

***Louisa-Muscatine***  
***Community School District***



***Section 504***  
***Parent Handbook***

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### **Development**

The Louisa-Muscatine staff and community engaged in a process to establish this *Section 504 Handbook*. This process was part of an effort to develop comprehensive support for all to serve as a foundation for decisions about eligibility and accommodations for students with a disability. The development process includes meetings of educators to identify needs and establish a process for the decisions about eligibility and accommodations for students with a disability.

### **Student Intervention Team:**

#### **Core Members SIT Team**

School Principal  
Head of Special Education  
School 504 Coordinator  
Classroom Teacher(s)/PLC Lead-Core Teachers  
Parent/Family/Student  
School Counselor

#### **Members Flexibly Determined**

Superintendent  
School Nurse  
TAG  
Mississippi Bend AEA service providers  
TLC Coach  
Curriculum Director

The Louisa-Muscatine Community School District has established long-range goals and corresponding committees for the development and implementation of comprehensive school improvement plans. The primary purpose of the Section 504 Handbook is encompassed in a long-range goal for Student Success.

### **Louisa-Muscatine District-Wide Goals Statement:**

1. Increase the number of students performing at the Proficient and College and Career Readiness (CCR levels on the Iowa State Assessment of Student Progress (ISASP).
2. Equip students to graduate with the skills and mindset for college and career readiness.
3. Increase school, family, and community relationships with the common focus of improving student learning in a safe and supportive environment.

#### *Comprehensive School Improvement Plan Long-range Goal — Curriculum*

*The Louisa-Muscatine Community School District will identify outcomes for all students to systematically ensure that each child progresses along the continuum of understanding*

**Introduction and Purpose**

Section 504 of the Rehabilitation Act of 1973 directs schools receiving 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.”

As a recipient of federal funds, the Louisa-Muscatine Community School District provides students meeting Section 504 eligibility equal access (both physical and academic) to services, programs, and activities as those offered to the general population.

Section 504 is a civil rights statute and not a special education statute. Therefore, it is the responsibility of the general education staff and administration to implement practices and procedures necessary for a school to fulfill the requirements of Section 504 of the Rehabilitation Act of 1973. It is also important to understand that the Louisa-Muscatine Community School District receives no additional funding to implement Section 504 accommodations. At each school, the responsibility for ensuring Section 504 compliance rests with the school principal. Please note that when working with students with a disability, Section 504 serves the same purpose as ADA (Americans with Disabilities Act).

Section 504 regulations require recipients of Federal financial assistance to provide a free appropriate public education (FAPE) to each qualified person with a disability in the recipient's jurisdiction designed to meet the individual educational needs of persons with disabilities as adequately as the needs of non-disabled persons are met

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

### *Parents/Students have the right to:*

1. Have your child/you 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 the identification, evaluation, or placement of your child/yourself.
4. Have your child/you 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 District make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child/you educated in facilities and receive services comparable to those provided to students without disabilities.
6. Have your child/you 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/you 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/your 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/your records.
13. Request an amendment of your child's/your 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/your 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/your rights have been violated.

### *Parents/Students have the responsibility to:*

Parents/students should share concerns with the school early. If a Section 504 meeting about the student is held, parents are to be involved, helping to develop appropriate accommodations and/or services. Parents should encourage their child to work with school staff. When appropriate, parents need to work with other agencies. Work with the school to resolve issues.

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

Aimee Wedeking  
Elementary Principal  
14506 170th St., Letts IA 52754

Phone 319-726-3634  
Email [awedeking@lmcsd.org](mailto:awedeking@lmcsd.org)

Amy Underbakke  
Student Services Coordinator  
Section 504 Coordinator  
Louisa-Muscatine Community School District  
14354 170th St. Letts, IA 52754

Phone 319-726-3421  
Email [aunderbakke@lmcsd.org](mailto:aunderbakke@lmcsd.org)

**IDEA, Section 504 and Individual Health Plan**

There are fundamental differences between an Individual Health Plan, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act (IDEA). The purpose of IDEA is to formulate procedurally sound individualized educational programs. Section 504 is an anti-discrimination law designed to provide accommodations necessary for the educational needs of a student with a disability to be met as adequately as the needs of non-disabled peers. Section 504 falls under the management responsibility of the general education program. No state or federal funding is provided to assist in complying with Section 504. All costs are the obligation of the local school. Under the IDEA, the focus is on educational benefits. Under Section 504, schools must provide equal educational opportunities to students with disabilities by accommodating their disabilities.

A student with an impairment who does not meet the standards for eligibility under the IDEA may or may not fit within the Section 504 definition. Eligibility for services under Section 504 is not automatically granted to a student who is referred for a special education evaluation and who is subsequently determined not to be eligible for services under IDEA. Students provided services under IDEA have equal protection under Section 504 through the Individual Education Program without the need for a separate Section 504 Plan. Further, a student who is exited from the IDEA is not automatically eligible for services under Section 504.

