**Section 504 Handbook**



**Indianola Community**

**School District**

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Indianola Community School District SECTION 504 OVERVIEW

### What is Section 504?

Section 504 of the Rehabilitation Act of 1973 protects the rights of persons with qualifying disabilities. This law requires that recipients of federal funds to make programs and activities accessible to all persons with disabilities. Section 504 has three areas of emphasis; employment; facility accessibility; and requirements for preschool, elementary, secondary, and post secondary education programs/activities. This document focuses on the requirements associated with preschool through secondary education programs and activities.

### Section 504 Definition of Disability

Section 504 of the Rehabilitation Act of 1973 protects persons from discrimination based on their disability status. A person is considered to have a disability, within the definition of Section 504, if he or she:

* Has a **mental or physical impairment** which substantially limits one or more of the individual’s **major life activities**;
* Has a record of such impairments; or
* Is regarded as having such an impairment

### Definition of Mental and Physical Impairment

A mental or physical impairment is defined as: 1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or 2) any mental or physical disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. Examples provided in this list are not exhaustive. The final determination as to whether or not a condition is considered an impairment is left to the discretion of the student’s 504 team. A medical diagnosis is not required.

### Definition of Major Life Activity

Major life activities include functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. The ADA Amendments Act of 2008 expanded these functions and includes a ***non-exhaustive*** list of major activities such as caring for one’s self, forming manual tasks, seeing, hearing, eating, sleeping walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, working, and the operation of major bodily functions such as immunity, normal cell growth, elimination, digestion, and endocrine functions. School staff should consider possible 504 evaluations for any health condition that substantially impacts even one major life activity or major bodily function.

### Substantially Limits and ADA Amendments Act of 2008

The ADA Amendment Act of 2008 broadened 504 eligibility and lowered the bar for showing that an impairment substantially limits either a major life activity or major bodily function. The 2008 changes specified that an impairment need not prevent or severely or significantly restrict a major activity to be considered substantially limiting. A substantial limitation is the inability to perform a major life

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activity or major bodily function when compared to how the person in the general population performs the same major life activity or major bodily function. The determination of a substantial limitation is made on a student-by-student basis.

### Section 504 Eligibility

A student qualifies for and is entitled to receive a free appropriate public education under Section 504 when a student “has a physical or mental impairment which substantially limits one or more major life activities. The definition of impairment under Section 504 is wide open-any physical or mental impairment can qualify a students, as long as it substantially limits one or more of their major life activities in a way that requires the provision of accommodations or services in the school setting so that a student’s needs can be met as adequately as those of his or her peers. Generally the Section 504 child-find and eligibility process are to identify students who have disability that impacts on their functioning in the school setting to the point of needing an individualized and systematic plan of accommodation and services. The law provides no guarantee of achievement or of performance, but rather the law ensures provision of accommodations and services that will enable the student to have an equal opportunity, and which will be developed in accordance with certain procedural steps and safeguards.

### Students Who Have a Disability But Do Not Need Accommodations

A district may conduct a 504 evaluation and determine that while a student meets the Section 504 disability definition they do not need accommodations and an accommodation plan. For example this could happen if a high school student is diagnosed with a food allergy that substantially limits the major life activity of eating and the function of the digestive system. However, based on the Section 504 evaluation, it could be determined that the student does not need accommodations as a result of the disability because the only symptoms of exposure are mild abdominal pain and an exacerbation of his eczema. Also, the student may choose to bring cold lunch. This student could fully participate in the school’s regular physical education program and in extracurricular sports; not need help administering topical medicine; and not require any modifications to the school’s policies, practices, or procedures. In this situation the school district is not obligated to provide the student with any additional services. The student is still a person with a disability and therefore remains protected by the general nondiscrimination provisions of Section 504. This student would be marked as qualifying for Section 504 in Infinite Campus and should be reevaluated every three years to determine if the student continues to qualify under Section 504 and on a yearly basis have a review to determine if conditions have changed such that an accommodation plan is needed.

### Mitigating Measures

The 2008 Amendments to the ADA made clear that mitigating measures, with the exception of corrective lenses, could not be considered during the evaluation process. Examples of mitigating measures include but are not limited to medication, medical equipment and devices, prosthetic limbs, low vision devices, accommodations and behavioral modifications. The corrective effect of mitigating measures may not be used to rule out Section 504 eligibility***.*** To determine eligibility for a student who is successfully using mitigating measures an evaluation should focus on how the student performed major life activities/major bodily functions ***without*** the use of mitigating measures.

