

# Mediapolis Community Schools



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# Section 504 Handbook

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## Mediapolis Community School District 504 Contacts

If you should have Section 504 questions, the contact listed below will respond or direct you to the appropriate person.

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## Section 504 Background

### *What is Section 504?*

Section 504 of the Rehabilitation Act of 1973 is Congress's directive to schools receiving any federal funding to eliminate discrimination based on disability from all aspects of school operation. 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."* Since Mediapolis Community School District is a recipient of federal dollars, we are required to provide eligible disabled students with equal access (both physical and academic) to services, programs, and activities offered by our schools. Section 504 is a civil rights statute and not a special education statute. Therefore, it is the responsibility of regular education staff and administration to implement those practices and procedures necessary for a school to fulfill this law's requirements. It is also important to understand that schools receive no additional funding to implement Section 504 accommodations. At each building, the responsibility for Section 504 compliance rests with the building principal or principal's designee. Please note that when working with disabled students, Section 504 serves the same purpose as ADA (Americans with Disabilities Act).

## Identifying Students for Section 504 Eligibility

### *What criteria are used to determine 504 eligibility?*

Like other students, those students with a 504-eligible disability are entitled to a free appropriate public education. An appropriate education for a Section 504 disabled student may require the provision of specific accommodations and related services in order to meet the needs of the student. Section 504 focuses on assuring access to educational services and the learning process that is equal to that given students who do not have disabilities.

For a student to qualify for Section 504 protection the student must meet three criteria. The three criteria are (1) A mental or physical impairment (or has a record of an impairment or is regarded as having an impairment), (2) which substantially limits, (3) one or more major life activities. It is important to understand that all three criteria must apply to a student before that student is eligible for Section 504 protection. In addition, this disability must be why the student cannot equally access or receive benefit from the school's programs and services. Here is additional detail on each of the three criteria.

(1) Mental or physical impairment (a) has a record of such impairment or (b) is regarded as having impairment:

This might include any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems. Additionally, this can include any mental or psychological disorder. 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.

(a) “Has a record of such an impairment” means that a person has a history of, or has been classified (by a recipient of federal funding) as having a mental or physical impairment that substantially limits one or more major life activities.

(b) “Is regarded as having an impairment” means that an individual has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient (of federal funds) as constituting such a limitation; or 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.

Thus, in the case of “has a record of” and “is regarded as having” individuals receive Section 504 protection, not necessarily because they have a qualifying disability, but to protect them from being injured by the prejudice or stereotypic attitudes of others. Schools have no obligation to identify these students or provide them with a Section 504 Plan. However, schools are prohibited from discriminating against these students in all programs and activities.

(2) Substantially limits:

Section 504 does not specifically define the term “substantially limits”. The basis for evaluating this criterion is on the impact the impairment has on one or more of a student’s major life activities. It is vital to understand that for a student to qualify, the impairment must impose “considerable” or “to a large degree” a limitation to 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. Simply having a condition or disability does not automatically qualify a student for Section 504 protection. The condition must present a barrier to the student’s ability to access the same educational opportunities as that afforded a non-disabled student or a substantial limitation does not exist. The team may also consider what factors have been taken to mitigate the impairment and its actual impact on the student on a day-by-day basis. The team may consider the manner, conditions, and duration in which a student performs the task in comparison to how non-disabled students perform the same task. See **Appendix B: Other Support Documents** page 5-B of this publication for additional information.

(3) Major life activities:

Major life activities include but are not limited to caring for oneself, performing manual tasks walking, hearing, seeing, speaking, breathing, learning, and working.

## How is a Section 504 student review request made?

A parent, guardian, teacher, eligibility team, counselors, related service providers, other school staff and administration, and/or community agencies can initiate a Section 504 review request. Please advise someone wanting a student review to use the *Section 504 Student Review Request Form* and forward it to the district's 504 Contact. A *Section 504 Student Review Request Form* is included in **Appendix A: 504 Forms** page 1-A.

## What is the process for reviewing Section 504 eligibility?

The District expectation is that every school convenes an Eligibility Team (or similar group) whose purpose is to investigate the needs of students who demonstrate a pattern of academic failure or other significant needs. The Eligibility Team conducts a preliminary review to determine the nature of the student's need. If it is determined that the student should go through a 504 eligibility meeting, then appropriate staff meet and conduct the meeting. Please see *Levels of Student Instructional Service* graphic in **Appendix B: Other Support Documents** page 1-B. This graphic identifies levels of student service and the relationship between these levels.

As mentioned above, a student is eligible for Section 504 protection when it is determined that he or she has a physical or mental impairment that substantially limits one or more major life activities. A properly convened eligibility team will include individuals knowledgeable about the needs of the student, the data being reviewed, and appropriate accommodation options. This team can include (but is not limited to) District 504 Coordinator, parents/guardians, teachers, Eligibility Team members, counselors, related service providers, other school staff and administrators, and staff from community agencies. Parents/guardians should be included in this process whenever possible. The team's role is to review the nature of the student's impairment and determine how it affects educational access. If the team determines that the impairment does substantially limit a major life, function then the team will construct a Section 504 Plan that outlines the necessary student accommodations.

Section 504 eligibility meetings are not intended to be as comprehensive as a special education evaluation. However, in every case the eligibility team needs to investigate the specific concern that triggered the student review request. Information that might be considered includes (but is not limited to) grades, attendance reports, behavior plans, review requests, cumulative file information, psychological evaluations, medical information observations, and standardized testing information. The eligibility team may administer and use other formal and informal measures as deemed necessary.

## **Are there situations when it is inappropriate to offer a Section 504 accommodation plan?**

Yes! Eligibility for 504 is always decided by evaluating and determining that all three criteria are met. The student must have a mental or physical impairment. That mental or physical impairment must be substantially limiting. The impairment must substantially limit one or more major life activities. If any of the three criteria is missing or if there is no impact on the student's access to school programs or services because of the disability, do not create a 504 Plan for the student. Keep in mind that while a 504 Plan might not be appropriate; other kinds of accommodation plans may be appropriate. Here are some of the common misuses of the 504 review request process.

- A parent and/or doctor presents the school with a disability diagnosis and a 504 Plan is written without first determining if the disability causes substantial limitation of a major life activity.
- A student is placed on a 504 Plan solely because the parent wants the student to have additional time on college qualifying examinations (e.g. ACT, SAT).
- A student fails to qualify for special education support and is automatically signed up for a 504 accommodation plan without first qualifying them based on Section 504 criteria.
- A student is automatically placed on a 504 plan when the student no longer qualifies for special education services without first qualifying them based on the three Section 504 criteria, which are different from special education criteria.
- A student is placed on a 504 Plan as an alternative way to receive special education services because the parent refuses to "label" a student by including them in a special education program.

## Design and Implementation of a 504 Plan

### Where will accommodations be provided for students and what are some examples of possible accommodations?

Section 504 requires that a student with a disability be educated with non-disabled students to the maximum extent appropriate. As with IDEA, this is considered educating the student in the least restrictive environment. Implementation of most Section 504 student accommodations occurs within the regular classroom. Accommodations generally are those minor adjustments to things like seating arrangement, lesson presentation, assignments, and other facets of the learning experience that provide the student with equal access to learning opportunities. An example could be moving the student to a position in the room that best supports his or her ability to attend to schoolwork. Accommodations might involve the use of special visual aids, large print, word processors or using video recordings. Allowing a student additional time to complete a specific kind of task is also an accommodation. Countless accommodations exist that can support a student's equal access to educational opportunities. It is the job of the 504 eligibility team to identify those accommodations that best support the access needs of a 504 eligible student. Please see examples provided on pages 14 through 31. **The examples provided on these pages are intended to serve as "starters" for an eligibility team. They are not checklists nor are the examples intended to be all-inclusive or mandatory.**

### How are 504 accommodations and related services documented and reviewed?

If the eligibility team determines that a student has a Section 504 disability, the team's second responsibility is to identify student needs and the services and/or accommodations the student will receive. Documentation of the plan's detail is in the *Section 504 Accommodation Plan*. This plan provides a summary of accommodations that a student needs in order to have equal access to the learning process, or to other programs, activities, and services. In Mediapolis Community School District, this document is kept in the student's cumulative file. The eligibility team should review active *Section 504 Accommodation Plans* yearly with more frequent reviews occurring when needed.

The purpose of a review is to add, subtract and/or modify student accommodations as needed. A copy of the *Accommodation Plan* is in **Appendix A: 504 Forms** page 13-A.

## Disciplining a 504 Disabled Student

### Does a school need to conduct a manifestation meeting when considering the expulsion or long-term suspension of a student with a Section 504 Plan?

Yes. Similar to suspension or expulsion of a student having a disability under IDEA (special education) it is necessary to conduct a manifestation determination meeting for a Section 504 disabled student when:

- The suspension or expulsion will be for more than 10 consecutive school days. Like IDEA, a suspension/expulsion of more than 10 consecutive days constitutes a significant change in placement and requires schools to determine if the cause of the misconduct is the disability identified in the student's 504 plan.
- A series of suspensions that total more than 10 days may also trigger the manifestation determination requirement of Section 504. If cumulative suspensions/expulsions for a student on a 504 Plan total more than 10 days, it must be determined if a significant placement change has occurred. This is done on a case-by-case basis. If a group of short suspensions creates a pattern of exclusion, then this constitutes a change in placement and school personnel must conduct a manifestation determination meeting before further suspensions or expulsions occur. The Office of Civil Rights has identified some of the key factors in determining patterns of exclusion. These include length of each suspension, the proximity of the suspension to one another, nature of the misconduct, and the total amount of time the student is excluded from school.

### Who makes the manifestation determination for a student on a 504 Plan and what information is included in this process?

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 a plus 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. ***Those responsible for school disciplinary procedures, such as the school principal or school board officials cannot make the determination.*** However, it is appropriate for the administrator responsible for school discipline to present pertinent student information to the team making the manifestation determination.

The Office of Civil Rights indicates that those making the manifestation determination must have available information that competent 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.

Those making the manifestation determination must decide whether the current educational placement is correct. Two questions are to be answered in determining plan appropriateness.

1) Are the accommodations/services in the student's 504 Plan appropriate as they relate to the current misconduct? 2) Were the accommodations/services in place at the time of the alleged infraction? If the majority/consensus is that the plan is not appropriate as it relates to the current misconduct or that it was not substantially complied with, then the suspension/expulsion proceeding cease and a review and update of the current plan is to occur.

If the plan is determined to be both appropriate and in place, the team will next consider if the misconduct is the result of the student's disability. This is done by considering the following questions: Does the student's disability impact his or her ability to control the behavior? Does the disability impair the student's ability to understand the impact and consequences of the behavior? If it is determined that the misconduct is not caused by the disability, then the District can impose whatever long-term suspension or expulsion it would impose under the same circumstances if a non-disabled student were the offender. However, if it is determined that the misconduct is caused by the disability, the student may not be further removed from his or her program. Please find a copy of the *Manifestation Determination Review* in **Appendix A: 504 Forms** page 19-A.