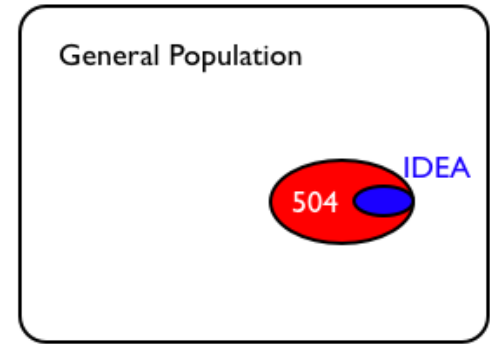
The Individual Health Plan (IHP) is a written document detailing the required special health services for general and special education students. The IHP documents health needs that affect a student's daily function and impact education or the educational environment. Considered in the plan are the student's physical, social, emotional, cognitive, behavioral, and daily living skills needs. The IHP incorporates the steps of the nursing process: assessment, nursing diagnosis, outcome/goals, planning, implementation, and evaluation.

Louisa Muscatine CSD Nurse

Individual Health Plan	Section 504	IDEA
<b>Type and purpose</b>		
<ul style="list-style-type: none"> <li>• Iowa Law</li> <li>• Provides health services for “desired” student outcomes</li> </ul>	<ul style="list-style-type: none"> <li>• A federal civil rights law to prohibit discrimination on the basis of disability in programs and activities, public and private, that receive federal financial assistance.</li> <li>• To provide health services, learning modifications or accommodations to students determined to be eligible.</li> </ul>	<ul style="list-style-type: none"> <li>• A federal education act to provide federal financial assistance to State and local education agencies.</li> <li>• To provide specially designed education programs including special education and related services to eligible children with disabilities based on individual specific educational needs.</li> </ul>
<b>Scope</b>		
<ul style="list-style-type: none"> <li>• Deals with chronic health concerns of both general education and special education students</li> <li>• Services provided through Nursing Services staff.</li> </ul>	<ul style="list-style-type: none"> <li>• Any person who (1) has a physical or mental impairment that substantially limits one or more major life activities, (2) has a record of such an impairment or (3) is regarded as having such an impairment. Major life activities include walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, and performing manual tasks.</li> <li>• Primary recipients of 504 are general education students with mental or physical disabilities not included in special education.</li> <li>• Is a whole school process.</li> </ul>	<ul style="list-style-type: none"> <li>• Children ages 3-21 who are determined by a multidisciplinary team to be eligible within one or more of 13 specific disability categories and who need special education and related services.</li> </ul>
<b>Eligibility</b>		
<ul style="list-style-type: none"> <li>• Criteria for eligibility is presence of its chronic nature</li> <li>• Services are derived from a written Individual Health Plan</li> </ul>	<ul style="list-style-type: none"> <li>• Criteria for eligibility is the determination that the presence of disability has substantial impact on school success. Section 504 requires that students be educated with their non-disabled peers to the maximum extent appropriate.</li> <li>• Services are derived from a plan which has contractual status.</li> </ul>	<ul style="list-style-type: none"> <li>• A comprehensive evaluation is required. A multidisciplinary team evaluates the child, and parental consent is required before evaluation. The eligibility decision is made by a group of people who know about the student, evaluation data, and placement options; and that the placement decision serves the student in the least restrictive environment.</li> </ul>
<b>Protections and Procedural Safeguards</b>		
<ul style="list-style-type: none"> <li>• Plans reviewed annually</li> </ul>	<ul style="list-style-type: none"> <li>• Eligibility and plan reviewed regularly</li> <li>• Section 504 requires notice to parents regarding identification, evaluation and/or placements. Written notice is recommended. Notice must be made only before a significant change in placement.</li> </ul>	<ul style="list-style-type: none"> <li>• Individual Educational Program reviewed annually with a comprehensive reevaluation conducted at least every 3 years.</li> <li>• IDEA requires written notice to parents regarding identification, evaluation, and/or placement. Further, written notice must be made prior to any change in placement. The Act delineates the required components of the written notices.</li> </ul>
<b>Funding</b>		
<ul style="list-style-type: none"> <li>• Services provided through Nursing Services staff</li> </ul>	<ul style="list-style-type: none"> <li>• State and local jurisdictions have responsibility. IDEA funds may not be used to serve children found eligible under Section 504.</li> <li>• 504 Section</li> </ul>	<ul style="list-style-type: none"> <li>• IDEA provides federal funds under Parts B and C to assist states and local education agencies in meeting IDEA requirements to serve infants, toddlers and youth with disabilities.</li> <li>• Serves infants, toddlers, and youth with disabilities.</li> </ul>