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### Episodic Conditions or Conditions that are in Remission

An impairment that is episodic or in remission is considered a disability if it would substantially limit a major life activity when active. Examples may include depression and bi-polar disorders; juvenile rheumatoid arthritis; inflammatory bowel disease; and congenital herpes.

### Section 504 and Individual Health Plans (IHP)

The federal Office of Civil Rights has made clear that a district may not forego evaluating a student with asthma, food allergies, diabetes, or other health issues for Section 504 based on the fact that the student has an Individual Health Plan at school. If a district has reason to suspect that any student has a disability and may need special education or related services it must determine eligibility under Section 504 and provide procedural safeguards.

### Extracurricular Sports & Activities

A school district that offers extracurricular activities and sports must do so in such manner as is necessary to afford qualified students with disabilities an equal opportunity for participation. This means districts must make reasonable modifications and provide accommodations that are necessary to ensure an equal opportunity to participate, unless the school district can show that doing so would be a fundamental alteration to its program. A school district may adopt bona fide safety standards needed to implement its extracurricular athletic program or activity. A school district, however, must consider whether safe participation by any particular student with a disability can be assured through reasonable modifications or the provision of accommodations.

### Section 504 Evaluations

Section 504 requires that eligibility determinations be made based upon a careful review of information from a variety of sources. Information provided by parents must be considered in the evaluation process along with other information supplied by the school district. Sources of information which may be accessed when conducting a Section 504 evaluation include the following. *(This is not an exhaustive list.)*

Medical records Scholastic record

Report cards Work samples

Assessment results Psychological evaluation

Norm references assessments Curriculum-based assessments Academic & behavioral interventions Social and health history Information provided by parent Teacher anecdotal note

Behavioral assessment Student/teacher/parent interview data

School health office records Attendance records Standardized testing results

### Section 504 Definition of Appropriate Education

A free appropriate education is one provided by a public school that (1) is designed to meet the individual educational needs of person with a disability as adequately as the needs are met of persons without disabilities, and (2) is based upon adherence to evaluation, placement and procedural safeguard requirements of the Act.

### Section 504 Decision Makers

Section 504 guidelines indicate that decisions should be made by an educational team. This team is to be composed of individuals who are: 1) knowledgeable of the student 2) knowledgeable about the meaning of assessment data and 3) knowledgeable of placement options and able to commit district resources. While one individual can fulfill more than one of these roles in order to be a team there must be more than one school staff member at Section 504 meetings. Depending on the nature of the suspected disability a team could consist of the building 504 lead contact, nurse, and a general education teacher. However these three individuals are not all required to be in attendance. Other individuals may participate on the team as necessary. Parents should also be invited to participate in this process. OCR has ruled that parents have a special knowledge of their child’s impairment and are uniquely positioned to provide information about the student. If a parent is scheduled to attend and does not appear at the meeting the team may proceed and notify the parent in writing regarding any decisions made. The student may also choose to be involved in the process, depending upon the age of the child, the nature of the disability, and the surrounding circumstances.

### Parent Information

A pamphlet titled, A Guide to Section 504 of the Rehabilitation Act is available through Heartland AEA at: <http://www.aea11.k12.ia.us/504/AEA504prnt.pdf>. A copy of this publication should be shared with parents and students who inquire about Section 504.

### Support for Accommodation Request (SAR) Form

Students who receive Section 504 services, graduate from high school, and go on to an institution of higher learning may need accommodations at that setting. The Support for Accommodation Request (SAR) form has been developed as a tool for summarizing documentation from a student’s secondary school experience. School staff can use this form to summarize relevant and useful information from a variety of sources (accommodation plans, assessments, reevaluations, high school records). The SAR can be used as the basis for verifying eligibility and supporting requests for accommodations, academic adjustments, and/or auxiliary aids at the post- secondary level. Completing this form can be very helpful to students as they transition to a post-secondary educational setting.

### SECTION 504 DISTRICT CONTACTS

To determine Section 504 eligibility, a team of qualified adults will be formed to facilitate the process and ensure procedural integrity. Section 504 is a district responsibility; however Heartland AEA Education Agency staff may participate at the request of the district if the AEA possesses expertise that is needed by the 504 team.

