal, written complaints of disability discrimination or information in the District's possession regarding suspected disability discrimination that the designee believes requires further investigation. If the complaint should involve a member of the District's Human Resources staff and/or the Program Coordinator, the Superintendent will designate an impartial investigator to address the allegations.
- All formal complaints of disability discrimination shall be in writing using the Discrimination Complaint (Form 504-12); shall be signed by the Complainant; and shall set forth the specific acts, conditions, and/or circumstances alleged to have occurred and that may constitute disability discrimination.
- The investigation will be adequate to address the allegations raised and conducted in an impartial manner, including providing the complainant the opportunity to provide witnesses and/or other information.
- When the investigation is completed, the Superintendent's designee shall compile a written report identifying the results of the investigation and what corrective measures, if any, are deemed necessary if the complaint is substantiated.
- Generally, the written report will be provided to the Complainant within thirty (30) calendar days of the date the complaint was received. If the written report cannot be completed within thirty (30) calendar days, the Superintendent's designee shall notify the Complainant that the investigation is incomplete to date and will identify a date certain upon which the investigation will be complete.
- If the matters have not been resolved to the satisfaction of the Complainant,

within fifteen (15) calendar days from the date of receipt of the investigative report, the Complainant may file for a review by the Superintendent.

- The Superintendent shall respond in writing to the Complainant within thirty (30) calendar days after the request for review is received.
- Corrective measures deemed necessary by the designee and/or Superintendent will be instituted as quickly as possible, but in no event not more than thirty (30) calendar days after the issuance of the final written response from the District (either the written report of the designee or the Superintendent's response), unless the matter is one that implicates the District's due process obligations owed to its employees.

## **VI. PROCEDURAL SAFEGUARDS AND DISPUTE RESOLUTION PROCESS**

### **A. HEARING RIGHTS FOR PARENT(S)/GUARDIAN(S) AND STUDENTS**

Section 504 gives parent(s)/guardian(s) the right to challenge District decisions regarding the identification, evaluation, and/or educational placement of their child. Under Section 504, the District must notify a student's parent(s)/guardian(s) before it takes any action regarding the identification, evaluation, and/or placement of their child and provide the parent(s)/guardian(s) an opportunity to challenge the action if they disagree. "Any action" includes a decision not to evaluate a student and/or denial of placement. The minimum necessary due process rights include: prior notice of any action; a right to inspect records; an impartial hearing with a right to representation by counsel; and/or a review procedure.

#### **1. Initiation of a Hearing**

A parent(s)/guardian(s)/adult student or an individual school have a right to initiate a Section 504 hearing to challenge or to show appropriateness of a proposal or refusal by the individual school to initiate or change:

- The identification of the student;
- The evaluation of the student;
- The educational placement of the student; and/or
- The provision of FAPE to the student pursuant to these procedures.

A request by the parent(s)/guardian(s)/adult student or the school for a hearing pursuant to this section should:

Be in writing, specify the school, explain the concerns of the parent(s)/guardian(s)/adult student or the school in general or specific terms, and provide other information regarding the request for hearing.

The request should be mailed to: Mike Hansen, Student Section 504 Program Coordinator, 615 Snow Ave, Richland, Washington 99352; email to: [mike.hansen@rsd.edu](mailto:mike.hansen@rsd.edu). The Program Coordinator will forward a copy of the parent(s)/guardian(s)' request to the individual school and a copy of the school's

request to the parent with attachments.

## **2. Selection of a Hearing Officer and Expense of Hearing**

- The hearing will be conducted by an independent hearing officer at the expense of the District.
- The hearing shall be conducted by a qualified person selected and appointed by the Superintendent or his designee. The person selected shall not have a personal and/or professional interest that would conflict with his/her objectivity in the hearing and will not be a District employee. A person who otherwise qualifies to conduct a hearing pursuant to this section is not an employee of the District because she or he is paid to serve as a hearing officer.
- The hearing shall be conducted in accordance with the Administrative Procedures Act, RCW 34.05.
- The District will keep a list of persons who serve as hearing officers. The list must include a statement of the qualifications of each of those persons.

## **3. Independent Hearing Officer's Response**

The hearing officer should send the parent(s)/guardian(s) and the individual school a Notice of Hearing and that Notice of Hearing should include the following information:

- The date, time, and place of hearing;
- The issue to be addressed at the hearing to the extent the issues have been identified at the time of the notice;
- The rights, procedures, and/or other matters to be discussed; and/or
- The thirty (30) calendar day time line for completing the hearing process shall be from the day the Program Coordinator receives the written request for a due process hearing.

## **4. Hearing Rights**

Both parent(s)/guardian(s) and individual schools have the following hearing rights:

- Both parties have the right to be accompanied and/or advised by persons with special knowledge or training with respect to the problems of Section 504 students.
- Both parties have the right to be advised and/or represented by an attorney.
- Both parties have the right to present evidence, including the opinions of qualified experts and confront, cross-examine, and/or compel the attendance of school personnel.
- Both parties have the right to prohibit the introduction of any evidence at the hearing that has not been disclosed to the other party at least five (5) school days before the hearing or two (2) school days if the hearing is expedited.
- Both parties have the right to have all evaluations completed and the

recommendations contained in those reports at least five (5) school days before the hearing or two (2) school days if the hearing is expedited.

