



Section 504 Procedures

Notice of Nondiscrimination

Applicants for admission and employment, students, parents, persons with disabilities, and employees are hereby notified that Syracuse Arts Academy (the “School”) does not discriminate on the basis of race, sex, color, national origin, age, or disability in admission or access to, or treatment or employment in, its programs and activities.

Any person having inquiries concerning the School’s compliance with the regulations implementing Title VI, Title IX, The Americans with Disabilities Act (ADA) or Section 504 is directed to contact the following individual who has been designated by the School to coordinate efforts to comply with the regulations regarding nondiscrimination:

Name _____

Title: _____

Phone: _____

Purpose and Overview

Section 504 is a federal civil rights law under the Rehabilitation Act of 1973. The law and regulations prohibit discrimination on the basis of disability in all school programs and activities in both public and private schools receiving direct or indirect federal funding. The School must provide a Free Appropriate Public Education (FAPE) to students with disabilities who are eligible under Section 504. The Section 504 regulations define FAPE as follows:

The provision of an appropriate education is the provision of regular or special education and related aids and services that (i) are designed to meet individual needs of disabled persons as adequately as the needs of nondisabled persons are met and (ii) are based upon adherence to procedures that satisfy the requirements of 104.34 (LRE), 104.35 (evaluation), 104.36 (procedural safeguards).

Therefore, under Section 504, these school programs must take into account the needs of qualified persons with disabilities in determining the aid, benefits, or services to be provided under these programs or activities in order to ensure that these students are provided a free and appropriate educational public education (FAPE). To that end, Section 504 is designed to provide equal access and fairness in general education to students with disabilities, thereby leveling the playing field for them through accommodations provided by the school. A student is entitled to accommodations under Section 504 if they have been identified and the evaluation shows that the individual has a mental or physical impairment that substantially limits one or more major life activities. Accommodations granted under Section 504 are not designed to enhance a student’s performance; they are intended to provide fairness and equal access to education.

The final determination of whether a student qualifies to receive accommodations under Section 504 is made by a team of knowledgeable individuals, including the parents, who are familiar of the student and his/her disability (the "Section 504 Team"). Although the Section 504 regulations do not mention any specific mechanism, a "Section 504 Accommodation Plan" is typically the tool used by schools to document these accommodations developed by the Section 504 Team.

These procedures set forth the processes the School will follow in identifying and evaluating students who may qualify under Section 504 and otherwise ensuring that the substantive and procedural requirements of Section 504 and its implementing regulations are followed.

Procedures

General Procedures

The School will follow these procedures in order to comply with the requirements of Section 504:

1. The School will provide written assurance of nondiscrimination whenever required to do so in order to receive federal funds.
2. The School will designate an employee to coordinate compliance with Section 504. The individual currently acting as the Section 504 Coordinator is identified above in these Procedures. The Section 504 Coordinator's responsibilities and activities include the following:
 - Ensure the School uses only nondiscriminatory educational practices
 - Establish and monitor a Section 504 referral/identification/review process
 - Ensure that the School maintains data on Section 504 referrals
 - Ensure that staff and parents are provided access to awareness and training activities concerning Section 504 requirements
 - Implement Section 504 grievance procedures
 - Consult and coordinate with the School's Director of Special Education
 - Serve as a liaison with the State Section 504 Coordinator
 - Serve as the liaison with the regional Office for Civil Rights
 - Act as a member of the School's Section 504 Team
3. The School will use the grievance procedures set forth below in these procedures in connection with Section 504 matters.
4. The School will provide notice to students and parents or guardians stating that the School does not discriminate on the basis of disability. The notification shall identify the employee responsible for coordination compliance with Section 504. The notice identified above as **Notice of Nondiscrimination**, will be posted on the School's website and included in the School's online registration process.
5. The School will maintain an ongoing program to identify students who might qualify for accommodations under Section 504. This is the school's "child find" obligation. The identification and evaluation procedures are described more specifically below in these procedures.
6. The School will annually notify persons with disabilities and their parents or guardians of the School's responsibilities under Section 504 to identify and locate every qualified child within their

jurisdiction with a disability who is not receiving FAPE. The School will provide this notice as part of the School's online registration process.

7. The School will provide parents or guardians with notice of and will provide procedural safeguards under Section 504 (see Appendix A):

- The following is a description of some student and parent rights under Section 504 and other federal laws. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. The right to:
 - Have your child take part in public education programs without discrimination based on a disability.
 - Receive notice with respect to identification, evaluation, program, and/or placement of your child.
 - Have your child receive a free appropriate public education. This includes the right to be educated with other students to the maximum extent appropriate. It also includes the right to have the school make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
 - Have your child educated in facilities and receive services comparable to those provided for students without disabilities.
 - Have evaluation, educational, and placement decisions made based upon a variety of information sources and by individuals who know the student, disability, evaluation data, and placement options.
 - Give your child an equal opportunity to participate in nonacademic and extracurricular activities offered by the school.
 - Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement.
 - File a local grievance with your school if you feel your child is being discriminated against because of their disability.
 - Request a due process hearing to help resolve issues with the school.
 - File a formal complaint with the regional Office for Civil Rights.