Each Indianola School Building will identify a lead contact(s) for their building. This person is responsible for the coordination of 504 activities at the building level to include maintenance and accuracy of records, staff communication/education at the building level, plan implementation, transition within and between buildings, and coordination of annual reviews. The district contact person is responsible for overseeing the district 504 program and insuring that the district is appropriately identifying and serving students who are eligible for Section 504 services.

|  |  |
| --- | --- |
| **District** | **Contact**  |
| Special Education/504 Director | Ron Lorenz |
| **Building** | **Contact** |
| Indianola High School | Craig Calhoun |
| Indianola Middle School | Annette Jauron |
| Emerson Elementary School | Jonathan Fitzpatrick |
| Irving Elementary School | Amy Jo Naughton |
| Whittier Elementary School | Ed Johnson |
| Wilder Elementary School | Mark Timmerman |

### SECTION 504 PARENTAL AND STUDENT RIGHTS

Parents and students have specific rights under Section 504. The district must inform parents and students of these rights. Parents have the right to be notified in writing of any decision made by the school district concerning identification, evaluation, or educational placement of students eligible under Section 504. The Office of Civil Rights has interpreted Section 504 to require that districts obtain parental consent for initial evaluation. Parents have the right to examine, copy, and request amendments to the student’s educational records. In addition parents have the right to:

* Examine, copy and request amendments to the student’s educational record
* An impartial hearing regarding the school district’s decisions. The impartial hearing officer needs to be an individual outside the school district or an AEA staff member from outside the AEA in which the home school is located. The parents have a right to counsel for the impartial hearing.
* Further review of the impartial hearing officer’s decision.

### Section 504 Parent and Students Rights

Parents have the right to:

* Insure participation of their child in school district programs and activities, including extracurricular programs and activities, to the maximum extent appropriate, free of discrimination based upon the student’s disability and at the same level as students without disabilities;
* Receipt of free educational services to the extent they are provided students without disabilities;
* Receipt of information about their child and their child’s educational programs and activities in the parents native language;
* Notice of identification of their child as having a qualifying disability for which accommodations may need to be made and notice prior to evaluation and placement of their child and right to periodically request a re-evaluation of their child;
* Inspect and review their child’s educational records including a right to copy those records for a reasonable fee; ask the school district to amend their child’s educational records if they feel the information in the records is misleading or inaccurate; should the school district refuse to amend the records parents have a right to a hearing and to place an explanatory letter in their child’s file explaining why they feel the records are misleading or inaccurate;
* A hearing before an impartial hearing officer if they disagree with their child’s evaluation or placement; have a right to counsel at the hearing and have the decision of the impartial hearing officer reviewed.

### Grievance Procedures

If a person believes that the Indianola community School District or any of the district’s staff has inadequately applied the principals and/or regulations of Section 504 of the Rehabilitation Act of 1973 that person may bring forward a complaint, which shall be referred to as a grievance to the District’s Equity Coordinator. The complainant shall discuss the grievance informally and on a verbal basis with the Equity Coordinator, who shall, in turn, investigate the complaint and reply to the complaint. The complaint may initiate formal procedures as prescribed in board policy Code No. 103R1.

### Indianola Community School District SECTION 504 Forms

**Required Forms**

Below are listed the required forms which must be used when evaluating and serving a student in Section 504.

1. Section 504 Notification Letter to Parents/Parent Consent
2. Section 504 Eligibility Determination
3. 504 Student Accommodation Plan
4. A Guide to Section 504 of the Rehabilitation Act of 1973

### Optional Forms

Forms that are available and may be needed include:

1. Section 504 Teacher Input Form
2. Support for Accommodation Request (SAR) Form

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### SECTION 504 Resources

Inquiries concerning the school district’s compliance with Section 504 regulations or the Americans with Disabilities Act regulations pertaining to services provided to students should be directed to the District 504 Coordinator. This individual has been designated to coordinate the school district’s efforts to comply with these Section 504/ADA regulations:

### Section 504 District Coordinator:

Name: Ron Lorenz

Title: Assistant Superintendent/504 Coordinator

District Location: 1304 East Second, Indianola, IA 50125

Number: (515) 961-9500 ext. 1502

Email: ron.lorenz@indianola.k12.ia.us

### Additional Section 504 Resources

**Heartland AEA:**

<http://www.aea11.k12.ia.us/504/forms.html>

### Iowa Association of School Boards:

Section 504 Manual: <http://www.ia-sb.org/policylegal.aspx?id=10532>

### OCR Section 504 Q & A:

<http://www2.ed.gov/about/offices/list/ocr/504faq.html>

### OCR Section 504 January 2012 (Q & A for IHP)

<http://www2.ed.gov/about/offices/list/ocr/docs/dcl-504faq-201109.html>

### Examples of Accommodations and Adjustments

<http://www.aea11.k12.ia.us/504/SevierSection504.pdf>

**OCR Guidelines for Educators and Administrators for Implementing Section 504 of the Rehabilitation Act of 1973—Subpart D** <http://www.aea11.k12.ia.us/504/USD504Guidelines.pdf>

