ST. JOSEPH

SCHOOL DISTRICT

St. Joseph School District
Section 504
Procedures Manual

St. Joseph School District
1415 N. 26th Street
St. Joseph, MO 64506

Section 504 of the Rehabilitation Act of 1973
Administrative Procedures Guidelines

Counseling Coordinator; District 504 Compliance Coordinator

St. Joseph School District
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Table of Contents

Flowchart for INITIAL Requests for 504 Plans 4
Flowchart for Annual Review of 504 Plans 5
Flowchart for 504 Plan Re-evaluations (Triennial, or when agreed upon by team) 6
Introduction 7
Applicable Federal Laws 8
Definitions 10
Further Description of an "Individual with a Disability" Under Section 504 12
SJSD 504 Processes 15
Staff and Parent Requests for 504 Plans: 15
Conducting an Evaluation 17
504 Eligibility Determination 18
Determining Eligibility for a Section 504 Plan 18
Determining Whether the Student Needs Accommodations or Services to Access the District Programs and Activities 19
Developing a 504 Plan 20
504 Plan 20
Annual Review 20
File Storage 20
Reevaluations 21
Year-to-Year and School-to-School Transition Guidelines 22
Terminating a 504 Plan 23
Grievance Procedures 24
Disciplining a 504 Student 26
Frequently Asked Questions 27
Forms 30
Section 504 Procedural Safeguards 31
Notice of Parent and Student Rights 32
Notice to Conduct a Section 504 Meeting 33

Notice of Consent for an Action Related to Section 504 34
Authorization for Disclosure of Health & Educational Information 35
Section 504 Manifestation Determination Form 37
Denial of 504 Plan Request 39
Receipt of Request for a 504 Plan 40
Section 504 Parent Information Form 41
Documentation of 504 Plan Distribution 46
Section 504 Teacher Information Form 47
Section 504 Suspicion of Disability Worksheet 49

Flowchart for INITIAL Requests for 504 Plans

504 Process Consultant receives request for a 504 evaluation. **Document this date.**

The Receipt of Request, Parent Information Form, and 504 Procedural Safeguards are sent to the parent within **5 work days** of the receipt of the request.

504 Process Consultant sends the Teacher Information Form to all the student's teachers. Upon receipt of the completed teacher and parent forms, the decision is made whether a disability as defined by Section 504 is suspected. This determination must be made within **30 work days** of the receipt of request, using the ***Referral*** tab on the student's Spedtrack 504 dashboard.

If a disability is NOT suspected and the referral is denied, send the Denial of 504 Request to the parent within **30 work days** of the receipt of request. Process stops.

If there is uncertainty whether a disability is suspected, the school team can use the *optional* Section 504 Suspicion of Disability Worksheet to help make the determination.

If the decision is that a disability under Section 504 **is** suspected, the school team must determine:

a) Whether there is enough information present through review to determine eligibility or:
b) Further information is needed, and an evaluation requiring parent consent should be conducted. Evaluations must be completed within **30 work days** of the date parent consent to evaluate is received.

For both a) and b) use the Notice of Consent for an Action Related to Section 504. Parents should also be provided Section 504 Parent and Student Rights.

In **both a) and b) scenarios**, complete the 504 Eligibility Determination (in Spedtrack) and schedule a meeting with parents to either a) determine eligibility for an initial 504 Plan (because you have enough information from the review of data to determine eligibility), **or** b) get consent to initiate an evaluation because further information is needed.

If the student has a disability and needs general education or special education and related aids and services to have equal access to the district's programs and activities, the student is eligible for a 504 Plan (in Spedtrack). The 504 Plan can be developed during the same meeting in which eligibility is determined, or at a subsequent meeting. Team members and parent(s) must sign the approved 504 Plan. Parents should also be provided Section 504 Parent and Student Rights (again) at the meeting.

If eligible, distribute the 504 Plan to all staff members who work with the student or are responsible for implementing the 504 Plan. Each person receiving a copy should sign the Documentation of 504 Plan Distribution form **OR** read receipts from email distribution should be collected and compiled. You can do both if preferred.

Any new individuals responsible for implementing the 504 Plan at semester should sign the Documentation of 504 Plan Distribution, or a read receipt should be collected.

Review the plan on an annual basis. A 504 meeting, including the parents, should be scheduled using the Notice to Conduct a 504 Meeting form.

Flowchart for Annual Review of 504 Plans

30 calendar days before the 504 Plan annual review due date (or at an *earlier* date agreed upon by the team, but not a *later* date) the 504 Process Consultant sends the *current* 504 Plan to Student's current teachers. Teacher perception is solicited to determine if any changes are necessary due to school transfer, grade-to-grade changes, or other changes in the Student's "general rules."

20 calendar days before the annual 504 Plan due date (or at an *earlier* date, but not a *later* date), the 504 Process Consultant sends a Notice of 504 Meeting to 504 Team members, including the parent, to review the 504 Plan. This gives the parent a reasonable amount of notice for the meeting, generally agreed upon to be 10 days.

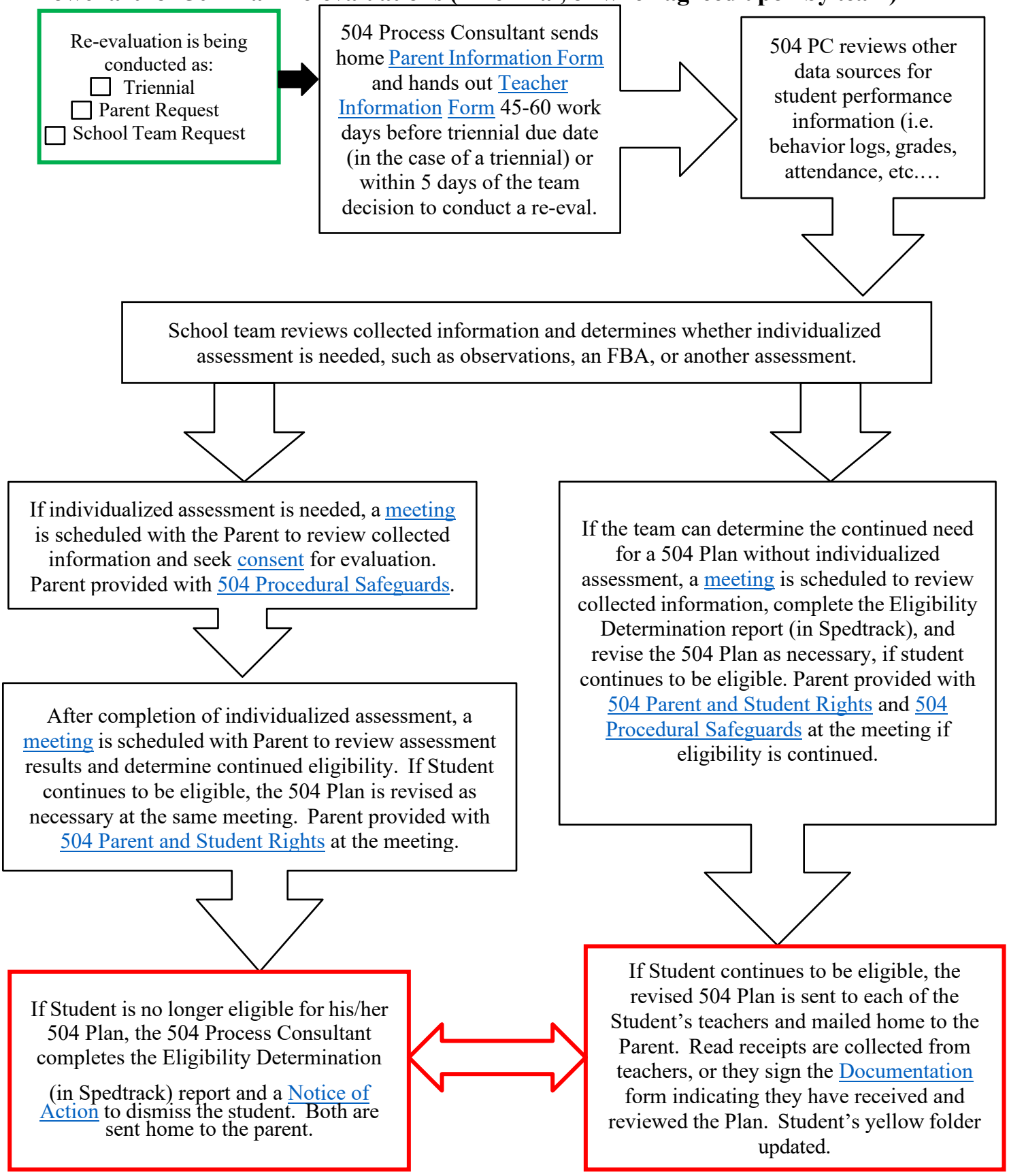
If the parent is unable to or does not attend the first meeting, a second meeting is scheduled, again providing a reasonable amount of notice, generally 10 days. If the parent is unable to, or does not attend this second scheduled meeting, the 504 Team may proceed with the meeting without the parent in attendance.

At the 504 meeting, the Student's 504 Plan is reviewed, and updates are made if needed. Parent is provided the 504 Plan Parent and Student Rights and 504 Procedural Safeguards at the meeting.

The 504 Process Consultant makes the updates to the student's plan in Spedtrack, and finalizes the new Plan.

The finalized 504 Plan is sent to each of the Student's teachers and mailed home to the Parent. Read receipts are collected from teachers, or they sign the Documentation form indicating they have received and reviewed the Plan. Student's yellow folder updated.

Flowchart for 504 Plan Re-evaluations (Triennial, or when agreed upon by team)



Introduction

The Rehabilitation Act was passed in 1973 to prohibit entities receiving federal funds from discriminating against individuals on the basis of disability. Subpart C of Section 504 of that Act requires school districts to make programs and activities accessible to and usable by all individuals with disabilities. It states: “No otherwise qualified individual with a disability shall solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.” In addition, it is the district’s responsibility to identify and evaluate students who, within the intent of Section 504 of the Rehabilitation Act of 1973, need specially designed instruction and/or or services so that those students may receive a Free Appropriate Public Education (FAPE).

In compliance with the Rehabilitation Act, it is the policy of the Missouri State Board of Education and a priority of the Missouri Department of Elementary and Secondary Education that there will be no discrimination or harassment on the grounds of race, color sex, marital status, religion, national origin, age or disability in any education programs, activities or employment.

The Missouri Department of Elementary and Secondary Education does not administer Section 504 of the Rehabilitation Act of 1973, nor does it monitor compliance with Section 504. Any question relating to the compliance requirements of Section 504 should be addressed to the Office for Civil Rights, United States Department of Education. The Office for Civil Rights Regional Office is located in Kansas City and can be reached at (816) 268-0550 or RELAY MISSOURI at (800) 735-2966 (telecommunication for the deaf or hard of hearing).