### **How does a school proceed with drug and alcohol offenses that involve students who are on a Section 504 Plan?**

A student currently engaged in the illegal use of drugs or alcohol is not protected under Section 504 when the disciplinary actions of the school staff are based on that student's current use of illegal drugs or alcohol. Schools may take disciplinary action against a student with a 504 disability that is currently engaged in the use of alcohol or illegal drugs to the same extent that it takes disciplinary action against persons not having disabilities. Additionally, the procedural protections normally in place when a 504 student has a discipline related placement change do not apply when the misconduct involves the current use of illegal drugs or alcohol.

### **Is a manifestation meeting necessary if a Section 504 student is cited for possession of a controlled substance?**

Drug possession, when the student is not a current user, is another matter. When the misconduct of a 504-disabled student centers on possession of illegal drugs and not use of illegal drugs then a manifestation determination must occur. This is because possession of controlled substance does not result in a loss of Section 504 protections unless the disabled student is also currently using the controlled substance. If it is determined that the drug possession is not a manifestation of the disability, then the student can be disciplined to the same extent as if a non-disabled student was the offender. If it is determined that the possession of illegal drugs is a manifestation of the disability, the student may not be removed from his or her program.

However, in accordance with governing law, the Section 504 team may change the student's placement to an appropriate interim alternative educational setting for not

more than 45 days if the student knowingly possessed, sold, or solicited the sale of a controlled substance while at school or at a school function. Such placement, in an interim alternative setting, is permissible even if the disabled student's behavior was a manifestation of his or her disability. Please see **Appendix A: 504 Forms** page 19-A for a copy of the *Manifestation Determination Review*.

## Terminating a 504 Plan

### How is a 504 Plan terminated and what is done with terminated 504 Plans?

The first step in terminating a student's 504 Plan is for the 504 eligibility team to review current student need and determine that the plan is no longer needed to provide the student equal access or that the student no longer has a qualifying disability. Once this is determined, the team is to complete a *Section 504 Plan Termination* Form found in **Appendix A: 504 Forms** page 17-A. This completed form is attached to the front of the accommodation plan. Like active plans, a terminated plan is kept in the student cumulative file. Like other educational documents, terminated plans are maintained in the student cumulative file to support the future efforts of staff that might need to consider some type of future intervention for the student.

## 504 Procedural Safeguards and Parent/Student Rights

**Are schools required to provide parents with prior notice of a Section 504 eligibility meeting? Must schools secure parental consent before conducting an initial student review?**

Yes! Current Office of Civil Rights (OCR) guidelines require that a parent receive prior notice of a Section 504 eligibility meeting. Best practice would be to include parents in the evaluation process. However, it is not legally necessary to secure their consent in order to conduct an initial eligibility review meeting. It is required that schools secure parent permission before administering any diagnostic evaluations needed to determine 504 eligibility. Yearly plan reviews do not have these requirements. It is vital that the document providing prior notice explains the action the District proposes to take and the reasons why it has decided to proceed in that fashion. Please find the District *Initial Parent Notice and Consent of 504 Evaluation* Form in **Appendix A: 504 Forms** page 3-A.

**Are schools required to provide parents with a list of parent/student rights under Section 504 before conducting an initial student review?**

Yes! The following is a listing of student and parent rights granted by federal law. The intent of the law is to keep parents fully informed concerning decisions made about their child and to inform parents of their rights should they disagree with these decisions. Please find *Parent/Student Rights under Section 504* in **Appendix A: 504 Forms** page 5-A.

### Parents have the right to:

1. Have your child take part in and receive benefits from public education programs without discrimination based on a disability.
2. Have the District advise you as to your rights under federal law.
3. Receive notice with respect to identification, evaluation, or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the District make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided students without disabilities.
6. Have your child receive special education and related services if he or she is found to be eligible under the Individuals with Disabilities Education Act (IDEA), or to receive reasonable accommodations under Section 504 of the Rehabilitation Act.
7. Have eligibility and educational placement decisions made based upon a variety of information sources, and by individuals who know the student, the

- evaluation data, and placement options.
8. Have transportation provided to a school placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the District.
  9. Give your child an equal opportunity to participate in nonacademic and extracurricular activities offered by the District through the provision of reasonable accommodations.
  10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement.
  11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
  12. Receive a response from the District to reasonable requests for explanations and interpretations of your child's records.
  13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the District refuses this request, it shall notify you within a reasonable time, and advise you of the right to a hearing.
  14. Request an impartial due process hearing related to decisions regarding your child's identification, evaluation, and educational placement. You and your child may take part in the hearing and have an attorney represent you at your own cost.
  15. File a complaint with the District when you believe your child's rights have been violated.

## ***Working with Parent Concerns and Complaints***

### **What is the District process for addressing Section 504 parent complaints?**

The best solutions to parent concerns occur at the school level. Therefore, the first step in resolving a complaint involves the parent or guardian working with the building principal, District 504 coordinator and other appropriate staff to reach a joint resolution of the issue. Should the issue not be resolved and the parents desire to file a 504 complaint advise them to take the following steps.

**Parent completes a *Section 504 Complaint Form* and submits to the District 504 coordinator. The form is in Appendix A: 504 Forms page 23-A.**



**The District 504 Coordinator forwards the concerns to the building principal or designee for review of complaint and attempts to facilitate resolution of the concern.**



**If the concern is not resolved at the school level the parent can forward a copy of the complaint to the Equity Coordinator. The Equity Coordinator will follow District policy.**



**If concern is not resolved, then parents have the option of filing a complaint with the Office of Civil Rights (OCR)**

The Office of Civil Rights (OCR) is the federal agency responsible for enforcing Section 504 compliance. While it is highly recommended that all parties begin resolution of issues as described above, parents and guardians always have the right to initiate a complaint with OCR or to involve OCR at any time during the complaint process.

## Examples of Program Accommodations and Adjustments

The following pages contain possible examples of 504 accommodations. This is intended to be a school staff document. The following examples are not check lists and should never be considered as all-inclusive or mandatory listings. Rather the following are examples intended to serve as “starters” for 504 teams designing accommodation plans that meet a student’s specific need(s).

The best 504 plans incorporate teacher expertise and available regular education resources. The Eligibility Team process involves schools in identifying the resources they (and outside agencies) have to support various student needs. Obviously, the kinds of accommodations schools can provide will vary based on school, level, etc. Therefore, no attempt was made to sort these examples by level, etc. The 504 eligibility team identifies the accommodations that will best support a particular student. The following examples are organized into two groups. The first group includes general environmental, organizational, behavioral, presentation, and assessment strategies. The second group includes possible examples of accommodations that might be valuable when dealing with specific disability profiles.

### General Accommodations

General program accommodations/adjustments or services are always made on a case-by-case basis and individualized. Accommodations are to be reasonable. Accommodations are intended to provide persons with disabilities compensation for their functional limitation(s) due to a mental or physical impairment. Where Section 504 is concerned, accommodations are made to bring a student with a disability to the same starting point as a non-disabled student. Consequently, the accommodations defined in a Section 504 plan are those interventions that are over and above the accommodations available to all students.

#### Environmental Strategies

- Provide a structured learning environment
- Make separate "space" for different types of tasks
- Possible adapting of non-academic times such as lunch, recess, and physical education
- Change student seating
- Utilize a study carrel
- Alter location or personal or classroom supplies for easier access or to minimize distraction

#### Organizational Strategies

- Model and reinforce organizational systems (i.e. color-coding)
- Write out homework assignments, check student's recording of assignments
- Tailor homework assignments toward student strengths
- Set time expectations for assignments
- Provide clues such as clock faces indicating beginning

### **Behavioral Strategies**

- Use behavioral management techniques consistently within a classroom and across classes
- Implement behavioral/academic contracts
- Utilize positive verbal and/or nonverbal reinforcements
- Utilize logical consequences
- Confer with the student's parents (and student as appropriate)
- Establish a home/school communication system for behavior monitoring
- Post rules and consequences for classroom behavior
- Put student on daily/weekly progress report/contract
- Reinforce self-monitoring and self-recording of behaviors

### **Presentation Strategies**

- Tape lessons so the student can listen to them again; allow students to tape lessons
- Use computer-aided instruction and other audiovisual equipment
- Select alternative textbooks, workbooks, or provide books on tape
- Highlight main ideas and supporting detail in the book
- Provide copied material for extra practice (i.e. outlines, study guides)
- Prioritize drill and practice activities for saliency
- Vary the method of lesson presentation using multi-sensory techniques:
  - a) lecture plus overhead/board demonstration support
  - b) small groups required to produce a written product
  - c) large groups required to demonstrate a process
  - d) audio-visual (i.e. filmstrips, study prints) methods
  - e) peer tutors or cross-age tutors
  - f) demonstrations, simulations
  - g) experiments
  - h) games
- 1-to-1 instruction with other available adults
- Ask student to repeat/paraphrase context to check understanding
- Arrange for a mentor to work with student in his or her interest area or area of greatest strength
- Simplify and repeat instructions about in-class and homework assignments
- Vary instructional pace
- Reinforce the use of compensatory strategies, i.e. pencil grip, mnemonic devices, "spell check"
- Vary kind of instructional materials used
- Assess whether student has the necessary prerequisite skills. Determine whether materials are appropriate to the student's current functioning levels
- Reinforce study skill strategies (survey, read, recite, review)
- Introduce definition of new terms/vocabulary and review to check for
- Be aware of student's preferred learning style and needs, differentiating instruction to match

### **Evaluation Methods**

- Limit amount of material presented on a single page
- Provide a sample or practice test
- Provide for oral testing
- Provide tests in segments so that student hands in one segment before receiving the next part
- Provide personal copy of test tools and allow for color-coding/highlighting

## Accommodation Examples for Specific Disabilities

Here are some examples of accommodations and services that might be considered for specific disability profiles. Please keep in mind that these examples are not intended to be all-inclusive or mandatory. Do not use these examples as a “checklist”, as accommodations are to be made on a case-by-case basis specific to individual need. Please also remember that the mere presence of these conditions does not automatically qualify a student for a Section 504 plan. The disability must significantly limit one or more life functions before a 504 plan is to be considered. Additionally, this disability must impact the student so that he or she is not afforded access and benefit of programs and services equal to that of non-disabled students.

### Allergies

*EXAMPLE:* The student has severe allergic reactions to certain pollens and foods. For purposes of this example, the condition substantially limits the major life activity of breathing and may interfere with the student's ability to get to school or participate once there.

