

Section 504 Procedures Handbook

USD 353 – Wellington

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Section 504 – Procedural Handbook

Introduction

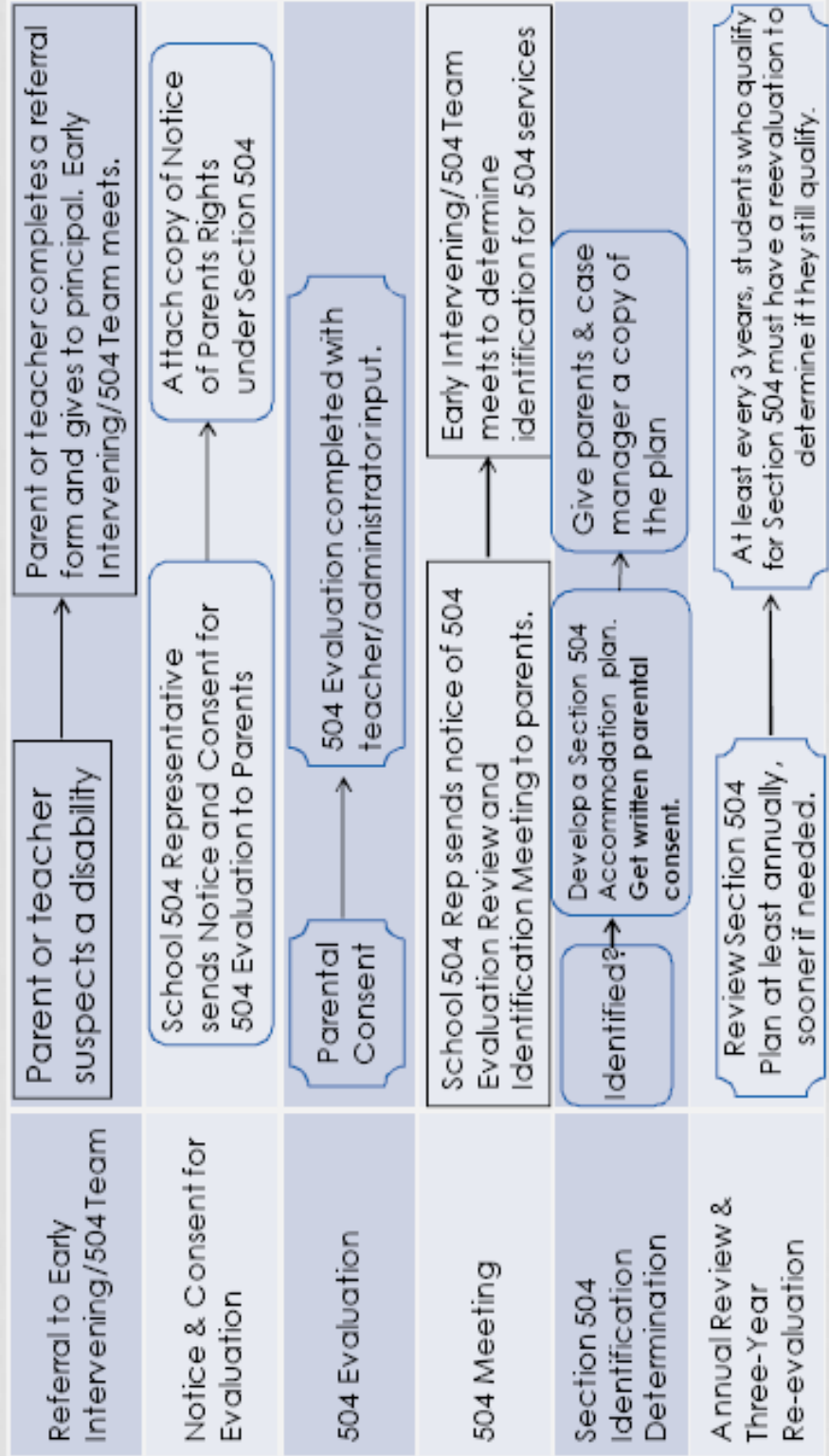
Section 504 is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education (ED). Section 504 provides: "No otherwise qualified individual with a disability in the United States . . . 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"

The Office of Civil Rights (OCR) enforces Section 504 in programs and activities that receive Federal financial assistance from ED. Recipients of this Federal financial assistance include public school districts, institutions of higher education, and other state and local education agencies. The regulations implementing Section 504 in the context of educational institutions appear at 34 C.F.R. Part 104.