- A hearing officer may bar any party who fails to comply with the five (5) school day rule from introducing relevant evaluations and/or recommendations at the hearing without consent of the other party.
- Both parties have the right to obtain a written decision containing findings of fact, conclusions of law, and/or a decision.
- Parent(s)/guardian(s) who are a party to the hearing have the right to have the student who is the subject present at the hearing.
- There shall be no cost to the parent for the hearing.
- The hearing will be held at the 615 Snow Avenue, Richland, Washington and/or another location as agreed to by all parties. By agreement of both parties, the hearing may be held in the evening.

#### **5. Timeline for Hearing Officer's Decision**

No later than thirty (30) calendar days after the date of the receipt of a request for a hearing:

- A final decision should be reached in the hearing;
- A copy of the decision should be mailed to each party;
- The hearing officer may grant specific extensions of time beyond the period that is allowed in this section; and/or
- Each hearing shall be conducted at a time and place that is reasonably convenient to the parent and student involved.

#### **6. Review Procedure**

Review of the decision of the hearing officer by the School Board and/or designee may be requested within ten (10) school days of the decision. A decision on the review will be provided to the parties within twenty (20) school days after the School Board has heard the review.

#### **7. Final Decision – Appeal to Court of Law**

A decision made pursuant to these procedures is final unless modified or overturned by a court of law. A parent(s)/guardian(s) aggrieved by the findings and decision made in a hearing who does not have the right to appeal under these procedures has the right to bring a civil action. Parent(s)/guardian(s) should consult with their legal representative for a full explanation of their rights under the law.

### **B. RIGHT TO FILE A COMPLAINT WITH THE OFFICE FOR CIVIL RIGHTS (“OCR”)**

Parent(s)/guardian(s) and adult students also have the right to file a complaint with the Office for Civil Rights (“OCR”), the body that enforces Section 504. OCR’s focus is on the process the District follows to identify, evaluate, and/or provide an educational placement to a disabled student and to provide procedural due process to the student’s parent(s)/guardian(s).

Except in extraordinary circumstances, OCR does not review the result of individual placement and/or other educational decisions so long as the District complies with the procedural requirements of Section 504 relating to identification and/or location of students with disabilities, evaluation of such students, and/or due process.

Accordingly, OCR generally will not evaluate the content of a Section 504 Plan or an IEP; rather, any disagreement can be resolved through a due process hearing.

OCR will examine procedures by which the District identifies and evaluates students with disabilities and the procedural safeguards that the District provides students. OCR will also examine incidents in that students with disabilities are allegedly subjected to treatment that is different from the treatment to which similarly situated students without disabilities are subjected. Such incidents may involve the unwarranted exclusion of disabled students from educational programs and/or services.

The address of the Regional Office that covers Richland is:

U.S. Department of Education Office for Civil Rights  
Henry M. Jackson Federal Building 915 Second Avenue, Room 3310  
Richland, Washington 98174-1099 [www.ed.gov/OCR](http://www.ed.gov/OCR)  
E-mail address: [OCR.Richland@ed.gov](mailto:OCR.Richland@ed.gov)

**VII. COMPARISON OF SECTION 504 AND THE IDEA**

Element	Section 504	IDEA
Purpose	A Federal civil rights law designed to eliminate disability discrimination in all programs and activities that receive Federal funds.	A Federal funding law designed to provide funds to educate disabled students.
Application	Applies to “school age” children with physical/mental impairment(s) substantially limiting a major life activity.	Applies to children ages 3-21 with one of 14 specific disabilities.
Referral	Can be made by anyone, but should be made in writing unless the person making the referral is unable to write.	Can be made by anyone, but must be made in writing unless the person making the referral is unable to write.
Evaluation Procedures	<p>Parental consent must be obtained before an initial evaluation.</p> <p>District can use due process hearing procedures to override a lack of consent for an initial evaluation.</p> <p>Parental consent not needed for re-evaluations.</p> <p>Requires periodic evaluations. District must consider private reports provided by parent(s)/guardian(s).</p> <p>Does <u>not</u> provide for Independent Educational Evaluations (“IEEs”) at District expense.</p>	<p>Parental consent must be obtained before an initial evaluation.</p> <p>District can use due process hearing procedures to override a lack of consent for an initial evaluation.</p> <p>Parental consent generally needed for most re-evaluations.</p> <p>Requires that re-evaluations be conducted at least every 3 years.</p> <p>District must consider private reports provided by parent(s)/guardian(s).</p> <p>Provides for Independent Educational Evaluations (“IEEs”) at District expense if a parent(s)/guardian(s) disagrees with the District’s evaluation and the District either agrees to fund the IEE or does not prevail in a hearing to defend its evaluation.</p>

