

# Plymouth-Canton Community Schools

## *Section 504 Compliance Guide* *2026-2027*



**PLYMOUTH-CANTON**  
COMMUNITY SCHOOLS  
GLOBALY FOCUSED. LOCALLY CONNECTED.

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## General Procedures

1. This guidance is provided pursuant to Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and other applicable laws. Following a review of this Guide, Building 504 Coordinators should connect with the District 504 Coordinator if there are additional questions or concerns related to this process.
2. 504 meetings may be held in-person, via phone conference, or virtually. Requests for phone or virtual meetings should be made in writing by a parent or legal guardian. Any **parent or legal guardian requests for virtual or telephonic attendance should be documented.**
3. The 504 Team should consist of individuals who are knowledgeable about the child, the meaning of evaluation data, and the placement options, and include, at a minimum, the Building 504 Coordinator, parent(s)/guardian(s), teacher of record, and student (if possible).
4. Draft 504s may be sent home for parent(s)/guardian(s) to review in advance of the meeting and to use as preparation documents for meetings. These documents must be clearly marked as “draft.”
5. Building 504 Coordinators are responsible for completing forms associated with and required for Section 504 evaluation, eligibility, and planning.
6. The 504 meeting should be scheduled at a mutually agreeable time and date. The parent(s)/guardian(s) should be contacted at least 5 days prior to meeting.
7. Meeting invites should be sent to the parent(s)/guardian(s) and staff. Document provision of “Notice of Parental Rights and Procedural Safeguards” and receipt of signed consent.
8. Meaningful parental participation during a 504 meeting is essential. This may mean asking the parent(s)/guardian(s) for direct input, questions, and suggestions.
9. A formal copy of the 504 Plan should be provided to all members of the student’s 504 Team within 48 hours of the meeting.

## Definition of Terms:

**Free Appropriate Public Education (“FAPE”):** The provision of regular or special education and related aids and services that are designed to meet the individual educational needs of disabled persons as adequately as the needs of non-disabled persons without costs imposed on the parent(s)/guardian(s) of disabled persons that are not imposed on the parent(s)/guardian(s) of non-disabled persons.

**Individual with a Disability:** The term “disability” is defined to mean, with respect to an individual:

1. A physical or mental impairment which substantially limits one or more of such person’s major life activities;
2. A record of such impairment; or,
3. Being regarded as having such impairment. An individual is “regarded as having such an impairment” if the individual establishes that they have been subjected to an action prohibited under Section 504 because of an actual or perceived physical or mental impairment regardless of whether the impairment limits or is perceived to limit a major life activity.

**Major Life Activities:** Includes, but is not limited to functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, eating, sleeping, speaking, breathing, learning, and working. Major life activities also include standing, lifting, bending, reading, concentrating, thinking, and communicating. The term also includes the operation of a major bodily function, including but not limited to functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

**Physical or mental impairment:**

1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; immune; circulatory; hemic and lymphatic; skin; and endocrine; or,
2. Any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

**Substantially Limits:** A student who has a physical or mental impairment that *substantially limits* a major life activity may be eligible for services that enable them to receive a FAPE under Section 504. This determination is made on a case-by-case basis.

The determination of whether an impairment substantially limits a major life activity must be made **without** regard to the ameliorative effects of mitigating measures.

Mitigating measures include, but are not limited to medication; medical supplies; equipment; appliances; low-vision devices (which do not include ordinary eyeglasses or contact lenses); prosthetics including limbs and devices; hearing aids and cochlear implants or other implantable hearing devices; mobility devices; oxygen therapy equipment and supplies; use of assistive technology; reasonable accommodations or auxiliary aids or services; or learned behavioral or adaptive neurological modifications.

The ameliorative effects of mitigating measures such as ordinary eyeglasses or contact lenses **shall** be considered in determining whether an impairment substantially limits a major life activity.

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

The Office for Civil Rights (“OCR”) does not endorse a single formula or scale that measures substantial limitation.<sup>1</sup> The determination must be made on a case-by-case basis with respect to the individual student. The standard for determining a substantial limitation is broadly construed in favor of expansive coverage, and typically references a student’s ability to access and participate in the District’s programs/activities to the same extent as non-disabled students.