The Section 504 regulations require a school district to provide a "free appropriate public education" (FAPE) to each qualified student with a disability who is in the school district's jurisdiction, regardless of the nature or severity of the disability. Under Section 504, FAPE consists of the provision of regular or special education and related aids and services designed to meet the student's individual educational needs as adequately as the needs of nondisabled students are met.

It is the mission of USD 353 to empower all students to be lifelong learners. This mission includes providing each student with the tools and resources needed to accomplish this educational goal. Questions regarding Section 504 statutes, USD 353 Policies, or other 504 related services should be referred to the USD 353 District 504 Coordinator.

OVERVIEW OF THE SECTION 504 PROCESS



504 ACCOMMODATIONS - INITIAL EVALUATION

The initial evaluation to determine eligibility for a 504 Evaluation can be initiated by the student improvement team, a parent, teacher, school nurse, etc. The Parent Rights (see appendix A) document and the Section 504 Parent Handbook (see appendix F) is provided to the parents when a request for an evaluation is received. After permission is received, the evaluation data is then collected by the building 504 coordinator and or the principal's designee. Each staff member assigned to collect data writes a report detailing the data collected. An evaluation meeting is held to review the data and determine eligibility and need for section 504 accommodations and the Evaluation/Eligibility Report is completed. Parents are provided a copy of the report and related documentation.

It is the **504 coordinator's responsibility** to obtain parent permission for evaluation (see Appendix B), notify staff when permission has been obtained, communicates with parents, complete the Evaluation/Eligibility Report (see Appendix C), and provide parents with copies of 504 documents. It is **the responsibility of all staff assigned to collect data** to provide copies of their written report to the 504 coordinator for the evaluation staffing. If the student is found to be eligible for 504 accommodations, the **Building 504 Coordinator** serves as the case manager.

Parents have the right to request an evaluation. In most cases, the school will choose to comply with that request. The building principal, however, should meet with the parents to determine the purpose of the request, suspected disability, and related medical information.

Initial Evaluation Checklist:

- Parent Rights & Section 504 Parent Handbook**
- Parent Consent for Evaluation** signed and returned prior to initiating evaluation
- Relevant medical documentation is obtained
- Reports from service providers forwarded to Building 504 Coordinator
- Evaluation/Eligibility Report** completed
- Notice of Meeting**
- Staffing Summary**
- Parents provided copies of Evaluation and Staffing Summary
- Information sent to District 504 Coordinator

INITIAL IDENTIFICATION & SECTION 504 PLAN

A. General Procedure

Should the evaluation team determine the student is eligible for, and needs Section 504 accommodations, a section 504 plan will be developed by the 504 team. Parents must be given a copy Parent Rights prior to the 504 meeting. Attempts should be made to contact the parents to schedule a mutually convenient time to meet. It is the **responsibility of the building 504 coordinator** to contact parents to schedule the initial 504 meeting, provide Parent Rights and Section 504 Parent Handbook to the guardian, and to notify staff. It is the **responsibility of the building 504 coordinator** to write the 504 plan data and information collected during the evaluation. A draft 504 may be developed for review at the meeting. It is the **responsibility of each service provider** to develop goals and objectives based on data collected during the evaluation.

Parents should be provided with a copy of the draft 504 plan with any changes at the conclusion of the meeting. This should include a copy of the staffing summary. A corrected/final copy of the 504 plan must be mailed or delivered to the parents within 5 school days of the conclusion of the meeting. A copy of the final 504 plan must be sent to the district 504 coordinator within 5 school days of the conclusion of the meeting.

Initial Section 504 Checklist:

- Parent Rights / Section 504 Parent Handbook**
- Notice of Meeting** sent
- 504 Plan developed
- Parents provided copies of 504 plan and Staffing summary,
- Copies of documents sent to the District 504 Coordinator

TRANSFER STUDENT

When a student who has been receiving 504 accommodations transfers to the USD 353 school district, the appropriate building 504 coordinator, and principal should be notified. The building 504 coordinator calls the student's previous school to request records and determine what services the student was previously receiving.