#### **Possible Accommodations and Services:**

- Avoid allergy-causing substances: soap, weeds, pollen, food
- Inservice necessary persons: dietary people, peers, coaches, laundry service people, etc.
- Allow time for shots/clinic appointments
- Use air purifiers
- Adapt physical education curriculum during high pollen time
- Improve room ventilation (i.e. when remodeling has occurred and materials may cause an allergy)
- Develop health care and/or emergency plans
- Address pets/animals in the classroom
- Involve school health consultant in school related health issues
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects

### Arthritis

*EXAMPLE:* A student with severe 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. For purposes of this example, the condition substantially limits the major life activity of learning.

#### **Possible Accommodations and Services:**

- Provide a rest period during the day
- Accommodate for absences for doctors' appointments
- Provide assistive devices for writing (e.g. pencil grips, non-skid surface, typewriter/computer, etc.)
- Adapt physical education curriculum
- Administer medication following medication administration protocols
- Train student for proper dispensing of medications; monitor and/or distribute

- medications; monitor for side effects
- Arrange for assistance with carrying books, lunch tray, etc.
- Provide book caddie
- Implement movement plan to avoid stiffness
- Provide seating accommodations
- Allow extra time between classes
- Provide locker assistance
- Provide modified eating utensils
- Develop health care plan and emergency plan
- Provide for accommodations for writing tasks; a note taker, a computer or tape recorder for note-taking
- Make available access to wheelchair/ramps and school van for transportation
- Provide more time for massage or exercises
- Adjust recess time
- Provide peer support groups
- Arrange for instructional aide support
- Install handle style door knobs (openers)
- Record lectures/presentations
- Have teachers provide outlines of presentations
- Issue Velcro fasteners for bags
- Obtain padded chairs
- Provide a more comfortable style of desk
- Adjust attendance policy, if needed
- Provide a shorter school day
- Furnish a warmer room and sit student close to the heat
- Adapt curriculum for lab classes
- Supply an extra set of books for home use and keep a set at school
- Let student give reports orally rather than in writing
- Provide an awareness program for staff and students
- Monitor any special dietary considerations
- Involve school health consultants in school health related issues
- Provide post-secondary or vocational transition planning

## **Asthma**

*EXAMPLE:* A student has been diagnosed as having severe asthma. The doctor has advised the student not to participate in physical activity outdoors. For purposes of this example, the disability limits the major life activity of breathing.

### **Possible Accommodations and Services:**

- Adapt activity level for recess, physical education, etc.
- Provide inhalant therapy assistance
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects
- Remove allergens (e.g. hair spray, lotions, perfumes, paint, latex)
- Make field trips that might aggravate the condition non-mandatory and supplement with videos, audiotapes, movies, etc.
- Accommodate medical absence by providing makeup work, etc.
- Adjust for administration of medications

- Provide access to water, gum, etc.
- Adapt curriculum expectations when needed (i.e. science class, physical education, etc.)
- Develop health care and emergency plans
- Have peers available to carry materials to and from classes (e.g. lunch tray, books)
- Provide rest periods
- Make health care needs known to appropriate staff
- Provide indoor space for before and after school activities. Have a locker location which is centralized and free of atmosphere changes
- Adapt attendance policies, school day duration, or 180-day requirement, if needed
- Place student in most easily controlled environment

### **Attention Deficit Disorder (ADD) and Attention Deficit Hyperactive Disorder (ADHD)**

*EXAMPLE:* The student does not meet eligibility requirements under IDEA as emotionally disturbed, learning disabled or other health impaired. A doctor regards the student as having ADD, and for purposes of this example, the disability limits the major life activity of learning. The student, because of his disability, is unable to participate in the school's programs to the same degree as students without disabilities and therefore is substantially limited by the disability.

#### **Possible Accommodations and Services:**

- Seat the student away from distractions and in close proximity to the teacher
- State classroom rules, post in an obvious location and enforce consistently
- Use simple, concise instructions with concrete steps
- Provide seating options
- Tolerate (understand the need) excessive movement
- Provide a peer tutor/helper
- Teach compensatory strategies
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects
- Monitor for stress and fatigue; adjust activities
- Adjust assignments to match attention span, etc.
- Vary instructional pace
- Vary instructional activities frequently
- Provide supervision during transitions, disruptions, field trips
- Model the use of study guides, organizing tools
- Accommodate testing procedures; lengthy tests might be broken down into several shorter administrations
- Provide counseling and prompt feedback on both successes and areas needing improvement
- Initiate frequent parent communication
- Establish a school/home behavior management program
- Provide training for staff
- Have the student use an organizer; train in organizational skills
- Establish a nonverbal cue between teacher and student for behavior monitoring
- Assign chores/duties around room/school
- Adapt environment to avoid distractions
- Reinforce appropriate behavior
- Have child work alone or in a study carrel during high stress times

- Highlight required or important information/directions
- Provide a checklist for student, parents, and/or teacher to record assignments of completed tasks
- Use a timer to assist student to focus on given task or number of problems in time allotted. Stress that problems need to be done correctly.
- Have student restate or write directions/instructions
- Allow student to respond in variety of different modes (i.e. may place answers for tests on tape instead of paper)
- Give student opportunity to stand/move while working
- Provide additional supervision to and from school
- Adapt student's work area to help screen out distracting stimuli
- Grade for content integrity, and not just neatness/presentation
- Schedule subjects which require greater concentration early in the day
- Supply small rewards to promote behavior change
- Avoid withholding physical activity as a negative reinforcer
- Allow for periodic, frequent physical activity, exercise, etc.
- Determine trigger points and prevent action leading to trigger points
- Provide for socialization opportunities, such as circle of friends

### **Bipolar Disorder**

*EXAMPLE:* The student was diagnosed as having a bipolar disorder, however the severity (frequency, intensity, duration considerations) of the condition did not qualify the student for IDEA. A properly convened 504 committee determined that the condition did significantly impair the major life activity of learning and fashioned a 504 plan for the student. Here are some possible accommodations for this scenario.

#### **Possible Accommodations and Services:**

- Break down assignments into manageable parts with clear and simple directions, given one at a time.
- Plan advanced preparation for transitions.
- Monitor clarity of understanding and alertness.
- Allow most difficult subjects at times when student is most alert.
- Provide extra time on tests, class work, and homework if needed.
- Strategies in place for unpredictable mood swings.
- Provide appropriate staff with training on bipolar disorder.
- Create awareness by staff of potential victimization from other students.
- Implement a crisis intervention plan for extreme cases where student gets out of control and may do something impulsive or dangerous.
- Provide positive praise and redirection.
- Report any suicidal comments to counselor/psychologist immediately.
- Consider home instruction for times when the student's mood disorder makes it impossible for him to attend school for an extended period.

### **Cancer**

*EXAMPLE:* A student with a long-term medical problem may require special accommodations. Such a condition as cancer may substantially limit the major life activities of learning and caring for one's self. For example, a student with cancer may need a class schedule that allows for rest and recuperation following chemotherapy.

**Possible Accommodations and Services:**

- Adjust attendance policies
- Limit numbers of classes taken; accommodate scheduling needs (breaks, etc.)
- Send teacher/tutor to hospital, as appropriate
- Take whatever steps are necessary to accommodate student's involvement in extra-curricular activities if they are otherwise qualified
- Adjust activity level and expectations in classes based on physical limitations; don't require activities that are too physically taxing
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects
- Provide appropriate assistive technology
- Provide dietary accommodations
- Provide a private area in which to rest
- Shorten school day
- Arrange for home tutoring following treatment
- Send additional set of texts and assignments to hospital schools
- Tape lessons. Accept the fact that some lessons and content-area tests may not be appropriate. The student is learning many life lessons through this experience.
- Adjust schedule to include rest breaks
- Provide counseling; establish peer group support
- Adapt physical education
- Provide access to school health services
- Provide awareness training to appropriate staff and students
- Develop health care emergency plan to deal with getting sick at school
- Offer counseling for death and dying to peers/teachers/staff
- Furnish a peer tutor
- Provide student with a student buddy for participation in sports
- Initiate a free pass system from the classroom
- Provide lessons using mastery learning techniques
- Provide individual school counseling
- Begin friendship groups for the student
- Provide teachers with counseling, emphasizing positive attitudes
- Have a health plan for care of mediport/any other intravenous lines and medical needs
- Plan ongoing communication about school events
- Notify parents of communicable diseases in school
- Designate a person in school to function as liaison with parents as a means of updating changing health status

**Cerebral Palsy**

*EXAMPLE:* The student has serious difficulties with fine and gross motor skills. A wheelchair is used for mobility. For purposes of this example, the condition substantially limits the major life activity of walking. Cognitive skills are intact.

**Possible Accommodations and Services:**

- Provide assistive technology devices
- Arrange for use of ramps and elevators
- Allow for extra time between classes
- Assist with carrying books, lunch trays, etc.
- Adapt physical education curriculum

- Provide for physical therapy as appropriate. Such therapy needs to relate directly to "life skills."
- Train for proper dispensing of medications; monitor and/or distributed medications; monitor for side effects
- Adapt eating utensils
- Initiate a health care plan that also addresses emergency situations
- Train paraprofessionals in the case of this student (i.e. feeding, diapering, transporting to and from the wheelchair)
- Educate peers/staff with parent/student permission
- Ensure that programs conducted in the basement or on second or third floor levels are accessible
- Ensure that bathroom facilities, sinks and water fountains are readily accessible.
- Provide post-secondary or vocational transition planning.

### **Chronic Infectious Diseases (i.e. Acquired Immune Deficiency Syndrome (AIDS))**

*EXAMPLE:* The student frequently misses school and does not have the strength to attend a full day. For purposes of this example, the student has a record of a disability, which substantially limits the major life activities of learning. Please review applicable District policies.

#### **Possible Accommodations and Services:**

- Inservice staff and students about the disease, how it is transmitted and how it is treated. (Consult appropriate District policies)
- Apply universal precautions
- Administer medications following medication administration protocols, train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects
- Adjust attendance policies
- Adjust schedule or shorten day
- Provide rest periods
- Adapt physical education curriculum
- Establish routine communication with health professionals, area nurse, and home
- Develop health-care and emergency plan
- Consult with doctor, parents, teachers, area nurse and administrators
- Train appropriate teachers on medical/emergency procedures
- Provide two-way audio/video link between home and classroom via computer, etc.
- Arrange for an adult tutor at school or home
- Adapt assignments and tests
- Provide an extra set of textbooks for home
- Provide staff training on confidentiality
- Provide education and support for peers regarding issues of death and dying
- Provide transportation to and from school if needed as a related service
- Tape books or provide a personal reader
- Arrange to communicate with a home computer with e-mail
- Notify parents of communicable disease in the classroom
- Arrange for participation in a support group
- Provide for post-secondary employment transitions for secondary students
- Foster supportive community attitudes regarding the District's need to provide education to HIV positive/AIDS students

- Develop and promote a nondiscriminatory classroom climate and supportive student attitudes
- Promote the most supportive, least restrictive educational program
- Initiate a "Kids on the Block" AIDS program
- Videotape classroom teaching
- Provide a peer support group to encourage communication
- Involve school health consultant in school-related health issues

### **Cystic Fibrosis**

*EXAMPLE:* This student is a new enrollee at your school and has an extensive medical history. He has significant difficulty breathing and will often be absent due to respiratory infection. While medical needs can be easily documented on a health plan, his educational needs also need to be accommodated. For purposes of this example, learning is the major life activity that is substantially impaired.