## **Non-Discrimination Policy**

The Board of Education shall comply with all Federal and State laws and regulations with regard to prohibitions against discrimination, including but not limited to the following: Title II; Title IV; Title VI; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; the Americans with Disabilities Act (ADA) of 1990 and its implementing regulations; the Individuals with Disabilities in Education Act (IDEA) and its implementing regulations; the Michigan Mandatory Special Education Act; and the Revised Administrative Rules for Special Education. Plymouth-Canton Community Schools is committed to a policy of non-discrimination because of gender, religion, race, color, national origin or ancestry, disability, age, marital status,

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<sup>1</sup> See [\*Frequently Asked Questions: Section 504 Free Appropriate Public Education \(FAPE\)\*](#).

and/or any other legally protected characteristics in employment, education, or any program or activity for which the Board of Education is responsible an/or for which the Board of Education receives financial assistance from the U.S. Department of Education.

The District's Director of School Culture and Climate and the Chief Human Resources Officer are responsible for coordinating disability-related compliance. If any individual believes that they have been discriminated against or believes that the District or an employee of the District has inadequately applied the principles and/or regulations of any Federal or State law or regulation, a complaint should be directed to the following coordinators:

Director of School Culture & Climate  
District 504 Coordinator  
454 S. Harvey St.  
Plymouth, MI 48170  
734.416.2700

All complaints will be handled in accordance with Board Policy and Administrative Guidelines.

A grievance procedure must be established for addressing complaints of discrimination on the basis of disability. A description of this procedure and other relevant information may be obtained by contacting the District's Section 504 Coordinator or office of the Superintendent.

The building-level administrator, who shall serve as the Building 504 Coordinator ("Building Coordinator"), is ultimately responsible for the implementation of 504 Plans by the appropriate staff who work with the student.

## **Child Find**

P-CCS recognizes its duty to locate, evaluate, and identify any qualified disabled student residing in the District, regardless of whether the student is currently receiving a public education. This obligation is commonly referred to as “child find.” The District will notify those students and their parents/guardians of the District’s child find obligations and their rights under Section 504.

The District may satisfy the Section 504 notification obligation by advertising, posting notices in places likely to be visited by qualified students with disabilities and their parent(s)/guardian(s), including notices in District publications and on its website, and directly contacting parent(s)/guardian(s) of students the District believes may qualify for a Section 504 plan because of the need for special education and/or related services as a result of disability.

P-CCS will also ensure that the information in its Section 504 notices is written in a manner that would be easily understandable to a parent/guardian. The notices will contain the name and contact information of the District’s Section 504 Coordinator.

A parent/guardian has a right to refuse to provide consent for an evaluation and/or for services, or to not respond to District requests. Under these circumstances, the District has the option, but not the obligation, to pursue the Section 504 evaluation by using due process hearing procedures provided for under Section 504. The District is not relieved of duties to identify, locate, and evaluate all children with disabilities, including those children whose parent(s)/guardian(s) revoked services. Child find is an ongoing process, expectations are that children whose parent(s)/guardian(s) revoke consent will be identified, located, and offered an evaluation in the same manner as any other child if the child is suspected of having a disability and being in need of services.

## **MTSS and Student Study Team Strategies**

P-CCS uses Multi-Tiered Systems of Support (“MTSS”) as a systematic procedure to provide instruction to address needs. Student progress is closely monitored with adjustments to instructional interventions based on student learning rates. Parent(s)/Guardian(s) must be informed of the data used to measure student progress, the strategies used with their child, and their rights to request an evaluation at any time.

Some schools utilize a Student Study Team process by which individualized strategies are offered to the parent(s)/guardian(s) and teachers of students who are experiencing difficulties in school. Classrooms are naturally multi-tiered and multi-skilled environments. The implementation of personalized strategies helps teachers to be more intentional in the possible

instructional and behavioral methodologies and expectations, and, by so doing: (1) assists teachers with students who present a wide variety of educational and behavioral needs and; (2) strengthens educational opportunities within the general education program.