### Eligibility Determination

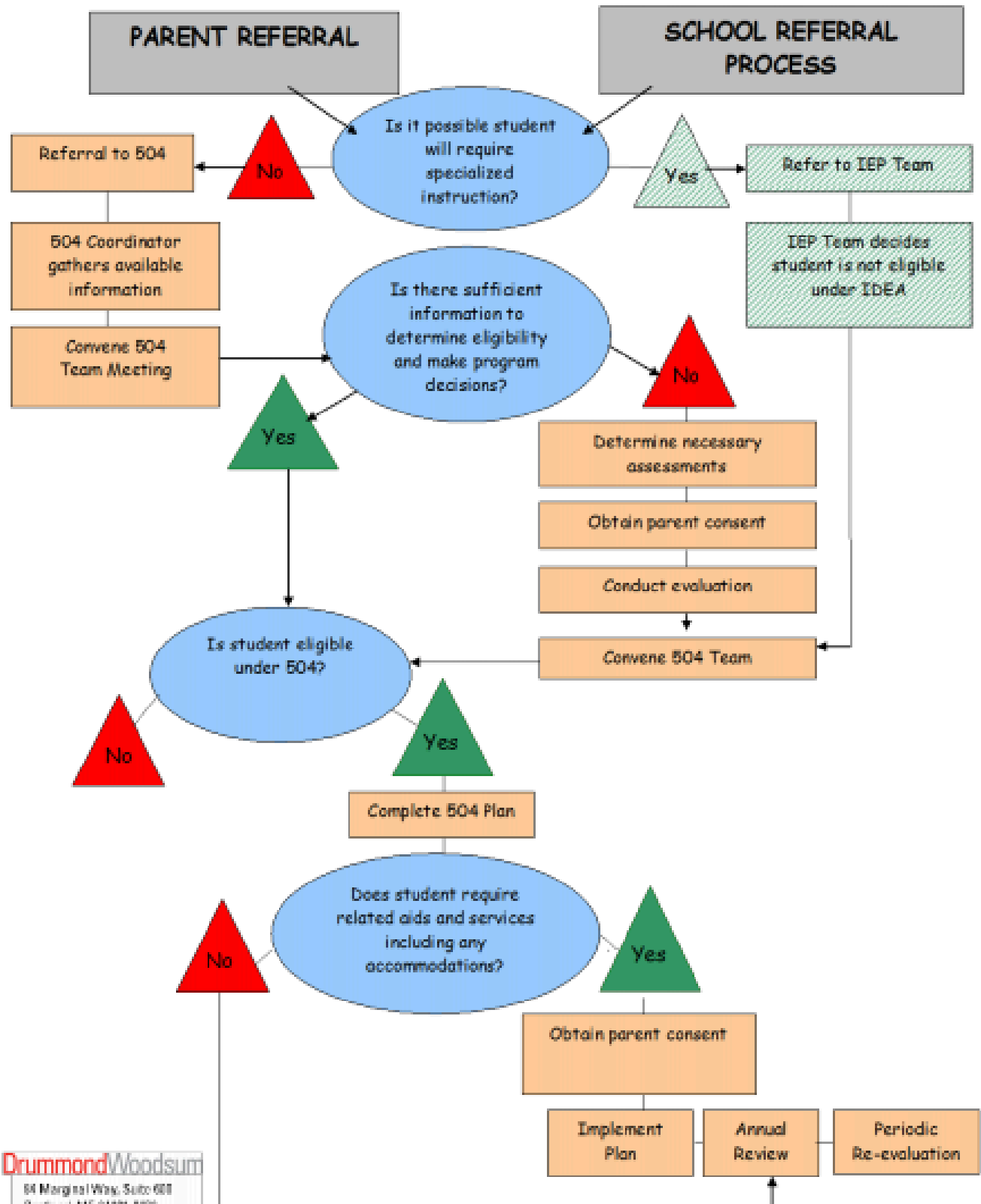
A student must be determined, as a result of an evaluation, to have a “physical or mental impairment” that “substantially limits one or more major life activities and/or major bodily functions.” U.S. Office of Civil Rights establishes the standard for substantial limitation of a student’s ability to learn by inference, “by definition, a person who is succeeding in regular education does not have a disability which substantially limits the ability to learn.” When examining whether the impact of a disability substantially limits a major life activity and/or major bodily function, the focus should be on the elements of that activity that are of central importance to the general population.



Eligibility for Section 504 accommodations is decided by evaluating and determining that all three criteria are met: 1) The student must have a mental or physical impairment; 2) That mental or physical impairment must be substantially limiting; and 3) The impairment must substantially limit one or more major life activities and/or major bodily functions. 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, the student is not eligible for services or accommodations under Section 504. 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.