#### **Possible Accommodations and Services:**

- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects
- Create a health care plan for management of acute and chronic phases
- Promote good communication between parents, hospital, home and school on school assignments
- Shorten the school day
- Adapt physical education activities
- Apply universal precautions, correct disposal of fluids
- Recognize need for privacy for "good coughing"
- Educate staff and peers

### **Deaf/Hearing Impairment**

*EXAMPLE:* A student was diagnosed with a substantial hearing impairment at a very early age. Therefore, he has both a hearing loss and a mild speech impediment. He compensates through both lip reading and sign language. Academic abilities test in the average range.

#### **Possible Accommodations and Services:**

- Allow for written direction/instructions in addition to oral presentation
- Ensure delivery of instruction facing the student to allow lip reading
- Provide visual information as primary mode of instruction
- Allow for provision of interpreter services
- Install acoustical tile, carpeting
- Seat in a location with minimal background noise
- Provide paper and pencil/pen to write/draw requests when needed
- Facilitate acquisition of TDDs and related assistive technology
- Allow for extra time between classes
- Provide post-secondary or vocational transition planning

### **Diabetes**

*EXAMPLE:* A sixth grader with juvenile diabetes requires accommodation to maintain optimal blood sugar. His mom provides the crackers and juice to be used at "break"

time and before physical education class. She asks that teachers remind him to eat at a certain time of the morning if he does not pay attention to the beeper on his watch. The youngster is very self-sufficient; while he is able to monitor his own blood sugar now, he prefers to do this privately. Therefore, mom asks that the equipment and a notebook/log be stored in a nearby file cabinet and the youngster be allowed to go into the hall with the equipment to check his blood sugar twice a day. She also asks that his teacher allow him to use the bathroom as needed.

#### **Possible Accommodations and Services:**

- Health care plan for management of condition in the school setting and in emergencies
- Educate staff to signs/symptoms of insulin reaction/hypoglycemia; hunger, shakiness, sweateness, change in face color, disorientation, drowsiness
- Do not leave the child alone if he/she is feeling poorly; walk to the office or clinic with the student.
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects; communicate systematically and frequently with parents
- Adapt physical education activities
- Store equipment and documentation in a readily accessible location for student, parent and area nurse or clinic aid
- Accommodate food access/meal schedules rigorously
- Allow access to bathroom facilities

#### **Drugs and Alcohol**

*EXAMPLE:* The student has used drugs and alcohol for many years. This problem has affected the major life activities of learning and caring for oneself. The student is presently not using drugs or alcohol and is in a rehabilitation program. If the student is not using drugs or alcohol, he or she could qualify for accommodations or services under Section 504.

#### **Possible Accommodations and Services:**

- Provide copies of texts and assignments to treatment facility
- Arrange for periodic home-school contacts
- Establish daily/weekly assignments monitoring system
- Communicate with treatment facility; pursue transition services available through the treatment facility
- Provide/arrange for counseling
- Establish peer support group
- Dismiss from school for treatment without punitive measures
- Ensure strong link with school counselor
- Arrange for access to treatment at private or public facilities
- Integrate a student assistance program into the classroom
- Inservice faculty/staff with parent/student permission
- Provide post-secondary or vocational transition planning
- Provide ongoing support around chemical dependency in conjunction with other agencies
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.

**Emotionally Disturbed**

*EXAMPLE:* An emotionally disturbed student may need an adjusted class schedule to allow time for regular counseling or therapy. For purposes of this example, the condition substantially limits the individual's major life activity of learning.

**Possible Accommodations and Services:**

- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects
- Maintain weekly/daily journals for self-recording of behavior
- Establish home-school communication system
- Schedule periodic meetings with home and treatment specialists
- Provide carry-over of treatment plans into school environment
- Assist with inter-agency referrals
- Utilize behavior management programs
- Develop contracts for student behavior
- Post rules for classroom behaviors; teach expectations
- Provide counseling, social skills instruction
- Reinforce replacement behaviors
- Educate other students/staff/school personnel
- Foster carryover of treatment plans to home environment
- Reinforce positive behavior
- Schedule shorter study/work periods according to attention span capabilities
- Be consistent in setting expectations and following up on reinforcements/consequences
- Provide post-secondary or vocational transition planning

**Encopresis/Enuresis**

*EXAMPLE:* A student who will urinate or defecate in clothes. Not to be confused with physical incontinence, but only to a needed behavior change (i.e. toilet training, bowel/bladder retraining).

**Possible Accommodations:**

- Maintain low key responses
- Have a change of clothes available at school in the clinic or alternative location
- Plan a consistent response to events; send student to clinic or alternative location for clean-up and change of clothes; while wearing latex/rubber gloves, place soiled clothes in a plastic bag; call parent and make arrangements for soiled items to be returned home
- Observe for consistent trigger events
- Support bowel/bladder retraining program that is recommended by the physician

**Epilepsy**

*EXAMPLE:* The student is on medication for seizure activity but experiences several *petit mal* seizures each month. This condition substantially limits the major life activity of learning.

**Possible Accommodations and Services:**

- Call parent and document the characteristics of each seizure
- Assess breathing after seizure
- Train for proper dispensing of medications; monitor and/or distribute medications;

monitor for side effects

- Train staff and students and prepare an emergency plan
- Anticipate recovery process should a seizure occur. Move seating/clear space during seizure. Do not insert objects into the student's mouth during seizure; administer no fluids if student is unconscious. Turn the unconscious student on his or her side to avoid aspiration of vomit. Provide rest time and return to academic considerations following seizure. Arrange a buddy system, especially for field trips
- Avoid portable chalk boards or furniture that would topple over easily
- Provide an alternative recess, adapt activities such as climbing and/or swimming
- Plan for academic make-up work
- Alter door openings to allow access from the outside (i.e. bathroom stall doors that swing both ways)
- Observe for consistent triggers (e.g. smells, bright light, perfume, hair spray)
- Provide post-secondary or vocational transition planning

### **Hearing Impairment**

*EXAMPLE:* A parent is hearing impaired and requests, access to school sponsored activities. The District makes accommodations by providing interpreter services for the parent to participate effectively in school-sponsored events or meetings about the student.

#### **Possible Accommodations and Services:**

- Provide an interpreter for those school events where accommodations may be necessary/are requested
- Make alternative arrangements for home-school contacts/communication
- Assist with locating peer or support groups
- Use written notes for communication
- Arrange with phone company for assistive devices on public phones
- Provide information on assistive technology; acquire assistive equipment for school use
- Provide in-house TDD or relay services to receive/communicate efficiently
- Provide post-secondary or vocational transition planning

### **Learning Disabilities**

Individual profiles of learning strengths and weaknesses will vary. *THE EXAMPLE:* The student has a learning disability that impacts her ability to read. She has more difficulty with word decoding and spelling than reading comprehension. Thus, completing reading tasks is difficult and slow. She is currently a student receiving special education services.

#### **Possible Accommodations and Services:**

- Provide lower-readability materials covering course context
- Provide extended time on tests
- Arrange for student/volunteer readers
- Provide information on accessing materials through recordings for the Blind and Dyslexic (i.e. books on tape)
- Allow access to spell checkers and/or word processing
- Provide information on accommodations for college-entrance/qualifying exams (i.e. PSAT)

- Written directions in addition to oral
- Clearly sequenced instruction
- Visual graphs/charts/diagrams to support instruction
- Provision of computer access
- Seating toward the instructor
- Support/suggestions relative to post-secondary/career options
- Support in the use of organizational/time-management strategies
- Support in the use of strategies to assist memory and problem-solving
- Use of multi-sensory instructional methods (i.e. visual graphs and charts to accompany oral presentation)
- Provide post-secondary or vocational transition planning

### **Leukemia**

*EXAMPLE:* The student has recently been diagnosed with leukemia and requires frequent hospitalization. The condition substantially limits the major life activity of learning and caring for oneself.

#### **Possible Accommodations and Services:**

- Involve area nurse in assessing current limitations and development of health plan
- Provide homebound instruction if needed
- Provide the student with an adjusted school day
- Make needed accommodations during physical education/recess
- Provide rest periods
- Have medical services and medication available at school. Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects
- Support the proper diet as per physical recommendation
- With parent/student permission, have area nurse to educate teachers/staff/peers
- Notify parents of existing communicable diseases at school (i.e. chicken pox, flu, strep throat, etc.)
- Consult with medical staff about individual needs and/or accompanying factors

### **Orthopedically Impaired**

*EXAMPLE:* The student has limited mobility and uses a wheelchair. This condition substantially limits the major life activity of walking.

#### **Possible Accommodations and Services:**

- Develop a health care and emergency plan
- Implement an adaptive physical education program
- Provide physical therapy at school
- Correct problems with physical accessibility of facilities/pathways between buildings
- Provide extra time to get to class
- Supply a set of textbooks for home
- Provide a copy of class notes from a peer
- Practice emergency exit from school building
- Ensure that access to programs held in the basement or on second or third floors is handicapped accessible
- Ensure that bathroom facilities, water fountains, sinks, etc. are readily accessible
- Provide post-secondary or vocational transition planning

### **Student with Special Health Care Needs**

*EXAMPLE:* The student has a special health care problem and requires clean intermittent catheterization twice each day. This procedure empties the bladder and helps prevent urinary tract infections and possible wetting. The school is required to provide trained personnel to perform the procedure or to provide the student a private location to perform the procedure. The condition is substantially limiting in the major life activity of caring for oneself.

#### **Possible Accommodations and Services:**

- Apply universal precautions
- Provide trained personnel to perform special medical procedures. Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects
- Provide student with private location and time to perform procedures
- Involve area nurse, parents, teachers, and staff in periodic review
- Allow preferential seating as indicated by need
- Adapt recess, physical education, and transportation
- Adjust classroom environment
- Develop health care and emergency plan
- If necessary, adapt attendance policy
- Establish health alert system whereby every staff member involved with this student is aware of the health problem and of proper procedures
- Provide a beeper/paging system for trained personnel
- Make available homebound services/instruction if needed
- Provide school counseling
- Arrange for inservice to other students and staff with parent/student permission
- Provide post-secondary or vocational transition planning

### **Temporarily Disabled**

*EXAMPLE:* A student was in an automobile accident and will be homebound and/or hospitalized for an extensive period. The student is considered temporarily disabled under Section 504 and should receive accommodations if this disability substantially limits a major life activity for the period of time the disability exists.