At each school, the responsibility for insuring Section 504 compliance rests with the building Principal. The District’s Counseling Coordinator coordinates the District’s compliance with Section 504. The Counseling Coordinator can be contacted at 1415 N. 26th St., St. Joseph, MO, 64506; Phone number: 816-671-4000.

Equal Access

Section 504 requires the district to provide students with disabilities with a “free appropriate public education.” This means that the district must provide regular or special education and related services that are designed to meet the individual education needs of students with disabilities as adequately as the needs of nondisabled students are met. An appropriate education for a Section 504 eligible student may require the provision of specific accommodations (i.e. modification of district polices and/or procedures), special education and/or related services. Student referrals are to be reviewed using the process described in this manual and accompanying forms. The following procedures are implemented at the building level unless otherwise specified.

Applicable Federal Laws

Section 504 of 1973
Section 504 of the Civil Rights Act of 1973 is a federal civil rights law designed to eliminate disability discrimination in programs and activities receiving federal funds. Congress prohibited discrimination against students with disabilities in this Act in a segment most often referred to simply as "Section 504." Because public school districts receive federal funds they must adhere to Section 504 law and provide a free appropriate public education (FAPE) to those students who meet the requirements of Section 504. Denial of Section 504 accommodations to students is deemed disability discrimination. This is a broadly worded prohibition that covers both children and adults. The principles enumerated in this section were later expanded and served as the basis for the 1990 Americans with Disabilities Act (ADA).

Americans with Disabilities Act of 1990 – ADA
The ADA is a wide-ranging civil rights law prohibiting discrimination based on disability. It affords similar protections against discrimination to Americans with disabilities as the Civil Rights Act of 1964, which made discrimination based on race, religion, sex, national origin, and other characteristics illegal. In addition, the ADA also requires covered employers to provide reasonable accommodations to employees with disabilities and imposes accessibility requirements on public accommodations. The ADA applies to places of public accommodation and to state and local governments.

The ADA Amendments Act of 2008 - ADAAA
The ADAAA amended the (ADA) and other disability nondiscrimination laws at the Federal level in the United States. The ADAAA makes changes to the definition of the term "disability," clarifying and broadening that definition—and therefore the number and types of persons who are protected under the ADA and other Federal disability nondiscrimination laws. Additionally, the ADA Amendments Act of 2008 also amended some definitions of Section 504, which included regulations for the US Department of Education Section 504, requiring that students with disabilities be provided with a free appropriate public education (FAPE). These regulations require identification, evaluation, provision of appropriate services, and procedural safeguards in every public school in the U.S.

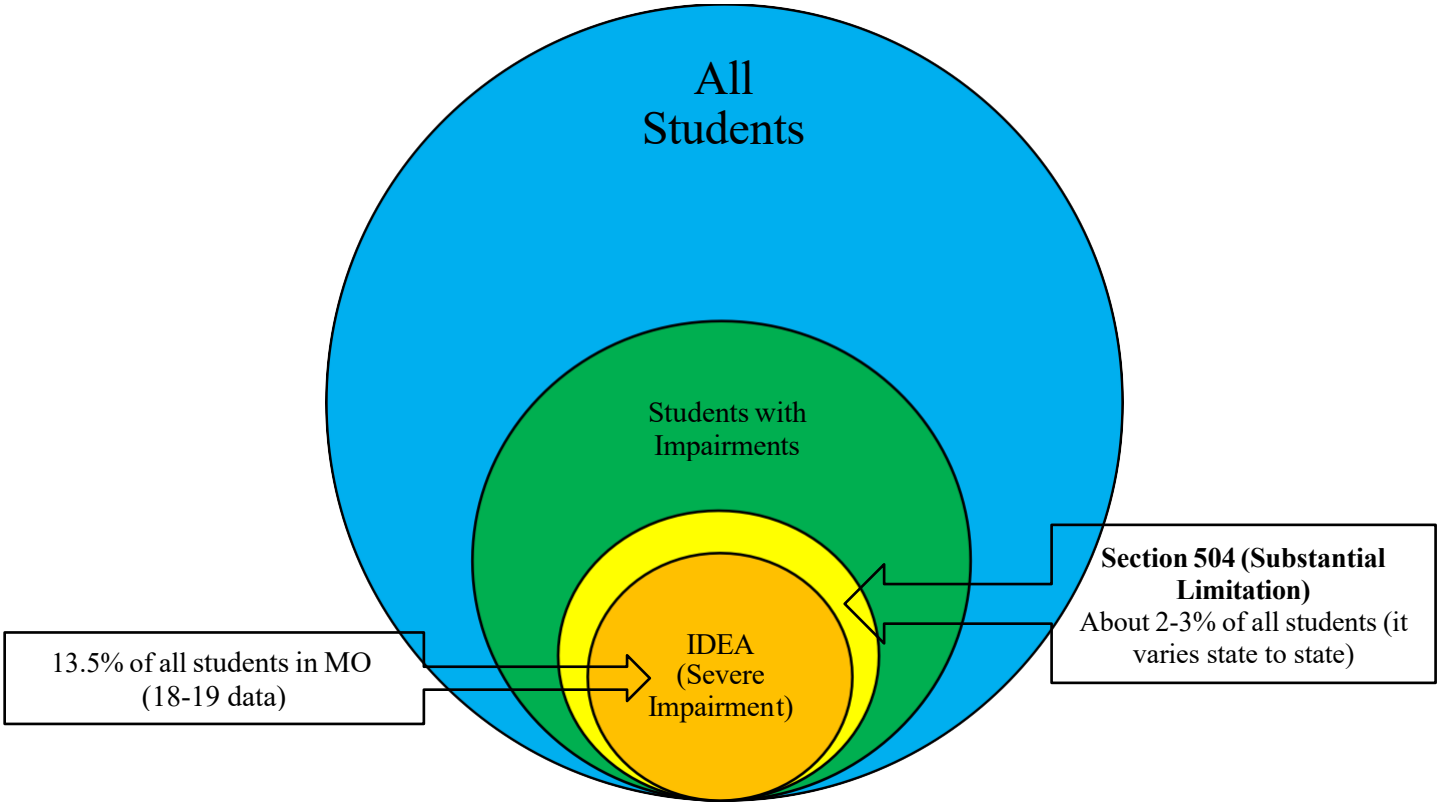
How Section 504, ADA and ADAAA Intersect
Section 504 and the ADA are closely related. A public school district that receives federal financial assistance is covered both by Section 504 (because it receives federal financial assistance) and the ADA (because it is a unit of local government). Coverage and standards are, in all material respects, the same. The ADAAA's alteration of the definition of individual with a disability applies to both the ADA and Section 504.

Comparison: Section 504 vs. IDEA
In some ways, Section 504 is similar to IDEA (Individuals with Disabilities Education Act), in that it involves rights, evaluation, an individualized plan, follow-up, and reevaluation. Additionally, every student who is found eligible for special education under IDEA is automatically eligible for Section 504 protection. However, the converse is not generally true. Students who are eligible for protection under Section 504 are not automatically eligible for special education. There are two other very important differences:

1. Section 504 is a *civil rights* law that ensures accommodations for equal access to services that non-disabled students receive in the regular classroom, whereas IDEA is an *educational rights* law that involves individualized instruction by specially trained teachers; and

2. IDEA brings extra funding to IDEA-placed students, whereas Section 504 brings no extra funding. Thus, they differ both in goals and extent.

All elementary and secondary school students who are qualified students with disabilities, as defined by Section 504, and who need special education and/or related aids and services are entitled to FAPE. Under Section 504, FAPE is (1) the provision of regular or special education and related aids and services that are (2) designed to meet the individual educational needs of students with disabilities as adequately as the needs of non-disabled students are met, and (3) are based on adherence to procedures governing educational setting, evaluation and placement, and procedural safeguards.



https://dese.mo.gov/sites/default/files/se-data-state-profile_2019.pdf
https://perryzirkel.files.wordpress.com/2018/07/zirkel-and-huang-state-by-state-504-only-rates-article-061118.pdf

Definitions

Accommodations – Adaptations made by classroom teachers and other school staff to enable the students with disabilities, under Section 504, to benefit from an appropriate education. Adjustments in academic requirements and expectations may be necessary to accommodate the needs of an individual student with a disability to enable him/her to participate in the general education program. Accommodations must be individualized and should be designed to meet the individual educational needs of students with disabilities as adequately as the needs of other students are met.

Appropriate – Meeting the needs of a student with a disability as adequately as the needs of students without a disability. Providing sufficient individualized services to enable a disabled student to receive educational benefit.

Consent for 504 Evaluation/Placement – OCR policy interpretation requires parental consent prior to conducting a Section 504 evaluation. Although it is implied in OCR Q & A that consent is required prior to a Section 504 placement, neither Section 504 nor its regulations require consent prior to Section 504 placement.

Emergency Action Plan/Emergency Care Plan (EAP/ECP) – A plan of action developed by the registered nurse for actions carried out by qualified trained personnel or the school nurse to use that is student specific in the event that an actual or potential healthcare emergent need occurs during the school day or school activities, including medical emergencies and disaster preparedness or evacuation needs.

Family Educational Rights and Privacy Act (FERPA) – Federal law and regulations that address student record keeping and confidentiality.

Free Appropriate Public Education (FAPE) under Section 504 – Related aids and services that are designed to meet individual educational needs of a students with a disability as adequately as the needs of nondisabled persons are met, based upon procedures satisfying Section 504's identification, evaluation, placement and due process requirements.

Individual Health Plans (IHP) – A document of individualized plan of care written by the registered nurse using nursing judgment after an initial student assessment, with collaborative input from the student's parents or legal guardians, healthcare professionals, and educational personnel to provide written directions for managing student health needs and adaptations for enhancing the student's independent functions in the school setting.

Individual with a Disability – Under Section 504, an individual with a disability (also referred to as a student with a disability in the elementary and secondary education context) is defined as a student who:

(Prong 1) has a physical or mental impairment that substantially limits a major life activity;
(Prong 2) has a record of such an impairment; or
(Prong 3) is regarded as having such an impairment.

Least Restrictive Environment (LRE) – To the maximum extent appropriate, children with disabilities, including children in public or private institutions or other care facilities, are educated with children without a disability. Special classes, separate schooling, or other removal of children with disabilities from the general education environment occurs only if the nature or severity of the disability is such that education in regular classes, with the use of supplementary aids and services, cannot be achieved satisfactorily.

Local Education Agency (LEA) – A public authority that is designed to oversee the implementation of education policies as set forth by the federal government. An LEA typically refers to a district's local school board. Private schools do not fall under the jurisdiction of any nearby local education agencies, though they can collaborate on any given program.

Modifications (Reasonable modifications) – Practices that change, lower, or reduce learning expectations.