# 504 PROCESS FLOWCHART



### ***Definitions***

*Major life activities* mean functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

*Major bodily functions* include reading, concentrating, thinking, sleeping, eating, lifting, bending, communicating, and the operation of major bodily functions such as the immune system, normal cell growth, and digestive, bowel, and bladder functions.

*Having a record of such an impairment means having a history of, or misclassified as having, a mental or physical impairment that substantially limits one or more major life activities and major bodily functions.*

*Physical or mental impairment* means (a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs or (b) any mental or psychological disorder, emotional or mental illness, and specific learning disability.

### ***Eligibility Review***

A parent, guardian, teacher, counselor, related service providers, other school staff and administration, and/or community agencies can initiate a Section 504 eligibility review request. Someone wanting to initiate a Section 504 eligibility review is to complete a Section 504 Eligibility Review Request and forward it to the school principal and or Section 504 Coordinator.

The evaluation should be sufficient to accurately assess the nature and extent of the suspected disability, the effect upon major life activities, and recommended accommodations. In determining the extent of a disability and Section 504 eligibility, it is important to collect information from multiple sources representing various perspectives across multiple settings. The decision about Section 504 eligibility and services must be documented in the student's cumulative file and reviewed periodically.

### ***Temporary Disability***

Suppose a temporary disability substantially limits at least one major life activity and/or major bodily function for a period of time that likely will significantly disrupt the student's education. In that case, a student may be eligible for Section 504 for the duration of the disability. The determination to extend eligibility must be made on an individual basis, taking into consideration factors such as length and significance of the temporary impairment limits a major life activity and/or major bodily function for the student.

### ***Accommodations***

Suppose it is determined that a student has a disability and is eligible for services under Section 504. In that case, the school must develop and implement the delivery of all needed services and/or accommodations. Section 504 does not require a public school district to provide students with disabilities with potential maximizing education, only reasonable accommodations that give those students the same access to the benefit of public education as all other students.

An accommodation is any technique that alters the academic setting or environment allowing a student with a disability to complete the same assignment or test as other students but with a change in the timing, formatting, setting, scheduling, response, and/or presentation. This accommodation does not alter in any significant way what the test or assignment measures. Examples of accommodations include a student who is blind taking a Braille version of a test or a student taking a test alone in a quiet room.

Section 504 accommodations fall under the responsibility of general education and should not change the level, content, or performance criteria of the lesson, class, or activity and should not change the reliability and validity of any assessment.

### ***Section 504 Accommodations***

General program accommodations or services are always made on a case-by-case basis and are 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.

An appropriate education for a student eligible under Section 504 may consist of education in general classes with accommodations and programs to meet the student's unique needs. Accommodations are changes made by the classroom teacher(s) and other school staff to help students benefit from the educational program. It is recommended that a Section 504 Accommodation Plan be written to outline the services and accommodations the student needs. Examples of common accommodations to consider in developing a Section 504 Accommodation Plan include, but are not limited to the following:

#### **Environmental Accommodations**

- Make a separate "space" for different types of tasks
- Preferential seating
- Restructure non-academic times such as lunch, recess, and physical education
- Alter the location of personal or classroom supplies for easier access or to minimize distraction

#### **Organizational Accommodations**

- Model and reinforce organizational systems
- Reinforce self-monitoring and self-recording of assignments
- Student writes out homework assignments, checks the student's recording of assignments
- Set time expectations for assignments
- Use graphic organizers, study guides or other organizing methods

#### **Presentation Accommodations**

- Record presentations so the student can listen to them again; allow students to record lessons
- Highlight main ideas and supporting details in the book
- Peer tutors or cross-age tutors
- Simplify and repeat instructions about in-class and homework assignments

#### **Evaluation Accommodations**

- Limit the amount of material presented on a single page
- Provide a sample or practice test
- Provide a printed copy of test tools and allow for color-coding/highlighting

#### **Common misuses of the Section 504 Review Request and Eligibility Determination process include the following:**

- A parent and/or doctor presents the school with a disability diagnosis, and a Section 504 Accommodation Plan is written without first determining if the disability causes a substantial limitation of a major life activity.
- A plan is written in case a student needs an accommodation in the future. 504 plans are for students who currently have a disability that substantially limits a major life activity, and that disability requires accommodations to ensure equal access to education.
- A student is placed on a Section 504 Accommodation Plan solely because the parent wants the student to have additional time on college-qualifying examinations (e.g. State Assessment, ACT, SAT).
- A student fails to qualify for special education support and is automatically signed up for a Section 504 Accommodation Plan without first qualifying based on Section 504 criteria.
- A student is automatically placed on a Section 504 Accommodation 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 Section 504 Accommodation 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.