MTSS procedures are **not** intended to impede any necessary referrals for consideration of eligibility under the Individuals with Disabilities Education Act (“IDEA”) or Section 504. If, at any time, a teacher, counselor, administrator, or other professional staff member suspects that the student’s difficulties are attributable to a disability, the student should be referred for an evaluation. If a parent/guardian at any time requests an evaluation, the District must either honor that request or notify the parent/guardian of their due process rights under the IDEA, or Section 504, as applicable. The District may not delay completion of an evaluation because the MTSS process is pending.

## Parental Rights

Section 504 guarantees certain rights to parent(s)/guardian(s) of students with disabilities. The intent of these procedural protections is to keep the parent(s)/guardian(s) fully informed concerning educational decisions about their child and to inform the parent(s)/guardian(s) of their rights if they disagree with any of these decisions. At age 18, these rights transfer to the student. **The Notice of Parental Rights and Procedural Safeguards should be provided every time you meet for purposes of Section 504 evaluation, plan development, or change in programs.**

## The Section 504 Process

The Section 504 process consists of four steps: (1) referral; (2) evaluation; (3) eligibility determination; and (4) development of the Section 504 Plan. The District has an ongoing obligation to regularly review and update the Plan as needed, review the Plan to support changes in the student’s educational program and/or transitions across grade levels, and conduct re-determination evaluations.

The referral to the school may be made by a parent/guardian, staff member, or the student. The District must conduct a timely evaluation to determine the student’s eligibility under Section 504. From the date a referral request is received, the evaluation and, if necessary, development of a Section 504 Plan should be completed in **thirty (30) school days** pursuant to the District’s Section 504 policy.

Eligibility determination is based on the evaluation and is a team decision that includes persons knowledgeable of the student, the evaluation findings, and the meaning of the data. If determined eligible, an appropriate Plan is developed and implemented. The District will be responsible for the implementation of the Plan and regular review of the appropriateness of the Plan. A Section 504 Plan may be revised or discontinued, pursuant to procedures described below, at any time. The Plan should be reviewed and updated at least annually, or as needed based on changes in student status and the context at school. A Section 504 Plan review is also necessary when there is a change in program, building assignment, or staff. A 504 Plan may be discontinued with proper notice, evaluation, and review.

### **Referral**

A student who, because of a disability, needs or is believed to be in need of special education or related services under Section 504, may be formally referred by a parent/guardian, teacher, other certified school employee(s), or the adult-aged student. The referral process involves proper documentation of the presenting concerns, notice to parent(s)/guardian(s), consent, and notice of procedural safeguards. Parents/guardians are to be provided with copies of referral and consent forms and given the opportunity for clarification of terms, timelines, and procedural safeguards.

**The District must obtain parental consent prior to initiating the evaluation.**

### **Evaluation**

Eligibility for a Section 504 Plan is based on an individualized assessment that draws from a variety of sources. Information must be documented and all significant factors related to the student's learning process must be considered. The nature and extent of the information needed to make a Section 504 eligibility decision is determined on an individualized, case-by-case basis by a group of persons knowledgeable about the student and the meaning of evaluation data.

The evaluation process should begin with a thorough review of the student's educational records. Section 504 evaluation standards require that assessments be selected and administered to ensure that the results accurately reflect the student's aptitude, achievement, or other factors being measured rather than reflect the student's impaired sensory, manual, or speaking skills, except where those skills are the factors the test measures.

Additionally, tests and other evaluation materials must (1) be tailored to evaluate the specific areas of educational need and not merely designed to provide a single intelligence quotient; (2) be validated and used for the specific purposes for which they were developed and appropriately administered by trained personnel; and (3) the following sources of information may be considered as part of an appropriate evaluation:

- Observations of the student;
- Aptitude and achievement tests;

- Standardized tests or other assessments by school staff;
- Physical condition;
- Social and cultural background;
- Adaptive behavior;
- Parent/guardian, student, and/or teacher interviews;
- Behavior rating scales or other checklists;
- Pertinent medical information; and/or
- Information provided by the parent/guardian.

