

**Louisa-Muscatine
Community
School District
Administrative
Regulations for
Individual
504 Plans**

September 2016

**SECTION 504
OF THE REHABILITATION ACT OF 1973
Staff Information Sheet**

What is Section 504?

- **Section 504 is a Civil Rights Act which prohibits discrimination against individuals with a disability in any program receiving Federal financial assistance. In order to fulfill its obligation under Section 504, the LOUISA-MUSCATINE School District recognizes a responsibility to avoid discrimination in policies and practices regarding its students. No discrimination against any student solely due to his/her disability will knowingly be permitted in any of the programs and practices in the school system. The school district has specific responsibilities under Section 504 which include the responsibility to identify, evaluate and (if the child is determined to be eligible under Section 504) to afford access to necessary educational accommodations and services.**
- **Students who have IEPs and are receiving special education are covered under this law through their current IEPs.**
- **Other students who have a disability that substantially impacts a major life activity may also be eligible for protection, accommodations, and/or services under the law. Those students will have a separate Section 504 Accommodation Plan.**

Staff Responsibilities

- **If a teacher suspects that a student might be eligible under Section 504 it is the teachers' responsibility to contact your administrator or the Section 504 Coordinator in your building.**
- **If a parent expresses a concern that a student might be eligible under Section 504 it is the teachers' responsibility to contact your administrator or the Section 504 Coordinator in your building and to let the parent / guardian know who in the building to contact regarding this process.**
- **Teachers are responsible for participating on the team which determines 504 eligibility and helping determine appropriate and reasonable accommodations for the student.**
- **Teachers are responsible for knowing which students have Section 504 Accommodation Plans.**
- **Teachers are responsible for implementing 504 Accommodation Plans as written.**

Section 504 Coordinators

If you have general questions about Section 504 or suspect that one of your students may be eligible under Section 504, please contact your principal, building 504 coordinator, or district-level support personnel.

Louisa-Muscatine 504 Basic Procedures and Protocol

- 1. Concerned school personnel and/or parent suspects that a student might be eligible for a 504.**
- 2. Concerned person contacts the school administrator or the Section 504 Coordinator.**
- 3. Review of MTSS interventions, available health documentation, health plan if applicable and other related information concerning the student in question is presented to the SIT (JH/SH) or SPRINT (Elem.) to determine if additional support interventions and/or accommodations are needed.**
- 4. If student success is limited and concerns are still valid a 504 Referral Form should be completed and submitted to the school administrator or Section 504 Coordinator.**
- 5. The Section 504 Coordinator in partnership with other school personnel on the SIT/SPRINT Team follow the process provided in the Section 504 Eligibility Decision Chart. When eligibility needs to be determined the SIT/SPRINT Team will act as the L-M 504 Team. The 504 Team will be provided as much information listed on the 504 Student Eligibility Form as possible. The team will review information and determine if the student has a disability that substantially limits a major life activity, and the most appropriate course of action at the present time.**

Section 504 Referral Form

Student Name: _____	Grade: _____	Date: _____
Student ID #: _____	Birth Date: _____	
Address: _____	City/State/Zip: _____	
Parent(s)/Guardian Name(s): _____		
Home Phone: _____	Work Phone: _____	
Building 504 Coordinator: _____	Phone: _____	

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

- A physical or mental impairment
- That substantially limits
- One or more major life activities

The publication, *A Guide to Section 504 Of the Rehabilitation Act of 1973*, is a resource available to parents through their school.