#### **Roles and Responsibilities**

##### ***Eligibility Determination Team***

In order to determine eligibility for Section 504 services, the SIT team and staff who are familiar with the student must evaluate pertinent information, and the results must be shared at a team meeting in which parents or caregivers are involved.

A Section 504 SIT team must consist of educators who

- know the student or
- have expertise in the student's area of suspected impairment, or

- who are familiar with interpreting test results and evaluative data, or
- Who is familiar with the accommodations and services offered by the district

Section 504 services are to be documented in the student file and reviewed periodically; modifications in academic requirements and expectations may be necessary to accommodate the needs of an individual student with disabilities and thereby enable him or her to participate in the general education program.

The membership of the Section 504 Eligibility Determination Team includes core members with additional members flexibly determined based upon the nature of the disability and accommodations considered.

### ***Parents***

Parents should be encouraged to share concerns with the school early. If a Section 504 meeting about the student is held, parents should be notified. Parents may be contacted to provide information on their student to help gain insight into the student outside of school. Parents should encourage their children to work with school staff. When appropriate, parents need to work with other agencies. Work with the school to resolve issues.

Current Office of Civil Rights (OCR) guidelines require that parents receive prior notice of a Section 504 Eligibility meeting. However, it is not necessary to secure parental consent in order to conduct an initial eligibility review meeting. Parent permission is to be secured before administering any diagnostic evaluations designed to determine Section 504 eligibility. **However, the Louisa-Muscatine CSD believes it is imperative to get parental consent to conduct a review.**

### **Review**

An Eligibility Determination Team review of active Section 504 Accommodation Plans should occur annually, with more frequent reviews occurring as needed.

### **Suspension and/or Expulsion**

It is necessary to conduct a manifestation determination meeting for a student qualifying for Section 504 Accommodations when the suspension or expulsion will be for more than 10 consecutive or cumulative school days. A suspension/expulsion of more than 10 consecutive or cumulative 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 Section 504 Accommodation Plan.

The SIT team is involved in a manifestation determination meeting and needs to be knowledgeable about the student and the meaning of the data being reviewed. When possible, convene those individuals who designed the student's Section 504 Accommodation 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.

The purpose of this meeting is to determine whether the student's alleged misconduct is a manifestation of the student's educational disability by following the Section 504 Manifest Determination Review protocol. It is not an opportunity to dispute the alleged misconduct or disciplinary action.

### **Section 504 Plan Termination**

The first step in terminating a Section 504 Accommodation Plan is for the SIT Team to review current student needs 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 SIT Team is to complete a Section 504 Accommodation Plan Termination form. This completed form is attached to the front of the existing Section 504 Accommodation Plan and kept in the student's cumulative file to support the future efforts of staff who might need to consider some type of future intervention for the student.

### **Confidentiality**

The confidentiality of student records is addressed in both state and federal law. The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age certain rights with respect to student education

records and provides guidelines for the maintenance of confidentiality. It is the responsibility of educators involved in Section 504 processes and activities to adhere to the requirements for confidentiality.

### **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.

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

The District's 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 SIT team conducts a preliminary review to determine the nature of the student's needs. If it is determined that the student should go through a 504 eligibility meeting, then appropriate staff members meet and conduct the meeting.

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. The SIT 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) the District 504 Coordinator, parents/guardians, teachers, SIT team members, counselors, related service providers, other school staff and administrators, and staff from community agencies. Parents/guardians may be included in this process whenever necessary. 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 SIT Team may administer and use other formal and informal measures as deemed necessary.

## Due Process

The best solutions to address concerns occur at the school level. Therefore, the first step in ensuring due process and resolving a complaint involves the parent, guardian individual working informally with the School Administrator, School Coordinator, and/or other appropriate staff to reach a joint resolution of the issue. If a parent, guardian, or individual disagrees with the determination made by the SIT Team, he/she has a right to due process by submitting a completed Section 504 Complaint Form to the School Administrator of the student's school of attendance. The School Administrator will respond in writing within ten working days.

If the complaint is not resolved at the school level, the parent, guardian or individual may submit a copy of the Section 504 Complaint Form to the District Section 504 Coordinator within 15 days of the alleged event. Following an investigation and meeting with the parent, guardian, or individual and the Eligibility Determination Team, a written report regarding action to be taken will be sent to all involved parties within a reasonable time.

If informal discussion fails to resolve the concern, a Section 504 Complaint Form can be filed. The principal or immediate supervisor will respond in writing within ten (10) working days.

If the complaint is not resolved, the complainant may appeal in writing to the Superintendent within five working days after receiving the written report of action to be taken from the District Section 504 Coordinator. The complainant may request a meeting with the Superintendent or her/his designee. The Superintendent or her/his designee has the option of meeting with the complainant to discuss the appeal. A decision by the Superintendent will be made within a reasonable time.