#### **Possible Accommodations and Services:**

- Provide duplicate sets of texts
- Provide assignments to hospital school
- Tape lessons
- Provide homebound instruction
- Schedule periodic home-school meetings
- Arrange for student to leave class early to get to next class
- Provide access to elevators
- Excuse from or adapt physical education program
- Arrange for a friend to assist student in getting to and from class, provide help with getting lunch tray
- Establish a student support network
- Provide a cordless telephone/beeper/pager
- Provide an interactive system -- computer, e-mail, TV
- Arrange for peer notes
- Change seating arrangements to accommodate needs

- Adapt assignments depending on disability
- Allow more time for test completion
- Allow shortened days; adjust attendance policy
- Inservice staff and class and prepare an emergency care plan
- Switch programs /classes to an accessible classroom on the main floor
- Test verbally
- Provide peer assistance for social involvement (i.e. to keep child informed of social activities)
- Furnish life-skill assistance
- Provide area nurse services

### **Tourette's Syndrome**

*EXAMPLE:* The student exhibits inappropriate gestures and sounds in the classroom and hallways. The condition is substantially limiting in the major life activities of learning and caring for oneself.

#### **Possible Accommodations and Services:**

- Provide student with a means of catching up on missed lessons
- Pair with a fellow student for study if indicated
- Educate other students about associated outbursts/gestures/tics
- Arrange for frequent parental interaction if indicated
- Monitor administration/side effects of medication
- Implement a behavior management program if indicated; cue student about inappropriate behaviors
- Provide supervision for transition activities, during periods of "acting out"
- Provide alternative/larger work space or appropriate space for the child to act out if indicated
- Teach compensatory strategies
- Adapt assignments if indicated
- Provide peer/teacher inservice with parent/student permission
- Provide post-secondary or vocational transition planning

### **Traumatic Brain Injury**

*EXAMPLE:* The student sustained a brain injury in an automobile accident. Many academic and motor skills have been lost from the injury. The student does not qualify for special education under IDEA. The condition is substantially limiting to the major life activities of learning and performing manual tasks.

#### **Possible Accommodations and Services:**

- Provide extended school year/time
- Furnish memory/organizational aids
- Provide alternative testing
- Initiate tutoring programs
- Arrange an emergency plan
- Monitor for seizure activity
- Inservice staff and peers with student/parent permission
- Monitor fatigue/mental exhaustion

- Provide frequent short breaks during periods of intense concentration
- Shorten the instructional day if indicated
- Provide strategies for organizing/sequencing tasks
- Provide post-secondary or vocational transition planning

### **Tuberculosis**

*EXAMPLE:* The student is suspected of having active tuberculosis and must stay home until diagnostic tests are completed. The disease is no longer infectious, but the student is still weak. The condition is substantially limiting to the major life activity of learning.

#### **Possible Accommodations and Services:**

- Provide home tutor, as necessary
- Inservice staff on the need for confidentiality to limit the stigmatization of him or her
- Have the medical evaluator provide feedback to staff
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects
- Inservice staff and students about the disease, how it is transmitted and how it is treated
- Work with community agency or health department to provide medication and health education materials
- Work with community agency or health department to test students and staff for exposure and/or infection and to determine when the student can return to school
- Provide therapy and dispense medications if student is diagnosed with active TB; observed for side effects; arrange for parents to give medication on holidays and weekends

### **Visual Impairment**

*EXAMPLE:* A student has a progressive medical disorder, which results in increasing loss of visual acuity. He now requires both enhanced lighting and enlarged print materials in order to read.

#### **Possible Accommodations and Services:**

- Preferential seating
- Adaptations to the physical environment (i.e. consistent room arrangement, removal of obstacles to path of entry)
- Copies of text/reading materials for adaptation
- Modified writing tools (i.e. dark felt tip pens)
- Perkins Braille
- Slate and stylus
- Raised lines on writing paper
- Dark lined writing paper
- Lighting aids
- Low vision devices including magnifiers, monocular glass, closed-circuit TV
- Desktop slant board
- Enlarged print materials; textbooks, workbooks, worksheets
- Braille textbooks/reading materials
- Books on tape
- Audio Tape recorder, tapes and organizational location (headphones if needed)

- Oral instead of written tests
- Standardized tests (i.e. CAT, SAT) in large print or Braille
- Tactile maps
- Computer with enlarged print screen/adaptations
- Speech synthesizer for input and output
- Screen reading device
- Optical Character Recognition System Scanner
- Mobility devices (i.e. white cane)
- Abacus

### **Weight: Diagnosis of Obesity, Anorexia, and Bulimia**

*EXAMPLE:* A student has an extreme eating disorder that may require special accommodations. Obesity may be considered a disability under Section 504 where it substantially impairs a major life activity or is regarded by others as doing so.

### **Possible Accommodations and Services:**

- Provide special seating accommodations
- Make dietary accommodations per physician recommendation
- Adapt physical education program per physician recommendation
- Allow extra time to get to classes
- Educate peers
- Adapt rest rooms
- Provide opportunities for socialization and peer counseling/interaction
- Ensure privacy for self-care
- Provide counseling involving the area nurse
- Provide for elevator privileges per physician's recommendation
- Arrange for counselor/area nurse to supervise peer counseling to deal with esteem issues, peer attitudes, teasing, etc.
- Address busing concerns to ensure room on buses for seating
- Arrange to provide opportunities for the individual to participate in intramural and extracurricular events
- Make any class location changes that may be needed

# Appendix A: 504 Forms

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**Student Review Request**

## Part 1: Review Request (pre-meeting)

Student Name:

Date:

Grade:

DOB:

Address:

Parent/Guardian Names:

Parent 1:

Phone 2:

Coordinator/Contact:

Section 504 of the Rehabilitation Act of 1973 is designed to prohibit discrimination based on disability in any program or activity receiving federal money. This statute obligates public schools to provide equal access and equal opportunity to otherwise qualified persons with disabilities. For a student to be eligible for a 504 plan, the student must meet all three of the following criteria. It must be because of this disability that the student is unable to gain equal access and benefit from school programs and services.

- A physical or mental impairment (has a history of having a physical or mental impairment)
- That **substantially** limits
- One or more major life activities

If you believe that a student may be eligible for Section 504 support, please complete and sign the following form and submit it to Raegan Schulte (EL) or Jamie Henning (MS/HS) 504 contact, P.O. Box 358 725 N. Northfield St, Mediapolis, Iowa 52637.

**Please describe the student concern and how it matches the above criteria.**

Signature of the person requesting the review: \_\_\_\_\_ Date: \_\_\_\_\_



## **Initial Parent Notice and Consent of 504 Evaluation**

Date: \_\_\_\_\_

To the Parent/Legal Guardian of \_\_\_\_\_:

We have reason to believe your student may have a qualifying disability under Section 504 of the Rehabilitation Act of 1973. I have formed a team to evaluate your student and make a determination. Members of the evaluation team will collect and review information to determine whether your student has a qualifying disability. Your student's teacher(s) and the school's counselor, school psychologist, and other staff members may be involved in observations, assessments, and other data collection activities.

We are requesting your consent to conduct this evaluation to determine whether he/she has a qualifying disability under Section 504 and to provide necessary accommodations should he/she qualify. This evaluation may include review of any or all of the following for the purpose of identification and services under Section 504, as well as the administration of additional evaluation/assessment procedures as indicated.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Grades         | <input type="checkbox"/> Parent Reports        | <input type="checkbox"/> Classroom Teacher(s) Report  |
| <input type="checkbox"/> School Records | <input type="checkbox"/> Medical Reports       | <input type="checkbox"/> Individual Achievement Tests |
| <input type="checkbox"/> Work Samples   | <input type="checkbox"/> IEP (date):           | <input type="checkbox"/> Other Tests:                 |
| <input type="checkbox"/> Other:         | <input type="checkbox"/> Psychological Testing |   |

Section 504 provides you with specific rights concerning this evaluation process, which are designed to keep you fully informed concerning decisions about your student. These rights are summarized on the Parent's Rights and Safeguards Under Section 504 document enclosed with this notice. If you did not find the document concerning a parent's rights, or if you have any questions or concerns, please contact me. If you consent to the evaluation procedure described above, please sign and return to the school this form along with any additional information (e.g., medical reports, list of medications, parent reports, etc.) which may assist the Section 504 Team in their evaluation. You will be invited to attend a Section 504 eligibility meeting to discuss your student's evaluation.

Sincerely,

Raegan Schulte/Jamie Henning  
504 Building Coordinator

\_\_\_\_\_

Signature

**I hereby give my written consent to have my student evaluated for possible Section 504 eligibility.**

Parent/Legal Guardian: \_\_\_\_\_  
Print Name

\_\_\_\_\_

Signature

\_\_\_\_\_

Date



## ***Parent/Student Rights under Section 504***

Parents have the right to:

1. Have your child take part in and receive benefits from public education programs without discrimination based on a disability.
2. Have the District advise you as to your rights under federal law.
3. Receive notice with respect to identification, evaluation, or placement of your child.
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the District make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided students without disabilities.
6. Have your child receive special education and related services if she/he is found to be eligible under the Individuals with Disabilities Education Act (IDEA), or to receive reasonable accommodations under Section 504 of the Rehabilitation Act.
7. Have eligibility and educational placement decisions made based upon a variety of information sources, and by individuals who know the student, the eligibility data, and placement options.
8. Have transportation provided to a school placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the District.
9. Give your child an equal opportunity to participate in nonacademic and extracurricular activities offered by the school District through the provision of reasonable accommodations.
10. Examine all relevant records relating to decisions regarding your child's identification, eligibility, educational program, and placement.
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
12. Receive a response from the District to reasonable requests for explanations and interpretations of your child's records.
13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the District refuses this request, it shall notify you within a reasonable time, and advise you of the right to a hearing.
14. Request impartial due process hearing related to decisions regarding your child's identification, eligibility, and educational placement. You and your child may take part in the hearing and have an attorney represent you at your own cost.
15. File a complaint with the District when you believe your child's rights have been violated.

The person at the school who is responsible for Section 504 compliance is:

Principal or designee:

Phone: 319-394-3101



## ***Parental Consent/Release of Information***

Student's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Sex: M   F

Address: \_\_\_\_\_

Parent/Guardian: \_\_\_\_\_

Relationship to student: \_\_\_\_\_

Student' Building:    Elementary                      Middle School                      High School

**CONSENT TO OBTAIN AND RELEASE INFORMATION:**  
 I authorize the following agency to share information for the purpose of this student's participation in educational programming and services.