The District may **not** rely on presumptions and stereotypes regarding persons with disabilities or classes of such persons in evaluating students suspected of having a disability.

If a student is suspected of having a qualifying disability and the District does not already have a current diagnosis documented by a physician, input from a physician may be sought as part of the evaluation process. **Please note that a diagnosis of a physical or mental impairment does not, in and of itself, determine eligibility under Section 504.** As mentioned above, there must also be separate findings that the impairment(s) substantially limit a major life activity. In any case, the District may **not** delay the evaluation process by reason that it has not yet received an official medical diagnosis of a disability from a physician.

Medical evaluations are **NOT** required under Section 504. The District may **NOT** require the parent to provide medical information or evaluation. If the evaluation team determines that a medical evaluation is necessary, the District must pay for it.<sup>2</sup>

### **Eligibility Determination**

The eligibility determination should be made by a group of persons knowledgeable about the student, the meaning of the evaluation data, and placement options. The 504 Team should consist of the Building 504 Coordinator, parent(s)/guardian(s), teacher of record, and student (if possible). Appropriate Team members may include instructional teachers and appropriate support staff, if needed.

The Section 504 Team meets to review the evaluation results to determine whether the student qualifies for a Section 504 Plan. The Team will determine:

- Whether the student has a mental or physical impairment;
- Whether the impairment substantially limits one or more major life activities; and
- Whether the substantial limitation caused by the mental or physical impairment results in the student's need for special education, accommodations and/or other supports during the school day or school activities.

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<sup>2</sup> *Letter to Veir*, 20 IDELR 864 (OCR, 1993).

If the Team answers “no” to either of the first two questions, the student is not eligible under Section 504. If the Team answers “yes” to both of the first two questions, the student is eligible for protection from discrimination under Section 504. If the Team answers “yes” to the third question, the student is entitled to a Section 504 Plan. The Team must develop a 504 Plan to identify special education, accommodations and/or other supports necessary during school and school activities.

**Substantial Limitation:** The OCR does not endorse a single formula or scale that measures substantial limitation.<sup>3</sup> The determination must be made on a case-by-case basis with respect to the individual student. Generally, a substantial limitation means that the condition prevents the student from participating in or functioning at the expectation of their nondisabled peers.

**Major Life Activities:** The term “major life activities” is **not** limited to activities related to learning. This interpretation may otherwise erroneously exclude students from eligibility who would qualify under Section 504. A student may have a disability that does not affect their ability to learn, yet they may need accommodations and/or related services to access learning.<sup>4</sup> Physical or mental impairments may substantially limit major life activities, other than learning, that interfere with the student’s ability to access and benefit from the school’s programs and activities. Some examples of major life activities that are not directly related to learning include, but are not limited to: caring for oneself; eating; sleeping; interacting with others; standing; and walking.

**Mitigating Factors:** In determining if a student’s disability substantially limits a major life activity, mitigating measures (such as medication) must **not** be considered. The determination of whether a student is eligible under Section 504 is determined without consideration of mitigating measures, considering how the student would access and benefit from instruction were the mitigating factors not available. Section 504 provides an exception for ordinary eyeglasses and/or contact lenses. Accordingly, the ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity.

**Episodic or In Remission Disabilities:** An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity **when active**. A temporary impairment, typically of a duration less than six months, can be substantially limiting within the meaning of Section 504 for purposes of establishing an actual disability or a record of a disability. A temporary impairment does not constitute a disability unless its severity is such that it results in a substantial limitation of one or more major life activities for an extended period of

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<sup>3</sup> See [Frequently Asked Questions: Section 504 Free Appropriate Public Education \(FAPE\)](#).

<sup>4</sup> *Letter to McKethan*, 23 IDELR 504 (OCR, 1995).

time. When deciding whether a temporary impairment warrants a Section 504 Plan, the Section 504 Team, on a case-by-case basis, must take into consideration the duration (or expected duration) of the impairment and the extent to which it actually limits a major life activity of the affected individual.

