

VERONA PUBLIC SCHOOLS

SECTION 504

District Procedures

Each school shall designate a 504 Committee. This committee is composed of members from a variety of disciplines and usually includes at least a teacher, supervisor, guidance counselor(secondary level) or Child Study Team member (elementary level). The purpose of this committee is to determine if a student is eligible for 504 accommodations and/or modifications. The following steps shall be followed in order to determine a student's eligibility and to determine an accommodation plan under the provisions of the Section 504 of the Rehabilitation Act of 1973:

1. Upon receipt of a referral request, the request will be forwarded immediately to the 504 Committee. (A student is usually referred by his/her parent, but may be referred by himself/herself or any member of the school staff.)
2. A 504 contact person shall be designated for this referral.
3. The 504 contact person will respond to the referral in writing, providing the parent with the Section 504 Identification Request Form and a copy of the Parent and Student Rights under Section 504.
4. When the Section 504 Identification Request Form is returned by the parent, the 504 Contact Person will initiate the process to evaluate the merits of the request. The 504 Contact Person is responsible for gathering all information and data. At a minimum, sources of information and data must include the information from the Section 504 Identification Request Form and information from the Teacher Input Form. Additional information may include: documentation from a qualified professional, school counselor input, classroom observations, school nurse input, and other school staff input.
5. Upon collection of the data, the 504 Contact Person should bring the data before the 504 Committee for review. All information must be documented on the student's 504 Eligibility Determination and Accommodation Plan Form. This form will provide the steps the committee must go through in determining a student's eligibility for 504 accommodations.
6. After reviewing all data, the committee must choose one of the following options:
 - a. The student is eligible for Section 504 based on the data
 - b. Additional data are required before eligibility can be determined
 - c. The student is not eligible.

7. Once determination of eligibility is made, the committee will develop a list of recommended accommodations that will be part of the student's Individualized Accommodation Plan (IAP) – part two of the 504 Eligibility Determination and Accommodation Plan Form.
8. Upon completion of the accommodation plan, the parent (and student, if appropriate) is invited to meet with the 504 Contact Person to review the determination of eligibility and the accommodation plan. If the parent/student agrees, all participants should sign the 504 Eligibility of Determination and Accommodation Plan form. A date for the review of the plan should be noted on the form.
9. After all parties agree, the 504 Contact Person must notify the classroom teachers of the student's disability and resulting accommodations. The accommodation plan is a legal document that specifies the accommodations essential in providing the student with equal access to education opportunities. It is important that the 504 Contact Person advises and informs the classroom teacher that he/she is legally responsible for the implementation of the Individualized Accommodation plan.
10. The individual accommodation plan should be formally reviewed on at least an annual basis. The 504 Contact Person is responsible in initiating the review. The review must include any new information/data regarding the student's disability and his/her progress in school. If the accommodations need to be modified or redesigned, the 504 Contact Person should resubmit the case to the 504 Committee for review (504 and Action Plan Review Form). If no changes are necessary, the accommodation plan will remain in effect during the school year. The parents/students must give approval by again signing the accommodation individual plan.
11. The 504 Committee should strive to complete each referred case within 45 days of the receipt of the original referral. While there is no legal timeline that must be followed, the Committee should handle each case in an expeditious and thorough manner.

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< school & address >

<Date>

Dear <parent>,

Your request for a Section 504 Plan to be developed for <student name> was received on <date>.

Per district procedures, please complete and signed the enclosed Section 504 Identification Request Form and return it in the stamped envelop. Once the signed request is returned, data will collected from a variety of sources to ensure a fair and equitable evaluation to determine if there is a disability that substantially limits a major life function such as learning.

Sources may include but not limited to:

- Documentation provided by the parent from a qualified professional
- Teacher input (checklist, samples of work, anecdotal records)
- School counselor input (test scores, progress reports, anecdotal records)
- Classroom observation
- School nurse input
- Other school staff input (attendance, discipline, etc.)

Upon collection of the data, the 504 Committee will review the information and determine the eligibility. If the student is eligible, a 504 Individual Accommodation Plan will be developed. You will be invited to attend a meeting to discuss the findings of the 504 Committee.

A copy of the "Section 504 Parent/Student Rights in Identification, Evaluation and Placement" is enclosed for your review.

Should you have any questions, please do no hesitate to call.