Name/Agency: \_\_\_\_\_

Individual/Position: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

School Contact: Raegan Schulte/Jamie Henning Email:  
[schulter@mepoedu.org](mailto:schulter@mepoedu.org)/[henningj@mepoedu.org](mailto:henningj@mepoedu.org)

I authorize the above listed individual/agency to share both written and oral information regarding the student's needs and provision of services. This may include information about:

- Physical status (including vision and hearing), communication skills, cognitive skills, social and emotional behavior, self-help skills, and health status (medical, dental, nutrition)
- Educational assessment, programming, and services
- Social/Student functioning and family information
- Participation and progress with agency intervention
- X-rays, charts, photographs
- Other: \_\_\_\_\_

I understand this information shall be kept confidential and shall be used only for the purposes of planning and coordinating Section 504 educational programming services. I understand that I have the right to see this information by contacting the agency receiving it.

This release shall expire at the end of one year or the date specified below by the authorizing party. This consent is valid for information currently in existence and that generated during future service involvement up to the expiration date of this authorization. I understand that I may revoke my consent at any time by providing **written notification** to the District 504 Coordinator.

\_\_\_\_\_  
 Authorized Signature                      Date                      Relationship to Student                      Expiration Date

**SPECIFIC AUTHORIZATION FOR RELEASE**

I authorize the release of the following information protected by federal/state law: (If release is authorized, signature **required**).

- |                                       |                  |
|---------------------------------------|------------------|
| 1. Mental health evaluation/treatment | Signature: _____ |
| 2. Substance abuse                    | Signature: _____ |
| 3. HIV – related information          | Signature: _____ |

Mail information requested above to Raegan Schulte or Jamie Henning, 504 Contact,  
P.O. Box 358 725 N. Northfield St. Mediapolis, IA 52637

**Pre-Meeting Details:**

(To be accomplished by District 504 Coordinator.)

- 1. Based on information gathered as part of this review request, will an eligibility meeting be scheduled? Yes \_\_\_\_\_ No \_\_\_\_\_

Briefly explain the decision:

The purpose of this meeting is to conduct:

Initial review \_\_\_\_\_ Yearly review \_\_\_\_\_

Other (describe):

- 2. Does additional information need to be secured before the eligibility meeting is convened? Yes \_\_\_\_\_ No \_\_\_\_\_

If "Yes" identify information needed for the eligibility meeting, and who is responsible for securing this information. \_\_\_\_\_

- 3. The Office of Civil Rights (OCR) mandates that the following documents must be provided to parent(s)/guardian(s) before an eligibility meeting is held. Please list the date each of the following was provided in the space below.

Date sent:

Parent/student Section 504 rights \_\_\_\_\_

Parent Notice: Section 504 meeting \_\_\_\_\_

**Eligibility meeting details**

Eligibility meeting date/time \_\_\_\_\_ Location: \_\_\_\_\_

**Notes:**



## ***Eligibility Determination Meeting***

Student Name:

Date:

Grade:

DOB:

### **Evaluation Information: (Check all that apply)**

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Psychological Evaluation | <input type="checkbox"/> Observation Data   | <input type="checkbox"/> Parent Information |
| <input type="checkbox"/> Physician Report         | <input type="checkbox"/> Health Plan        | <input type="checkbox"/> Assessment Data    |
| <input type="checkbox"/> Achievement Tests        | <input type="checkbox"/> Discipline History | <input type="checkbox"/> Other:             |
| <input type="checkbox"/> Teacher Recommendations  |   |   |

**1. Does the student have a mental or physical *impairment*** (as recognized in the DSM-IV or other respected source if not excluded under 504/ADA, ex: illegal drug use)?

- No** (list supporting data if 504 plan is to be implemented)  
 **Yes** (if yes, identify the impairment and supporting data)

Concerns/Impairment:

Supporting Data:

### **2. Describe how the impairment limits a Major Life Activity or Major Bodily Function.**

- 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.
- Major bodily functions include but are not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulator, endocrine, and reproductive function.

### **3. Check the following descriptor to indicate the specific degree that the impairment (in #1) limits the major life activity or major bodily function (in #2):**

- Make an educated estimate **without the effects of mitigating measures**, such as medication; low-vision devices (except eyeglasses or contact lenses); hearing aids and cochlear implants, mobility devices, prosthetics, assistive technology; learned behavioral or adaptive neurological modifications; and reasonable accommodations or auxiliary aids/services.
  - Similarly, for impairments that are episodic or in remission, make the determination for the time they are active.
  - Use the average student in the general population as the frame of reference.
- |  |  |
|--|--|
| <input type="checkbox"/> <b>Severe:</b> an impairment that is harsh, serious, and grave in effect or impact.       | <input type="checkbox"/> <b>Mild/Moderate:</b> an impairment that is slight, average, or minor effect or impact. |
| <input type="checkbox"/> <b>Substantial:</b> an impairment that is considerable, ample, large in effect or impact. | <input type="checkbox"/> <b>Negligible:</b> an impairment that is minor, slight, or inconsequential.             |

4. If the team’s determination for #3 was *mild/moderate* or *negligible*, provide notice to the parents of their procedural rights, including an impartial hearing. If the team’s determination was *substantial* or *severe*, the team should determine and list on the 504 Plan the specific accommodations that are necessary for the child to receive equal access and benefit from school programs and services.

**Based on the analysis of the evaluation data, does the student have a disability that substantially limits a major life activity?**

- No**, the student is not Section 504 eligible.
- Yes**, the student is Section 504 eligible, but does not require a plan because (1) of the corrective effects of mitigating measures or (2) the impairment is episodic or in remission. The 504 team will be re-convened as necessary to review the status of the student’s disability.
- Yes**, the student is 504 eligible and requires an accommodation plan. The team (including parent) will meet within 30 days to develop a 504 plan.

Team Signatures	Date	Position

### Parental Notice

**\*\*I participated in the Section 504 Eligibility process and I have received copies of this notice and the section 504 Parental Rights.**

**\*\* I understand if I disagree with the content of this plan, I have the right to ask for a Section 504 review meeting by filing a written request with the principal or 504 Coordinator.**

\_\_\_\_\_

Parent/Guardian Signature

\_\_\_\_\_

Date

## ***Accommodation Plan***

Student Name:

Today's Date:

**Annual Evaluation Date:**

**Re-Evaluation Date:**

1. Specific accommodation and the staff who are responsible for implementing:
  -
2. Student responsibilities:
  -
3. Parent/Guardian responsibilities:
  -
4. Other accommodations and related services that will be provided to the student and the individuals responsible for arranging/or providing them:



## Annual Review

Student Name:

DOB:

Grade:

**Review Date:**

Check which of the following applies:

- No modifications needed – continue with plan as written.
- Adjustments needed. See Accommodations page for modifications.
- New plan to be written.
- Plan discontinued because:
  - Student is no longer substantially limited.
  - Student meets IDEA eligibility requirements and will have an IEP.

**Review Date:**

Check which of the following applies:

- No modifications needed – continue with plan as written.
- Adjustments needed. See Accommodations page for modifications.
- New plan to be written.
- Plan discontinued because:
  - Student is no longer substantially limited.
  - Student meets IDEA eligibility requirements and will have an IEP.

**Review Date:**

Check which of the following applies:

- No modifications needed – continue with plan as written.
- Adjustments needed. See Accommodations page for modifications.
- New plan to be written.
- Plan discontinued because:
  - Student is no longer substantially limited.
  - Student meets IDEA eligibility requirements and will have an IEP.

## Parental Notice

**\*\*I participated in the Section 504 Eligibility process and I have received copies of this notice and the section 504 Parental Rights.**

\_\_\_\_\_  
 Parents initial/date                      Initial/Date                      Initial/Date                      Initial/Date                      Initial/Date



## ***Plan Termination Form***

Student Name:

School:

Grade:

Date:

In the space below, briefly describe the reason for terminating the student's 504 Plan referencing the three qualifying criteria listed below:

- A physical or mental impairment (has a history of having a physical or mental impairment)
- That **substantially** limits
- One or more major life activities

The following eligibility team has determined that the 504-accommodation plan currently in place for the above named student is no longer needed. (Please have the building principal and District 504 coordinator sign off on each Section 504 Termination Form.)

Signatures and titles of participants:

\_\_\_\_\_

\_\_\_\_\_

Building Principal

\_\_\_\_\_

Building 504 Contact/Coordinator

\_\_\_\_\_

Parent/Guardian signature \_\_\_\_\_

(I understand that, if I disagree with the content of this termination form, I have the right to ask for a Section 504 review meeting by filing a written request with the school principal or Building 504 coordinator.)

Attach this completed form to the front of the student *Section 504 Accommodation Plan*. Both terminated and active Section-504 Accommodations plans are to be maintained in the student cumulative file.



***Manifestation Determination Review***

Student Name:

Date:

Grade:

DOB:

Parent/Guardian Name:

Signature of staff completing this form: \_\_\_\_\_

Describe the specific conduct/behavior for which the student is being considered for disciplinary action and steps taken. Use additional pages if needed. Include dates and relevant circumstances.\*

\*Under Section 504, the student *is not* entitled to a manifestation determination if: (1) the student's misconduct involves the use or possession of illegal drugs or alcohol; and (2) the student is currently engaging in the illegal use of drugs or the use of alcohol. In such instances, the student may be disciplined in the same manner as a non-disabled student would be disciplined for the use or possession of illegal drugs or alcohol.

Persons involved in determining whether the student's misconduct is a manifestation of his or her disability:

Sources of information considered (check all that were considered; write "N/A" for those sources that aren't applicable):

 Assessment/diagnostic data

 Interviews conducted

 Records review, including the student's current Section 504 plan

 Functional behavioral assessment

 Direct observations of the student

 Behavior support plan

Based on reviewing the above information, the team must answer the following questions:

1. Are the accommodations and services in the student's 504 Plan appropriate as they relate to the current misconduct?  
   \_\_\_\_\_ Yes           \_\_\_\_\_ No
  
2. Were the accommodations and services being provided at the time of the alleged misconduct:  
   \_\_\_\_\_ Yes           \_\_\_\_\_ No

In relation to the current misconduct, if the plan was not appropriate or being implemented, the discipline process should be terminated. If the plan is both appropriate and being implemented, then the 504 eligibility team discussions should proceed as set out below.

Please consider the following questions as the team discusses the specific conduct in relationship to the student's Section 504 disability and the team reviews the data indicated above:

1. Did the student's disability impair his or her ability to understand the impact and consequences of the behavior subject to disciplinary action?  
   \_\_\_\_\_ Yes           \_\_\_\_\_ No
  
2. Did the student's disability impair his or her ability to control the behavior subject to disciplinary action?  
   \_\_\_\_\_ Yes           \_\_\_\_\_ No

If the answer to either or both of the above questions is "Yes", it must be determined that the behavior **is** a manifestation of the student's disability.

If the answer to both of the above questions is "No", the behavior **is not** a manifestation of the student's disability.

---

**Manifestation Question:**

Based on the answers to the above questions, is \_\_\_\_\_'s conduct a manifestation of his/her disability?