**Section 504 Is NOT Interchangeable with IDEA:** A student who is referred for a special education evaluation but determined ineligible under IDEA is **not** automatically eligible under Section 504.<sup>5</sup> Nor is a student found ineligible under IDEA automatically ineligible under Section 504. Parents/guardians may not avoid having a child labeled as “special education” by “opting” for a Section 504 Plan.<sup>6</sup> A District does not have the flexibility to opt to provide Section 504 services when the student is eligible under IDEA for an individualized education program.<sup>7</sup>

**No Automatic Eligibility:** A medical diagnosis of an illness does **not** automatically mean a student is eligible to receive services under Section 504. The illness must cause a substantial limitation of a major life activity.<sup>8</sup>

**Access NOT Advantage:** Section 504 is not designed to improve grades, raise test scores, or reduce homework responsibilities. The purpose of Section 504 is to prohibit discrimination on the basis of disability and to guarantee that individuals with disabilities have equal access to the District’s programs and activities. Accordingly, the student should be evaluated with respect to whether the student has a disability that substantially limits a major life activity, and whether the student needs special education or related services in order to access the District’s programs and activities to the same extent as their non-disabled peers.

**Prevent Over-Identification:** Recognize that there are other factors that could adversely affect student learning, such as socioeconomic status, educational disadvantage, poor early instruction, difficult family situation, gang involvement, truancy, or limited English proficiency.

**Parent/Guardian Misconceptions Leading to Violations:** It is a misconception to assume that general education accommodations supplant the need for Section 504 eligibility or services. Another misconception is that a student must fail in all classes to be eligible. It is important to recognize that a student who continues to struggle, with intervention, may indeed have a substantial limitation of a major life activity that results in the need for special education or related services. Also, these classes may require additional skills that are impacted by the student’s impairment.

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<sup>5</sup> *Letter to Veir*, 20 IDELR 864 (OCR, 1993).

<sup>6</sup> *Letter to McKethan*, 25 IDELR 295 (OCR, 1996).

<sup>7</sup> *Yankton Sch. Dist. v. Schramm*, 93 F3d 1369 (8th Cir. 1996).

<sup>8</sup> See [Frequently Asked Questions: Section 504 Free Appropriate Public Education \(FAPE\)](#).

## **Section 504 Plan**

When a student is found eligible, a Section 504 Plan will be developed. The Section 504 Plan identifies the student's unique needs and how a school will address those needs for the student to access, participate in, and benefit from the District's education programs and activities to the same extent as non-disabled students. The Section 504 Plan must be sufficiently detailed to allow the general education teachers and related service providers to address the individual needs of the student and should outline the specific accommodations and/or supports to be provided to the student to ensure access to their education and school activities.

The Section 504 Team, including the parent(s)/guardian(s), is responsible for determining the accommodations and services that are needed to ensure that the student receives a free appropriate public education. The Plan will specify how services will be provided and by whom. The Section 504 Plan shall be signed by the Building Administrator. Prior to implementation, a copy of the Plan shall be provided to the parent(s)/guardian(s), indicating the District's intent to implement the plan. Parent(s)/Guardian(s) must always be provided a copy of the Notice of Parental Rights and Procedural Safeguards.

If a Section 504 Plan is developed for a student, only school personnel with implementation responsibilities shall be informed of the existence and particulars of the Plan. Staff should be informed on the contents of the Plan when the Plan is created, revised, and at points of transition, including transfers between buildings, or changes in schedule, staff, or program.

## **Annual Review**

The teacher or other person(s) designated by the Section 504 Team shall monitor the student's progress and the effectiveness of the student's Plan. The teacher, or other designated person, will meet with the parent(s)/guardian(s) at least annually to determine whether the Section 504 Plan continues to be appropriate and/or whether any changes are necessary. Section 504 Plans are flexible and may change within a school year or between school years as the student's needs change. A Section 504 team meeting may be convened at any time to review the changes in student need or other appropriate concerns.