8. The School will periodically conduct a self-evaluation of the School facilities, programs, and policies to ensure that discrimination is not taking place. This study will be conducted with help from interested persons, including persons with disabilities. The following are key considerations when conducting the self-evaluation:

- Evaluate facilities, programs, and policies for possible discriminatory practices.
- Involve other individuals, including persons with disabilities.
- Develop a Section 504 transition plan that outlines any modifications that will be necessary. This plan identifies facilities, programs, and policies that could be discriminatory and how the school intends to solve the problems.
- Modify any policies, facilities, or practices that do not meet the requirements of Section 504 or ADA, after consultation with others, including persons with disabilities.
- Take appropriate remedial steps to eliminate the effects of any discrimination resulting from policies and practices.
- Keep a copy of the self-evaluation on file for public inspection.
- Conduct periodic updates of the self-evaluation.
- Ensure all new policies are nondiscriminatory.
- Ensure all new facilities are accessible for individuals with disabilities.

- Instructions and forms for conducting a self-assessment are available in the appendices of the USOE Section 504 Guidelines or from the Office for Civil Rights (www.ed.gov/about/offices/list/OCR/index.html).

Grievance Procedures

These Section 504 Grievance Procedures are adopted in compliance with 34 CFR § 104.7(b), and the process set forth is available to any person (the “Complainant”) who believes that the School or any School employee has inadequately applied regulations regarding Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, which prohibit discrimination on the basis of a disability.

The School believes that most grievances can be resolved by the individuals involved, and that should be the first step in any situation.

If informal attempts to resolve the grievance with the individuals involved fail, the parties may engage in mediation. A mediator is a neutral third party and, therefore, has no power to make a decision regarding the dispute. He or she will listen to the views of each party and will assist the parties in developing their solution to the problem. Mediation is completely voluntary. It should not interfere with any procedural safeguards, including filing a grievance with the School requesting a due process hearing or filing a complaint with OCR. Mediation costs are the responsibility of the School.

If prior attempts at resolution fail, any person who believes that the School or any of its staff have inadequately applied the regulations of Section 504 of the Rehabilitation Act of 1973 may initiate a grievance with the School’s Section 504 Coordinator using the process described below. The grievance process is intended to help facilitate a prompt and equitable resolution of complaints.

The Section 504 Coordinator will, on request, provide a copy of these grievance procedures and investigate a complaint in accordance with these procedures.

Grievance Process

Step 1.

A written grievance signed by the Complainant shall be submitted to the Section 504 Coordinator. The written grievance must include the following information: (a) the specific incident that allegedly violated Section 504, (b) the individual(s) involved, (c) the dates, times and locations involved, (d) the alleged discrimination that forms the basis of the grievance, (e) the communication that has occurred in an attempt to resolve the issue, and (f) the resolution sought by the Complainant. The Complainant and the Section 504 Coordinator may discuss the grievance. The Section 504 Coordinator shall investigate the grievance and reply in writing to the Complainant within 10 school business days. School business days are days that School is in session according to the School’s current calendar.

Step 2.

If the Complainant wishes to appeal the decision of the Section 504 Coordinator, he/she may submit a signed statement of appeal to the 504 coordinator’s supervisor within 10 school business days after receipt of the Section 504 Coordinator’s response. The 504 coordinator’s supervisor or his/her designee or an independent hearing officer selected by the 504 coordinator’s supervisor shall meet with all parties involved, formulate a conclusion, and respond in writing to the Complainant within 10 school business days.

Step 3.

If the Complainant remains unsatisfied, he/she may request a due process hearing by sending a signed written statement to the president of the School's Board of Directors within 10 school business days of his/her receipt of the response in Step 2. The due process hearing will be held not later than 30 days from the date the due process hearing request was received. The Complainant will be notified in writing of the time and place of the hearing at least 5 days prior to the hearing. An impartial hearing officer chosen by the School will preside at the hearing and provide all parties with an opportunity to be represented by counsel and to offer evidence and/or testimony under oath. Within 10 school business days after the hearing, the hearing officer will provide a written decision containing applicable findings of fact and conclusions. The hearing officer will submit the written decision to the Complainant and the School.

OCR Complaint

Notwithstanding these procedures, a complaint can be made to the regional office of U. S. Department of Education's Office for Civil Rights (OCR) without going through the School's grievance procedures. The grievance procedures are meant to provide for a prompt and equitable resolution of a complaint but do not preclude an individual from filing a complaint with OCR.

Identification and Evaluation

The School will use the following processes to identify and evaluate students who qualify to receive accommodations under Section 504.

General Rules for Determining Qualification

For purposes of evaluation at the School level, a person may be considered disabled under the definition of Section 504 if the individual has been evaluated and has a mental or physical impairment that substantially limits one or more of such person's 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, communicating, and working. For purposes of this definition, a major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. Students also qualify under Section 504 if they have a record of such an impairment or are regarded as having such an impairment.

