

Procedure Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973

1. Concern

Student, parent, teacher, counselor, or administrator believe they are observing in a student substantially limited performance in one or more major life activities that is believed to be caused by a physical or mental impairment.

2. Referral

The concerned individual should complete the Referral Form and give it to the designated building team.

3. Screening

The designated building team reviews the referral, completes an appropriate student's files review, and consults with teachers, parents/guardians, peers, professionals, and/or student.

A. Does this student appear to have disability under Section 504?

1. If yes:

- a. Provide the parent/guardian with copies of the Section 504 rights and Required Notification of Isolation and Restraint of Students with IEP's or Section 504 Plans.
- b. If further information is needed, provide notice to parents for evaluation and obtain their consent in writing. Also obtain written consent for a mutual exchange of information from parent/guardian as appropriate.

2. If no:

- a. Provide screening results to source of referral with accompanying recommendations
- b. Provide written notice to parents that student does not qualify.

4. Evaluation

Conduct all evaluations deemed appropriate and for which the parent/guardian have given written permission.

5. Eligibility

A Section 504 team must consist of, at least two people and must include person(s) knowledgeable about the student, the meaning of the evaluation data and service options. The team composition may vary according to the needs of the student. The team convenes to review all evaluation results, and documents the meeting in writing.

A. A. Is this student eligible under Section 504?

1. If no:

- a. Consider other referral sources or options for the student. Provide written notice to parents that student does not qualify.

2. If yes:

a. The Second Decision To Be Made

1. Does the student also seem to have a disability under one of the IDEA conditions?
 - i. If yes: Refer to special education representative for appropriate decision
 - ii. If no: Proceed to Step 6

NOTE: Whatever the disposition of the case at step 5, the team should complete a written Section 504 eligibility statement.

6. Develop Accommodation Plan

Once eligibility under Section 504 has been determined, the process moves to the development of a student accommodation plan. This plan is to be developed by a team that may or may not be the same individuals who were involved at the ELIGIBILITY step 5, but a similar minimum team composition is recommended.

7. Parent Permission

Provide parents with a copy of the Student accommodation plan and get their written permission to initiate the plan.

8. Educational Services

The educational services are implemented as outlined in the student accommodation plan. A school counselor or other appropriate staff member is designated as the case manager to monitor the implementation of the plan and the progress of the student.

9. Periodic Review

Each student accommodation plan should be reviewed by the team annually. Three issues which should be addressed at the review are as follows: (1) the need for additional evaluation information, (2) the continued eligibility as a student with a disability under Section 504, and (3) the contents of the plan and service provider. An evaluation should occur at least triennially and before any significant change in a student's placement.

NOTE: Impartial hearing or mediation requests must be made directly to the District 504 Compliance Officer