## **Reevaluation**

A multi-source evaluation should be completed periodically (at least every three years) to re-determine eligibility under Section 504 and/or before any significant changes are made in the Section 504 Plan. A District shall not require outside evaluations or examinations as a condition of eligibility or plan continuance. Medical evaluations are **NOT** required under Section 504. The District may **NOT** require the parent or legal guardian to provide medical information or

evaluation. If the evaluation Team determines that a medical evaluation is necessary, the District must pay for it.<sup>9</sup>

## **Suspension and Expulsion of Students Served Under Section 504**

Students who are eligible under Section 504 have additional protections when a violation of the Student Code of Conduct may result in a suspension or expulsion. Similar to suspension or expulsion of a student under the IDEA, it is necessary to conduct a manifestation determination review (“MDR”) for a Section 504-eligible student when:

- The suspension or expulsion will be for more than ten (10) consecutive school days. A suspension/expulsion of more than ten (10) consecutive school days constitutes a significant change in placement and requires the District to conduct an MDR to determine if the cause of the behavior is the disability identified in the student’s Section 504 Plan.
- A series of suspensions that total more than ten (10) school days in a school year **may** create a pattern of exclusion. If cumulative suspensions/expulsions for a student with a Section 504 Plan total more than ten (10) school days in a school year, it must be determined whether a significant change in placement has occurred. This decision is made on a case-by-case basis. If a group of short suspensions creates a pattern of exclusion, this constitutes a change in placement and the District must conduct an MDR before further suspensions or expulsions occur. The OCR has identified some of the key factors in determining the existence of a pattern of exclusion; these include the length of each suspension, the proximity of one suspension to another, the similar or dissimilar nature of the behavior, and the total amount of time the student is excluded from school.

Section 504 allows a student to be disciplined, without going through the MDR process, where the student is charged with and found to be currently engaging in the illegal use of drugs or alcohol, in violation of the School Code.

The MDR process will determine if the student’s misconduct was related to the student’s disability. In order to make such a determination, the 504 Team **must** review all current and relevant information, including evaluation and diagnostic results, information from the parent(s)/guardian(s), observations of the student, and the student’s Section 504 Plan. The review **must** also consider the appropriateness of the student’s plan of support and services under Section 504. Appropriate actions include consideration for a referral for IDEA evaluation when the MDR determines the behavior is likely related to the disability. In situations where the

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<sup>9</sup> *Letter to Veir*, 20 IDELR 864 (OCR, 1993).

student has committed an infraction leading to state-mandated removal from school, the review process must consider the obligations to provide FAPE under IDEA.

In situations in which the MDR determines the behavior is **NOT** related to the disability, the student **may be disciplined in the same manner as nondisabled students**, consistent with the Student Code of Conduct and District policy. The provisions of FAPE do not apply during the period of discipline or removal from school. The student may apply for reinstatement following the same policy as nondisabled peers.

## **Complaints & Grievances**

A person who believes that they have been discriminated against by the District on the basis of disability may pursue a grievance/complaint. The complaint and investigation procedure is outlined in detail in [Board Policy 2260.01](#), [Administrative Guideline 2260.01A](#), and [Administrative Guideline 2260.01B](#). For additional information, the District's 504 Compliance Officers/ADA Coordinators are:

Abdul Madyun  
Chief Human Resources Officer  
454 S. Harvey Street  
Plymouth, MI 48170  
[abdul.madyun@pccsk12.com](mailto:abdul.madyun@pccsk12.com)

Katie Ilijic  
Director - Diversity, Equity and Inclusion  
454 S. Harvey Street  
Plymouth, MI 48170  
[katie.ilijic@pccsk12.com](mailto:katie.ilijic@pccsk12.com)

Office for Civil Rights  
Denver Office  
US Dept of Education  
Cesar E. Chavez Memorial Building  
1244 Speer Boulevard, Suite 310  
Denver, CO 80204

## **Impartial Due Process Hearings**

Parent(s)/Guardian(s) who disagree with the identification, evaluation, placement, or provision of a free appropriate public education for a student with a disability have the right to request an impartial due process hearing. Requests for a Section 504 due process hearing must be made in writing to the District Section 504 Coordinator. The due process hearing procedures are outlined in detail in [Board Policy 2260.01](#) and [Administrative Guidelines 2260.01B](#).