Office for Civil Rights (OCR) – A federal agency with three primary responsibilities: (1) investigating complaints, (2) conducting compliance reviews, and (3) providing technical assistance. In addition to its national office, 10 regional OCR offices are located throughout the United States.

Related Aids or Services – A broad term including any service a student needs to participate in and benefit from a district's education program. These include, but are not limited to:

- school health services
- school-based counseling
- environmental
- instructional
- behavioral
- transportation

Section 504 Coordinator – A coordinator is required by regulations for school districts employing 15 or more persons, to coordinate compliance with Section 504 regulations.

Substantial Limitation – A substantial limitation means an individual is substantially limited in the performance of a major life activity as compared to most people in the general population.

Temporary Impairment – A temporary impairment is an impairment of short duration with limited or no residual effect that does not result in substantial limitation of one or more major life activities/major bodily functions for an extended period of time. Whether or not a temporary impairment is substantial enough to be a disability under Section 504 must be determined on a case-by-case basis, taking into consideration both the duration (or expected duration) of the impairment and the extent to which it actually limits a major life activity of the affected individual.

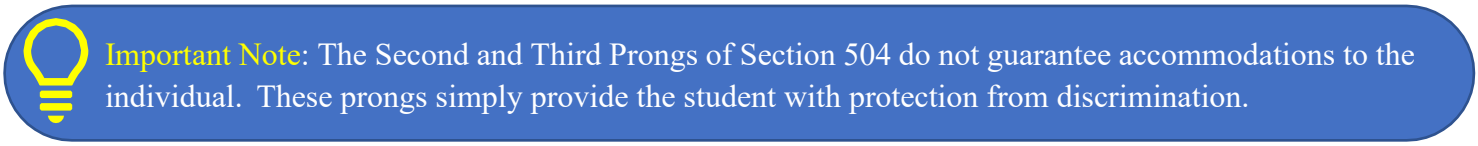
Work Days – Days that St. Joseph School District teachers are required to report to work.

Further Description of an "Individual with a Disability" Under Section 504

A Physical or Mental Impairment (Prong 1)
Broadly defined, any physical or mental disorder or condition substantially limiting students from functioning in one or more major life activities. Determining physical or mental impairment is a local decision based on data and information concerning each specific student.

Any Student Who Has a Record of Such an Impairment (Prong 2)
Encompasses a student who has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

Any Student Who is Regarded as Having an Impairment (Prong 3)
Encompasses a student who (a) has a physical or mental impairment that does not substantially limit major life activities but that is treated by an LEA as constituting such a limitation; (b) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such an impairment; or (c) has none of the impairments defined in this section but is treated by an LEA as having such an impairment.



Substantially Limiting
Determining if a student is substantially limited by an impairment in performing a major life activity on an equal basis with his non-disabled peers is a local decision based on the Section 504 Team's collection of data and evidence pertaining to the student. As a general rule, a student with a physical or mental impairment who is able to participate in or benefit from a district's education program without the provision of related aids or services, is not a student with a disability under Section 504 for the purposes of FAPE. The Americans with Disabilities Act (ADA) and its 2008 Amendments did not change the "substantially limits" language but it does suggest that while a significant limitation must be present it need not prevent or severely restrict the performance of a major life activity. Another change is that when a district determines limitation they may not consider ameliorative effects of medication or other medical treatments. Contact lenses and ordinary eyeglasses are the only mitigating measures that can be considered to determine whether impairment is substantially limiting. A minor impairment that limits a student, but not substantially so, is not a disability under Section 504.

Further, the ADA Amendments Act of 2008 clarified that:
An impairment that substantially limits one major life activity need not limit other major life activities to be considered a disability. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active. In determining substantial limitations, three questions to consider in determining whether a student's impairment substantially limits one or more major life activities are:

1. What is the nature and severity of the impairment?
2. How long will it last or is it expected to last?
3. What is its permanent or long-term impact or expected impact?

The ADA provides some assistance in interpreting the phrase "substantially limits." In this law, the impairment or disability must be substantial and somewhat unique, rather than commonplace, when compared to the average student in the general population. Thus, it is suggested that the term "substantially limits" be interpreted to mean that the student is unable to perform a major life activity that the average student of approximately the same age can perform, or that the student is significantly restricted as to the condition, manner or duration under which a particular major life activity is performed as compared to the average student of approximately the same age.

> "…it is suggested that the term substantially limits be interpreted to mean that the student is unable to perform a major life activity that the average student of approximately the same age can perform, or that the student is significantly restricted as to the condition, manner, or duration under which a particular major life activity is performed as compared to the average student of approximately the same age."

One or More Major Life Activity – Section 504 and ADA

Variations to this list is at the discretion of those determining major life activity interruption. When a condition does not substantially limit a major life activity, the individual does not qualify under Section 504.

Section 504	ADA
Caring for oneself	Eating
Performing manual tasks	Concentrating
Walking	Communicating
Seeing	Standing
Hearing	Bending
Speaking	Reading
Breathing	Thinking
Learning	Sleeping
Working	Lifting

In addition, the following and/or similar major life functions may include, but are not limited to:

Functions of the immune system	Normal cell growth
Digestive	Bowel
Bladder	Neurological
Brain	Respiratory
Circulatory	Endocrine
Reproductive functions	Other*

*These lists are not exhaustive. Other major life activity/function may be determined by the Section 504 Team.

Important Note: Remember that the presence of one of these conditions does not qualify an individual for 504 protections. The impairment must **also** cause a substantial limitation of a major life activity.

Mitigating Measures

The determination of whether an impairment substantially limits a major life activity shall be made without regard to the beneficial effects of mitigating measures such as:

1. Medication, medical supplies, equipment, or 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, or oxygen therapy equipment and supplies;
2. Use of assistive technology;
3. Reasonable accommodations or auxiliary aids or services; or
4. Learned behavioral or adaptive neurological modifications.
    a. The beneficial effects of the modifying measures of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity.
        i. The term 'ordinary eyeglasses or contact lenses' means lenses that are intended to fully correct visual acuity or eliminate refractive error; and
        ii. the term 'low-vision devices' means devices that magnify, enhance, or otherwise augment a visual image.

In other words, when a LEA conducts an evaluation for disability, it is important to consider that mitigating measures can treat the impairment, thereby obscuring the substantial limitations of the impairment. Therefore, it is useful to have evidence showing that an impairment would be substantially limiting in the absence of the beneficial effects of mitigating measures. For example, such evidence could include information about the limitations a student experienced prior to taking medication, or evidence concerning the expected course of a particular disorder absent mitigating measures (such as a student with a peanut allergy could stop breathing after contact with peanuts.) This is why it is also beneficial to involve parents in the evaluation process, to access such information that parents may have.

Therefore, when determining whether a student with a health concern has a disability, the LEA must evaluate whether the health concern (for example, a tree nut allergy or diabetes) would be substantially limiting without considering the beneficial effects of medication or other measures. For many children with a peanut allergy, for example, the allergy, when active, is likely to substantially limit the major life activities of breathing and respiratory function, and therefore, the child would have a disability. If, because of an allergy or other health concern the student has a disability and may reasonably be believed to need special education or related aids or services, the student has a right to an evaluation under Section 504.

SJSD 504 Processes

When a student needs or is suspected to be in need of accommodations because of a medical condition or disability, an evaluation must be conducted by a team to determine the student's eligibility. A request for the evaluation can be made by anyone, but most frequently such requests are made by the student's parent(s) and/or teacher(s).

When the nurse and parents develop a Health Plan for a student and there is a substantial change to a student's Health Plan or medical condition, the nurse will notify the building Student Intervention/Care Team. The Student Intervention/Care Team will determine if a 504 evaluation is necessary.

Staff and Parent Requests for 504 Plans:

The request can be made verbally or in writing and is directed to the building School Counselor or Principal. The Receipt of Request, Section 504 Procedural Safeguards, and the Parent Information Form will be sent home within **5 work days** of the receipt of the request. The school's Section 504 Process Consultant will identify school members who could serve on the student's 504 Team and will confer with, or convene a meeting with, school staff to determine whether the 504 Evaluation is the appropriate next step.

The 504 Team will include individuals knowledgeable about the needs of the student, the data being reviewed, appropriate accommodation and placement options. This team can include (but is not limited to) parents/guardians, teachers, problem solving team members, counselors, related service providers, other school staff and administrators, and staff from community agencies with appropriately obtained parental consent. Parents/guardians should be included in this process whenever possible. The team's role is to determine whether a disability as defined under Section 504 is suspected, whether the student will be evaluated for a 504 Plan, evaluate the student to determine whether he or she is eligible for a 504 Plan (when applicable), and develop a 504 Plan (when applicable).

The 504 Team will include individuals knowledgeable about:

- The student
- The data being reviewed
- Appropriate accommodation and placement options.

If the school members of the 504 Team are not certain whether a disability under Section 504 is suspected, the school team led by the Section 504 process consultant can completed the optional Section 504 Suspicion of a Disability Worksheet can be utilized to assist the team. In addition to scheduling the meeting, the 504 process consultant will complete the Notice to Conduct the 504 Meeting form and send it to the parent(s).

Current Office of Civil Rights (OCR) guidelines require that a school district obtain parent consent to evaluate a student and give parents prior notice of a Section 504 meeting. Parents should be fully informed regarding their child's rights and safeguards under Section 504. If the school team agrees that evaluation is appropriate, the 504 process consultant will complete the Notice of Consent for an Action Related to Section 504 and present it to the

parent(s), either in person, via mail or email. This form also indicates the reason the district is pursuing an evaluation. This Consent form should be accompanied with the Notice of Parent and Student Rights form.

In certain situations, the school members of the 504 Team may conclude that an evaluation is not warranted because the 504 School Team does not suspect a disability exists as defined under Section 504. In those situations, the Denial of 504 Request letter should be sent to the parent(s).

The decision to pursue or deny an evaluation will also be documented in the ***Referral*** tab on the student's Spedtrack dashboard within **30 work days** of receiving a request.

Conducting an Evaluation

There are timelines by which the 504 evaluation must be completed and certain information should be considered when conducting the evaluation.

Evaluations will be completed **within 30 work days** of the date of parental consent to conduct an evaluation, unless more time is needed, and written notice is given to the parent or student requesting the evaluation. The written notice must identify the reason more time is needed.

Parents/students may review education records at any time before, during, or after the 504 evaluation.

Section 504 evaluations are not intended to be as comprehensive as an evaluation under the IDEA (special education). However, in every case the specific concern that triggered the request for evaluation must be investigated. Information that might be considered includes (but is not limited to) grades, attendance reports, behavior plans, cumulative file information, psychological evaluations, medical information, observations, standardized testing information, teacher recommendations and parent input/interviews. If existing data is insufficient to determine whether a student needs accommodations (i.e. modifications to the district's policies or procedures), or services to access the district's programs and activities, the team can conduct additional observations and/or assessments to obtain the necessary data. The school team may administer and use other formal and informal measures as deemed necessary. Best practice is to include parents in the evaluation process and to consider any information they provide in addition to the other items already identified.