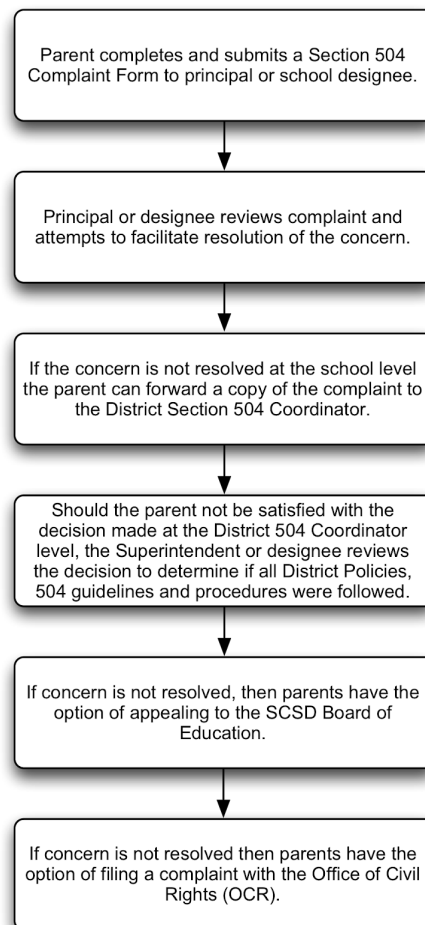
If the concern remains unresolved, the complainant may appeal to the Board of Education within five working days of the receipt of the written report from the Superintendent. It is within the discretion of the Board of Education to determine whether to hear the appeal.

A rejection of services offered under IDEA amounts to a rejection of services under Section 504. A parent cannot compel a placement under Section 504 other than that recommended by the Eligibility Determination Team.

The US Department of Education maintains regional civil rights offices to enforce Section 504 and other civil rights laws. All parents have the right to directly contact their regional Office for Civil Rights (OCR) if they believe their student is being discriminated against based upon disability. Most differences with schools, however, can be resolved before contacting the OCR.

U.S. Department of Education  
Office for Civil Rights, Chicago Office  
500 W. Madison Street Suite 1475  
Chicago, IL 60661

Tel# (312) 730-1560  
Fax# (312) 730-1576  
TDD (312) 730-1609  
[OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov)



***Louisa-Muscatine Community School District***14354 170th St, Letts, IA 52754 · [www.louisa-muscatine.k12.ia.us](http://www.louisa-muscatine.k12.ia.us)

· Secondary 319-726-3421 · Elementary 319-726-3634

**Public Notice**

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibits discrimination against persons with a disability by any institution receiving federal financial assistance. These Acts define a person with a disability as anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities and/or major bodily functions (including caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, reading, concentrating, thinking, sleeping, eating, lifting, bending, communicating and the operation of major bodily functions such as the immune system, normal cell growth, digestive, bowel, and bladder functions);
2. has a record of such impairment, or
3. is regarded as having such an impairment.

In order to fulfill obligations under Section 504, the Louisa-Muscatine Community School District has the responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability should knowingly be permitted in any of the programs and/or practices of the school system.

The school district has responsibilities under Section 504, which include the obligation to identify, evaluate, and if the student is determined to be eligible under Section 504, afford access to appropriate educational services.

A parent may request a form to initiate a referral for any student by contacting the principal of any school or the 504 Coordinator.

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records. This Act gives the parent/guardian or adult student the right to

4. inspect and review his/her child's educational records;
5. make copies of these records;
6. receive a list of all individuals having access to those records;
7. ask for an explanation of any item in the records;
8. ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; and
9. a hearing on the issue if the school refuses to make the amendment.

Contact the Louisa-Muscatine Community School Section 504 Coordinator for further information.

Amy Wedeking

Elementary Principal/504 Coordinator Elementary  
14506 170th St., Letts, IA 52754

Phone 319-726-3634

Email [awedeking@lmcsd.org](mailto:awedeking@lmcsd.org)

Amy Underbakke

Student Services Coordinator

Section 504 Coordinator

Louisa-Muscatine Community School District  
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· Secondary 319-726-3421 · Elementary 319-726-3634

**Section 504 Eligibility Initial Request**

Student: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Grade: \_\_\_\_\_ School: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State/Zip: \_\_\_\_\_  
 Parents: \_\_\_\_\_ Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

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.

The eligibility for Section 504 is defined as a person with a disability as anyone who:

1. has a mental or physical impairment that substantially limits one or more major life activities and major bodily functions. (Major life activities and major bodily functions includes caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working, reading, concentrating, thinking, sleeping, eating, lifting, bending, communicating, functioning of the immune system, normal cell growth, digestive, bowel, and bladder functions);
2. has a record of such impairment, or
3. is regarded as having such an impairment.