Element	Section 504	IDEA
Plan to Ensure Free Appropriate Public Education (“FAPE”)	<p>Section 504 Plans that identify the related services and aids, as well as appropriate accommodations and/or modifications needed to ensure that a disabled student has the ability to access an appropriate education.</p> <p>An appropriate education is one that provides a disabled student sufficient individualized supports to enable the student to receive educational benefit (i.e., not maximum benefit, not minimal benefit, some benefit).</p>	<p>Individualized Education Programs (“IEPs”) that call for specially designed instruction, related services and/or aids, as well as appropriate accommodations and/or modifications to ensure that a disabled student has the ability to access an appropriate education.</p> <p>An appropriate education is one that provides a disabled student sufficient individualized supports and services to enable the student to receive educational benefit (i.e., not maximum benefit, not minimal benefit, some benefit).</p>
Consent	<p>Parental consent must be obtained prior to the initial evaluation and initial placement.</p>	<p>Parental consent must be obtained prior to the initial evaluation and initial placement.</p> <p>Parent(s)/guardian(s) can withdraw their consent for the receipt of services at any time. The student loses the protections available to students with disabilities under the IDEA as it relates to disciplinary actions after they are withdrawn from services.</p>
Placement	<p>Must be made based upon a review of data and information from a variety of sources, by a qualified multidisciplinary team, ensuring that the student is educated with his/her non- disabled peers to the maximum extent appropriate (the least restrictive environment).</p> <p>Requires a re-evaluation before any substantial change in placement.</p>	<p>Must be made based upon a review of data and information from a variety of sources, by a qualified multidisciplinary team, ensuring that the student is educated with his/her non- disabled peers to the maximum extent appropriate (the least restrictive environment).</p> <p>An IEP meeting must occur before any change in placement is made. Any material or substantial change in placement must be based upon current evaluative data.</p>

Element	Section 504	IDEA
Notice and Due Process Rights	<p>The District must notify parent(s)/guardian(s) before taking any action regarding the identification, evaluation, and/or placement of the student.</p> <p>Notice can be oral, but the District expects that notice will be given in writing.</p>	<p>The District must notify parent(s)/guardian(s) before taking any action regarding the identification, evaluation, and/or placement of the student.</p> <p>Notice must be in writing and contain certain specific elements.</p>
Grievance Process Available	Internal grievance procedure for parent(s)/guardian(s) and/or students.	Citizen's complaints made to the Office of the Superintendent of Public Instruction ("OSPI").
Hearing Process Available	Due process hearing through the District, conducted by the CIT and/or a District-appointed hearing officer.	Due process hearing through OSPI, conducted by an Administrative Law Judge appointed by the Office of Administrative Hearings.
Enforcement Authorities	Enforced by the U.S. Department of Education, Office for Civil Rights ("OCR") through Complaint Investigations and Compliance Reviews.	Enforced by the U.S. Department of Education, Office of Special Education Programs ("OSEP") through Compliance Reviews and by OSPI, through Citizen's Complaints and Compliance Reviews.
Resources for Questions or Concerns	<p>Building Coordinator Program Coordinator</p> <p>OCR 504 FAQs <a href="http://www2.ed.gov/about/offices/list/ocr/504faq.html">http://www2.ed.gov/about/offices/list/ocr/504faq.html</a></p>	<p>Building Special Education Department Head</p> <p>Special Education Consulting Teachers and Supervisors</p> <p>OSPI Special Education Technical Assistant Modules <a href="http://www.k12.wa.us/specialed/programreview/technicalassistance.aspx">http://www.k12.wa.us/specialed/programreview/technicalassistance.aspx</a></p> <p>Department of Education IDEA Resources <a href="http://idea.ed.gov/">http://idea.ed.gov/</a></p>

## VIII. COMPLIANCE STATEMENT

Richland School District (“RSD”) provides Equal Educational Opportunities and Equal Employment Opportunities and does not discriminate in any programs or activities on the basis of sex (gender); race; creed; color; religion; ancestry; national origin; age; economic status; sexual orientation, including gender expression or identity; pregnancy; marital status; physical appearance; the presence of any sensory, mental, or physical disability; veteran or military status; or the use of a trained dog guide or service animal. RSD provides equal access to all designated youth groups.

RSD complies with all applicable state and federal laws and regulations, including but not limited to: Title IX, Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, and RCW 49.60 (“The Washington Law against Discrimination”). RSD’s compliance includes, but is not limited to, all District programs, courses, activities, including extra-curricular activities, services, and access to facilities.

The following employees have been designated to handle questions and complaints of alleged discrimination:

### Title IX Coordinators:

Personnel	Tony Howard ( <a href="mailto:Tony.Howard@rsd.edu">Tony.Howard@rsd.edu</a> ) Executive Director, Human Resources
Students	Todd Baddley ( <a href="mailto:Todd.Baddley@rsd.edu">Todd.Baddley@rsd.edu</a> ) Assistant Superintendent

### Section 504 Coordinators:

Personnel	Tony Howard ( <a href="mailto:Tony.Howard@rsd.edu">Tony.Howard@rsd.edu</a> ) Executive Director, Human Resources
Facilities	Richard Krasner ( <a href="mailto:Richard.Krasner@rsd.edu">Richard.Krasner@rsd.edu</a> ) Executive Director, Support Services
Student Services	Mike Hansen ( <a href="mailto:Mike.Hansen@rsd.edu">Mike.Hansen@rsd.edu</a> ) Assistant Superintendent

### Compliance Coordinator for State Law (RCW 28A.640/28A.642)

Galt Pettett ([Galt.Pettett@rsd.edu](mailto:Galt.Pettett@rsd.edu))  
General Counsel

Note: The District Compliance Officials are responsible for monitoring trainings, providing notices, annual reporting, arranging for investigation of complaints, tracking the District’s response to complaints, and identifying and addressing District-wide patterns and systemic problems.