If the student is suspected to be eligible for special education under the IDEA a referral for a comprehensive special education evaluation must be initiated.

504 Eligibility Determination

A 504 Eligibility Determination Report (in Spedtrack) will be completed to document the data the team will consider in determining eligibility.

A 504 meeting will be held to discuss the information in the 504 Eligibility Determination. After the information collected for the evaluation, the team members must then determine whether the student has a disability. To have a disability, the student must meet three criteria: (a) have a physical or mental impairment (b) which substantially limits, (c) one or more of the student's major life activities. It is important to understand that all three criteria must apply to a student before the team considers whether that student requires accommodations to access St. Joseph School District's programs and activities.

A copy of the final determination, including the team's determination regarding eligibility, will be provided to the parent(s).

Determining Eligibility for a Section 504 Plan

(a) Physical or Mental Impairment: A physical or mental impairment is defined as physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems – neurological, musculoskeletal, special sense organs, respiratory, speech organs, cardiovascular, reproductive, digestive, genito-urinary, hemic and lymphatic, skin and endocrine – or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

This criterion does not limit eligibility to specific diseases or categories of medical conditions. The law was intentionally written this way so that the range of diseases or medical conditions that might be considered for Section 504 eligibility is not limited.

(b) Substantially Limits: Simply having a medical condition does not automatically mean a student is disabled for purposes of Section 504; it must be one that "substantially limits" a major life activity. Section 504 does not specifically define the term "substantially limits". The basis on which we evaluate this criterion is the impact the impairment has on one or more of the student's major life activities. It is vital to understand that for a student to meet this prong of the criteria the impairment must impose a "considerable" limitation or limit "to a large degree" one or more major life activities at the current time. The eligibility team will consider the nature and severity of the disability as well as how long the disability is expected to last. The team may consider the manner, conditions, and duration in which a student performs a task in comparison to how non-disabled students perform the same task. The condition must present a barrier to the student's ability to access the same opportunities as that afforded a nondisabled student or a substantial limitation does not exist.

"The condition must present a barrier to the student's ability to access the same opportunities as that afforded a nondisabled student or a substantial limitation does not exist."

(c) Major life activities: Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, writing, communicating, interacting with others, and working.

When determining whether a student has a disability, the team cannot consider any ameliorative effects of mitigating measures (with the exception of eyeglasses or contacts). Examples of mitigating measures include medication; medical supplies, equipment or 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; and learned behavioral or adaptive neurological modifications.

Determining Whether the Student Needs Accommodations or Services to Access the District Programs and Activities

If the team has determined the student has a disability, the team must then determine if the student needs accommodations (i.e. modifications to the district's policies or procedures), services or specially designed instruction to have equal access to the district's programs and activities. For purposes of determining need, the team can consider mitigating measures (i.e. medications, prosthetic devices, assistive devices, or learned behavioral or adaptive neurological modifications that a student may use to eliminate or reduce the effects of his or her physical or mental impairment).

When determining need, it is helpful to consider what the "general rule" is for all students and ask whether the student requires a change to the "general rule" in order to have equal access to the district's programs and activities. For example, if the school's general rule is to allow all students unlimited time to complete a Math test, a disabled student who needs more time on Math tests will have equal access to the opportunity for extra time and an accommodation is not necessary. However, if the school's general rule is for students to have only one class period to complete a Math test, and a disabled student needs more time to complete a Math test in order to demonstrate mastery of the concepts being assessed, the disabled student would not have equal access to the exam and an accommodation would be needed.

If a student does not need any accommodations, (i.e. modification of the district's polices and/or procedures), related services and/or specially designed instruction, but the 504 Team has determined the student meets disability criteria as described under Section 504, the student still has certain rights described in the Notice of Parent and Student Rights form. If the combination of no need for accommodations but found to have a substantially limiting disability exists, a *No Accommodation 504 Plan* should be considered. If the student's needs or the "general rules" change, the district should consider amending the No Accommodation 504 Plan to reflect newly needed accommodations.

Developing a 504 Plan

A written Section 504 Plan is a way to document that the LEA engaged in a process to identify and address the needs of a student with a disability and to communicate to school personnel the information needed for successful implementation. The Office for Civil Rights (OCR) encourages schools to document a student's Section 504 services in a written plan to help avoid misunderstandings or confusion about what Section 504 services the school offered the student.

The provision of FAPE is ensured through a 504 plan. LEAs shall provide qualified students under Section 504 with appropriate services designed to meet their individual needs to the same extent as the needs of students without a mental or physical impairment. The 504 plan must also be designed to ensure access to non-academic and extracurricular services and activities in a manner that affords qualified students an equal opportunity to participate in such services and activities to the maximum extent appropriate. All accommodations and related services in the 504 plan shall be provided by the LEAs. Section 504 service plans should be reviewed and updated at least annually to accurately reflect the needs of the student.

Notice to Conduct a 504 Meeting

The 504 Eligibility Determination and any draft 504 Plan should be reviewed at a 504 meeting. The 504 process consultant is responsible for scheduling a meeting at a time that is mutually convenient for the school staff members and the student's parents. Once a meeting date is selected, the 504 process consultant should send parents the Notice To Conduct a 504 Meeting form at least 10 calendar days before the meeting will be held, whenever possible. If parents cannot attend a meeting, efforts should be made to reschedule. If two attempts to reschedule the meeting are unsuccessful, the meeting may be held on or after the second attempt without parents present.

504 Plan

Once the draft 504 Plan is reviewed and finalized at the 504 meeting, team members, including the parent(s) will sign the 504 Plan indicating that they participated in the discussion/development of the 504 Plan. The parent also will be given the opportunity to consent or not consent to implement the 504 Plan. If the parent consents to the 504 Plan, a copy of the signed plan will be distributed to all individuals who work with the student or are involved in implementing the 504 Plan. Each individual reviewing the 504 Plan with the 504 process consultant will sign the Documentation of 504 Plan Distribution Form after the review is complete, or read receipts from email distribution will be collected and compiled.

Annual Review

The 504 Plan must be reviewed and rewritten (if necessary) on at least an annual basis. The 504 process consultant must schedule a meeting and send the Notice to Conduct 504 Meeting form to the parent(s). The plan may be reviewed more frequently, such as if the student's needs or the "general rules" change.

File Storage

Files related to the 504 process must be maintained in a secure location. Access to 504 files will be restricted to personnel who have a legitimate education interest in the information contained in the file and other reasons allowed by FERPA and/or other applicable law.

Reevaluations

At least once every three years and also before any significant change in the 504 Plan is made, the 504 process consultant should request a parent's consent for a reevaluation. If consent to reevaluate is given, a new Eligibility Determination form should be completed, updating information contained in the previous Eligibility Determination. All evaluation information should be maintained with the student's 504 Plan in a lockable office file.

If consent to reevaluate is not given, education records should be reviewed to determine whether changes to the 504 Plan are needed.

Section 504 also requires LEAs to conduct reevaluations prior to significant changes in placement. OCR considers an exclusion from the educational program (for example, an out of school suspension) of more than 10 consecutive school days to be a significant change in placement. OCR also considers a series of short-term exclusions (each 10 school days or fewer) from the educational program to be a significant change in placement, if the short-term exclusions total more than 10 school days and create a pattern of removal.

Year-to-Year and School-to-School Transition Guidelines

Clear communication between sending and receiving grade levels and/or schools is essential for successful transitions of students with 504 Plans. The consequences of poor communication/transition of 504 materials between the sending and receiving grade levels and/or schools are numerous and include such things as inappropriate student accommodations, dissatisfied students, parents, teachers, and administrators. For this reason, special care should be given to preparing each of the student's learning and school-sponsored environments for success. When a student is moving from grade to grade, level to level (elementary to middle; middle to high school), or from one school to another it is recommended that the following steps are taken:

If moving from grade to grade within the same building:
Consider whether the student's next learning environment will be different than the current one, creating the possibility that more or less accommodations, related services or specialized instruction will be needed. Consider whether the student's participation in extracurricular activities or other school sponsored events will change with advancement to the next grade.

Establish a planning meeting with the student's current and next teacher or teachers prior to the transition. Include other appropriate team members in the planning meeting (including parents and the student, if appropriate). Rewrite/revise the plan to meet the student's needs at the next grade level.

If moving from level to level or transferring to another building:
Each level (elementary, middle, and high school) designs plans that reflect the way in which that school level operates. That is, "general rules" at the elementary level are often different than "general rules" at the middle school level, etc. Consequently, 504 Plans developed at an elementary school may include accommodations, related services or specialized instruction that need to be adjusted for middle school. In addition, 504 Plans may need to be revised to include items available to all students in elementary school because such items would constitute accommodations, related services or specialized instruction in middle school.

The current school should provide a copy of the current 504 Plan to the appropriate school personnel at the next level. The 504 process consultant at the current school and the 504 process consultant at the new level will determine who will be invited to attend a meeting to discuss whether a reevaluation is warranted to determine if the student needs accommodations at the next level or whether any changes to the 504 Plan are necessary when the student begins attending the next level. The 504 process consultant at the new level will contact the parents to schedule the meeting and invite the necessary team members.

Once the student attends the next level, a meeting can be held at the request of parents or school staff to discuss any additional changes that may be warranted after the staff at the new level has had the opportunity to work with the student and reflect on the effectiveness of the 504 Plan.

If a student transitions into the District with an active 504 Plan:
When a student transfers from another system with an existing 504 Plan, the 504 team should meet to review the accompanying plan. If there are no concerns about the transfer student's eligibility or the accommodation plan, a St. Joseph School District 504 Plan should be written and implemented without delay. If the Section 504

team does not agree with the decision and plan from the previous district, the student should be promptly evaluated to determine eligibility and the need for accommodations.

Terminating a 504 Plan

If, in the professional opinion of school staff, a student no longer demonstrates a need for a 504 Plan, a meeting should be held with the student's 504 Team (including the parents) to discuss the possibility of terminating the 504 Plan. Parents should be given written notice of this meeting, using the Notice to Conduct 504 Meeting form.

If a parent desires to withdraw consent for a 504 Plan, the parent must give written notice of this withdrawal. The 504 process consultant must acknowledge in writing that the withdrawal of consent was received and notify the parent that accommodations will cease as of a specific date.

Grievance Procedures

All complaints alleging discrimination, violation of law or failure to follow district policies or procedures regarding the education or accommodation of students with disabilities will be made to the compliance officer and will be investigated immediately. The district will use the grievance procedure outlined in policy AC. Complaints may be made at any time to the U.S. Department of Education, Office for Civil Rights.