If the impairment causes a "substantial limitation" of a "major life activity" then the person has a "disability" and qualifies for protection under Section 504. If the impairment does not "substantially limit" the person, then it is just an impairment, not a disability, and the person does not qualify under Section 504. The determination of substantial limitation must be made on a case-by-case basis with respect to each individual student. The Section 504 regulations require that a group of knowledgeable persons (the Section 504 Team) draw upon information from a variety of sources in making this determination. Although this definition is not controlling, it may help the Section 504 Team to consider the following when determining whether an impairment substantially limits the student:

- whether the student is unable to perform a major life activity that the average person in the general population can perform; or
- whether this student is significantly restricted as to the condition, manner, or duration under which he/she can perform a major life activity as compared to the condition, manner, or duration under which the average person in the general population can perform that same major life activity.

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

- 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;
- Use of assistive technology;
- Reasonable accommodations or auxiliary aids or services; or
- Learned behavioral or adaptive neurological modifications.

A temporary impairment does not constitute a disability for purposes of Section 504 unless its severity is such that it results in a substantial limitation of one or more major life activities for an extended period of time. The issue of whether a temporary impairment is substantial enough to be a disability must be resolved 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.

Identification and Evaluation Process

Initial Referral

1. The student's general education teacher or parents generally make referrals and all referrals should be documented on a Section 504 Referral Form and delivered to the Section 504 Coordinator. When a parent provides information to a School employee that could reasonably be understood as indicating a desire to make a Section 504 referral, the parent should be provided with a copy of the Section 504 Referral Form and asked to complete and submit the form. If the parent fails or refuses to submit a Section 504 Referral Form, the School employee should consult with the Section 504 Coordinator to determine whether there is sufficient information to indicate that a referral should be made, and, if so, the Section 504 Coordinator should ensure that a referral form is completed and submitted.

The following factors, among others, may be considered when deciding whether to refer a student to determine eligibility under Section 504:

- When a student is evaluated and does not qualify for special education services under the IDEA
- When a parent frequently expresses a concern about their child's performance
- When a student is experiencing persistent behavioral problems and traditional behavior management approaches have been ineffective
- When a pattern of suspension or expulsion is being considered for a student
- When retention is being considered for a student
- When a student shows a pattern of not benefiting from research-based instruction
- When a student returns to school after a serious illness or injury
- When a student exhibits a chronic health condition
- When a student has or has had an individualized health care plan
- When a student has been identified as having attention deficit disorder (ADD) or attention deficit hyperactivity disorder (ADHD)
- When substance abuse is an issue—the individual must have stopped using the substance and should either be in rehabilitation or have gone through the rehabilitation process
- When a disability of any kind is known or suspected

Parental Notification and Written Consent for Section 504 Evaluation

2. Section 504 regulations require schools to individually evaluate a student before providing the student with a Section 504 Accommodation Plan. The School notifies the parents in writing of the school's reason and intent to conduct an evaluation under Section 504. The notice should include a description of the evaluation that will be conducted and a copy the procedural safeguards (parents' rights) under Section 504. The school must obtain written consent from the parent prior to performing an evaluation under Section 504.

Evaluation

3. The Section 504 Team, which is a group of individuals knowledgeable about the student and his/her disability and evaluation, determines what is necessary to conduct an appropriate evaluation of the student on a case-by-case basis.

- The 504 Team should draw from a variety of sources in the identification determination process so that the possibility of error is minimized. The information obtained from all such sources must be documented, and all significant factors related to the student's learning process must be considered. These sources and factors may include aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, and adaptive behavior. It is unacceptable to rely on presumptions and stereotypes regarding persons with disabilities or classes of such persons.
- Tests used for this purpose must be selected and administered so as best to ensure that the test results accurately reflect the student's aptitude or achievement or other factors being measured rather than reflect the student's impairment, except where those are the factors being measured. Section 504 also requires that tests and other evaluation materials include those tailored to evaluate the specific areas of educational need and be from a variety of sources. The tests and other evaluation materials must be validated for the specific purpose for which they are used and appropriately administered by trained personnel. The School may choose to use the same process to evaluate the needs of students under Section 504 as it uses to evaluate the needs of students under the IDEA.

Determination of Qualification

4. The Section 504 Team meets and analyzes the evaluation data to determine if the student has a mental or physical impairment that substantially limits a major life activity.

- An impairment in and of itself does not qualify a student for protection under Section 504. The positive effects of mitigating measures could impact the need, or not, for accommodations. The impairment must substantially limit one or more major life activities in order to qualify a student for protection under Section 504. The determination of what constitutes a substantial limitation must be made on a case-by-case basis with respect to each individual student.
- Parents or guardians will always be invited to participate in Section 504 Team meetings, and the School will make reasonable efforts to involve the parents or guardians in the process. However, if multiple attempts to involve the parents have been unsuccessful, the Section 504 Team may proceed without a parent or guardian in order to avoid unreasonable delays to the process.

Section 504 Accommodation Plan

1. In order to develop the Section 504 Accommodation Plan, the Section 504 Team will consider relevant factors including the following:

- a. Evaluation results
- b. Section 504 identification determination
- c. The student's unmet needs
- d. Services and/or accommodations based on needs
- e. Least restrictive environment for services
- f. Discussion of and plan for possible staff training

Written Consent to Section 504 Accommodation Plan

2. Written consent from the parent must be obtained prior to implementation of the Section 504 Accommodation Plan developed by the Section 504 Team.