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### Indianola Community School District SECTION 504 and DISCIPLINE

Students who are eligible for Section 504 accommodations and services are held to a similar standard, with regard to discipline, as students eligible under IDEA. A student who is currently receiving Section 504 accommodations must undergo a process similar to a manifestation determination before disciplinary consequences are assigned. In disciplining a student:

* The administrator will determine whether the student committed the infraction of which the student is accused;
* For suspensions beyond 10 days the student’s 504 team will determine whether the behavior was caused by the disability (manifestation determination)

### Suspension/Placement

A disabled student may not be suspended for more than ten days without a manifestation determination. The student’s 504 team must make the determination of the relationship between the misconduct and the disability. If the team determines the behavior was not caused by the disability, the student may be disciplined in the same manner as students who do not qualify under Section 504.

The student’s team may modify the current educational placement when the misconduct is directly caused by the disability. If appropriate, an alternative educational placement may be considered.

### Substance Abuse

Students with substance abuse violations are excluded from the definition of handicapped under Section 504 and ADA. Therefore, current drug or alcohol offenders are subject to the same disciplinary action to the extent applied to non-handicapped students for a similar code of conduct infraction.

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### SECTION 504 PROTOCOL

Upon parental request or teacher/staff concern, the 504 team will convene and begin the process defined below. It is important that this process be completed in a timely manner. No more than 60 days should transpire from the time the parent/guardian signs consent to when the evaluation is completed.

Step 1 – Defining the Disability

* Upon parental request or teacher/staff concern, the Section 504 building lead will begin the process of verifying and defining the child’s disability.
* A meeting may be held with the parent to complete this initial step.
* The Section 504 building lead obtains written parental consent to begin the 504 evaluation process using the Parent Consent form.
* When available, obtain copies of psychological evaluation, physician’s report or other evaluations from the parents.
* For medical or mental health conditions, consult with the school nurse, prior to meeting with the parent, to determine what information may already be available in the nurse’s office and what additional information may be needed. Obtain consent for release of information to talk with identified medical or mental health providers that could provide the team with the necessary information.
* Consideration should be given to having the registered school nurse conduct a health screening on all students evaluated for Section 504 eligibility.
* The Section 504 building lead distributes a copy of the publication, *A Guide to Section 504 of the Rehabilitation Act* available through Heartland AEA at: <http://www.aea11.k12.ia.us/504/AEA504prnt.pdf>to the parents.
* Once filled out all original and supporting documents should be filed in the student’s Section 504 folder. Section 504 folders will be located in an area designated by the Section 504 representative in each school building.

Step 2 – Collection of Information to Document Section 504 Eligibility

* School personnel will begin gathering evidence/data to determine the impact of the child’s disability on their school functioning. This could include information not only on how the student is functioning during the school day but also on the bus and during extracurricular activities outside of the traditional school day.
* The 504 team will use the “Section 504 Eligibility Determination” form as a guide during this process. All sections of this document must be thoroughly completed.

Step 3 – Eligibility Determination

* Based on a comprehensive review of the student’s data, the 504 team will meet to determine if the student qualifies for protections under Section 504. Eligibility is discussed in greater detail on page 4 under Section 504 Eligibility. This should be documented on the “Section 504 Eligibility Determination’ form.
* The evaluation must include multiple sources of information and be completed within 60 days from the time signed consent is obtained.
* Section 504 teams are to make eligibility decisions based upon information which they possess and not on unsubstantiated statements. For example if a parent indicates their child has been diagnosed with ADHD, ODD, and OCD but the medical record only notes

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ADHD, the team cannot consider the other reported diagnoses as a basis for determining Section 504 eligibility.

* Section 504 teams must insure that the Section 504 Eligibility Determination form is thoroughly completed and indicates data reviewed, decision made concerning eligibility, and lists appropriate signatures.
* It is not required that a copy of the eligibility worksheet be provided to parents but it may be provided.