Grievance Process Overview

1. If a person designated to hear a grievance or appeal is the subject of the grievance, the compliance officer may designate an alternative person to hear the grievance, or the next highest step in the grievance process will be used.

2. An extension of the investigation and reporting deadlines may be warranted if extenuating circumstances exist as determined by the district's compliance officer. The person filing the complaint will be notified when deadlines are extended. If more than twice the allotted time has expired without a response, the appeal may be taken to the next level.

3. Failure of the person filing the grievance to appeal within the timelines given will be considered acceptance of the findings and remedial action taken.

4. To the extent permitted by law, the district will investigate all grievances, even if an outside enforcing agency such as the Office for Civil Rights, law enforcement or the CD is also investigating a complaint arising from the same circumstances.

5. The district will only share information regarding an individually identifiable student or employee with the person filing the grievance or other persons if allowed by law and in accordance with Board policy.

6. Upon receiving a grievance, district administrators or supervisors, after consultation with the compliance officer, will implement interim measures as described in this policy if necessary to prevent further potential discrimination, harassment or retaliation during the pending investigation.

Impartial Due Process Hearing

In the event the parent/guardian or district wishes to contest an action with regard to the identification, evaluation or placement of a student with a disability under law, either party may initiate a due process hearing. The district may do so by notifying the parent/guardian in writing. The parent/guardian may do so by notifying the district's compliance officer in writing. The request for a due process hearing must be made within 30 days of the action the parent/guardian or district wishes to contest and include a detailed statement as to the nature of the dispute. Both parties will have the opportunity to participate in the hearing and be represented by counsel.

The district will immediately secure the services of an impartial hearing officer. The hearing officer will set a date for the hearing and may request additional clarification from either party as to the nature of the dispute. The hearing officer has the authority and the responsibility to create reasonable rules governing the hearing to ensure that relevant information is presented, but that a decision is made as expeditiously as possible. The hearing officer will provide each party a copy of the written decision within 15 calendar days after completion of the hearing. The decision is binding on both parties unless determined otherwise by a court of competent jurisdiction.

The written Request for Hearing must include the following:

a. The name of the student.
b. The address of the residence of the student.
c. The name of the school the student is attending.
d. The decision that is the subject of the hearing.
e. The requested reasons for review.
f. The proposed remedy sought by the grievant.
g. The name and contact information of the grievant.

Mediation: Parents and guardians may resolve issues concerning Section 504 without first resorting to formal hearings and civil suits. A mediation process is available to provide an informal resolution-to-conflict with the assistance of a mediator. The process is initiated through the District's 504 Coordinator. Parents are not required to use this process before more formal procedures; however, many parents choose this process because of its voluntary nature.

Disciplining a 504 Student

As with special education (students who are subject to IDEA) a student with a 504 Plan may not be suspended for more than 10 days, unless a manifestation determination meeting is first held to determine if the student's misconduct is related to the student's disability and/or a direct result of a failure to implement the 504 Plan. Likewise, a manifestation determination may be required if the student is to be suspended for less than 10 days for a single suspension, but that proposed suspension in combination with prior suspensions would result in total suspensions of more than 10 days during the school year.

In deciding whether a manifestation determination is required because a pattern of exclusion exists, school personnel must consider the length of each suspension, the proximity of the suspensions to one another, the nature of the misconduct giving rise to each suspension, and the total amount of time the student has been or will be excluded from school. If, after considering these factors, school personnel conclude that the proposed suspension will amount to a "pattern of exclusion," then a manifestation determination is required.

Those involved in a manifestation determination meeting need to be knowledgeable about the student and the meaning of the data being reviewed. When possible, it is beneficial to convene those individuals who designed the student's 504 Plan. When this is not possible teachers, parents, health professionals, counselors, etc. can serve on the team that makes a manifestation determination provided they have knowledge of the student and the data being reviewed. The Office of Civil Rights indicates that those making the manifestation determination must have available information that professionals would require when making such a decision. Examples might include attendance and academic records, psychological evaluation data, behavior plans, discipline records, staff observations, annotative records, etc. It is important that the information considered is recent enough to afford an understanding of the student's current behavior.

As with IDEA, if the student's misconduct is found to be a manifestation of the student's disability OR due to a lack of implementation of the student's 504 Plan, the student cannot be suspended for more than 10 school days and the team needs to determine whether the current 504 Plan is still appropriate, or needs to be revised. The major difference between IDEA and 504 is that if a student with a 504 Plan commits an infraction that is not a manifestation of his or her disability, the student is referred to administration for discipline as a general education student. In this case, if the student is suspended for more than 10 school days, there is no obligation to provide any educational services to the student with the 504 Plan during the period of the suspension.

Exclusions to Section 504 Protections

Any student with a disability who is engaging in the illegal use of drugs is excluded from Section 504 protections. Students who have been identified as disabled under Section 504 and are recommended for discipline arising from the current use or possession of alcohol, illegal drugs, or a weapon may be disciplined by using the procedures applicable to general education students. The disciplinary action taken must be consistent with the disciplinary action applied to general education students for these same offenses.

It is vitally important that the student with the 504 Plan be punished no more severely than a non-disabled student would be punished under the same circumstances.

> **Note** – Section 504 students who participate in extracurricular activities who violate a district's Good Conduct/Code of Conduct policy are not entitled to the manifestation determination process. The same disciplinary measures should apply to Section 504 students that are applied to non-disabled students.

Frequently Asked Questions

1. **Who is protected by Section 504?** Any otherwise qualified student who currently has an impairment which substantially limits one or more major life activities is eligible for protection and services under Section 504. Any student who is regarded as having an impairment or who has a record of an impairment is eligible for protection from discrimination.

2. **What is a major life activity?** Section 504 defines major life activities as those activities involving caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

3. **What are substantial limitations?** This term is not defined in the act or the regulations and is left to each agency to define. However, the Americans with Disabilities Act suggested that the term "substantially limits" be interpreted to mean that the student is unable to perform a major life activity that the average student of approximately the same age can perform, or that the student is significantly restricted as to the condition, manner or duration under which a particular major life activity is performed as compared to the average student of approximately the same age. This interpretation can provide some guidance in defining the phrase

4. **What is reasonable accommodation?** Reasonable accommodation in the school setting is a modification or adjustment of educational programs to afford students with disabilities equal opportunity to access the programs. Reasonable accommodation must be made for students with disabilities unless the school can show that the requested accommodations would impose undue hardship.

5. **What protections are afforded to those with a "record of an impairment" or who are "regarded as having an impairment"?** Under these prongs of the act, individuals are only eligible for protection from discrimination. For example, a student who has a record of leukemia but who is currently in remission cannot be denied the opportunity to try out for the football team. Likewise, a student with an orthopedic impairment cannot automatically be regarded as disabled when in reality the student experiences only minimal limitations.

6. **Are IDEA (special education) students protected by Section 504?** Students who are served through special education under IDEA are also covered under Section 504. However, individuals covered by Section 504 are often not covered by IDEA. The determining factor will be the severity of the disability and the need for special education and related services.

7. **Do students who have an Individualized Education Program under IDEA need a 504 Plan as well?** Not typically. The IEP should cover all aspects of a student's educational program, though there may be exceptions.

8. **When a student is dismissed from special education, is he automatically eligible for 504?** Yes and no. The student cannot be discriminated against based on history of an impairment. If the 504 Committee determines that the student continues to have a disability that substantially limits a major life activity even though he does not meet IDEA eligibility requirements, the student would then be eligible for services and protection under Prong 1 of Section 504.

9. **Can a temporary disability qualify a child for accommodations under Section 504?** In some instances, students with temporary disabilities are eligible for 504 protection. The committee should consider the nature and severity of the impairment and what its permanent or long-term impact will be.

10. **What protections are afforded to alcohol and/or drug addicted students?** Section 504 does not provide protection to students currently engaging in alcohol/drug use or to casual users. It does protect individuals who have successfully completed rehabilitation programs, students who are participating in a rehabilitation program, and students regarded erroneously as drug users.

11. **Who is responsible for implementing Section 504?** Section 504 is considered to be a provision of general education. It is therefore the responsibility of classroom teachers and the principal to assure that Section 504 accommodations are carried out.

12. **Who makes up the 504 Team?** The team must be comprised of members who are knowledgeable about the student, interpretation of evaluation data, and/or placement/accommodation options.

13. **Is evaluation necessary to determine 504 eligibility?** Some type of evaluation is necessary. However, the evaluation may involve review of information such as medical information, standardized test scores, and classroom data that is already available to the committee rather than a new formal evaluation.

14. **Is a medical report always necessary to determine 504 eligibility?** No. Although the 504 Team should attempt to get as much information as possible regarding the student's condition, a physician's statement is not required to determine eligibility. If the 504 Team determines that a formal evaluation of any type is necessary to determine eligibility, it must be provided at no cost to the parents.

15. **Must students have a written 504 Plan in order to receive protection or accommodations?** No. Students who are found eligible under Section 504 are protected by Section 504 even if a written plan is not in place.

16. **Can a teacher refuse to implement accommodations that are written into a student's 504 Plan?** After the 504 Committee has determined the accommodations that are necessary for a student, teachers are required to implement them. Failure to do so places the LEA in violation of Section 504.

17. **Does every child who takes medication at school need a 504 Plan?** No. Students may have accommodations such as administration of medication without having a formal plan. Local school system policy should be implemented.

18. **If a student has a 504 Plan, will a teacher or paraprofessional be assigned to come and work with that student?** In most circumstances, no additional personnel will be assigned to carry out accommodations. Section 504 accommodations are generally carried out by the classroom teacher or other designated personnel within the school.

19. **Are there any special rules for PE?** The 504 team should determine to what extent a student will be able to participate in PE. Alternate assignments or exemptions should be addressed in the 504 Plan.

20. **Is it possible for a 504 student to fail a class?** Yes. 504 protection does not automatically dictate that a student will receive passing grades. The 504 Team must determine if the accommodations were appropriate and if they were implemented for the student. Team members must keep in mind that many factors influence a student's academic performance.

21. **How does eligibility for Section 504 affect discipline?** Students may not be punished for behavior that is caused by a disability. If it is determined that the behavior was not related to the disability, the student could receive the same consequences as a student without a disability.

22. **Can the 504 Committee order accommodations to the ACT/SAT?** The 504 Team can make recommendations based on accommodations written into the 504 Plan. However, the Educational Testing Service makes all decisions regarding accommodations on an individual basis.

23. **Can the 504 Team order accommodations to district-wide standardized testing and the MAP Test or EOCs?** Accommodations as outlined in the testing manual can be recommended as part of a 504 Plan. However, teams should exercise caution in making these decisions. Ethically, students must need the accommodations during the rest of the school year and not just during weeks of standardized testing. 504 Plans should not be written for the sole purpose of providing accommodations on standardized testing. In fact, a student may be placed at a disadvantage if an accommodation is introduced for the first time at the administration of a standardized assessment.