The Title IX Officials assure prompt, comprehensive, and equitable investigations of any formal complaints communicated to the District, ensure proper training, and identify and implement appropriate remedies.

Mail: Richland School District, 615 Snow Avenue, Richland, WA 99352.

## **IX. FORMS AND NOTICES**

- Form 504-1: Notice of Parent/Student Rights under Section 504
- Form 504-2: Request for a Hearing
- Form 504-3: Student Referral and Recommendations
- Form 504-4: Notification of Determination on Referral for Evaluation
- Form 504-5: Parent Consent for Evaluation
- Form 504-6: Teacher Survey
- Form 504-7: Parent Notice of Section 504 Eligibility or Non-Eligibility
- Form 504-8: Section 504 Plan
- Form 504-9: Termination of Services
- Form 504-10: Individualized Health Care Plans (IHPs)
- Form 504-11: Authorization for Exchange of Information and Records
- Form 504-12: Discrimination Complaint
- Form 504-13: Manifestation Determination Review
- Form 504-14: Section 504 Process Checklist

**RICHLAND SCHOOL DISTRICT  
NOTICE OF PARENT/STUDENT RIGHTS  
UNDER SECTION 504  
(Form 504-1)**

The Rehabilitation Act of 1973 (“Act”), commonly referred to as “Section 504,” is a non-discrimination statute enacted by the United States Congress. The purpose of the Act is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

This is a notice of your rights under Section 504. This document is not intended to address the rights afforded under the Individuals with Disabilities Education Act (“IDEA”) that applies to students eligible for special education services. The Office of the Superintendent of Public Instruction’s (“OSPI”) *Notice of Special Education Procedural Safeguards for Students and Their Families* is available through the District’s Special Education Department and sets out the rights assured by the IDEA. It is the purpose of this notice to set out the rights assured by Section 504 to those disabled students who have a physical or mental impairment that substantially limits one or more major life activity who do not qualify under the IDEA.

Federal laws and regulations provide parent(s)/guardian(s) and students with the following rights:

1. You have the right to be informed by the District of your rights under Section 504 (the purpose of this notice is to advise you of those rights).
2. You have the right to have your child participate in and benefit from the District’s education program without discrimination based on disability.
3. You have the right to receive notice before the District takes any action regarding the identification, evaluation, and/or placement of your child.
4. Your child has a right to an evaluation prior to an initial Section 504 placement and any subsequent significant change in placement. You have the right to refuse consent for the initial evaluation and initial placement of your child.
5. You have the right to have your child receive a free appropriate public education (“FAPE”). This includes your child’s right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the District provide related aids and/or services to allow your child an equal opportunity to participate in school activities, educational, and/or related aids and services provided to your child without cost except for those fees imposed on the parent(s)/guardian(s) of non-disabled children.
6. Your child has a right to facilities, services, and/or activities that are comparable to those provided for non-disabled students.

7. You have the right to have evaluation, educational, and/or placement decisions for your child based upon information from a variety of sources, by a group of persons who know your child, your child's evaluation data, and/or placement options.
8. You have the right to have your child be provided an equal opportunity to participate in non-academic and extracurricular activities offered by the District.
9. You have the right to examine your child's education records and obtain a copy of such records. You also have the right to receive a response to reasonable requests for explanations and interpretations of your child's education records.
10. You have the right to request the District to amend your child's education records if you believe that they are inaccurate, misleading, and/or otherwise in violation of the privacy rights of your child. If the District refuses this request, you have the right to challenge such refusal under the Family Educational Rights and Privacy Act ("FERPA").
11. You have the right to request mediation or an impartial hearing with respect to the District's actions regarding your child's identification, evaluation, and/or educational placement with opportunity for parental participation in the hearing and representation by an attorney.
12. If you wish to challenge the actions of the District in regard to your child's identification, evaluation, and/or education placement, you should file a written request for a hearing with Mike Hansen, Student Section 504 Program Coordinator, 615 Snow Ave, Richland, Washington 99352; email to: [mike.hansen@rsd.edu](mailto:mike.hansen@rsd.edu) using the Request for a Hearing (Form 504-2). A hearing will be scheduled before an impartial hearing officer and you will be notified in writing of the date, time, and place of the hearing.
13. If you disagree with the decision of the impartial hearing officer, you have a right to review that decision by a court of competent jurisdiction. If you prevail in a civil rights action against the District, you have the right to seek the payment of reasonable attorney's fees through the court.
14. You have the right to file a local grievance or complaint with the U.S. Department of Education's Office for Civil Rights or file a complaint in federal court. The address of the Regional Office that covers Richland:

U.S. Department of Education  
Office of Civil Rights  
915 Second Avenue, Room 3310  
Seattle, Washington 98174-1099  
Phone: (206) 607-1600  
Website: [www.ed.gov/OCR](http://www.ed.gov/OCR)  
Email Address: [OCR.seattle@ed.gov](mailto:OCR.seattle@ed.gov)

**RICHLAND SCHOOL DISTRICT  
REQUEST FOR A HEARING (Form 504-2)**

Student Name: \_\_\_\_\_

Birth Date: \_\_\_\_\_ Grade: \_\_\_\_\_

Parent(s)/Guardian(s) Name(s): \_\_\_\_\_

Parent(s)/Guardian(s) Email Address(es): \_\_\_\_\_

A parent/adult student or an individual school has a right to initiate a Section 504 hearing to challenge or to show the appropriateness of a proposal or refusal by the individual school to initiate or change:

- The identification of the student;
- The evaluation of the student;
- The educational placement of the student; and/or
- The implementation of a program to provide a free appropriate public education ("FAPE") to the student

**INSTRUCTIONS:**

1. Complete and sign this form giving specific details about why you are requesting a Section 504 hearing. Use additional pages, if necessary, and include any supporting documentation.
2. Return form to: Mike Hansen, Student Section 504 Program Coordinator, 615 Snow Ave, Richland, Washington 99352; email to: [mike.hansen@rsd.edu](mailto:mike.hansen@rsd.edu) . Please direct all questions to: Mike Hansen at [mike.hansen@rsd.edu](mailto:mike.hansen@rsd.edu) or 967-6003.

**SUMMARY OF CONCERNS:**

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Relationship to Student

\_\_\_\_\_  
Date

**Richland School District  
Section 504 Referral and Recommendations  
(Form 504-3)**

Referral Date \_\_\_\_\_

Student \_\_\_\_\_ Sex \_\_\_ DOB \_\_\_\_\_ Age \_\_\_\_\_  
Last First M.I.

Address \_\_\_\_\_ Parent \_\_\_\_\_  
Street City State Zip

School \_\_\_\_\_ Teacher(s) \_\_\_\_\_ Grade \_\_\_\_\_

Telephone \_\_\_\_\_  
Home Mother's Work Father's Work

English Proficient Yes \_\_\_ No \_\_\_ Home Language \_\_\_\_\_ Screened by ESL Yes \_\_\_ No \_\_\_

Referral made by \_\_\_\_\_ Position \_\_\_\_\_

This referral and function of the Referral Team (IST) have been discussed with the  
Parent/Guardian/Surrogate Yes \_\_\_ No \_\_\_ Date \_\_\_\_\_

Description of Teacher/School/Parent concern(s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Provide information to substantiate concern(s) (i.e., pre-referral data, disciplinary information, screening  
instruments, observations, anecdotal data, reports, examples of student's work) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Describe interventions already used in attempting to resolve concern(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---

**TO BE COMPLETED BY THE RT TEAM**

Date of RT Team Meeting \_\_\_\_\_

**Recommendations**

- \_\_\_\_\_ Refer for Evaluation under IDEA
- \_\_\_\_\_ Screen by ESL
- \_\_\_\_\_ Screen/evaluate for 504 eligibility
- \_\_\_\_\_ Other, Specify \_\_\_\_\_

RT Team member responsible to inform Parent/Guardian/Surrogate of recommendations:

\_\_\_\_\_  
Name/Position

**RICHLAND SCHOOL DISTRICT  
NOTIFICATION OF DETERMINATION ON REFERRAL FOR EVALUATION  
(Form 504-4)**

Student Name: \_\_\_\_\_ Date: \_\_\_\_\_

Birth Date: \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_

Parent(s)/Guardian(s) Name(s): \_\_\_\_\_

Parent(s)/Guardian(s) Email Address(es): \_\_\_\_\_

A referral was made for an evaluation to determine if the above student is a candidate for an evaluation to determine eligibility under Section 504. The Referral Team (RT) at your child's school, includes:

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Name and Title

and determined that the student:

\_\_\_ is an appropriate candidate for evaluation

\_\_\_ is not an appropriate candidate for evaluation

The following data, evaluations, assessments, documents, and/or other information were considered in making this decision:

Date of RT Decision: \_\_\_\_\_

If the RT determined that your child is an appropriate candidate for evaluation, a Parent Consent for Evaluation (Form 504-5) will accompany this determination. If the RT determined that your child is not an appropriate candidate for evaluation, you may challenge that decision in the manner explained in the attached Notice of Parent/Student Rights under Section 504 (Form 504-1).