- conduct **IS** a manifestation of the disability
- conduct **IS NOT** a manifestation of the disability

---

If the eligibility team has determined that the conduct described above **IS** a manifestation of the student's disability, the recommendation to expel, to long-term suspend, or to impose any other disciplinary change of placement shall be withdrawn. The Section 504 eligibility team should then make any changes to the student's Section 504 Plan that it deems appropriate.

If the eligibility team has determined that the conduct described above **IS NOT** a manifestation of the student's disability, the student may be disciplined in the same manner as non-disabled students. No educational services need to be provided to the student other than those provided to non-disabled students.

***Manifestation Process Notes***





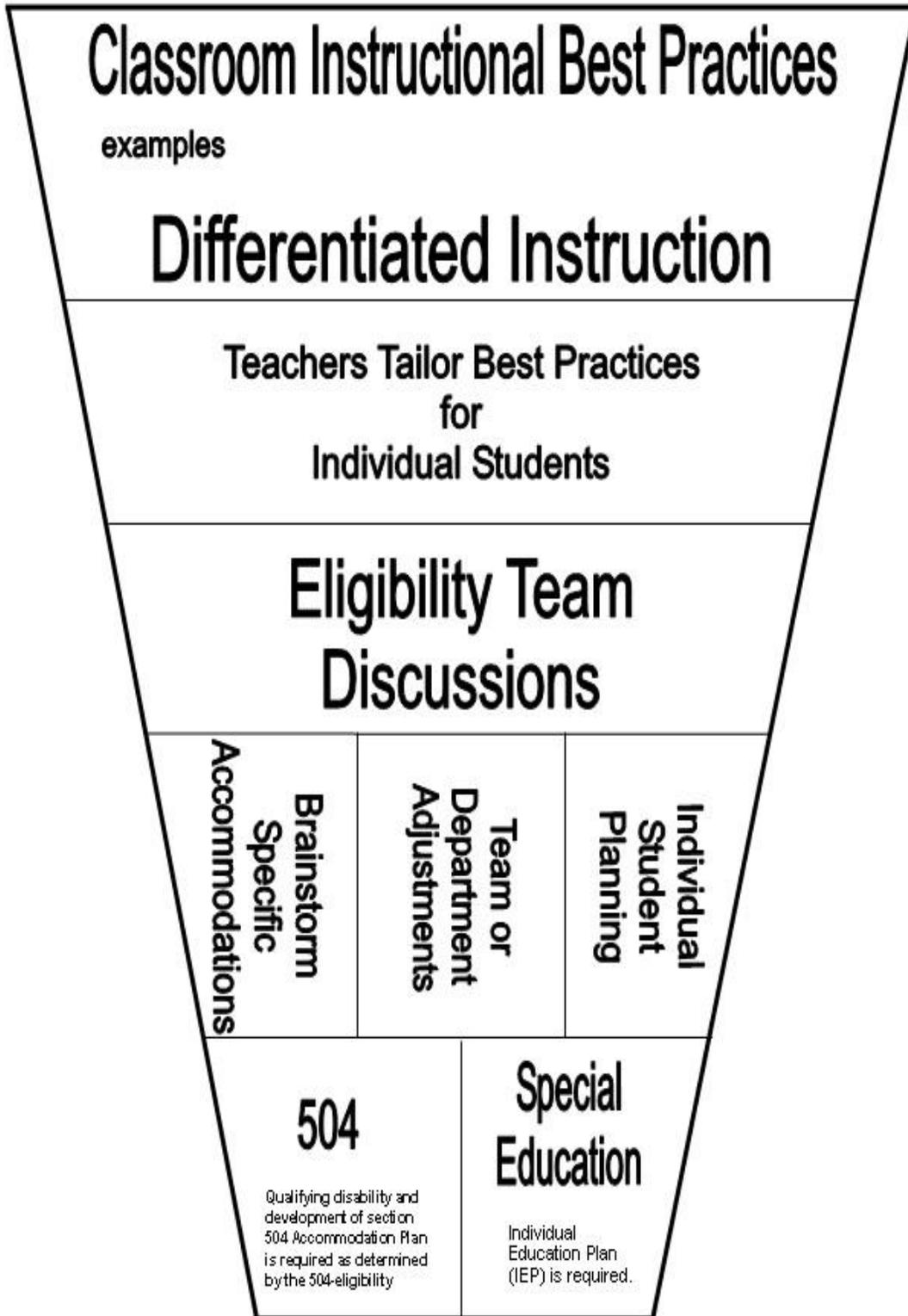


## Appendix B: Other Support Documents

Levels of Student Instructional Service (graphic)	1-B
Checklist for Section 504 Eligibility Meeting	2-B
Determining the Substantially Limits Requirement	3-B
Executive Summary of Section 504	4-B
504 Meetings: The “Readers Digest” Version	6-B
Transitioning Section 504 Plans between Schools	7-B
District Non-Discrimination Policy	8-B
Grievance Procedure	9-B



**Levels of Student Instructional Service**



## Checklist for Section 504 Eligibility Meeting

\_\_\_\_\_ A signed copy of *Section 504 Student Review Request Form* is forwarded to the school. This form will serve as page 1 of the accommodation plan.

\_\_\_\_\_ District 504 coordinator completes page 2 of the *Section 504 Accommodation Plan*.

\_\_\_\_\_ Meeting time and location are set.

\_\_\_\_\_ Eligibility team members are notified of meeting time, location, and any information they may need to bring to the meeting.

\_\_\_\_\_ Parents are provided a copy of *Parent/Student Rights under Section 504 and Parent Notice: Section 504 Student Eligibility Meeting*.

\_\_\_\_\_ Signed copy of *Parent Notice: Section 504 Student Eligibility Meeting* is secured by District 504 coordinator (not required to proceed with an eligibility review meeting).

\_\_\_\_\_ Part 3a and 3b of the *Section 504 Accommodation Plan* is to be completed at all eligibility meetings.

\_\_\_\_\_ Part 4 of the *Section 504 Accommodation Plan* is completed if the student is found to be eligible for a Section 504 plan. The first page of Part 4 is a summary of the accommodation plan. A copy of this page is to be given to individuals responsible for implementing the plan.

\_\_\_\_\_ The final page of the *Section 504 Accommodation Plan* is the "sign off" sheet and is to be completed at every eligibility meeting. Secure signatures from parents and all team members.

\_\_\_\_\_ Identify tentative date for next review of the plan (done yearly).

\_\_\_\_\_ A copy of the *Section 504 Accommodation Plan* is filed in the student's cumulative file.

\_\_\_\_\_ If a plan is no longer needed by the student, it must be officially terminated through review by an eligibility team. Completing and attaching the one page *Section 504 Termination Form* to the front of the plan does this. Terminated plans are filed in the student's cumulative file.

## Determining the “Substantially Limits” Requirement

School personnel, after reviewing relevant student information, must use their collective professional judgment in determining if an impairment (or disability) *substantially limits* one or more of a student’s major life activities. Making this determination will often challenge school staff especially if this is their first opportunity to participate in the Section 504-eligibility process. What follows are a few factors and framing questions to consider when deciding if an impairment meets the *substantially limits* requirement for Section 504 eligibility for a particular student. For an impairment to be substantially limiting it must impose a “considerable” or “to a large degree” limit one or more major life activities.

Have staff keep in mind that when a student is *substantially limited* by an impairment, the student is:

1. Unable to perform a major life activity that the average person in the general school population can perform, or
2. Is significantly restricted as to the condition, manner, or duration under which he or she can perform a particular major life activity as compared to the condition, manner, or duration under which the average person in the general school population can perform that same major life activity.

The following three factors and related questions should be used by staff when determining if the *substantially limits* requirement is met.

### **Nature and severity of the impairment**

- Is it the impairment mild or severe?
- Does the impairment result in the student not achieving near expected levels?
- Does the impairment impact on a major life activity? If so, how?
- Can the impact of the impairment be mitigated through use of the medication or other means?

### **Duration or expected duration of the impairment**

- Will the impairment be of such short duration as to not cause significant problems?
- Will the impairment cease impact on the child without intervention?

### **Permanent or long term impact resulting from the impairment**

- Will the impairment be short or long in duration?
- What evidence is demonstrated by the student that limitations resulting from the disability impact activities that are centrally important to his or her life experiences?
- If the impact will be long term, will the impact negatively affect the child’s status, academically, socially, emotionally, or behaviorally?

## Executive Summary for Section 504

### Section 504 background:

- Section 504 is a civil rights law that requires that school districts that receive any federal funding make programs and activities accessible to individuals with qualifying disabilities.
- The Office of Civil Rights (OCR) has expanded the definition of accessible to include all major life activities including learning, seeing, walking, taking care of oneself, etc. OCR enforces Section 504 compliance. See page 2 for more detail.

### Eligibility requirements:

To qualify for a Section 504 accommodation plan students must have:

- A physical or mental impairment (has a history of having a physical or mental impairment)
- That substantially limits
- One or more major life activities

All three criteria must be met before a student qualifies for a 504 accommodation plan. See pages 2-3 of this appendix for more detail.

### Review request:

Parents, teachers, adult-age students, other staff, or community agencies, etc. can request that a student review for Section 504 eligibility occur.

- See page 4 of this appendix for more detail.
- See page 33 of this appendix for a copy of the *Section 504 Student Review Request Form*.

### The eligibility review process:

- See checklist on page 60 for a listing of process steps.
- Parent or guardian is provided prior written notice of the student evaluation; a listing of parental rights under Section 504 and the parent provides written permission before any diagnostic evaluation work is done. Parent permission to conduct a section 504 eligibility meeting is not legally required. However, best practice would include both parent consent and involvement of the parent in the eligibility meeting. See pages 11-12 for more detail.
- Appropriate staff and other individuals (those knowing the student and information being reviewed) convene to review student need basing their decision on the three Section 504 eligibility criteria.
- If a student is found 504 eligible, then appropriate accommodations and/or related services are identified by the eligibility team and provided by regular education teachers. See pages 14-31 for examples of possible accommodations and page 42 for a copy of the District *Section 504 Accommodation Plan*.
- Discuss and implement plan with appropriate staff.
- Review plans yearly. See page 47 for a copy of the *Section 504 Annual Review Form*.

**Plan Documentation, Maintenance, and Review:**

Details of a student's plan are to be documented in the student's *Section 504 Accommodation Plan*.

File a copy of the plan in the student's cumulative file.

Active 504 plans are to be reviewed yearly.

**504 Plan Termination:**

When the 504 eligibility team determines that a 504 accommodation plan is no longer needed in order to provide the student with equal access, complete the *Section 504 Termination Form* (on page 49 of this handbook).

This form is attached to the front of the plan and the terminated plan is filed in the student cumulative folder.