24. **Can a student be found to no longer be eligible under Section 504?** Yes. Students who no longer have an impairment are no longer eligible for 504 services. They will continue to be eligible for protection from discrimination based on their history of impairment.

25. **Does 504 eligibility automatically guarantee that a student is chosen for extracurricular teams/activities?** No. Students with disabilities must be given equal access to compete for and participate in these activities with reasonable accommodations. If the student fails to meet criteria for team membership, then he is not considered to be "otherwise qualified." Discrimination occurs when the decision not to allow the student to participate is based solely on the fact that the student has a disability.

Forms

St. Joseph School District
Section 504 Procedural Safeguards

The District seeks to identify, evaluate and provide a free and appropriate education to all qualified students with disabilities. The intent of the law is to keep you fully informed concerning decisions about you or your student. Section 504 of the Rehabilitation Act of 1973 requires the District to:

1. Inform parents/guardians and student 18 and older of the district obligations under Section 504 of the Rehabilitation Act of 1973. This document serves that purpose.
2. Provide students with disabilities a free and appropriate public education in accordance with law.
3. Provide accommodations, modifications and related services to students with disabilities that will allow those students an equal opportunity to participate in school activities, including academic, nonacademic and extracurricular activities.
4. Notify parents/guardians or the student if 18 or older regarding the referral, evaluation, placement and accommodations provided to the student. The district will request consent for formal evaluations.
5. Evaluate a student prior to making any decision regarding whether the student has a disability or the student educational placement.
6. Evaluate a student using a multidisciplinary group of school employees, necessary professionals or others who have knowledge of the student, the meaning of the evaluation data and the placement options. This group will draw upon information from a variety of sources.
7. Educate students with disabilities with non-disabled peers as much as possible.
8. Allow parents/guardians or student if 18 or older to request changes in the educational program.
9. Re-evaluate a student with disabilities periodically and prior to any significant change of placement.
10. Provide a grievance procedure for addressing any complaints regarding the education of students with disabilities.
11. Provide an impartial hearing if there is a disagreement between the parents/guardians or the student if 18 or older and the district regarding a student's educational program. The parents/guardians or the student if 18 or older will have an opportunity to participate in the hearing and may be represented by counsel. The hearing will be held within 45 calendar days of the receipt of the written request.
12. Allow parents/guardians or students if 18 or older the opportunity to examine the student's relevant school records.
13. Inform parents/guardians of students if 18 or older of their option to file a complaint with the U. S. Department of Education, Office for Civil Rights. This is accomplished through this notice.
14. Provide notice of a review procedure if the parents or guardians want to appeal the impartial decision.

Coordinator of Counseling
District 504 Compliance Coordinator

1415 N. 26th St
St. Joseph, MO, 64506
Phone number: (816) 671-4000

St. Joseph School District

Notice of Parent and Student Rights

(Section 504 of the Rehabilitation Act of 1973)

The following is a description of the rights granted by Section 504 of the Rehabilitation Act of 1973 for students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your student and to inform you of your rights if you disagree with any of these decisions. Please keep this explanation for future reference.

DISABLED STUDENTS HAVE THE RIGHT TO:

- Take part in and receive benefits from the school district's programs and activities without discrimination because of a disability.
- Receive a free and appropriate public education, which may include the provision of specific accommodations (i.e. modification of the districts polices and/or procedures), related services and/or specially designed instruction if required to meet individual educational needs as adequately as the needs of nondisabled students are met.
- Be educated with nondisabled students to the maximum extent appropriate and in facilities which are comparable to those provided to students without disabilities.
- Have evaluations, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluation data, and placement options.
- Have transportation provided to and from an alternate placement setting at no greater cost to the student's parents than would be incurred if the student were placed in a program operated by the district.

PARENTS OF DISABLED STUDENTS HAVE THE RIGHT TO:

- Have notice of their rights under federal law.
- Receive notice with respect to identification, evaluations or placement of their student.
- Examine all relevant records relating to decisions or actions regarding their student's identification, evaluations, services and/or placement.
- File a complaint related to decisions or actions by the district:

  Kansas Office for Civil Rights U.S. Department of Education
  8930 Ward Parkway, Suite 2037 Kansas City, MO 64114
  Phone: 816-268-0550
  E-mail: ocr.kansascity@ed.gov

- Request an impartial due process hearing regarding their student's identification, evaluations, educational program or placement. The parent and the student may take part in the hearing and have an attorney represent them, at their cost. Hearing requests must be made to the district Section 504 Coordinator listed below.
- File a grievance to address issues not eligible for an impartial due process hearing which cannot be resolved at the building level. The grievance procedure may also be used to address identification, evaluation or placement issues, if parents desire. The Grievance Form is to be completed and sent to the Section 504 Coordinator within ten (10) school days of the decision being appealed. The review by the Section 504 Coordinator may include a meeting with the student and/or parent(s), meetings with school staff, as appropriate, and a review of the file and supporting documentation. Based on this review, the Section 504 Coordinator will make a determination in writing to grant or deny the appeal. The determination will be issued promptly.

St. Joseph School District 504 Coordinator
1415 N. 26th St
St. Joseph, MO, 64506
Phone number: (816) 671-4000

St. Joseph School District

Notice to Conduct a Section 504 Meeting

This form is also in the student's Spedtrack dashboard

Student Name: _____ Grade: _____ Birthdate: _____
Notice Date: _____
Date/Time of Meeting: _____
Facility: _____
Location: _____

Meeting Purpose:

- ☐ Review Existing Data
- ☐ Develop an Evaluation Plan
- ☐ Determine Initial 504 Eligibility
- ☐ Consider Continued Eligibility
- ☐ Review the Results of Evaluation
- ☐ Develop or Review 504 Plan
- ☐ Conduct Manifestation Determination
- ☐ Other: _____

Contact Name: _____

Contact Role: _____

Contact Address: _____

Contact Phone: _____

Virtual Meeting Information (if needed):

_____

_____

St. Joseph School District

Notice of Consent for an Action Related to Section 504

This form is also in Spedtrack Libraries

The 504 School Team is seeking consent for the below action:

☐ Initial Evaluation

☐ Re-evaluation

☐ Initial 504 Plan Implementation (consent is encouraged, but not required to initially implement a 504 Plan for a student found eligible)

The action is being proposed for the below student:

Student Name: _____

Parent/Guardian: _____

Address: _____

School: _____ Grade: _____

SJSD 504 Process Consultant: _____

Reason for Proposed Action:

☐ After carefully reviewing your student's records, information from teachers, and information from the parent, the School Staff 504 Team is proposing an initial 504 evaluation of your student. This 504 evaluation will be used to determine if your student qualifies for a 504 Plan.

☐ The School Staff 504 Team is proposing a re-evaluation of your student to determine continued eligibility, and/or to determine appropriate supports.

☐ The School Staff 504 Team has found your student eligible for an initial 504 Plan, after appropriate evaluation, and is seeking consent to implement an initial 504 Plan.

☐ The School Staff 504 Team is proposing to terminate your student's 504 Plan, based on information gathered through evaluation, and/or through student achievement and other relevant records. *Consent is encouraged, but not required*

☐ Other:

_____

I, the Parent/Educational Decision Maker for the above named student:

☐ Do Consent ☐ Do NOT Consent

To the proposed School Staff 504 Team action.

_____ _____

Signature Date

To be completed by SJSD Staff:

Date Received by Section 504 Process Consultant: _____

St. Joseph School District
1415 N. 26th St., St. Joseph, MO,
64506

Authorization for Disclosure of Health & Educational Information

THIS IS A HIPAA AND FERPA COMPLIANT RELEASE OF INFORMATION FORM
This form is also in Spedtrack Libraries

I, _____ authorize and request:
(NAME OF ADULT STUDENT, PARENT OR GUARDIAN/LEGAL REPRESENTATIVE)

CHECK ALL THAT APPLY

- ☐ Dept of Mental Health (DMH)
- ☐ Dept of Social Services (DSS)
- ☐ Dept of Health & Senior Services (DHSS)
- ☐ Dept of Elementary & Secondary Education (DESE)
- ☐ School District: _____
- ☐ Hospital or Clinic: _____
- ☐ Mental Health Practitioner: _____
- ☐ Other: _____
- ☐ Other: _____

TO DISCLOSE/RELEASE THE BELOW SPECIFIED INFORMATION OF:

NAME:		DATE OF BIRTH:	
WHO RECEIVED SERVICES TO AND FROM (DATES)			

TO (CHECK ALL THAT APPLY)

- ☒ School District: St. Joseph School District
  Address, City, State, Zip 1415 N, 26th St., St. Joseph, MO, 64506
- ☒ Specify Building & Staff _____
  Address, City, State, Zip _____

THE PURPOSE OF THIS DISCLOSURE IS (CHECK ALL THAT APPLY)

- ☐ Eligibility Determination
- ☐ Placement
- ☐ Continuity of Services/Care
- ☐ Assessment
- ☐ Transfer/Treatment
- ☐ Conditional/Unconditional Release Hearing
- ☐ Aftercare
- ☐ Treatment Planning
- ☐ At Consumer's Request
- ☐ Access Public Health Insurance Benefits (Medicaid)
- ☐ Other (specify) _____
- ☐ Other (specify) _____

THE SPECIFIC INFORMATION TO BE DISCLOSED IS (CHECK ALL THAT APPLY)

- ☐ Discharge Summary
- ☐ Social Service Assessment
- ☐ Medical/Psychiatric Assessments
- ☐ Progress Notes
- ☐ Treatment Plan and/or Review
- ☐ Educational Testing, IEP, Transcript, Grading Report
- ☐ Psychometric testing, including intelligence quotient (IQ) results, neurological testing, or other developmental test results.
- ☐ Other (specify) _____

1. **READ CAREFULLY**: I understand that my medical/health/educational information records are confidential. I understand that by signing this authorization, I am allowing the release of my medical/health/educational information. The protected health information (PHI) in my medical record includes mental/behavioral health information. In addition, it may include information relating to sexually transmitted diseases, acquired immunodeficiency syndrome (AIDS), human immunodeficiency virus (HIV), other communicable diseases, and/or alcohol abuse.
2. Alcohol and drug abuse information records are specifically protected by federal regulations (42 CFR 2) and by signing this authorization without restrictions I am allowing the release of any alcohol and/or drug information records (if any) to the agency or person specified above.
3. This authorization includes both information presently compiled and information to be compiled during the course of treatment at the above named facility or agency paying for services during the specified time frame.
4. This authorization becomes effective on date of signature, or on an alternate agreed upon date: _____
   This authorization automatically expires on the following date, event or special condition: _____
5. If I fail to specify an expiration date, this authorization will expire in one year.
6. I understand that I have a right to revoke this authorization at any time. I understand that if I revoke this authorization I must do so IN WRITING and present my written revocation to the school nurse or the school administrator at this school. I further understand that actions already taken based on this authorization, prior to revocation, will not be affected.
7. I understand that I have the right to receive a copy of this authorization. A photographic copy of this authorization is as valid as the original.
8. I understand that authorizing the disclosure of this medical/health information is voluntary. I can refuse to sign this authorization. I need not sign this form in order to assure treatment. I understand that I may request to inspect or request a copy of information to be used or disclosed, as provided in 45 CRR Section 164.524. I understand that any disclosure of information carries with the potential for an unauthorized redisclosure and the information may not be protected by federal confidentiality rules. If I have questions about disclosure of my medical/health information, I can contact the health information management director (medical records director) or client information center, or designee, or the Privacy Officer for this covered entity.