Upon receipt of such a request, the necessary arrangements will be made by the District, including the selection of a Hearing Officer. A hearing may not be conducted by a person who is an employee of the District, or by any person having a personal or professional interest which would conflict with their objectivity in the hearing. For assistance in identifying an appropriate Hearing Officer, the District may begin by contacting legal counsel.

# Roles and Responsibilities

## District Section 504 Coordinator

- Be knowledgeable and current in the requirements of Section 504.
- Review Board of Education Policy on Section 504.
- Develop and maintain current District procedures under Section 504.
- Satisfy Section 504 child find notification obligations.
- Train Building 504 Coordinators on Section 504 process, requirements, and implementation.
- Review District grievance and complaint procedures under Section 504.
- Investigate complaints.
- Train Building 504 Coordinators on discipline, suspension, and expulsion requirements under Section 504.
- Train Building 504 Coordinators on District procedure for Manifestation Determination Reviews under Section 504.

## Building 504 Coordinator

### General Roles and Responsibilities

- Be knowledgeable and current in the requirements of Section 504.
- Review and comply with Board of Education Policy and District Procedures on Section 504.
- Provide information and training to staff on Section 504 requirements.
- Coordinate scheduling of Section 504 meetings.
- Work with building administrators to coordinate physical accommodations required to prevent discrimination under Section 504.
- Coordinate the supports, services, technology, and modifications as defined in the Section 504 Plan.
- Provide any necessary accommodation in scheduling to ensure access for the student with a disability according to the Section 504 Plan.
- Ensure implementation of the Section 504 Plan.
- Communicate with the District Section 504 Coordinator.

### Section 504 Initial Referral

- Provide notice of referral to the parent/guardian within a reasonable timeline (10 days).
- Arrange for appropriate staff to attend a team meeting to review the referral.
- Obtain parent/guardian consent for the Section 504 evaluation.
- Obtain or direct staff to obtain release of information.
- Provide notice to the parent/guardian of due process rights when necessary.

- Schedule a meeting to determine Section 504 eligibility and Plan within 30 school days of consent for evaluation.
- Contact District Section 504 Coordinator if the parent/guardian disagrees with a school recommendation, requests a grievance/complaint, or requests a due process hearing.

#### **When Student Enrolls with a Section 504 Plan**

- Assemble a team of persons knowledgeable about the data, options, and appropriateness of the Section 504 Plan.
- Provide the parent/guardian notice of a Section 504 Review meeting.
- Provide the parent/guardian notice of rights.
- Review the existing Section 504 Plan and supporting documentation from the previous district.
- If the team agrees with the Section 504 Plan, implement the plan as written.
- If the team questions the plan, conduct an evaluation to determine the appropriate educational program for the student.

#### **Section 504 Annual Review or Transition or Change in Program**

- Provide notice to parent/guardian of Section 504 meeting.
- Arrange for the appropriate staff to attend.
- Provide parent/guardian notice of rights.
- Review and revise the plan as appropriate to include the supports, services, and modifications required to prevent discrimination and create access to participate to the same extent as non-disabled peers.

Note: A review meeting may lead to the discontinuance of a Section 504 Plan if appropriate documentation of student progress, change in student status, or change in program supports a decision to discontinue the Section 504 Plan.

- Arrange for provision of the supports, services, technology, or modifications as defined in the Section 504 Plan.
- Contact District Section 504 Coordinator if parent/guardian disagrees with a school recommendation, requests a grievance/complaint, or requests a due process hearing.

#### **Section 504 Re-evaluation (3 years)**

- Provide notice to parent/guardian of meeting to discuss re-evaluation.
- Provide parent/guardian notice of rights.
- Obtain or direct staff to obtain parental/guardian consent for the Section 504 evaluation.
- Arrange for the appropriate staff to conduct the evaluation and collect relevant data.
- Obtain or direct staff to obtain release of information, if needed.
- Schedule release of staff to participate in the re-evaluation meeting and plan review.