Step 4 – Determining Need for an Accommodation Plan

* If the student is found eligible and will not require an accommodation plan then the parent must be informed of this decision and the eligibility is noted in Infinite Campus. Each following year information must be reviewed to determine if an accommodation plan is now required.
* If the student is found eligible and will require accommodations to compensate for the disability, the 504 team will write a Section 504 Accommodation Plan.
* All accommodations listed in the accommodation plan must be consistent with and result from the impaired major life activity.
* Accommodations should be stated in concrete terms and identify person responsible.
* A staff member must be designated to oversee implementation of the accommodation plan, serve as contact person, and communicate with the parent.
* Building contact person must insure that appropriate school staff members are made aware of contents of the accommodation plan.
* The 504 team must insure that implementation is monitored and if accommodations are not obtaining desired results, insure that the Section 504 team is reconvened.
* The District must insure accurate accounting to DE for all Section 504 Eligible students.

Building leads will note in Infinite Campus that each identified student has a Section 504 plan.

* The Section 504 Accommodation plan must also be uploaded to Infinite Campus.
* All original and supporting documents will be filed in the student’s Section 504 folder.

Step 5 -- Annual Review

* All accommodation plans for students who are Section 504 eligible will be reviewed on an annual basis. If after reviewing the accommodation plan school personnel may conclude that the current plan is meeting the students. The school has the option of informing the parent that the current plan is meeting the students needs and that an annual meeting to review the accommodation plan does not seem necessary. The parents must be informed that they can call a meeting if they feel that would be beneficial. If however the school believes the accommodation plan is not meeting the students needs then an accommodation plan meeting should be held to make any necessary adjustments.
* Each building 504 lead will insure that accommodation plan reviews occur on an annual basis.

Step 6 –Three Year Reevaluation

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* Every three years a Section 504 Eligibility Determination form will be filled out on all students with an Accommodation Plan to insure continued eligibility for accommodations. Note on this form that a three-year reevaluation is being conducted and the decision made as a result of the reevaluation pertaining to the students continued eligibility under Section 504.
* Parents/guardians will be notified when the three- year reevaluation is due and the 504 building lead will schedule a meeting to include the parent either in person or by speaker phone.
* If after repeated documented attempts to identify an agreeable meeting date and when within 5 days of the annual meeting due date, the meeting can be held without the parent and the parent then notified in writing of any decisions made.
* Each building 504 lead will insure that the three-year reevaluations are conducted.

Step 7—Section 504 Documentation and Reporting Through Infinite Campus

All documents pertaining to Section 504 will be maintained in each building in a separate yellow folder.

Students who are identified as qualifying under Section 504 are reported annually to the DE. This information is pulled from Infinite Campus. All students who qualify under Section 504 must have this indicated in Infinite Campus. This information can be entered by going to the student’s “Enrollment” tab, clicking on the appropriate school year, scrolling down and checking the box titled, “Section 504”.

Copies of the student’s 504 Accommodation Plan should also be uploaded into Infinite Campus so that it is available for administrative purposes as well as to insure that it is readily available to individuals who may have responsibilities for implementing it. To upload an accommodation plan in Infinite Campus after accessing that student’s information, find the heading “PLP” along the left edge of the screen, click on “Documents”, and then “Upload Document”.

At the end of each school year the 504 lead contact in each building will insure that yellow Section 504 folders on students who will be transitioning to a different school building are provided to the 504 contact person in that building.

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# Section 504 Procedures Checklist

## Initial Referral/Eligibility/Accommodation Development Procedures

* Situation is recognized that calls for consideration of a referral. Concern can originate from parent, staff member or others.
* Section 504 lead contact (and others if determined appropriate) may meet with parent to discuss referral and determine need for evaluation. Request/obtain all relevant information from parent. If it is determined that an evaluation is needed, the parent will be asked to give signed consent. Complete the following:

 “Section 504 Notification Letter Given to Parents”

 Ask parent to sign “Parent Consent” Form

 Provide parent with copy of “*A Guide to Section 504”*

* Determine additional information necessary to complete Section 504 evaluation. Insure that necessary staff members are informed of their responsibility to collect data needed to complete the evaluation.
* Complete evaluation. Collect data from appropriate sources (within 60 days from date of consent) o Parent Interview

o Student Interview

o Teacher Input o School Nurse

o School Records

o Outside Sources (Physician, Counselor, Psychologist) o Other:

* When the evaluation is complete, notify parent and schedule a 504 team meeting to determine 504 eligibility. If the student is determined to not be eligible under Section 504, the parent must be informed of this in writing and provided a copy of their parental rights.