Signature of Parent/Guardian or Adult Student:	Date:

(If signing on behalf on an Adult Student, please include a Description of Authority to Act on Student's (Consumer's) Behalf and attach a copy of the document granting authority, where applicable)

THE FOLLOWING APPLIES TO ALCOHOL AND/OR DRUG ABUSE TREATMENT INFORMATION RECORDS:
Prohibition of Redisclosure: this information has been disclosed to you from records whose confidentiality is protected by Federal law. Federal regulations (42 CFR Part 2) prohibit you from making further disclosure of it without the specific written authorization of the person to whom it pertains, or as otherwise specified by such regulations. A general authorization for disclosure of medical or other information is not sufficient for this purpose.
My signature below acknowledges that I have read, understand, and authorize the release of my PHI.

Signature of Parent/Guardian or Adult Student:	Date:

NOTICE OF REVOCATION OF PREVIOUSLY OBTAINED CONSENT

I, _____(Adult student/Parent/Guardian) hereby revoke my authorization of this disclosure of information to the agency/person listed above. This revocation effectively makes null and void any permission for disclosure of information expressly given by the above authorization. I understand that any actions based on this authorization, prior to revocation, will not be affected.

Signature of Parent/Legal Guardian/Representative	Date:
Witness:	Date:

If you choose to revoke authorization, please provide a copy of the completed revocation to the school administrator and/or 504 process consultant.

St. Joseph School District

Section 504 Manifestation Determination Form

Meeting MUST be held within 10 school days of the 11th day of suspension for the year to date.

This form is also in Spedtrack Libraries

Student Name:_____**Birth Date**: _____

Grade: _____ **Gender**: _____ **School**:_____

Date of Manifestation Determination Meeting: _____ **504 Eligible Disability**: _____

Is the student limited in English proficiency? ☐ **Yes** ☐ **No** **Primary language**: _____

Date of Last Evaluation: _____

Description of behavior/actions of student that resulted in a long-term suspension; attach further information as needed (more than 10 days removed from school in a school year):

Disciplinary action(s) taken as a result of the described behavior:

☐ Out of School Suspension
☐ Other: _____

--If Out of School Suspension--

☐ Multiple suspensions throughout the year accumulated to more than 10 days in the school year.
☐ Student was issued a single long-term suspension of more than 10 days.
Dates of suspension(s): _____

In determining whether the student's behavior was a manifestation of his/her disability, the manifestation determination team considered the following *in relation to the behavior subject to discipline* (check all sources considered):

☐ Evaluation and diagnostic results	☐ Current 504 Plan and placement
☐ Observations of the student	☐ All relevant information in the student's file
☐ Relevant information provided by the parent	☐ Other: _____

The Manifestation Determination team concluded that, *in relation to the behavior subject to disciplinary action*:	
The behavior was caused by or had a direct or substantial relationship to the disability.	☐ Yes ☐ No
The behavior was the direct result of a failure to implement the 504 Plan.	☐ Yes ☐ No

The Manifestation Determination team has concluded that the student's behavior:

☐ Was a manifestation of his or her disability (requires a "yes" on 1 or both of the above 2 items).

→ If checked, student must be returned to previous programming, and disciplinary proceedings halted. The 504 Plan must be reviewed and modified, as appropriate, to address behaviors of concern.

☐ Was NOT a manifestation of his or her disability (requires a "no" on **both** of the above items).

Explanation of conclusion:

_____

_____

_____

_____

Parent ☐ agrees ☐ disagrees with the determination of the Manifestation Determination team.

Comments:

Procedural Safeguards have been provided to parent: ☐ Yes ☐ No Date: _____

Meeting Participants (list or signature)	Role	Area of Knowledge Relevant to this Meeting		
		Student	Evaluation Data	Accommodations and/or Placement Options
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐
		☐	☐	☐

St. Joseph School District

Denial of 504 Plan Request

This form is also in Spedtrack Libraries

Date: _____(within 30 work days of the receipt of request for a 504 Plan)

Dear Parent/Guardian,

The St. Joseph School District has received your request for a 504 Plan for your child and, after careful review, is denying your request. A group of people knowledgeable about your student, the data under review, and placement options within the district, have concluded that a disability as defined by Section 504 is not suspected. Your child is able to access his or her education as adequately as other nondisabled students and does not demonstrate a need for accommodations or modifications beyond those available to all students, access to different programming, or related aids and services, in order to obtain a free appropriate public education (FAPE).

The following records have been carefully reviewed for your child in order to make the above determination:

- ☐ Academic performance
- ☐ Discipline history
- ☐ Available and parent-provided medical information
- ☐ Parent input
- ☐ Attendance
- ☐ ELL status
- ☐ Available intervention data
- ☐ Teacher input
- ☐ Other: _____

A copy of the *St. Joseph School District Section 504 Procedural Safeguards* should have been mailed to you upon receipt of your request, but if you would like another copy, you may obtain one from your child's school Section 504 Process Consultant, or by contacting Dr. Sam Davis, District 504 Coordinator, at 1415 N. 26th St., St. Joseph, MO, 64506, (816) 671-4000.

Sincerely,

_____ _____

Name Role

St. Joseph School District

Receipt of Request for a 504 Plan

This form is also in Spedtrack Libraries

Date: _____(within 5 school days of the receipt of request for a 504 Plan)

Dear Parent/Guardian,

The St. Joseph School District has received a request for a 504 Plan for your child. The contact person for your child's 504 Plan request is the Section 504 process consultant assigned to your child's school.

Enclosed you will find St. Joseph School District *Section 504 Procedural Safeguards*. These are yours to keep.

Also enclosed is the *Section 504 Parent Information Form*. In order to make the most informed decision regarding this request we need your input. Please complete this form and return it as soon as possible to your child's 504 Section 504 Process Consultant. You will be notified of the district's decision regarding the request within 30 school days of the date the referral was received.

Sincerely,

_____ _____

Name Role

St. Joseph School District

Section 504 Parent Information Form

This form is also in Spedtrack Libraries

Please return this form to your child's Section 504 Process Consultant.

Demographic Information			
Child's Name			Birthdate:
Parent's Name			
Home Address			
School			
Cell phone		Home phone:	Work phone:
Parent's Email			
Language Spoken in the Home English? ☐ Yes ☐ No			If not English, does the child speak English? ☐ Yes ☐ No
Birthplace		If not born in the US, date the child moved to the US:	
Child lives with	☐ Both Parents	☐ Father Only	☐ Mother Only
	☐ Guardian	☐ Other:	

List all other persons residing in the home, including grandparents, cousins, half-brothers, half-sisters, etc...

Name	Gender	Age	Relationship

Medical History			
Doctor's Name:			
Has your child been hospitalized? ☐ No ☐ Yes		If yes, when:	
	Why?		
Please list any surgeries your child had: N/A if not applicable			
Other surgeries not listed:			
Has your child had any serious accidents or injuries? ☐ No ☐ Yes			
If yes, please list:			
Does your child have any significant illnesses? ☐ No ☐ Yes			
If yes, please explain:			
Is your child currently diagnosed with a chronic condition/disorder? ☐ No ☐ Yes			
☐ ADHD/ADD	☐ Diabetes	☐ Anxiety Disorder	☐ Autism
☐ PDD-NOS	☐ Down Syndrome	☐ Depression	☐ Heart Condition
☐ ODD	☐Intermittent Explosive Disorder	☐ Chronic Ear Infections	☐ Seizures
Other:			
Is your child currently taking medication? ☐ No ☐ Yes			
Name(s) of current medication			
Purpose			
Does your child experience side effects?	If yes, explain:		
Does your child have any allergies? ☐ No ☐ Yes	Specify if yes:		
Does your child wear glasses? ☐ No ☐ Yes	If yes, date of last exam:		
Does your child wear hearing aids? ☐ No ☐ Yes	If yes, date of last exam:		

Social and Emotional History	
Is the child able to develop relationships with others?	If no, explain:
How is the child's relationship with parents and/or step-parents?	Describe:

How is the child's relationship with siblings or step-siblings?	Describe:		
Child would rather: (check appropriate boxes)		☐ Play alone	☐ Play with many friends
☐ Play with younger children	☐ Play with older children	☐ Play with same-age children	☐ My child doesn't play
Which of the below behaviors describes your child's current or past history of behavior?			
☐ Takes responsibility	☐ Overactive	☐ Self-Confident	☐ Hits self or others
☐ Sleeping problems	☐ Underactive	☐ Steals	☐ Fights
☐ Disobeys rules	☐ Distractible	☐ Lies	☐ Stares off
☐ Has temper tantrums	☐ Frequently nervous	☐ Impulsive	☐ Seems tired
☐ Cares for self	☐ Has unusual fears	☐ Passive	☐ Keeps to self
☐ Gives up easily	☐ Eating problem	☐ Runs away	☐ Disrespectful
☐ Seeks attention	☐ Easily led	☐ Moody	☐ Immature for age
☐ Disorganized	☐ Not helpful	☐ Sad	☐ Overly dependent
☐ Whines	☐ Cries easily	☐ Defiant	☐ Cruel to animals
Has your child had a psychological evaluation?	☐ No ☐ Yes		
If so, when and by whom? Please attach a copy of the evaluation report if you wish to share this information			
Has your child had any recent significant events occur in his/her life, such as:			
☐ Parental Divorce	☐ Parental re-marriage	☐ Recent death of a loved one	
☐ Move	☐ Change of school	☐ Change in people living in the home	
☐ Serious illness of a family member	☐ Parent recently unemployed	☐ Witness or been victim of domestic abuse	
Other:			
Has your child been in trouble with juvenile authorities or the police?	☐ No ☐ Yes		
If so, when and under what circumstances:			
If your child currently has a juvenile officer, list JO's name:			

Educational History

Has your child repeated any grades? ☐ No ☐ Yes	If yes, which grades?

Please list previous schools the child has attended (more spaces on next page):

Name of School	Dates of attendance	If not SJSD, in what city and state?