- Contact District Section 504 Coordinator if parent/guardian disagrees with a school recommendation, requests a grievance/complaint, or requests a due process hearing.

#### **Section 504 Manifestation Determination Review**

- Track the number of student removals from school.
- Plan Manifestation Determination Review meeting when a student will exceed 10 days of removal.
- Provide notice to parent/guardian of Manifestation Determination Review meeting.
- Provide parent/guardian notice of rights.
- Arrange for the appropriate staff to conduct an evaluation and collect relevant data, if necessary and agreed upon by the Team.
- Schedule release of staff to participate in Manifestation Determination Review meeting.
- If behavior is related to the student's disability, contact the Director of Special Education to consider referral for special education evaluation under IDEA.
- If behavior is related to the student's disability, the student may not be suspended or expelled and must be permitted to return to school, similar to the requirements of IDEA.
- If behavior is not related to the student's disability, proceed to implement discipline and sanctions in the same manner as for non-disabled students and in accordance with Student Code of Conduct and Michigan School Code.
- Contact District Section 504 Coordinator if a parent/guardian disagrees with a school recommendation, requests a grievance/complaint, or requests a due process hearing.

#### **Section 504 Grievance/Complaint**

- Provide parent/guardian notice of rights.
- Contact District Section 504 Coordinator if the parent/guardian requests a grievance/complaint or requests a due process hearing. Specific timelines and procedures for an internal grievance/complaint and for a due process hearing are outlined in Board Policy and Administrative Guidelines.
- For an internal grievance/complaint, investigate the alleged discriminatory conduct, including interviewing witnesses, reviewing other evidence, and meeting with witnesses and evidence provided by the complainant.
- Complete the investigation within 15 school days.
- Keep the complainant and the parent(s)/guardian(s) informed of the status of the investigation.
- Provide a complainant with a written decision concerning whether the complainant was subjected to unlawful discrimination. With the written decision, the Principal should inform the complainant of the right to appeal an adverse decision to the District Compliance Officer.

## **Classroom Teacher**

### **General Roles and Responsibilities**

- Be knowledgeable and current in the requirements of Section 504.
- Attend training on Section 504 requirements.
- Comply with District procedures and timelines for the Section 504 process.
- Provide relevant observations and progress data at Section 504 meetings.
- Follow the Section 504 Plan which may include:
  - Provision of supports, services, technology, physical accommodations, modifications, accommodations in scheduling, testing, or instruction to ensure access for the student with a disability according to the Section 504 Plan.
- Document implementation of Section 504 Plan.
- Communicate with the Building 504 Coordinator on District procedural or implementation issues.
- Ensure 504 Plan is provided to substitute teacher(s) when teacher is absent.

### **Initial Section 504 Plan**

- Contact the Building Principal to refer a student for a Section 504 Plan.
- Immediately contact the Building Principal if a parent/guardian contacts you and requests a Section 504 Plan.
- Cooperate with scheduling of meetings.
- Document student classroom behaviors and progress according to District procedure.
- Report student behavior and progress in Section 504 meetings.
- Contribute recommendations to Plan development regarding appropriate supports, services, modifications, technology, or accommodations to prevent discrimination and create access to benefit from instruction as non-disabled peers.
- Attend training on special management such as health, medication, or behavior.
- Document communication with student or parent/guardian regarding the Section 504 eligibility or Plan.
- Maintain a record of student behavior or progress and Plan implementation.
- Report concerns to the Building 504 Coordinator.

### **Steps to take when there is an Existing Section 504 Plan**

- Review the existing Section 504 Plan.
- Request a Section 504 meeting to discuss revisions to the Plan, if and when needed.
- Track student classroom behaviors and progress according to District procedure.
- Report student behavior and progress in Section 504 meetings.

- Recommend appropriate supports, services, modifications, technology, or accommodations during 504 Team meetings to ensure the student has equal access to the education program as non-disabled peers.
- Document communication with student or parent/guardian regarding the Section 504 eligibility or Plan.
- Maintain a record of student behavior or progress and Plan implementation.
- Report concerns to the Building 504 Coordinator.