Sincerely,

504 Contact Person

cc: Building Principal

Enc: Section 504 Identification Request form
Section 504 Parent/Student Rights

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SECTION 504

Section 504 Identification Request Form

Student Name: _____ Grade: _____

Age _____ Date of Birth _____ Native Language: _____

Suspected or Documented Disability (Please attach any supporting documents that identify a disability)

Please categorize the area(s) of the suspected or documented disability:

Academic _____ Behavioral _____ Developmental _____

Emotional _____ Vision _____ Hearing _____

Physical _____ Social _____ Speech/Language _____

Executive Functioning (Work Habits) _____ Medical _____

Specific Interventions Prior or During this Referral:

Dates	Intervention	Implemented by:	Results

Is the student receiving passing grades in all subject areas?
If no, please indicate areas of failing grades. Yes _____ No _____

Has the student ever been retained? If yes, grade retained _____ Yes _____ No _____

Has the student received disciplinary action for inappropriate behavior? If yes, please explain. Yes _____ No _____

Impact of Suspected or Documented Disability:

Under the following categories, please indicate how and when the disability impacts or prevents success for your child:

Academic Setting:

Behavior:

Other Problematic Settings:

Please sign below and return in the enclosed envelope.
I have received a copy of "Parent and Student Rights under Section 504 of the Rehabilitation Act of 1973".

Signature _____ Date _____

Relationship to Student: _____

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SECTION 504

Request for Teacher Input

To: _____ Date _____

From: _____

RE: Student Name _____

The Section 504 committee is considering this student for eligibility under Section 504 of the Rehabilitation Act of 1973. Your input is vital in determining whether or not this student is eligible for accommodations. Please respond to all sections of this form and return to me by _____. Thank you for your cooperation.

Grade/Subject Area: _____

Attendance Record or Days Absent _____

Academic Strengths/Competencies:

Academic Weaknesses:

Test Performance (Please indicate whether the student appears to understand more than he/she is able to demonstrate on tests):

Description of Work Habits and Attention to Task:

Description of Social and Emotional Behaviors:

Please characterize any unique aspects of the student's overall performance or behaviors in your class:

If this student is found to have a disability, are there any reasonable accommodations or modifications that you think would appropriately assist this student in your class?

Other comments?

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**SECTION 504
Eligibility Determination and Accommodation Plan**

Name _____ DOB _____
Parent/Guardian _____ Telephone _____
School _____ Grade _____
504 Contact Person _____ Date: _____

Description of the problem/concern:

Staff Members Participating in Eligibility Determination and Accommodation Plan Design:

Data Reviewed:

I. Determination of Eligibility:

Determination Questions:

1. Is there documentation of a disability? Yes ___ No ___
2. If there is documentation, what is the disability? _____
3. How is this documented (attach copies)? _____
4. If there is a documented disability or impairment, does that disability or impairment substantially limit a major life activity? Yes ___ No ___

5. Check the major life activities substantially limited by the disability or impairment:

Walking ___ Seeing ___ Hearing ___ Speaking ___
Breathing ___ Learning ___ Reading ___ Writing ___
Other (specify) _____

6. Does this student require reasonable accommodations so that the major life activity is no longer substantially limited? Yes ___ No ___

Determination Analysis:

In determining Eligibility for a 504 Accommodation plan, there must be a determination of a disability **and** a determination that the disability substantially limits a major life activity that the average student of approximately the same age can perform.

In reviewing the Determination Questions, “No” answers or no items checked indicate that there is No Documented Disability.

Discount from this analysis any sub-par performance due to other factors, such as lack of motivation and the immediate situation or environment. Similarly, make an educated estimate of the mitigation of medication. Use the average student in the general population as the frame of reference for comparison.

After analyzing all information, determine the student’s eligibility and check **one** box below:

_____ The student **does not** have a disability which substantially limits one or more major life activities

_____ The student has a disability which **does not** substantially limit one or more major life activities. Identify the disability and describe how it does not substantially limit one or more major life activities:

_____ The student **does** qualify as a disabled individual under Section 504 of the Rehabilitation Act of 1973. Identify the disability and describe how it substantially limits one or more major life activities:

II. Individual Accommodation Plan (IAP)

Description of how the disability substantially affects a major life activity:

Description of Reasonable Accommodations:

Accommodation	Person Responsible/Setting

Eligibility and Accommodations to be reviewed on _____

III. Signature of Participants in Section 504 Determination and IAP:

Name

Title

IV. Parent Notice and Signature:

I have been informed and received notice of the IAP and have received Section 504 information and procedural safeguards.