If you believe that a student may be eligible for Section 504 accommodations, please complete the section below and submit the signed form to the student's school principal or School 504 Coordinator.

Check all major life activities and/or major bodily functions limited by the mental or physical impairment specified above:

☐ seeing      ☐ hearing      ☐ caring for oneself      ☐ breathing      ☐ walking      ☐ learning/school  
☐ manual tasks      ☐ working      ☐ social/emotional/behavioral      ☐ none      ☐ reading      ☐ concentrating  
☐ thinking      ☐ sleeping      ☐ eating      ☐ lifting      ☐ bending      ☐ communicating      ☐ bladder functions  
☐ functions of the immune system      ☐ normal cell growth      ☐ digestive functions      ☐ bowel functions

**Describe how the impairment limits the student's major life activities and/or major bodily functions:**

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

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

**Please describe the student's concern and how it matches the above criteria for eligibility.**

Signature of person requesting Section 504 review. \_\_\_\_\_ Relationship to student: \_\_\_\_\_  
 Date: \_\_\_\_\_



## ***Louisa-Muscatine Community School District***

14354 170th St, Letts, IA 52754 · [www.louisa-muscatine.k12.ia.us](http://www.louisa-muscatine.k12.ia.us)  
 · Secondary 319-726-3421 · Elementary 319-726-3634

### **Section 504 Eligibility Determination Meeting Notice**

Student: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Grade: \_\_\_\_\_ School: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State/Zip: \_\_\_\_\_  
 Parent: \_\_\_\_\_ Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

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.

The eligibility for Section 504 is defined as a person with a disability as anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities and/or major bodily functions (including caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, reading, concentrating, thinking, sleeping, eating, lifting, bending, communicating, functioning of the immune system, normal cell growth, digestive, bowel, and bladder functions);
2. has a record of such impairment; or
3. is regarded as having such an impairment.

The school Section 504 Eligibility Determination Team is in the process of planning an eligibility meeting for your child. The purpose of this meeting is to determine whether your child is eligible for accommodations that will better ensure his/her access to services, programs, and/or school activities.

Meeting date/time: \_\_\_\_\_ Meeting location: \_\_\_\_\_

Meeting type: ☐ Initial ☐ Review ☐ Other \_\_\_\_\_

Team Member's	Relationship with Student
1.	*
2.	*
3.	*
4.	*
5.	*
6.	*

The SIT Team invites you to participate in this meeting as part of the eligibility team. Please indicate your intention to participate by signing and returning this completed form to your child's school. If you have questions or need more information please contact your child's school principal.

Signature of parent(s)/guardian(s) attending Section 504 Eligibility Determination Team meeting.

1. \_\_\_\_\_ Date \_\_\_\_\_
2. \_\_\_\_\_ Date \_\_\_\_\_



# Louisa-Muscatine Community School District

We Value, We Challenge, We Prepare each and every student.

## Section 504 Notification Letter to Parents

**Superintendent**  
**Anthony Ryan**  
[aryan@lmcsd.org](mailto:aryan@lmcsd.org)

**Director of Instruction**  
**Amy Lantigua**  
[alantigua@lmcsd.org](mailto:alantigua@lmcsd.org)

**Business Manager**  
**Charles Domer**  
[cdomer@lmcsd.org](mailto:cdomer@lmcsd.org)

**High School/ Junior High Principal**  
**David Janzen**  
[djanzen@lmcsd.org](mailto:djanzen@lmcsd.org)

**Elementary Principal**  
**Aimee Wedeking**  
[awedeking@lmcsd.org](mailto:awedeking@lmcsd.org)

**Activities Director**  
**Ken Spielbauer**  
[kspielbauer@lmcsd.org](mailto:kspielbauer@lmcsd.org)

**Web site:**  
<http://www.lmcsd.org>

The Louisa-Muscatine Community School District does not discriminate in its educational programming and activities based on a student's disability. We have reason to suspect that (Student Name) may have a physical or mental impairment that substantially limits a major life activity.

We will be convening our Student Intervention Team and all relevant teachers to determine whether accommodations may need to be made to meet their 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 your input.

Once the information has been reviewed, we will schedule a meeting with you to discuss our findings that may or may not support moving forward with a 504. Please contact Aimee Wedeking at the Elementary School and Amy Underbakke at the Jr./Sr. High School with any questions or concerns.

Parents and students have specific rights under Section 504 of the Rehabilitation Act of 1973. These rights are attached to this letter.