Implementation

3. The Section 504 Team makes decisions regarding the necessary accommodations/services to allow for the student's disability.

- Parents or guardians should be consulted and given reasonable opportunity for input regarding the accommodations.

4. The accommodations and/or services are documented on a Section 504 Accommodation Plan form and implemented by School personnel as appropriate.

5. The Section 504 Coordinator is designated to oversee the implementation of the student's plan, and all School personnel with a need to know about the accommodations in the Section 504 Accommodation Plan should be informed and provided any necessary training to ensure that the plan is properly implemented.

Review/Reevaluation

6. Periodic review and reevaluation of the Section 504 Accommodation Plan is required at least annually.

- These may be conducted in accordance with the IDEA regulations, which require review of the plan at least annually (sooner if necessary) and reevaluation at three-year intervals (unless the parent and the School agree that reevaluation is unnecessary) or more frequently if conditions warrant, or if the child's parent or teacher requests a re-evaluation, but not more than once a year (unless the parent and the School agree otherwise).

Discipline

Discipline for students who qualify under Section 504 will be handled in accordance with requirements as set forth in the School's Safe Schools Policy.

APPENDIX A

Notice of Rights and Procedural Safeguards Under Section 504 and the Americans with Disabilities Act

The School does not discriminate on the basis of race, color, religion, sex, age, national origin, or disability in admission, access, treatment, or employment in its programs, services, and activities. Applicants, students, parents/guardians, employees, referral agencies, and all organizations holding agreements with the District are hereby notified of this policy. Any person with concerns regarding the District's compliance with the regulations implementing Title VI, Title IX, Section 504 or the Americans with Disabilities Act is directed to contact:

Name: _____

Position: _____

Address: _____

Phone Number: () - _____

E-mail: _____

The following summarizes the procedures and rights you have as the parent of student who may qualify for accommodations or services under Section 504 and the ADA:

INTRODUCTION. Section 504 of the 1973 Rehabilitation Act, along with the Americans with Disabilities Act, (Section 504/ADA), requires that the School may not discriminate against students with disabilities. Accordingly, the School has adopted policies and procedures to ensure that discrimination does not take place.

IDEA ELIGIBILITY. Many students who meet the definition of an "individual with a disability" under Section 504 also qualify for services under the Individuals with Disabilities Education Act (IDEA). Such students are served pursuant to the requirements of the IDEA. The rest of this document addresses only the rights of parents of students who satisfy the definition of an individual with a disability under Section 504 but do not qualify under IDEA.

AN APPROPRIATE EDUCATION. If it is determined that your child meets the definition of an individual with a disability under Section 504, then your child will be entitled to a free and appropriate public education. This means that your child's education will be designed to meet his/her individual educational needs as adequately as the needs of nondisabled students are met. A "free" public education means that no fees will be imposed on you except for the same fees that are imposed on parents of nondisabled students. However, insurance companies and other third parties that are obligated to provide or pay for services to your child are still obligated to do so.

NOTICE. You have the right to be notified by the School prior to any action that would identify your child as having a disability, evaluate your child for services under Section 504, or place your child in a program based on a disability.

EVALUATION. Prior to conducting an evaluation of your child for purposes of services under Section 504, the School will seek your informed written consent. An evaluation will not be conducted unless you give consent. However, school officials may review existing records, test scores, grades, teacher

reports, and recommendations and other such information without your consent to the same extent they would do so for nondisabled students.

If an evaluation is conducted, the School will make sure that

- All testing and other evaluation procedures are validated for the specific purpose for which they are used;
- They are administered by trained personnel in conformity with the instructions provided by the producer;
- They include tests and other evaluation materials designed to assess specific areas of educational need and not merely those designed to elicit a general IQ score; and
- Tests are selected and administered to best ensure that they accurately measure what the test seeks to measure, rather than any sensory, speaking, or manual impairments the student may have (except when the test is designed to measure sensory, speaking, or manual skills).

An evaluation that satisfies these requirements will be conducted prior to your child's initial placement and conducted or reviewed prior to any subsequent significant change in placement.

If your child is identified as an individual with a disability under Section 504/ADA the School will periodically reevaluate your child as appropriate.

PLACEMENT. If your child is identified as an individual with a disability under Section 504/ADA, placement decisions about your child will be made by the School's 504 Team, which will include professional staff members who, collectively, are knowledgeable about your child, the meaning of the evaluation data, and the placement options. You will be invited to participate in any meeting of the 504 Team if your child's placement and/or services are to be discussed. The 504 Team will also ensure that your child is placed in the "least restrictive environment."

LEAST RESTRICTIVE ENVIRONMENT. If your child is identified as an individual with a disability under Section 504/ADA, your child will be placed and served in the "least restrictive environment." This means that your child will be served with nondisabled students in the regular education environment to the maximum extent appropriate. Prior to removing your child from the regular education environment due to his/her disability, the school will consider the use of supplementary aids and services. Your child will be removed from the regular education environment only if he/she cannot be served satisfactorily in that environment, even when supplementary aids and services are provided.