Once the building 504 coordinator has received reliable verbal confirmation that the student was receiving accommodations via a 504 plan, he/she will notify the school and staff. The accommodations the student was receiving in the previous school can then be initiated. Once the student's 504 plan has been received, a 504 meeting must be held to determine if changes in the student's program are needed. A Staffing Summary (see Appendix E) should be used to document team discussion and decisions. A current 504 plan will be developed. The building 504 coordinator forwards all required paperwork to the District 504 coordinator. It is the **responsibility of the building 504 coordinator** to send the parents their copy of the 504 plan and the original to the district office within five (5) school days.

Transferring Student & IEP Checklist:

- Parent Rights / Section 504 Parent Handbook**
- Notice of Meeting** sent
- 504/student records from Previous School
- Most recent evaluation report from previous school
- Completed **504 Plan**
- Parents provided copies of 504, and Staffing Summary
- Copies of documents sent to the District 504 Coordinator

YEARLY REVIEW

Each student receiving Section 504 accommodations must have their 504 plan reviewed and revised at least every 12 months. The yearly review must occur on or before the anniversary date of the current 504 plan. It is the responsibility of the **building 504 coordinator** to develop a draft 504 plan or to rewrite the 504 plan during the meeting. If a draft 504 plan is used, at the conclusion of the meeting the parents should be given a copy of the draft with agreed upon corrections/additions “penciled” in. A corrected/final copy of the 504 plan must be provided to parents and originals of all paperwork sent to the building 504 coordinator within 5 school days of the meeting.

It is the **responsibility of the building 504 coordinator** to schedule the annual review meeting with parents and staff, send the meeting notice (including outside agencies as appropriate), write the 504 plan, complete the Staffing Summary (optional), and obtain any needed forms signed by parents. It is the **responsibility of all service providers** to either attend the 504 review meeting or provide the building 504 coordinator with a review of the current progress, concerns, and recommendations for the coming year. It is the **responsibility of the building 504 coordinator** to send the parents their copy of the 504, the general education teacher(s), and the original to the district office within 5 school days.

Yearly 504 Review/Rewrite Checklist:

- Parent Rights**
- Notice of Meeting** sent
- 504 Plan**
- Parents provided copies of 504 Plan and Staffing Summary
- Copies of 504 documents sent to the district 504 coordinator

PERIODIC REEVALUATION

The purpose of the periodic reevaluation is to determine the student's needs regarding section 504 accommodations, possible modifications, if the student continues to be a child with a disability, and if the student continues to need accommodations.

The reevaluation process is initiated by the building level 504 coordinator by notifying appropriate staff members of the reevaluation. The building level 504 coordinator contacts the student's parents to complete the consent for evaluation.

It is the responsibility of the building level 504 coordinator to review existing data to determine what, if any, additional data is needed and to gather the required information from the team members, including the parents. Effort should be made to align periodic reevaluations with annual 504 reviews.

It is the **responsibility** of the building level 504 coordinator to schedule the reevaluation meeting, to send the meeting notice, and to complete the Evaluation/Eligibility Report. During the meeting each team member presents a report of the student's relevant 504 information.

Note: A 504 plan should be reviewed via reevaluation process at least every three years to determine continued eligibility.

Triennial Reevaluation Checklist:

- Parent Rights**
- Notice of Meeting** sent
- Review of existing data
- Consent for Reevaluation**
- Eligibility Report**
- Parents provided copies of Reevaluation and Staffing Summary
- Copies of 504 documents sent to the district 504 coordinator

EXITING A STUDENT FROM 504 ACCOMMODATIONS

Most students are exited from services under two circumstances. Either the 504 team determines that the student is no longer a child with a disability or the student no longer needs 504 accommodations.

If a team member suspects that a student no longer has a disability or no longer needs 504 accommodations, that team member should make a request to the building 504 coordinator that a team meeting be initiated to discuss discontinuing 504 accommodations. A reevaluation is then conducted to determine if the student continues to be a student with a disability and/or needs 504 accommodations. The reevaluation procedures are followed, including consent, and appropriate forms completed.

If the results of the reevaluation indicate the student no longer requires accommodations a summary of the meeting will be documented on the staffing summary and signed by all in attendance of the meeting including the student and parents.

An Exit Information form (see Appendix G) is completed and copies of all paperwork are forwarded to the district 504 coordinator. Originals of the students 504 documents should be kept with the student's cumulative folder.

Exiting a Student per Parent Request Checklist:

- Parent Rights**
- Notice of Meeting** sent
- Exit Information**
- Staffing Summary**
- Copies of 504 documents sent to the district 504 coordinator