Parent Signature _____ Date _____

FACT SHEET: Section 504 of the Rehabilitation Act of 1973

Overview of Section 504:

Section 504 of the Rehabilitation Act of 1973 is federal civil rights legislation for persons with disabilities. It is designed to prevent any form of discrimination directed toward an individual because of his/her disability. Specifically, Section 504 is written in one sentence: “No otherwise qualified individual with a disability shall solely by reason of her or his disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal funds. (Please note that this Act covers persons of all ages and is not specific to school aged children.)

Definition and Basic Elements:

Unlike the IDEA eligibility system of classification based on clinical categories of disabilities, Section 504 works on a more functional premise. Under 504, *a person is considered to have a disability if that person has a physical or mental impairment that substantially limits one or more major life activities; have a record of an impairment; or is regarded as having such an impairment.*

The three most important considerations, as underlined above, are defined as follows:

Disability: a) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproduction, digestive, genitor-urinary, hemic and lymphatic, skin and/or endocrine or b) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Substantially Limits: This is the essential element in determining eligibility under Section 504. In a most basic interpretation, the disability must adversely affect the educational performance of the student. “Substantially limited” can be defined as unable to perform a major life activity that the average person in the general population can perform or significantly restricted as to the condition, manner, or duration under which an individual can perform a particular major life activity as compared to the condition, manner or duration under which the average person in the general population can perform the same major life activity. The nature and severity of the impairment, the duration or expected duration of impairment, and/or the permanent or long-term impact resulting from the impairment should also be considered.

Major Life Activities: Activities that include walking, seeing, hearing speaking, breathing, learning, reading, and/or writing

Identification of a 504 Student:

Unlike IDEA which requires a comprehensive evaluation, Section 504 only requires that the evaluation be conducted in the suspected areas of need. An evaluation does not necessarily mean 'testing'. The school may draw upon information from a variety of sources. That information should be documented and carefully considered. The decision about the student's eligibility should be made by a group of persons familiar with the student. School personnel should collectively use their professional judgment to make sure there is documentation of a *disability* **and** that there is evidence that the disability *substantially limits* a *major life activity*.

Program Planning for a 504 Student:

Under Section 504, the student with a disability should receive an education that is comparable to the education provided to students without disabilities. To make education comparable, Section 504 Plans usually include classroom accommodations and modifications. However, implementation of a 504 Plan, while intended to 'level the playing field', does not guarantee that a student will achieve higher grades. Accommodations and modifications should be listed in the written 504 Plan (District form attached). Parents must be advised of the 504 Plan and also be given Section 504 Parent/Student Rights (attached). It is expected that the 504 Plan will be periodically reviewed and updated.

Examples of 504 Plans:

- A student with a long-term, debilitating medical problem such as cancer, kidney disease or diabetes may be given special consideration to accommodate the student's needs. For example, a student with cancer may need a class schedule that slows for rest and recuperation following chemotherapy.
- A student with a learning disability that affects the ability to demonstrate knowledge on a standardized test or in certain testing situations may require modified test arrangements, such as oral testing or different testing formats.
- A student with a learning disability or impaired vision that affects the ability to take notes in class may need a note taker or tape recorder.
- A student with a chronic medical problem such as kidney or liver disease may have difficulty in walking distances or climbing stairs. Under Section 504, this student may require handicapped parking, sufficient time between classes or other considerations to conserve the student's energy for academic pursuits
- A student with diabetes, which adversely affects the body's ability to manufacture insulin, may need a class schedule that will accommodate the student's special needs.
- An emotionally or mentally ill student may need an adjusted class schedule to allow time for regular counseling or therapy.
- A student with epilepsy who has no control over seizures and whose seizures are stimulated by stress or tension may need accommodations for such stressful activities as lengthy academic testing or competitive endeavors in physical education
- A student with arthritis may have persistent pain, tenderness or swelling in one or more joints. A student experiencing arthritic pain may require a modified physical education program.

Sources:

Wrightslaw: Special Education Law by Peter W. D. Wright and Pamela Darr Wright, Harbor House Law Press 1999.

Section 504 and Public Schools by Tom E.C. Smith and James R. Patton, Pro-ed, 1998.