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

Aimee Wedeking  
14506 170th Street Letts, IA 52754  
[awedeking@lmcsd.org](mailto:awedeking@lmcsd.org)

Amy Underbakke  
14354 170th Street Letts, IA 52754  
[aunderbakke@lmcsd.org](mailto:aunderbakke@lmcsd.org)

Date:

Student Name:

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

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

Comments: \_\_\_\_\_

Parent Signature: \_\_\_\_\_

**Central Office**  
14478 170<sup>th</sup> Street  
Letts, Iowa 52754  
319.726.3541  
Fax: 319.726.3334

**Jr/Sr High School**  
14354 170<sup>th</sup> Street  
Letts, Iowa 52754  
319.726.3421  
Fax: 319.726.3649

**Elementary School**  
14506 170<sup>th</sup> Street  
Letts, Iowa 52754  
319.726.3634  
Fax: 319.726.4600

**PARENT QUESTIONNAIRE FOR EVALUATION**

Student: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Grade: \_\_\_\_\_ School: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State/Zip: \_\_\_\_\_  
 Parent: \_\_\_\_\_ Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

1. What do you feel are your child's strengths (talents, hobbies, etc) and areas of weakness (areas they get frustrated with or areas you feel they need to improve in?)

2. How do you feel your child learns best? (What kind of situation makes learning easiest? )

3. Please describe educational skills that your child practices at home regularly (e.g., reading independently or with a parent, doing homework or extra practice at home independently or with a parent, using a computer, coloring, drawing, building, designing, doing something musical, etc.)

4. Does your child have any behaviors that are of concern to you? (e.g. argues, refuses to do homework, is easily distracted, is impulsive) (If so, please describe the behavior(s). How do you deal with behaviors at home (Consequences/positive reinforcement)

5. Please list any other information that would help us gain a better understanding of your child.

6. Does your child take medication? Yes\_\_\_No\_\_\_ Do they take it regularly? Yes\_\_\_No\_\_\_  
 7. Optional: Provide available medical information including a written diagnostic statement and copies of any/all reports you would like the District to consider.

\_\_\_\_\_  
 Parent's Signature

## Parental Consent/Release of Information

Student: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Grade: \_\_\_\_\_ School: \_\_\_\_\_  
 Address: \_\_\_\_\_ City: \_\_\_\_\_ State/Zip: \_\_\_\_\_  
 Parent: \_\_\_\_\_ Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

### CONSENT TO OBTAIN AND RELEASE INFORMATION:

I authorize the following agency to share information for this student's participation in educational programming and services.

Name/Agency: \_\_\_\_\_ Individual/Position: \_\_\_\_\_

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

I authorize the above-listed individual/agency to share both written and oral information regarding the student's needs and the 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.

_____ Signature	_____ Date	_____ Relationship to Student	_____ Expiration Date
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### 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: _____

Contact the Louisa-Muscatine Community School Section 504 Coordinator with information and consent form.

Aimee Wedeking  
 Elementary Principal/Elementary 504 Coordinator  
 14506 170th St., Letts IA 52754

Phone 319-726-3634  
 Email [awedeking@lmcsd.org](mailto:awedeking@lmcsd.org)

Amy Underbakke  
 Student Services Coordinator  
 Section 504 Coordinator  
 Louisa-Muscatine Community School District  
 14354 170th St. Letts, IA 52754

Phone 319-726-3421  
 Email [aunderbakke@lmcsd.org](mailto:aunderbakke@lmcsd.org)

***Louisa-Muscatine Community School District***14354 170th St, Letts, IA 52754 · [www.louisa-muscatine.k12.ia.us](http://www.louisa-muscatine.k12.ia.us)

· Secondary 319-726-3421 · Elementary 319-726-3634

**Section 504 Complaint Form**

Student: \_\_\_\_\_ Date of birth: \_\_\_\_\_ Grade: \_\_\_\_\_ School: \_\_\_\_\_  
 Address: \_\_\_\_\_ Email Address: \_\_\_\_\_ City: \_\_\_\_\_ State/Zip: \_\_\_\_\_  
 Grievant: \_\_\_\_\_

The Louisa-Muscatine Community School District pledges compliance with Section 504 regulations and that no discrimination on the basis of disability is permitted in the programs or activities of the District. If you believe that discrimination has occurred against a student because of a disability, please complete, sign, and submit this form to the student's school administrator.

Describe the alleged violation of Section 504 in specific terms. Include 1) the specific incident or activity that is viewed as discrimination; 2) the individuals involved; 3) dates, times, and locations involved; and 4) attach any other necessary documentation

Describe any communication that has already occurred, with whom and when to address the issue.

Describe the proposed resolution of this issue.

Grievant Signature: \_\_\_\_\_ Date \_\_\_\_\_

Staff Signature \_\_\_\_\_ Date \_\_\_\_\_

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

Administrator Signature: \_\_\_\_\_ Date \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date \_\_\_\_\_

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

## 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 of the* 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 on 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 limited* requirement is met.

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

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

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

- Will the impairment be of such a short duration as to not cause significant problems?
- Will the impairment cease to impact 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?