**RICHLAND SCHOOL DISTRICT  
PARENT CONSENT FOR EVALUATION  
(Form 504-5)**

Student Name: \_\_\_\_\_

Date: \_\_\_\_\_

Birth Date: \_\_\_\_\_

Grade: \_\_\_\_\_

School: \_\_\_\_\_

I received notice that the Richland School District (“District”) wishes to evaluate my child pursuant to the Rehabilitation Act of 1973 (“Act”), commonly referred to as “Section 504,” to determine if he or she is a student who has a physical or mental impairment that substantially limits one or more major life activity or is a students with special health care needs that may require attention and services during the school day, may require emergency or crisis intervention, or whose medical condition impact the student’s performance or presence at school. The District may, but is not required to, use due process hearing procedures to seek to override my denial of consent for an initial evaluation.

I understand that aptitude and achievement tests, teacher recommendations, physical condition, medical diagnosis, social and cultural background, and/or adaptive behavior may all be considered in making the eligibility decision and that I am encouraged to provide the Building Coordinator with any information or documentation that I am aware of that may be helpful in making this decision.

\_\_\_\_ I give my consent for my child to be evaluated pursuant to Section 504.

\_\_\_\_ I do not give my consent for my child to be evaluated pursuant to Section 504.

Parent/Guardian Name: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

Parent/Guardian Email Address: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

Parent/Guardian Email Address: \_\_\_\_\_

**RICHLAND SCHOOL DISTRICT  
TEACHER SURVEY USED TO HELP DETERMINE  
STUDENT'S ELIGIBILITY UNDER SECTION 504  
(Form 504 – 6)**

Student \_\_\_\_\_ DOB \_\_\_\_\_ Grade \_\_\_\_\_

School \_\_\_\_\_

Impairment: \_\_\_\_\_

*Check the major life activity affected by this impairment:*

- seeing       hearing       learning       walking       breathing  
 other \_\_\_\_\_

*Check all areas that you have considered in making this evaluation:*

- achievement/standardized tests                       student behavior  
 grades     attendance records  
 observations     behavior/discipline records  
 other \_\_\_\_\_

*Using the average student in the general population as a frame of reference, mark on the scale below to indicate the degree to which you think the impairment identified above limits the student's ability to be successful in school (team decision of "substantial" or greater implies obligation to provide accommodations).*

- NO: DS: 5 – extremely impaired  
 4 – substantially impaired  
 3 – moderately impaired  
 2 – mildly impaired  
 1 – negligibly impaired

Please support your position with data you have considered:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I recommend a 504 Plan for the Student    Yes       No

Signature \_\_\_\_\_ Date \_\_\_\_\_

Comments \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RICHLAND SCHOOL DISTRICT**  
**PARENT NOTICE: ELIGIBILITY OR NON-ELIGIBILITY UNDER SECTION 504**  
**(Form 504-7)**

Student Name: \_\_\_\_\_ Date: \_\_\_\_\_

Birth Date: \_\_\_\_\_ Grade: \_\_\_\_\_

School: \_\_\_\_\_

Parent(s)/Guardian(s) Name(s): \_\_\_\_\_

Parent(s)/Guardian(s) Email Address(es): \_\_\_\_\_

On \_\_\_\_\_, the Referral Team ("RT") met at your child's school to discuss your child's academic progress. The RT was comprised of:

_____	_____
Building Coordinator	Parent

_____	_____
Name and Title	Parent

_____	_____
Name and Title	Name and Title

_____	_____
Name and Title	Name and Title

Based on the materials the RT reviewed, a determination was made that:

\_\_\_ Your child has a disability under Section 504 that requires an accommodation plan to ensure your child has full access to all school activities.

\_\_\_ Your child is not eligible for Section 504.

If you disagree with the above determination, you have the right to request an impartial hearing and to bring an attorney to represent you. If you wish to proceed to a formal hearing, please complete the enclosed Request for a Hearing (Form 504-2). Also enclosed is a Notice of Parent/Student Rights under Section 504 (Form 504-1).

If you have any questions, please do not hesitate to contact \_\_\_\_\_  
(Building Coordinator)

at \_\_\_\_\_.  
(Phone/Email)

**RICHLAND SCHOOL DISTRICT  
INDIVIDUALIZED EVALUATION REPORT/SECTION 504 PLAN  
(FORM 504-8)**

Student Name: \_\_\_\_\_ Date: \_\_\_\_\_

Birth Date: \_\_\_\_\_ School: \_\_\_\_\_ Grade: \_\_\_\_\_

Student Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Parent(s)/Guardian(s) Name(s): \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Parent(s)/Guardian(s) Email Address(es): \_\_\_\_\_

**Part 1A: Evaluation Report**

The Section 504 team is to include individuals who are knowledgeable about the student, the student's disability, and/or the meaning of the data/information reviewed. The information reviewed by the 504 Team should be current and focus on the areas of concern.

1. Area(s) of concern:

2. Summary of data reviewed:

3. Summary of staff reports/comments:

4. Summary of parent(s)/guardian(s) report/comments:

5. Other pertinent information:

**Part 1B**

Based on the team's findings, answer the following questions:

1. Does the student have a mental or physical impairment?

Yes\* \_\_\_\_\_ No\* \_\_\_\_\_

If yes, please describe:

2. Does the mental or physical impairment **substantially** limit one or more major life activity(ies)?  
(major life activities can include caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating, immune system functions, normal cell growth functions, digestive functions, bowel functions, bladder functions, neurological functions, brain function, respirator functions, circulatory functions, endocrine functions, reproductive functions; not an exhaustive list)

Yes\* \_\_\_\_\_ No\*\* \_\_\_\_\_

If yes, please describe:

3. Does the mental or physical impairment impact the student’s ability to participate in and/or benefit from programs and services?