**504 Discipline:**

A manifestation determination meeting must occur for students with a 504 disability.

A student who is currently using drugs or alcohol is exempt from Section 504 protection including all due process procedures.

The need for a manifestation determination when possession of illegal drugs is alleged must be considered on a case-by-case basis.

See page 7 for more detail and pages 51-53 for a copy of the *Section 504 Manifestation Determination Review*.

## 504 Meetings -The “Reader’s Digest” Version

### WHAT IS SECTION 504?

Section 504 is the part of the Rehabilitation Act of 1973, which applies to persons with disabilities. It is a civil rights act that states that no otherwise qualified individual with a disability can be excluded from or denied benefits of any program receiving federal financial assistance.

Original concerns regarding issues of “access” for persons with disabilities centered around physical access – ramps, curb cuts, elevators, rest rooms, etc. Within the last several years, the Office of Civil Rights has become active in broadening the definition of “access” to include the implementation of special accommodations in the classroom in order to allow a disabled student to benefit from his or her education.

### HOW DOES SECTION 504 DEFINE “DISABILITY?”

A person who qualifies for a 504 plan has a mental or physical impairment which substantially limits one or more of a person’s major life activities. For an impairment to be substantially limiting, it must impede student access to a “large or considerable degree.” Common examples include such things as communicable diseases (HIV, TB), medical conditions (Attention Deficit Hyperactivity Disorder, asthma, allergies, diabetes, heart disease, seizure disorders, traumatic brain injury, etc.), temporary medical conditions due to illness or accident, and psychological disorders.

### WHAT IS A MAJOR LIFE ACTIVITY?

This includes functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. At school “learning” is frequently identified as the area of difficulty.

### HOW DO WE KNOW IF A STUDENT IS ELIGIBLE FOR A 504 PLAN?

If school staff has reason to believe that because of a disability as defined under Section 504, a student needs special accommodations or services in the regular classroom in order to participate in the school program, then staff must evaluate the student. This is not necessarily the same as an evaluation for Special Education. Staff may use existing information such as grades, attendance reports, cumulative folder information, observation, and formal or informal test information. Information about current classroom functioning is critical. Parents may provide information from private doctors, therapist, etc.

Please be aware that the student must have an *identifiable disability* of some sort to qualify for a Section 504 plan. In addition, please be aware that choosing to ignore or not identify a student who needs a 504 plan does not relieve school staff of responsibility to provide access and can result in district and personal legal issues.

### AND WHY DO I HAVE TO GO TO THIS MEETING?

*Section 504 falls under the responsibility of the regular education program.* School staff and parents need to work in collaboration to help guarantee that the student is provided with the necessary and reasonable accommodation and/or services.

At a “504 meeting” teachers and other school staff along with parents and students develop a plan that outlines the accommodations that meet the unique needs of that particular student. Teachers attending these meetings have input on the plan design. *The student’s regular education teachers will be legally responsible for implementing the plan.*

### WHAT DOES MAKING ACCOMMODATIONS MEAN?

Accommodations are adjustments made by the classroom teachers and other school staff to help students benefit from their educational program to the same degree that non-disabled students benefit. Examples of common reasonable accommodations are located on pages 10-28 of this appendix. It is important that the plan specify a limited number of accommodations that are necessary at this point in time to place the student at an equal starting level with the non-disabled student. Review plans yearly to evaluate their appropriateness.

## Transitioning Section 504 Plans between Schools

Each year students with Section 504 plans move from one school to another. This is sometimes the result of promotion to the next level and other times the result of families moving to another district. Clear communication between sending and receiving schools is essential for successful transitions of students with 504 plans. The consequences of poor communication/transition of Section 504 materials between the sending and receiving schools are numerous and include such things as inappropriate student accommodations, angry students, parents, teachers, and administrators as well as legal proceedings against the district. Successful transitioning of Section 504 plans from school to school is an important component of student achievement as well as a measure that supports conservation of District resources.

The following suggestions are designed to assist schools in their work with implementation of 504 plans and to provide for a smooth transition of Section 504 students between schools:

- Building principals or their designee need to ensure that a current copy (current means reviewed within the last school year) of any active 504 Plan is forwarded to the receiving school as a part of the student cumulative file.
- The District 504 coordinator, current teachers, and receiving teachers will have a meeting to alert receiving teachers regarding Section 504 students coming their way and to answer any questions the teachers may have about student plans.
- Direct the staff responsible for reviewing new student cumulative files to specifically look for Section 504 plans and alert the appropriate principal, or counselor to plans new to the school. It is especially important that sending schools alert receiving schools that students with Section 504 plans will be arriving as the District is still legally bound to comply with a Section 504 plan regardless of whether the sending school calls it to our attention or not. This is true to student movement within the district as well as new students to the district.
- Each level (elementary, middle, and high school) designs plans that reflect the way in which that school level operates. Consequently, Section 504 plans developed at an elementary school will include accommodations that will be somewhat different from those at a middle or high school. Therefore, it may be necessary for a receiving school to redesign an accommodation plan once teachers and administrators have the chance to get to know the student.
- The building principal should have available a complete list of students in their building that are identified with accommodations under a 504 Plan.

## NONDISCRIMINATION POLICY

It is the policy of the Mediapolis Community School District not to discriminate on the basis of race, color, creed, national origin, religion, gender, disability, sexual orientation, gender identity, age, political party affiliation, or marital status in its programs, activities, or employment practices as required by the Iowa Code sections 216.9 and 256.10(2), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000d and 2000e), the Equal Pay Act of 1973 (29 U.S.C. § 206, et seq.), Title IX (Educational Amendments, 20 U.S.C. §§ 1681 – 1688), Section 504 (Rehabilitation Act of 1973, 29 U.S.C. § 794), and the Americans with Disabilities Act (42 U.S.C. § 12101, et seq.).

This nondiscrimination policy extends to educational programs, student activities and athletics, student behaviors, Mediapolis staff members, the public, Mediapolis employment practices, and all aspects under the jurisdiction of the Mediapolis Community School District.

The board requires all persons, agencies, vendors, contractors and other persons and organizations doing business with or performing services for the school district to subscribe to all applicable federal and state laws, executive orders, rules and regulations pertaining to contract compliance and equal opportunity.

This nondiscrimination policy includes programs offered, or might be offered in the future, such as before and after-school programs, community education programs, alternative programs, and to related organizations such as Mediapolis Booster Clubs, student groups and clubs, and parent-teacher organizations (PTOs).

Mediapolis School District will not:

- a. Refuse or deny to any person because of race, color, creed, national origin, religion, gender, disability, sexual orientation, gender identity, age, political party affiliation, or marital status the accommodations, advantages, facilities, services, or privileges thereof, or otherwise to discriminate against any person because of race, color, creed, gender, sexual orientation, gender identity, national origin, religion, or disability in the furnishing of such accommodations, advantages, facilities, services, or privileges.
- b. Directly or indirectly advertise or in any other manner indicate or publicize that the patronage of persons of any particular race, color, creed, national origin, religion, gender, disability, sexual orientation, gender identity, age, political party affiliation, or marital status is unwelcome, objectionable, not acceptable, or not solicited.

Legal Reference: 20 U.S.C. §§ 1221 *et seq.* (2004).  
 20 U.S.C. §§ 1681 *et seq.* (2004).  
 20 U.S.C. §§ 1701 *et seq.* (2004).  
 29 U.S.C. § 794 (2004).  
 42 U.S.C. §§ 12101 *et seq.* (2004).  
 34 C.F.R. Pt. 100 (2004).  
 34 C.F.R. Pt. 104 (2004).  
 Iowa Code §§ 216.9; 256.11, .11A; 280.3 (2007).  
 281 I.A.C. 12.

Cross Reference: 101 Educational Philosophy of the School District  
 401.1 Equal Employment Opportunity  
 500 Objectives for Equal Educational Opportunities for Students  
 506.1 Student Records

## **GRIEVANCE PROCEDURE**

Students, parents of students, employees, and applicants for employment in the school district will have the right to file a formal complaint alleging discrimination under federal or state regulations requiring non-discrimination in programs and employment.

### **Level One - Personnel Contact Person, School Counselor (Informal and Optional - may be bypassed by the grievant)**

Employees with a complaint of discrimination based upon their race, color, creed, national origin, religion, gender, disability, sexual orientation, gender identity, age, political party affiliation, or marital status are encouraged to first discuss it with their immediate supervisor, with the objective of resolving the matter informally. An applicant for employment with a complaint of discrimination based upon their race, color, creed, national origin, religion, gender, disability, sexual orientation, gender identity, age, political party affiliation, or marital status are encouraged to first discuss it with the personnel contact person.

A student, or a parent of a student, with a complaint of discrimination based upon their race, color, creed, national origin, religion, gender, disability, sexual orientation, gender identity, age, political party affiliation, or marital status are encouraged to discuss it with the instructor, counselor, supervisor, building administrator, program administrator or personnel contact person directly involved.

### **Level Two – Equity Coordinator, Building Principal**

If the grievance is not resolved at Level One and the grievant wishes to pursue the grievance, the grievant may formalize it by filing a complaint in writing on a Grievance Filing Form, which may be obtained from the Compliance Officer. The complaint will state the nature of the grievance and the remedy requested. The filing of the formal, written complaint at Level Two must be within 15 working days from the date of the event giving rise to the grievance, or from the date the grievant could reasonably become aware of such occurrence. The grievant may request that a meeting concerning the complaint be held with the Compliance Officer. A minor student may be accompanied at that meeting by a parent or guardian. The Compliance Officer will investigate the complaint and attempt to resolve it. A written report from the Compliance Officer regarding action taken will be sent to the involved parties within a reasonable time after receipt of the complaint.

### **Level Three - Superintendent/Administrator**

If the complaint is not resolved at Level Two, the grievant may appeal it to Level Three by presenting a written appeal to the superintendent within five working days after the grievant receives the report from the Compliance Officer, the grievant may request a meeting with the Superintendent. The superintendent may request a meeting with the grievant to discuss the appeal. The superintendent will render a decision within a reasonable time after the receipt of the written appeal. If, in cases of disability grievances at the elementary and secondary level, the issue is not resolved through the grievance process, the parents have a right to an impartial hearing to resolve the issue.

This procedure in no way denies the right of the grievant to file formal complaints with the Iowa Civil Rights Commission, the U.S. Department of Education Office for Civil Rights or Office of Special Education Programs, the Equal Employment Opportunity Commission, or the Iowa Department of Education for mediation or rectification of civil rights grievances, or to seek private counsel for complaints alleging discrimination.

**Level Four - Appeal to Board**

If the grievant is not satisfied with the superintendent's decision, the grievant can file an appeal with the board within five working days of the decision. It is within the discretion of the board to determine whether it will hear the appeal.

The Equity Coordinator is:

Building Principals:

Elementary – Dave Van Ness

Middle/High – Roger Thornburg