 Notify parents and other participants of Determination Meeting

 Hold meeting to Determine Eligibility

 Complete “Section 504 Eligibility Determination” Form

 Provide copy of Eligibility form to parent *(if requested)*

* If the student is eligible for 504 protections and needs accommodations a Section 504 Accommodations Plan must be developed. Implementation of the accommodation plan typically begins immediately. Insure that all individuals responsible for implementation of plan are notified of their specific responsibilities.

 Write 504 Accommodation Plan

 Provide copy of finalized plan to parent

 Document Section 504 eligibility and upload accommodation plan in Infinite Campus

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# Section 504 Procedures Checklist

## Annual Procedures

* The 504 Accommodation Plan is to be reviewed annually. The school must hold an annual meeting with the parents if the school believes changes should be made to the 504 plan. If school personnel believe that the accommodation plan is meeting the students then a meeting is not required. However parents must be contacted and informed of this decision and their option of requesting a meeting.
* If a meeting is held revisions can be made to the 504 Accommodation Plan. It may also be determined that a plan is no longer needed and the student may be determined ineligible or eligible but not in need of a plan. A copy of the parent rights titled, “A Guide to Section 504 of the Rehabilitation Act” is given to the parent.

 Notify parents and other participants of Annual Section 504 Meeting

 Review 504 Accommodation Plan and edit if needed

 Provide parents with copy of parental rights

 Provide parent with copy of current plan

## Three Year Reevaluations

* At least every three years, or more often if deemed appropriate, a Section 504 reevaluation must be conducted.
* Parents must be notified of the reevaluation and invited to the reevaluation meeting. At the team meeting identify individuals responsible to collect data needed to complete Section 504 evaluation. Obtaining signed parental consent for a Section 504 reevaluation is not required but may be considered best practice.
* Request/obtain relevant information from parent. As necessary obtain signed parental consent for release of information.
* Collect data from appropriate sources (60 days from date of meeting)

o Parent Interview o Student Interview o Teacher Input

o School Nurse

o School Records

o Outside Sources (Physician, Counselor, Psychologist) o Other:

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* Once evaluation data has been collected, notify parent, and schedule meeting to discuss the evaluation results and determine continued 504 eligibility. The team decision is documented.
* If the student is determined to be ineligible for 504 protections, the parent is notified and the parent rights are provided.

 Notify parents and other participants of Determination Meeting

 Meeting to Determine Eligibility

 Complete Section 504 Eligibility Determination Form

 Provide parent with copy of finalized plan to parent

* If the student is eligible for continued 504 protections, the Section 504 Accommodations Plan is developed or modified at the meeting. Implementation typically begins immediately. Insure that all individuals responsible for implementation of the plan are notified of their specific responsibilities.

 Write 504 Accommodation Plan

 Send copy of finalized plan to parent

 Upload new accommodation plan into Infinite Campus

 Provide parent with a copy of the finalized plan

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Section 504 Notification Letter to Parents

The Indianola Community School District does not discriminate in its educational programs and activities on the basis of a student’s disability.

We have reason to suspect that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ may have a physical or mental impairment that substantially limits a major life activity. We will be convening a team of individuals to determine whether accommodations may need to be made to meet his or her individual needs as adequately as the needs of other students We want to include people on the team who know your child, and would especially value you input.

Once the information has been reviewed, we will be meeting with you to discuss plans to meet your child’s needs. Please feel free to contact

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at

Section 504 Contact or Designee

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

School

Parents and students have specific rights under Section 504 of the Rehabilitation Act of 1973. These rights are summarized on the back of this form.

Please provide your consent for us to accomplish this evaluation, by indicating your decision and providing your signature (below) and returning the bottom half of this form to:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Section 504 Contact or Designee

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Parent Consent

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

 Student’s Name

 \_\_\_\_\_\_ Yes, I consent to the proposed screening/evaluation

 \_\_\_\_\_\_ No, I do not consent to the proposed screening/evaluation.

Comments:

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Parent Signature

**Section 504 Student and Parental Rights**

As a parent you have the right to the following:

* Participation of your child in school district programs and activities, including extracurricular programs and activities, to the maximum extent appropriate, free of discrimination based upon the student’s disability and at the same level as students without disabilities;
* Receipt of free educational services to the extent they are provided students without disabilities;
* Receipt of information about your child and your child’s educational programs and activities in your native language;
* Notice of identification of your child as having a qualifying disability for which accommodations may need to be made and notice prior to evaluation and placement of your child and right to periodically request a re-evaluation of your child;
* Inspect and review your child’s educational records including a right to copy those records for a reasonable fee; you also have a right to ask the school district to amend your child’s educational records if you feel the information in the records is misleading or inaccurate; should the school district refuse to amend the records, you have a right to a hearing and to place an explanatory letter in your child’s file explaining why you feel the records are misleading or inaccurate;

A hearing before an impartial hearing officer if you disagree with your child’s evaluation or placement; you have a right to counsel at the hearing and have the decision of the impartial hearing officer reviewed.