\* If the Section 504 team answered “yes” to questions 2 and 3 and the team identified a major life activity that is substantially limited by this condition, the student is eligible for a Section 504 Plan. The Team is to proceed to Part 2.

\*\* If the Team answered “no,” complete the Eligibility or Non-Eligibility (Form 504-7).

## **Part 2: Section 504 Plan**

Describe the related services, aids, modifications, and/or accommodations that will be provided:

1. Instructional:

2. Environmental/Accessibility:

3. Behavioral/Social:

4. Assessment/Testing:

5. Other:

6. Student Responsibilities:

7. Parent(s)/Guardian(s) responsibilities:

Implementation Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

First Annual Review Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
*(fill in date the plan was actually reviewed; not date it is due to be reviewed)*

Second Annual Review Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
*(fill in date the plan was actually reviewed; not date it is due to be reviewed)*

Third Annual Review Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
*(fill in date the plan was actually reviewed; not date it is due to be reviewed)*

**(The Building Coordinator or designee will be responsible for scheduling and assembling staff needed to conduct this review.)**

**NOTE:** Provide a copy of Section 504 Plan to Parent(s)/Guardian(s) and to all individuals responsible for implementing the plan.

Section 504 team signatures:

**(Do not have parents sign in this section; only school Team members sign here; parents sign below)**

Name	Title	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Parent(s)/Guardian(s) statements (check all that apply):

- \_\_\_\_\_ I received the Notice of Parent/Student Rights under Section 504 (Form 504-1).
- \_\_\_\_\_ I received notice of the Section 504 evaluation and accommodation plan meeting.
- \_\_\_\_\_ I agree with the Section 504 Plan as written.
- \_\_\_\_\_ I understand that if I disagree with the content of this Section 504 Plan, I have the right to ask for a hearing by filing a written request using the Request for a Hearing (Form 504-2).
- \_\_\_\_\_ I am providing my consent for the placement outlined in this plan (**needed for initial placements only**).

Parent/Guardian Name: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

Send the signed original Section 504 Plan to the Program Coordinator within one (1) week of implementation. A copy must be placed in the student's cumulative file, PowerSchool, and in the student's counseling and/or nursing file, as appropriate. If this Section 504 Plan is no longer needed by the student, it must be officially terminated by the Team using Termination of Services (Form 504-9). Have the Team convene, complete Form 504-9, attach the completed form to the front of this Section 504 Plan, send the signed original to the Program Coordinator, and make sure the 504 Flag is removed from the student database. Note: A student can only be terminated from services based on a re-evaluation.

**RICHLAND SCHOOL DISTRICT  
TERMINATION OF SERVICES  
(FORM 504-9)**

Student Name: \_\_\_\_\_ Date: \_\_\_\_\_

Birth Date: \_\_\_\_\_ School: \_\_\_\_\_ Grade: \_\_\_\_\_

Student Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Parent(s)/Guardian(s) Name(s): \_\_\_\_\_

Parent(s)/Guardian(s) Email Address(es): \_\_\_\_\_

In the space below, briefly describe the reason for terminating the student's Section 504 Plan and refer to the re-evaluation on which the decision is based:

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Name and Title

Parent(s)/Guardian(s) statements:

\_\_\_\_\_ I received the Notice of Parent/Student Rights under Section 504 (Form 504-1).  
\_\_\_\_\_ I understand that if I disagree with this decision, I have the right to ask for a due process hearing by filing a written request using the Request for a Hearing (Form 504-2).

Parent/Guardian Name: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

**RICHLAND SCHOOL DISTRICT**  
**INDIVIDUALIZED HEALTH CARE PLANS**  
**(FORM 504-10)**

Please see the District's SharePoint/intranet. Forms are available upon request to Nedda Dayley at [Nedda.Dayley@rsd.edu](mailto:Nedda.Dayley@rsd.edu) or at (509) 713-4229.

**RICHLAND SCHOOL DISTRICT  
AUTHORIZATION FOR THE EXCHANGE  
OF INFORMATION AND RECORDS  
(FORM 504-11)**

Student Name: \_\_\_\_\_ Date: \_\_\_\_\_ Birth Date: \_\_\_\_\_

School District: **Richland Public Schools**

I hereby authorize the release of information and records:

From: \_\_\_\_\_

To: Richland Public Schools

\_\_\_\_\_  
(Name of Agency/Person)

c/o \_\_\_\_\_  
(Name of Person/School/Department)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

Describe the records to be disclosed:

The reason for disclosing the record(s) is: Obtaining information to make educational decisions pursuant to Section 504.

I understand that the information obtained will be treated in a confidential manner and will not be transmitted to a third party without my permission.