If it becomes necessary to serve your child in an alternate setting due to disability, the school will take into account the proximity of the alternate setting to your home.

EXAMINATION OF RECORDS. You have the right to see and examine any educational records that pertain to your child or are relevant in serving your child.

HEARINGS. If you disagree with a decision of the 504 Team regarding the identification, evaluation, or educational placement of your child you have the right to an impartial hearing. Parents and school staff should try to work out any differences before moving to due process or filing a complaint with OCR. You have the right to participate in such a hearing and to be represented by a person of your choice, including an attorney.

If you wish to request a hearing, you must make a written request for a hearing within 30 calendar days from the time you receive the written notice of the decision of the 504 Team that you disagree with. Your request for a hearing must be filed with the School's Section 504 Coordinator.

Upon receipt of a timely request for a hearing, the School will notify you of the date, time, and location of the hearing. If you disagree with the decision of the hearing officer, you have the right to a review of that decision by a court a competent jurisdiction.

OTHER COMPLAINTS. You also have the right to file a complaint with the School's Section 504 Coordinator pertaining to harassment, retaliation or discrimination against your child in ways that do not involve your child's identification, evaluation, or educational placement.

OFFICE FOR CIVIL RIGHTS. You also have the right to file a complaint with the Office for Civil Rights.

APPENDIX B

Sample Forms for Section 504

- B-1 Procedural Safeguards
- B-2 Prior Written Notice
- B-3 Referral Form
- B-4 Invitation to Parents for Initial Section 504 Meeting
- B-5 Parent Input
- B-6 Consent to Evaluate
- B-7 Notice of Section 504 Meeting
- B-8 Identification Form
- B-9 Accommodation Plan
- B-10 Plan Review
- B-11 Grievance Form
- B-12 Manifestation Determination

Section 504 Prior Written Notice

(check all boxes that apply)

Students Name: _____ Date of Birth: _____ Student #: _____

School: _____ School: _____

- Evaluation:
Your child will be evaluated for Section 504 accommodations based on all available evidence. i.e. medical information, state test, teacher evaluation, observations, attendance and any other available information.
- Implement Accommodations:
Section 504 Accommodation Plan has been developed based on _____ which substantially limits life activities which includes access to the school curriculum.
- Reevaluation:
Annually each student qualifying for a Section 504 Accommodation Plan is reevaluated to assess current student needs. Their Section 504 Accommodation Plan will then be revised or changed according to their current needs.
- Exited from Section 504:
If student no longer qualifies based on a disability, which substantially limits life activities they will be exited from Section 504 status.
- Decision to not initiate or change Section 504 status: School will not initiate or change your child's Section 504 at this time.

Section 504 Coordinator's signature _____

Parent/Guardian(s) signature _____

Section 504 Referral for Evaluation

Utility of Form—to be used as a referral form when an evaluation is being requested

Student: _____ Date: _____

School: _____ Date of Birth: _____

Teacher: _____ Grade: _____

Parent: _____ Phone: _____

Address: _____

Referred by: _____

Position: _____

1. Reason for referral to evaluate: _____

2. Accommodations and interventions attempted and how long: _____

3. Has the student ever been referred, evaluated, and/or received services from special education? Yes
No _____ If yes, explain: _____

4. Referral action: _____

Signature of Section 504 Coordinator

Date

Invitation to Parents for Initial Section 504 Meeting

School: _____ Date: _____ Student: _____

Dear Parent or Guardian:

This letter is to inform you that the Section 504 Team at the school has concerns about your child's academic and/or behavioral progress. Prior to this time, the Team may have developed and implemented academic and/or behavioral interventions with your child. They include the following:

Intervention	Duration	Effectiveness
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

After evaluating your child's current performance, we believe that additional information is necessary to fully determine your child's educational needs and whether he/she might need accommodations in the general classroom under Section 504. We would like to meet with you to discuss a possible evaluation under Section 504 in order to ensure that your child is afforded an appropriate education.

We have scheduled a meeting on _____ at _____.

This meeting will be held at _____.

It would be helpful if you could fill out the attached parent input form and bring it to the meeting or send it to your child's teacher if you cannot attend. If you have any questions, cannot attend, or if this meeting time is not convenient for you, please call me at _____. We will discuss your questions or arrange a mutually convenient meeting time. A description of your rights under Section 504 is attached.

Sincerely,

School Section 504 Representative

See Attachment: Section 504 Parent Rights, Parent Input Form

Section 504 Meeting Parent Input

Date: _____ School: _____

Student: _____ Grade: _____

	Lives with Student?	Legal authority to make decisions for student?
Father's Name:		
Mother's Name:		

Please answer any questions that you think might be helpful to the 504 Team.