**A Guide to Section 504 of the Rehabilitation Act is available through Heartland AEA at:**

<http://www.heartlandaea.org/media/cms/AEA504prnt_D1B76A44B43A8.pdf>.

Section 504 Eligibility Determination

Eligibility Meeting Date:       Student Name:

DOB:       Gender: Grade:       School:

Parent/Guardian

**Evaluation Information Considered and Impact of Disability on Major Life Activity**

|  |  |  |  |
| --- | --- | --- | --- |
| **Physical or Mental Impairment** | **Major Life Activity Impacted** | **Data Considered** (list date created, source and attach) | **Level of limitation (**NA**,** mild moderate, substantial) |
|       |       |       |       |
|       |       |       |       |

**Actions to be Taken:**

[ ]  The student has a physical or mental impairment that significantly impacts a major life activity

[ ]  A Section 504 Accommodation Plan will be written

[ ]  A Section 504 Accommodation Plan is not needed at this time

[ ]  The student does not have a physical or mental disability that significantly limits one or more major life activities.

 [ ]  No further action is needed at this time.

 [ ]  A individual health plan will address the student’s need for health services.

[ ]  The team recommends in addition to a Section 504 Plan that further evaluation for possible IDEA eligibility be pursued.

Eligibility Determination Team Members

|  |  |
| --- | --- |
| **Name and Title** | **Required team members** |
|            | Member knowledgeable about the student(parent or staff member) |
|            | Member knowledgeable about the meaning of evaluation data |
|            | Member who can allocate district resources |
|            | Other team members |

504 Student Accommodation Plan

|  |  |
| --- | --- |
| Date Written: | Reviewed: |

#

|  |  |  |
| --- | --- | --- |
| Student: | District: | Grade: |
| Parent Name(s): | Plan Facilitator | Date of Birth: |

Areas of Strength:

Describe Areas of Concern Based on Eligibility Determination:

Date of Eligibility Determination: Team Members:

|  |  |  |
| --- | --- | --- |
| Parent: | Teacher: | School Nurse: |
| Administrator: | Expert Reviewer: | Other: |

|  |  |  |  |
| --- | --- | --- | --- |
| **Areas of Difficulty** | **Accommodations** | **Person Responsible** | Date of Review |
|  |  |  |  |

**Section 504 Teacher Input Form**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Student Name:** |  | **MS/HS** **Subject:** | **Grade:** |  |
| **Teacher Name:** |  | **Due Date:** |  |

*This student is being evaluated (re-evaluated) for eligibility for Section 504. The information you provide will be used as part of this process and will be shared with the parent.*

1. What is the student’s current grade in your class (HS/MS) or in each subject (Elem.)?
2. Please check all the factors that may account for the student’s current grade and write in numbers where applicable:

❑ Missing assignments

❑ Late assignments

❑ Incomplete or illegible assignments

❑ Failure to participate in class

❑ Other *(Please describe.)*

1. What strengths does this student display in your classroom?
2. What challenges does this student present in your classroom?
3. Have you made any informal accommodations or modifications for this student such as extending timelines, preferential seating, or adjusting expectations? *(If yes please list below and tell whether or not it was effective.)*
4. Have you been in contact with this parent/guardian during the current school year? How often and what has been your primary means of communication *(e-mail, phone, conference)?*
5. Any additional information or comments? *(Please use additional pages as necessary.)*

**Support for Accommodation Request**

(To be used in consideration of post-secondary academic accommodation requests.)