\_\_\_\_\_  
Parent/Guardian/Adult Student Signature

\_\_\_\_\_  
Date

**Richland School District  
Section 504 Complaint  
(Form 504-12)**

Date \_\_\_\_\_ Your School \_\_\_\_\_

Your Name \_\_\_\_\_ Your Phone \_\_\_\_\_

Your Address \_\_\_\_\_

Person discriminated against/relationship to you \_\_\_\_\_

Please describe your concerns and why you believe they raise an issue under Section 504. Include a description of what happened, when and where it happened, and who was involved. (Feel free to attach additional pages if necessary)

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Explain the steps you have already taken to resolve the issue, if any.

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Describe what resolution to your concerns you would like to see.

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Please attach any documents or other information you think will help with the investigation of your complaint.

**RICHLAND SCHOOL DISTRICT  
MANIFESTATION DETERMINATION  
FOR STUDENTS ELIGIBLE UNDER SECTION 504  
(FORM 504-13)**

This form should be used whenever long-term suspension or expulsion (over 10 school days) is being considered as a consequence for a disciplinary action purportedly committed by a student eligible for Section 504 accommodations and/or protections. The process is twofold: 1) to review the appropriateness of the Section 504 Plan and if it was implemented and 2) to determine if the student's behavior was a manifestation of his or her disability. This form is not to be used for special education students or students suspected of being disabled who are not eligible for Section 504 or special education.

Student Name: \_\_\_\_\_ Date: \_\_\_\_\_

Birth Date: \_\_\_\_\_ School: \_\_\_\_\_ Grade: \_\_\_\_\_

Student Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Parent(s)/Guardian(s) Name(s): \_\_\_\_\_

Manifestation Determination Review Meeting Date: \_\_\_\_\_

1. Describe the alleged incident/behavior that led to the student's removal from school:

2. Has the student been removed from school for disciplinary reasons before? (If "yes," include a brief description of the incident(s), frequency, and/or duration).

3. Was the conduct in question the direct result of the District's failure to implement the student's Section 504 Plan? Why or why not?

4. Was the conduct in question caused by or did it have a direct and substantial relationship to the student's disability? Why or why not?

If the answer to either of the above questions is YES, then the behavior is a manifestation of the disability and the student should be immediately returned to his or her last educational placement and a behavior intervention plan drafted, if appropriate. If the answer to both of the above questions is NO, the student should face the same disciplinary consequence that a general education student would face for the same disciplinary infraction.

\_\_\_\_\_ Name and Title

\_\_\_\_\_ Name and Title

\_\_\_\_\_ Name and Title

\_\_\_\_\_ Name and Title

\_\_\_\_\_ Name and Title

\_\_\_\_\_ Name and Title

Parent(s)/Guardian(s) statements:

\_\_\_\_\_ I received the Notice of Parent/Student Rights under Section 504 (Form 504-1).

\_\_\_\_\_ I understand that if I disagree with this decision, I have the right to ask for a due process hearing by filing a written request using the Request for a Hearing (Form 504-2).

Parent/Guardian Name: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

Parent/Guardian Email Address: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

Parent/Guardian Email Address: \_\_\_\_\_

**RICHLAND SCHOOL DISTRICT  
SECTION 504 PROCESS CHECKLIST  
(FORM 504 -14)**

Student's Name: \_\_\_\_\_ Date: \_\_\_\_\_ Birth Date: \_\_\_\_\_

Grade: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Parent(s)/Guardian(s) Name(s): \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Parent(s)/Guardian(s) Email Address(es): \_\_\_\_\_

Completed	Description	Date
	Referral received using Form 504-3 (or other documentation)	
	Within five (5) school days give referral to Referral Team ("RT") to determine if the student will be evaluated	
	Student placed on RT agenda with minutes reflecting that 504 Plan has been requested	
	RT has thirty (30) school days to determine if student will be evaluated	
	RT provides Form 504-4 to parent(s)/guardian(s) showing RT's decision on evaluation	
	Provide Notice of Procedural Safeguards to parent(s)/guardian(s)	
	Receive consent from parent(s)/guardian(s) to evaluate using Form 504-5; if parent(s)/guardian(s) refuse consent, the process is terminated	
	After parent(s)/guardian(s) consent, 504 Team has thirty-five (35) school days to gather documentation and conduct evaluation	
	Provide parent(s)/guardian(s) with Form 504-8 showing evaluation information/decision to go forward with writing up 504 Plan	
	If 504 Plan is to be written, Team has thirty (30) school days to schedule meeting with Team, parent(s)/guardian(s), and teachers to write up 504 Plan using Form 504-8	
	Parent/Guardian required to sign 504 Plan; If no parent(s)/guardian(s) signature, then no 504 accommodations.	
	Original signed 504 Plan sent to Program Coordinator within one (1) week of signing and indication noted in PowerSchool	
	Copy of signed 504 Plan sent to parent(s)/guardian(s)	
	Copy of signed 504 Plan placed in student's cumulative file or copy of signed IHP to School Nurse.	
	Copy of signed 504 Plan distributed to teachers/appropriate staff	
	Flagged in student database reflecting student has 504 Plan	

❖ 504 Plan and Individualized Health Care Plan are used synonymously.