1. What are some of your child's strengths? _____

2. Please describe your child's behavior at home? _____

3. Have there been any important changes within the family during the last 3 years? _____

4. Do you feel your child is experiencing problems in school? _____

5. When were you first aware of this problem? _____

6. What do you think is causing the problem? _____

7. What time does your child go to bed at night? _____
8. Does your child usually eat breakfast? _____

9. What methods of discipline are used with your child at home? _____

10. What is your child's reaction to discipline? _____

11. Has your child mentioned any problems with school? If so, how does he/she feel about the problem?

HEALTH HISTORY

1. Please describe any serious illnesses, accidents, or hospitalizations. _____

2. Does your child appear to have any physical health problems, including allergies? _____

3. Is your child receiving service(s) from another agency? _____

4. Is your child currently taking medications? If so, please list. _____

5. Are there any known side affects from the medication? _____

Please tell us anything else that you think would be helpful in planning for your child's success at school.

Section 504 Consent to Evaluate

Student Name: _____

School: _____ Date: _____

Following a discussion with school personnel acquainted with my child, I authorize the use of school educational evaluation for my child to determine possible identification for Section 504 accommodations/services. I understand that this evaluation may include administration of the following:

The school is requesting your consent to conduct the following evaluation procedures:

Evaluation Procedures	Person Responsible
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

I understand that following the evaluation, I will be given the opportunity to meet with appropriate school staff to review the evaluation results and plan next steps for my child's education.

I give written consent to have my child evaluated.

Signed

Parent Name (printed)

Date

Copies: Parents
Student file

Notice of Section 504 Meeting To Review Evaluation Results

Date sent/mailed: _____

Student's name: _____ Grade: _____

School: _____

Parent's Name: _____

Address: _____

Home Phone: _____ Work Phone: _____

Dear _____,

This letter is to inform you that the Section 504 Team at your child's school would like to meet with you to discuss the results of an evaluation under Section 504. Your insights and contributions will be quite helpful to us in effecting the best decisions possible. If you have not already done so, please fill out and return the Parent Input Form.

Meeting Date: _____ Meeting Time: _____

Location: _____

Please call me at _____ if you have any questions or need to arrange an alternative date.

Sincerely,

School Section 504 Representative

Copies: Parents
Student file

Attachment: Parent Input Form

Identification Form: Section 504/ADA

PART ONE: DOCUMENTATION OF TEAM MEETING

Name of Student: _____ DOB: _____

Date of 504 Team Meeting: _____ Time: _____

Location: _____

Team Members: Team Members must be collectively knowledgeable about the student, the meaning of the evaluation data, and the placement options.

NAME	TITLE

Information that was reviewed and considered:

The following information provided by the parents: (Note: attach copies of any report, recommendation, or evaluation provided by the parents and summarize any verbal input):

____ Grades:
What school year(s)? _____

____ Academic testing:
Tests? _____ Year(s)? _____

____ Teacher recommendations:
What teacher(s)? _____

_____ Behavior records:
What school year(s)? _____

_____ Attendance records:
What school year(s)? _____

_____ Other testing or evaluation:
Be specific: _____

_____ Medical reports, records, recommendations:
Be specific: _____

_____ Other input:
Be specific: _____

PART TWO: CONSIDERATION OF MAJOR LIFE ACTIVITIES

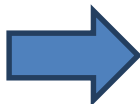
What are the MAJOR LIFE ACTIVITIES that may be impaired?

_____ Caring for Self	_____ Hearing	_____ Working
_____ Performing Manual Tasks	_____ Speaking	_____ Reading
_____ Walking	_____ Breathing	_____ Concentrating
_____ Seeing	_____ Learning	_____ Thinking
_____ Communicating	_____ Eating	_____ Sleeping
_____ Standing	_____ Lifting	_____ Bending
_____ Other (Be specific)	_____ Other	_____ Other

Note: if the major life activity is LEARNING, READING, CONCENTRATING, THINKING, SPEAKING, OR COMMUNICATING, the Team should CONSIDER referring the students for a Full Individual Evaluation to determine eligibility for special education under the Individuals with Disabilities Education Act (IDEA).

If the Team suspects that the student may need specially designed instruction due to impairment of any of these major life activities, the Team must refer the student for an evaluation to determine eligibility under IDEA. In that case, the Team will suspend the meeting until a decision is made about special education eligibility.

GO TO PART 5.



PART THREE: CONSIDERATION OF IMPAIRMENT

What data has the Team considered to establish that the student has a PHYSICAL OR MENTAL IMPAIRMENT?
Be specific, and list all sources of data**:

**NOTE: if there is no data, or insufficient data, to support the existence of a physical or mental impairment, the school cannot identify the student as an individual with a disability under Section 504/ADA.

Based on the data considered, how long is the impairment expected to affect the student?

Based upon a review of the data cited above, does the student have a physical or MENTAL IMPAIRMENT affecting the MAJOR LIFE ACTIVITY to some degree? ___ Yes ___ No

If "YES," proceed.

If "NO," the student can be identified as an individual with a disability under Section 504/ADA. However, if the student has a RECORD of any physical or mental impairment that substantially limits a major life activity, the student will not be subjected to discrimination based on that record. Furthermore, if the student is erroneously REGARDED as having such a physical or mental impairment, the student will not be subjected to discrimination based on that perception. Go to Part Five.

If "YES," what is the nature of the IMPAIRMENT of the MAJOR LIFE ACTIVITY?