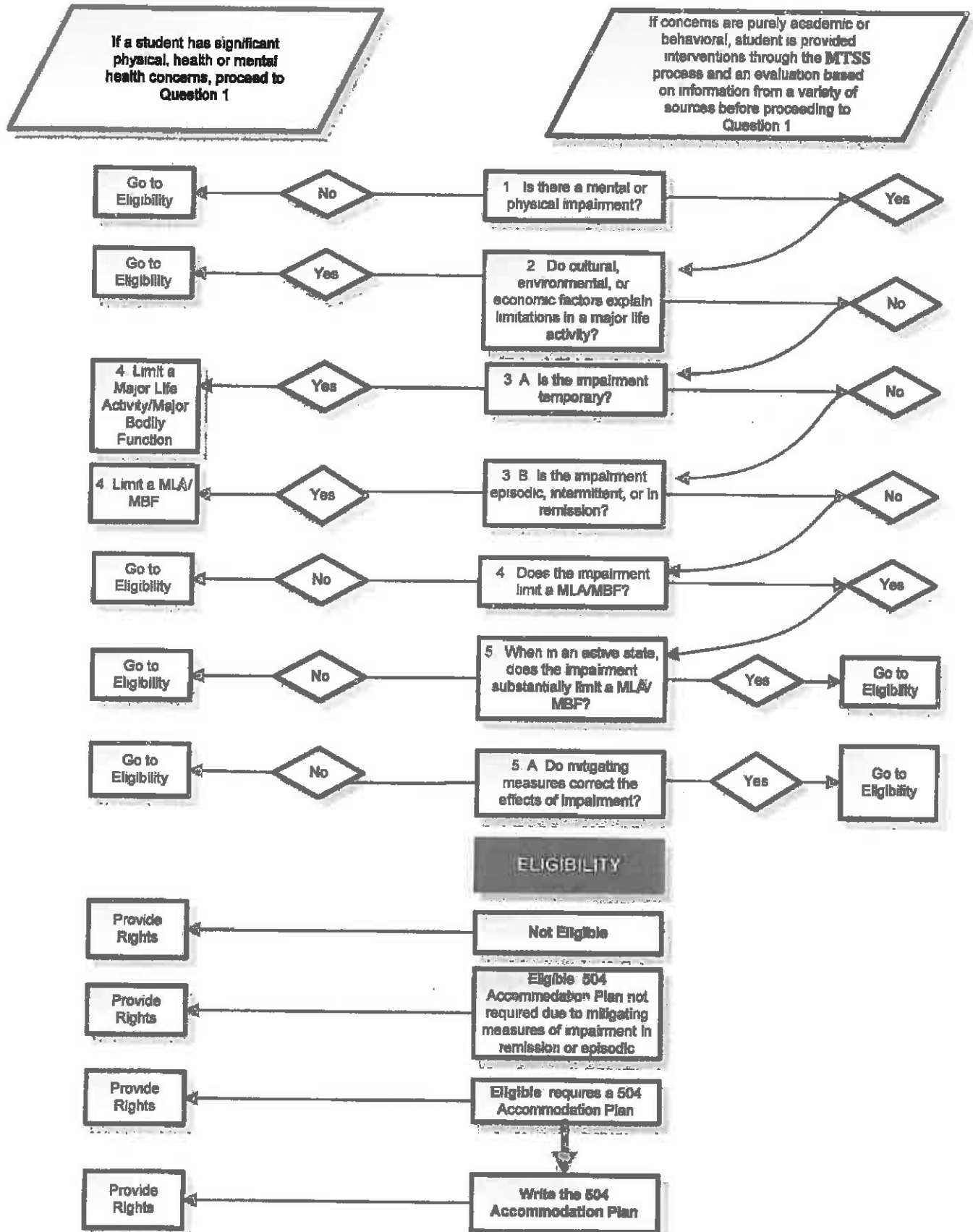
If you believe that a student may be eligible for Section 504 support, please complete and sign the following section and submit it to your school's 504 coordinator.

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

Signature of person requesting Section 504 review

Date

SECTION 504 ELIGIBILITY DECISION CHART



SECTION 504 STUDENT ELIGIBILITY FORM*

Student: _____

DOB: ____/____/____

School: _____

Grade: _____

Date: _____

Evaluation Information: (check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Psychological Evaluation
<input type="checkbox"/> Physician Report
<input type="checkbox"/> Achievement Tests
<input type="checkbox"/> Teacher Reports
<input type="checkbox"/> Observation Data | <input type="checkbox"/> Classroom Performance Data
<input type="checkbox"/> Discipline History
<input type="checkbox"/> Parent Information
<input type="checkbox"/> Curriculum Based Assessments
<input type="checkbox"/> Other (specify): _____ |
|---|---|