Has your child been educationally evaluated by anyone outside of the St. Joseph School District? ☐ No ☐ Yes	
When and Where	
By whom	
A copy of the evaluation is attached ☐ No ☐ Yes	
Is your child currently receiving services outside of school?	☐ No ☐ Yes *if yes, please indicate below*
☐ Counseling	☐ Tutoring
☐ Speech therapy	☐ Occupational therapy
☐ Physical therapy	☐ Vision therapy
Other:	
Do you have concerns about your child's educational progress? ☐ No ☐ Yes	
Explain:	

What are your child's educational strengths?				
☐ Math skills	☐ Reading	☐ Writing	☐ Neat work	☐ Helpful
☐ Strong vocabulary	☐ Problem solving	☐ Respectful	☐ Takes pride in work	☐ Speaks clearly
☐ Can tell a story	☐ Well organized	☐ Good listener	☐ Tries hard	☐ Uses strategies
☐ Follows school rules	☐ Good team player	☐ Overall well behaved	☐ Understands new information quickly	☐ Works independently
What are your child's educational weaknesses?				
☐ Weak math skills	☐ Slow reading	☐ Hard-to-read writing	☐ Unclear writing ideas	☐ Doesn't seem to remember things
☐ Weak vocabulary	☐ Gets confused easily	☐ Gets frustrated quickly	☐ Doesn't understand what he/she reads	☐ Easily distracted
☐ Gets bored quickly	☐ Doesn't have many strategies	☐ Can't work independently	☐ Gives up easily	☐ Disorganized

Child's attitude toward school? ☐ Positive ☐ Negative
Explain:
What is being done at home to help your child with his/her educational needs?

Substance Abuse	
Is your child currently using alcohol or drugs that you are aware of?	☐ No ☐ Yes
Do you suspect that he/she may be using alcohol or drugs?	☐ No ☐ Yes
Is your child currently involved in treatment for drug and/or alcohol problems?	☐ No ☐ Yes
Do you feel your child needs treatment for drug and/or alcohol problems?	☐ No ☐ Yes
Do you need information regarding available programs to treat drug/alcohol abuse?	☐ No ☐ Yes

Employment	
Does your child work?	☐ No ☐ Yes
If so, please describe the job:	
How many hours per week does the child work?	

Parent/Guardian Signature

Date

St. Joseph School District

Documentation of 504 Plan Distribution

This form is also in Spedtrack Libraries

Student Name: _____ School: _____ Grade: _____

Signature on this page indicates you have received and reviewed the named student's 504 Plan.

Name	Role (If teacher, subject taught)	Date

St. Joseph School District

Section 504 Teacher Information Form

This form is also in Spedtrack Libraries

Student Name: _____ Grade: _____ Building: _____

Teacher Name: _____ Subject Taught: _____

Date: _____

*** Please return this to the student's Section 504 process consultant. ***

Introductory Information

This student has been referred for a 504 Plan. Your input on his/her performance in your classroom is needed to determine if a disability is suspected as defined under Section 504. Your help in completing this form is greatly appreciated!

- A **disability** under Section 504 is a physical or mental **impairment** that **substantially limits** one or more **major life activities**:
  - ***Major life activities*** include seeing, hearing, breathing, walking, learning, communicating, thinking, concentrating, reading or the operation of a major bodily function such as digestive or immune system.
  - The term "***substantially limited***" means an individual is restricted in performing a major life activity as *compared to an average person in the general population*, typically of the same age.
  - An ***impairment*** may be considered a disability even if it is controlled or managed with measures such as medication, medical devices or other mitigating measures.
  - An ***impairment*** may be considered a disability even if it is intermittent, episodic or in remission. The determining factor in whether, when the condition is active, it *substantially limits major life activity*.
  - A temporary impairment is generally not considered a disability unless it is a substantial impairment, taking into account both the expected duration and the degree to which is actually limits a major life activity.
  - A student *may* qualify as disabled under Section 504 but due to the status of the impairment (i.e. intermittent, in remission, controlled by medication, etc.) the student may not need a 504 Plan at this time.

Consider the extent to which the impairment actually limits a major life activity or a major bodily function:

a) Has the student demonstrated a consistent need for substantially more time to complete homework assignments than is required by a non-disabled peer? ☐ Yes ☐ No
   a. If yes, explain: _____

b) Has the student demonstrated a consistent need for substantially more time to complete in-school assignments than is required by a non-disabled peer? ☐ Yes ☐ No
   a. If yes, explain: _____

c) Is modified testing consistently necessary for the student to demonstrate knowledge of content?
   ☐ Yes ☐ No
   a. If yes, explain: _____

d) Does the student exhibit frequent behaviors, such as drowsiness, impulsivity, inattentiveness, or aggression, associated with an identified physical or mental impairment? Do these behaviors significantly interfere with school performance? ☐ Yes ☐ No
   a. If yes, explain: _____

e) Does the student exhibit significant difficulty with planning, organization and execution of school-related activities and assignments? ☐ Yes ☐ No
   a. If yes, explain: _____

f) Is the student chronically absent or tardy for reasons related to a diagnosed physical or mental impairment? Are such absences or tardies interfering with school performance? ☐ Yes ☐ No
   a. If yes, explain: _____

g) Has the student experienced a decline in academic performance for which there is no known cause other than diagnosed physical or mental impairment? ☐ Yes ☐ No
   a. If yes, explain: _____

h) Has the student experienced an increase in disciplinary interventions for which there is no known cause other than diagnosed physical or mental impairment? ☐ Yes ☐ No
   a. If yes, explain: _____

i) After at least two intervention strategies have been implemented in regular education, does the student still exhibit significant learning-related difficulties? ☐ Yes ☐ No
   a. If yes, explain: _____

j) Does this student's physical or mental impairment substantially limit his/her learning?
   ☐ Yes ☐ No
   a. If yes, explain: _____

   b. The degree of impairment best described as (circle one):

   Negligible Mild Moderate Substantial Extreme

You are done. Thank you!

St. Joseph School District

Section 504 Suspicion of Disability Worksheet

This form is also in Spedtrack Libraries

Complete this **optional form after you have received the teacher and parent information, and reviewed student records in order to help you determine between these 3 possible next steps: 1) whether to deny the request for a 504 Plan, 2) whether you have enough to determine eligibility after reviewing records, or 3) whether you need to gather more data through an evaluation requiring parental consent**

Student Name: _____ Grade: _____ Building: _____

Date: _____

1. Is there reason to suspect the student has a disability under IDEA and is in need of special education?
   a. ☐ Yes Postpone this meeting and make a special education referral.
   b. ☐ No Continue with this worksheet.

2. What is the student's physical or mental impairment? _____
   a. List the information available to document the impairment (i.e. medical records supplied by parent):

      _____

      _____

3. Describe the nature of the impairment:
   a. Is the impairment temporary? ☐ Yes ☐ No
   b. Is the impairment intermittent, episodic, or in remission? ☐ Yes ☐ No
   c. If the answer to 3a or 3b is yes, describe both the frequency and duration (or expected duration) of the impairment:

      _____

      _____

4. Does the impairment limit a major life activity or bodily function?
   a. ☐ No If no, proceed to question 6.
   b. ☐ Yes **If yes, what major life activity or bodily function is limited**? (refer to page 11 of the Section 504 Procedures Manual to see a non-exhaustive list of major life activities and bodily functions.)

      _____

5. Taking into account all of the information above, including the frequency, duration and extent or degree of impairment, does the student's impairment, when it is in an active state, substantially limit a major life activity or bodily function? ☐ Yes ☐ No
   a. Describe the information or documentation available to support the response:

      _____

      _____

If *yes*, proceed to Determination of Request for a 504 Plan section on this worksheet.

6. If the answer to questions 4 or 5 is no, is the student using measures, such as medication, medical devices (except ordinary eyeglasses or contact lenses), or other medications, to reduce or control the effect of the impairment? ☐ Yes ☐ No
   a. If yes, what is the mitigating measure:

   _____

   _____

   b. Describe the extent to which a major life activity or major bodily function would be limited if mitigating measures were <u>not</u> being used, taking into account the information you received from teachers completing the *Section 504 Teacher Information Form* and *Section 504 Parent Information Form*:

   _____

   _____

7. Is the degree of impairment best described as (circle one):

Teacher 1:	Negligible	Mild	Moderate	Substantial	Extreme
Teacher 2:	Negligible	Mild	Moderate	Substantial	Extreme
Teacher 3:	Negligible	Mild	Moderate	Substantial	Extreme
Teacher 4:	Negligible	Mild	Moderate	Substantial	Extreme
Teacher 5:	Negligible	Mild	Moderate	Substantial	Extreme
Teacher 6:	Negligible	Mild	Moderate	Substantial	Extreme

<u>Determination of Request for a 504 Plan</u>

Based on the information above, does the school 504 Team suspect that the student has a disability that substantially limits a major life activity?

☐ Yes ⇨ Complete the ***Referral*** tab on Spedtrack, indicating that the student is referred for a 504, and schedule a meeting with the parent using the *Notice to Conduct a Section 504 Meeting*. Send home, along with the *Notice of Parent and Student Rights under Section 504*. Decide at that meeting if you have enough information to determine eligibility and write a 504 Plan using the *Notice of Consent for an Action related to Section 504* form, or if you need to seek consent for evaluation using the *Notice of Consent for an Action related to Section 504* form.

☐ No ⇨ Complete the ***Referral*** tab on Spedtrack, indicating that the student is <u>not</u> referred for a 504, complete the *Denial of 504 Plan Request* form and send to parent along with *Section 504 Procedural Safeguards*. A phone conversation to alert the parent to the school's decision prior to sending the forms home is recommended.

Section continued below…

504 Plan

After determining that the student does have a disability as defined under Section 504, is a 504 Plan needed?

☐ The student has a current Individual Health Plan and/or Emergency Medical Plan that appropriately addresses the student's needs.

→ No further action needed unless student's needs change or Plan becomes inadequate to address student needs.

☐ The student's condition is being managed (medically or otherwise) without the need for accommodations and the condition is not preventing the student from receiving a free appropriate public education with equal access as compared to his or her nondisabled peers at this time.

→ Discuss whether a *No Accommodation 504 Plan* would be appropriate to document the nature of the student's disability and provide protection from discrimination on the basis of the child's disability.

☐ The student's condition is inactive and/or episodic and is not preventing the student from receiving a free appropriate public education with equal access as compared to his or her nondisabled peers at this time.

→ Discuss whether a *No Accommodation 504 Plan* would be appropriate to document the nature of the student's disability and provide protection from discrimination on the basis of the child's disability.

☐ The student needs accommodations, modifications or related services to access an equal education opportunity to the same extent as his or her nondisabled peers.

→ Write a 504 Plan to address the supports needed for the student to access FAPE.