 **Student’s Name**:

1. ELIGIBILITY/DIAGNOSTIC STATEMENT:
	* Date of original eligibility:
	* Most recent reevaluation date:
	* Current goal area(s) of concern:
2. FORMAL DIAGNOSIS and DATE (when available):
3. What is the BASIS OF DETERMINATION for current services? (Provide available diagnostic assessment information and recent evaluation results; include performance levels with/without accommodations.)
4. Describe the CURRENT FUNCTIONAL IMPACT of the disability:
5. RESPONSE TO specially designed INSTRUCTIONAL INTERVENTION:
6. Expected PROGRESSION or STABILITY of the disability:
7. HISTORY of ACCOMMODATIONS:
	* 9th Grade:
	* 10th Grade:
	* 11th Grade:
	* 12th Grade:
8. SUGGESTED ACCOMMODATIONS for post-secondary experiences:
9. RECOMMENDATIONS (include accommodations, linkages to adult services, other support) for
	* Living:
	* Working:
10. ADULT/COMMUNITY Contacts:

Agency:       Status:       Name/Position:       Telephone:

1. SIGNATURE of Credentialed Professional

Name of Person completing this form (Print) Title/Role Agency/Organization

Signature Telephone Date

1. AUTHORIZATION for RELEASE OF INFORMATION

I hereby authorize the release of information summarized in this Support for Accommodation Request for the purpose of evaluating eligibility and accommodation requests.

Name of Student (Printed) Student’s SignatureDate

1. STUDENT WRITTEN RESPONSE—Statement of Goals (Please write your statement of at least 3-5 sentences describing what you hope to accomplish in the next year.)

***Authorization for the Release of Health and/or Educational Information***

**Student Name:** **Birthdate:** / /

**Address:** **Phone:**

On behalf of the above named student, I authorize

 (name of health care provider, agency, or medical institution)

to release evaluation records to and

 (Area Education Agency) (School or School District)

for the purpose of determining eligibility for and/or provision of Section 504.

AEA Contact: District Contact:

AEA Address: District Address:

For this purpose, I consent to the release of the following health information to the AEA and school district regarding this child from

 / / to / / :

[ ]  Current Medical Status [ ]  Current Medications/treatments

[ ]  Recommendations for School [ ]  Other

I hereby give special permission to the above named medical entity to release records pertaining to:

[ ]  Mental health [ ]  Substance abuse/chemical dependence

[ ]  Sexually transmitted disease [ ]  HIV/AIDS

I understand that the released information becomes a part of the student’s educational records and, as such, is protected by the Family Educational Rights and Privacy Act (FERPA). The information may be reviewed by all members of the Section 504 team and, as appropriate, those identified as having legitimate educational interest. The information may also be used in the future, including if the student moves, for the purpose of educational decision making.

I understand that I have the following **rights** with respect to this authorization:

* The right to inspect or copy the health information to be disclosed by this form.
* The right to receive a copy of this form.
* The right to withdraw this Authorization by written notification at any time (although my withdrawal will not be effective as to uses and/or disclosures already made regarding this form).

This authorization is valid until / / , or until one year after the date of signing, whichever occurs first.

 / /

 Signature Relationship to Student Date

 Printed name

Health Insurance Portability and Accountability Act (HIPAA)/

Family Educational Rights and Privacy Act (FERPA) Notice

**Any and all personally identifiable information regarding children and families is protected from unauthorized disclosure under FERPA. Personally identifiable information protected by FERPA is specifically** exempted **from HIPAA privacy standards. FERPA prohibits disclosure of personally identifiable information without parent consent except in limited circumstances, requires notice to be provided to the child’s family regarding their privacy rights, requires providers to keep records of access to a child’s records, and contains complaint and appeal procedures which apply to disputes over records.**

NOTICE TO RECIPIENTS OF MENTAL HEALTH INFORMATION

In accordance with the Iowa Mental Health Information Disclosure Act (Iowa Code, Chapter 228), a recipient of mental health information may redisclose this information only with the written authorization of the subject or the subject's legal representative or as otherwise provided in chapter 228 and 220. Unauthorized disclosure is unlawful and civil damages and criminal penalties may apply. Federal confidentiality rules (42 CFR Part 2) restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

# NOTICE TO RECIPIENTS OF SUBSTANCE ABUSE INFORMATION

This information has been disclosed from records whose confidentiality is protected by Federal law. Iowa Code, Chapter 125 and Federal regulations (42 CFR, Part 2) prohibit any further disclosure without the specific written consent of the person to whom the information pertains, or as otherwise permitted by such statute and regulations. A general authorization for the release of medical or other information is not for this purpose. Federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

# NOTICE TO RECIPIENT OF HIV RELATED TESTING INFORMATION

This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of the information without specific written consent of the person to whom it pertains, or as otherwise permitted by law. A general authorization for the release of medical or other information is not sufficient for this purpose. (Iowa Code 141.23) Federal confidentiality rules (42 CFR, Part 2) restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.