PART FOUR: CONSIDERATION OF IMPAIRMENT

Impairments impact major life activities to varying degrees. If the Team determines that the impairment SUBSTANTIALLY LIMITS the student's performance of the MAJOR LIFE ACTIVITY, then the student should be identified as an individual with a disability under Section 504 and the ADA.

In assessing the impact of the impairment on the student's performance of the major life activity, the Team will disregard the positive effects of mitigating measures that lessen the impact of the impairment. For example, the Team will disregard medications, medical equipment and supplies, hearing aids, auxiliary aids and services, reasonable accommodations, learned adaptations, and behavioral modifications. The effect of ordinary eyeglasses and/or contact lenses will be considered.

Moreover, with regard to impairments that are episodic or in remission, the Team will consider the impact of the impairment when it is active.

Taking all of that into account:

Does the student's PHYSICAL or MENTAL IMPAIRMENT substantially limit the student's performance of the MAJOR LIFE ACTIVITY in comparison with how most students in the general population and of the same chronological age perform the major life activity?

_____ Yes

_____ No

PART FIVE: IDENTIFICATION

_____ The Team believes that the student may have a physical or mental impairment that substantially limits learning, or another major life activity, in such a way that the student may require the provision of specially designed instruction. Therefore, the student has been referred for a full individual evaluation to determine eligibility for special education services under the Individuals with Disabilities Education Act. If it is determined that the student is eligible under IDEA, the school will provide a free appropriate public education pursuant to an individual education program for the student. If the student is not eligible for services under IDEA, the 504 Team will reconvene and resume consideration of the student.

OR

_____ The Team has determined that the student cannot be identified as an individual with a disability under Section 504/ADA because there is no data, or insufficient data, to establish the existence of a physical or mental impairment.

OR

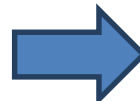
_____ The Team has determined that the student cannot be identified as an individual with a disability under Section 504/ADA because the student's physical or mental impairment does not substantially limit the student in a major life activity.

OR

_____ The Team has determined that the student has a physical or mental impairment that substantially limits the student's performance of a major life activity. The impairment is:

- A. Active
- B. Episodic
- C. In remission

If, and only if, this section is checked, proceed to Part Six.



PART SIX: CONSIDERATION OF ACCOMMODATIONS AND SERVICES

The Team has IDENTIFIED your child as an individual with a disability under Section 504/ADA. This means that you will be entitled to all of the procedural protections provided by Section 504/ADA such as placement in the least restrictive environment, periodic reevaluations, the right to receive notice of certain actions by the school, the right to challenge certain actions of the school through an impartial hearing, and the right to have your child's education individually designed so as to meet his or her needs as well those of non-disabled students. These rights are spelled out in the Notice of Rights and Procedural Protections document that has been provided to you.

In addition, as an individual with a disability under Section 504/ADA your child may need an individual plan of accommodation and/or services. If so, such a plan will be developed by the 504 Team.

_____ The child's disability does not presently impair the student's performance of a major life activity in a way that requires any accommodations or services at this time. However, the Team will reconsider the need for an individualized plan 1) at an annual meeting of the 504 Team and at any other time at your request.

_____ The child's disability is episodic and thus does not require accommodations or services on a daily or regular basis, but it requires consideration of a plan in the event that the disability becomes active. The plan is attached. The Team will reconsider your child's plan 1) at an annual meeting of the 504 Team and at any other time at your request.

_____ The child's disability is active and presently requires accommodations or services in the school setting. The plan is attached. The Team will review your child's plan at an annual meeting of the 504 Team and at any other time at your request.

Section 504 Accommodation Plan

Student: _____ Grade: _____ Date: _____

School: _____ Teacher: _____

YES NO The student has received an evaluation.

YES NO The student has a mental or physical impairment that substantially limits one or more of his/her major life activities.

YES NO The impairment substantially affects the student's overall performance at school in regards to

- | | | | |
|------------------------------------|--|---|---|
| <input type="checkbox"/> seeing | <input type="checkbox"/> hearing | <input type="checkbox"/> doing manual tasks | |
| <input type="checkbox"/> breathing | <input type="checkbox"/> walking | <input type="checkbox"/> speaking | <input type="checkbox"/> caring for oneself |
| <input type="checkbox"/> writing | <input type="checkbox"/> learning | <input type="checkbox"/> working | <input type="checkbox"/> showing troubling behavior |
| <input type="checkbox"/> breathing | <input type="checkbox"/> sleeping | <input type="checkbox"/> standing | <input type="checkbox"/> lifting |
| <input type="checkbox"/> reading | <input type="checkbox"/> concentrating | <input type="checkbox"/> thinking | <input type="checkbox"/> communicating |
| <input type="checkbox"/> helping | <input type="checkbox"/> eating | <input type="checkbox"/> bending | <input type="checkbox"/> operation of a bodily function |
| <input type="checkbox"/> other | | | |

YES NO Is this student identified to receive a 504 Accommodation Plan

Describe what evaluation data was used: Describe this student's circumstances and its educational impact in more detail (that is, document the basis for the 504 Accommodation Plan):

The case manager for this Section 504 Accommodation Plan: _____

Date of Meeting & Initial Plan: _____

Annual Review Date: _____

List each need in order of priority and describe specifically how it is to be met.