1. Does the student have a mental or physical *impairment* (as recognized in DSM-IV or other respected source if not excluded under 504/ADA, e.g., illegal drug use)? No (if no, go to eligibility determination section) Yes (if yes, identify the impairment and supporting data)

Impairment:

Supporting Data:

2. Describe how the impairment limits a Major Life Activity (MLA) or Major Bodily Function (MBF)

3. Place an "X" on the following scale to indicate the specific degree that the impairment (in #1) limits the major life activity (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.
- Interpret close calls in favor of broad coverage (i.e., construing Items 1-3 to maximum extent that they permit). Thus, for an "X" at 4.0 or below, fill in specific information evaluated by the team that justifies the rating:

- | | | | |
|---|---------------|--------------------------|--|
| 5 | Extremely | <input type="checkbox"/> | |
| 4 | Substantially | <input type="checkbox"/> | |
| 3 | Moderately | <input type="checkbox"/> | |
| 2 | Mildly | <input type="checkbox"/> | |
| 1 | Negligibly | <input type="checkbox"/> | |

4. If the team's determination for #3 was less than "4", provide notice to the parents of their procedural rights, including an impartial hearing. If the team's determination was a "4" or above, the team should determine and list on the 504/ADA Plan the specific accommodations that are necessary for the child to have an opportunity commensurate with non-disabled students (of the same age).

*Adapted with permission from Perry A. Zirkel, author of *Section 504, the ADA and the Schools*.

Copies: Parent, Teachers, Section 504 Folder, Section 504 Coordinator

Section 504

Notice of Parent/Student Rights

One Page Summary

What is Section 504?

Section 504 of the Rehabilitation Act of 1973 is a broad civil rights law regulated by the Office of Civil Rights. It provides that "No otherwise qualified individual with a disability in the United States ...shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance ...29U.S.C. Section 794(a) (1998).

To comply with Section 504 the school district will:

- 1) Provide a free appropriate education to students with disabilities
- 2) Seek out, identify, and evaluate students who may have a disability under Section 504
- 3) Provide special accommodations and services to students identified under Section 504 as defined in their written individual accommodation plan
- 4) Discipline students in accordance with the law
- 5) Ensure that extracurricular activities are accessible to students identified under Section 504
- 6) Provide notice to parents/guardians regarding evaluation, identification, reevaluation, and due process rights
- 7) Provide all staff access to information regarding Section 504

Section 504 Parent/Student Rights

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to:

- Have your child take part in and receive benefits from public education programs without discrimination because of her/his disabling condition.
- Have the school district advise you of your rights under federal law in your native language.
- Receive notice with respect to Section 504 identification, evaluation, and/or placement of your child.
- Have your child receive a free appropriate public education. This includes the right to be educated with nondisabled students to the maximum extent appropriate. It also includes the right to have the school district make necessary accommodations to allow your child an equal opportunity to participate in school and school-related activities.
- Have your child educated in facilities and receive services comparable to those provided to nondisabled students.
- 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.
- Have eligibility and educational placement decisions based upon a variety of information sources, and by individuals who know the student, the eligibility data, and placement options.
- Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities.
- Examine all relevant records relating to decisions regarding your child's Section 504 identification, eligibility, evaluation, educational program, and placement.
- Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
- Receive a response from the district to reasonable requests for explanations and interpretations of your child's records.
- Request amendment of your child's educational records if there is a reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your child.
- File a complaint with the district when you believe your child's rights have been violated.
- Request an impartial hearing regarding the Section 504 identification, evaluation, or educational placement of your child. You and the student may take part in the hearing and have an attorney represent you at your own cost.
- File a formal complaint with the Iowa Department of Education or the U.S. Department of Education Office for Civil Rights (Region VII).

Section 504 Coordinators / Compliance Officers

If you have general questions about your student and Section 504 or would like information about the grievance procedure please contact your principal, building 504 coordinator, or district-level support personnel.