<p>Specific Need (How does the impairment impact the student's education and what is needed to eliminate the restriction?)</p>	<p>Accommodations</p>
	<p>Special Materials or Training Needed—Who, How, and When?</p>
	<p>Who Will Implement the Accommodations</p>
	<p>Criteria for Evaluating Success</p>
<p>Specific Need (How does the impairment impact the student's education and what is needed to eliminate the restriction?)</p>	<p>Accommodations</p>
	<p>Special Materials or Training Needed—Who, How, and When?</p>
	<p>Who Will Implement the Accommodations</p>
	<p>Criteria for Evaluating Success</p>

Specific Need (How does the impairment impact the student's education and what is needed to eliminate the restriction?)	Accommodations
	Special Materials or Training Needed—Who, How, and When?
	Who Will Implement the Accommodations
	Criteria for Evaluating Success

Section 504 Team:

Signature: _____ Title: _____ Date: _____
 Signature: _____ Title: _____ Date: _____
 Signature: _____ Title: _____ Date: _____
 Signature: _____ Title: _____ Date: _____
 Signature: _____ Title: _____ Date: _____

PARENT/GUARDIAN:

I, _____, as this student's parent/guardian,

- Give
- Do Not Give

permission for my child to receive the accommodations described.

Signed: _____ Date: _____

Copies: Parent
 Student file

Section 504 Accommodation Plan Review

Student Name: _____ Date: _____

Case Manager: _____

Purpose of meeting: It is necessary to periodically review the student's progress under Section 504 services and make recommendations to continue, modify, or terminate the program(s) (504 Accommodation Plan should be reviewed once each year).

Discussion of progress:

Recommendation

- Continue present services with no changes.
- Modify the present 504 Accommodation Plan (see new plan attached).
- Conduct additional evaluations.
- Exit from Section 504 services based upon the following evaluation results/rationale.

Discussion of recommendations:

The following members of the Section 504 Team participated in this review:

Signature(s)

Parent /Guardian	Parent/Guardian
Signature: _____	Title: _____ Date: _____
Signature: _____	Title: _____ Date: _____
Signature: _____	Title: _____ Date: _____
Signature: _____	Title: _____ Date: _____

Copies: Parent
Student file

Section 504 Grievance Form

Student Name: _____ School: _____

Parent Name(s): _____

Address: _____

Phone(s): _____

1. Summary of Grievance—What is the problem? What are the facts?

2. How can the problem be solved?

3. Who have you spoken to or met with at the school to address this situation?
What was the result of this contact?

4. Please describe any corrective action you wish to see taken with regard to this grievance.

Please attach any additional information or documentation you wish the School to consider. You also have the right to file a complaint with the regional office of the U. S. Department of Education's Office for Civil Rights (OCR) without going through the School's grievance procedures.

Signature of Parent

Date

Received by:

Signature of Section 504 Coordinator

Date

Copies: Parent
 Student file
 504 Coordinator file

Manifestation Determination

Student Name: _____ Student Number: _____ Date: _____

Section 504/ADA Disability: _____

Team Members (by name and role)

_____	_____
_____	_____
_____	_____
_____	_____

Sources of Information (attachments)

____ Evaluations ____ Interviews ____ Observations ____ Other

Description of misconduct:

Description of proposed disciplinary actions:

Does the proposed disciplinary action constitute a change of placement?

- ____ If NO, proceed with disciplinary action.
- ____ If YES, continue with manifestation determination review.

Is the proposed disciplinary action based on the student's illegal use of drugs, or for the use or possession of alcohol?

_____ If **YES**, the student is subject to the same disciplinary penalty imposed on non-disabled students who engage in the same behavior. The Team will not conduct a manifestation determination, but the Team will consider whether a FBA and/or BIP are appropriate for the student to help prevent recurrence of the inappropriate behavior.

_____ If **NO**, continue with the manifestation determination review.

Final Determination

We have reviewed all relevant information, including information that is relevant contained in the student's file, the student's 504 Accommodation Plan and/or BIP, teacher observations and any information provided by the parents. Based on a review and consideration of all of this information we can answer the following questions:

1. Did the student's disability directly cause the misconduct?
_____ Yes _____ No
2. Does the student's disability have a direct and substantial relationship to the misconduct?
_____ Yes _____ No
3. Was the student's misconduct the direct result of a failure by the School to provide the services set out in the student's 504 Accommodation Plan?
_____ Yes _____ No

If any question is answered **YES**, the Team will conduct a functional behavioral assessment of the student, unless this had been done prior to the behavior in question. The Team will also implement a behavioral intervention plan (BIP) for the student. If the student already has a BIP, the Team will review and modify the BIP as necessary to address the behavior. The Team will also return the student to the placement from which the student was removed unless

- 1) the parent and school agree otherwise as part of the modification of the BIP, or
- 2) the student's misconduct involved weapons or the infliction of a serious bodily injury to another person.

If the third question is answered **YES**, the Team will take immediate steps to remedy the deficiencies in the provision of services to the student.

If all three questions are answered **NO**, the student is subject to the same discipline procedures applicable to non-disabled students, as long as FAPE is still provided.