

**The Americans with Disabilities Act Amendments Act,
Section 504 of the Rehabilitation Act,
and Public Schools**



A Handbook for Educators

**UNION COUNTY PUBLIC SCHOOLS
NORTH CAROLINA
2021-2022**

In compliance with federal law, Union County Public Schools administers all educational programs, employment activities and admissions without discrimination against any person on the basis of gender, race color, religion, national origin, age, or disability.

MESSAGE FROM THE DISTRICT SECTION 504 COORDINATOR

The Americans with Disabilities Act Amendments Act (ADAAA) and Section 504 of the Rehabilitation Act of 1973 (Section 504) are civil rights laws that prohibit discrimination based on disability. Students eligible under Section 504 are entitled to an appropriate education with the provision of accommodations that are designed to meet the individual needs of the student with the disability as adequately as the needs of nondisabled students are met. Section 504 Accommodation Plans are developed to provide the student with a disability an equal opportunity for success.

The purpose of this handbook is to provide parents and school personnel with an overview of Section 504 and the ADA, and specific, practical guidelines for schools to use when working with children who are eligible for protections and services under Section 504 and the ADA.

Dr. Wendy Gravely
District Coordinator for Section 504 & Compliance

***For Section 504 and/or ADA issues related to employment within UCPS, please contact Dr. Bashawn Harris, Assistant Superintendent for Human Resources.**

OVERVIEW OF SECTION 504

Section 504 of the Rehabilitation Act is major federal legislation that impacts entities that receive federal funding. It is civil rights legislation for persons with disabilities, designed to prevent any form of discrimination based on disabilities, who are otherwise qualified or protected.

Definition of Disability under Section 504

Under Section 504, a person is considered to have a disability if that person (34 C.F.R. 104.3 (j)):

- (1) has physical or mental impairment which substantially limits one or more such person's major life activities or bodily functions
- (2) has a record of such impairment, or
- (3) is regarded as having such an impairment.

The Act defines a physical or mental impairment as:

- 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; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin and endocrine; or
- b. any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Major life activities include: Caring for one's self, performing manual tasks, walking, breathing, seeing, hearing, speaking, learning, working, reading, concentrating, thinking, sleeping, eating, lifting, bending and communicating.

Bodily functions include: the immune system, normal cell growth, digestive, bowel, and bladder functions, respiratory function, circulatory function, endocrine function, reproductive function, brain and neurological function.

Episodic conditions or those that are in remission would be considered a disability if the condition would substantially limit a major life activity or bodily function when active.

Section 504 does not cover students with learning problems which are attributable to economic, environment and/or cultural disadvantages. Mitigating measures cannot be used to find a child ineligible for services under Section 504 with the exception of ordinary corrective and contact lenses.

Temporary or transitory impairments are not covered unless the impairment is substantial when considering factors such as the anticipated duration (i.e. generally should last in excess of six (6) months) and extent to which there is a limitation on a major life activity.

Some disabling conditions identified in court decisions include: impulse control disorder, school phobia, intermittent explosive disorder, anxiety disorder, AIDS, HIV, Hepatitis B, chronic fatigue syndrome, oppositional defiant disorder, post-traumatic stress disorder and obsessive-compulsive disorder.

INFORMATION AND RIGHTS REGARDING SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 is an Act which prohibits discrimination against persons with a handicap in any program receiving Federal financial assistance. The Act defines a person with a disability as anyone who:

1. has a mental or physical impairment, which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.
2. has a record of such impairment; or
3. is regarded as having such an impairment

In order to fulfill its obligation under Section 504, the Union County Public Schools recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability will knowingly be permitted in any of the programs and practices in the school system.

The school district has specific responsibilities under the Act, which include the responsibility to identify, evaluate, and if the child is determined to be eligible under Section 504, to provide appropriate educational services.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing officer.

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

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

Determining Eligibility for Students with Individual Health Care Plans

Students with Individual Health Plans may be eligible for Section 504 services because of the ADA Amendments Act eligibility standards. Prior notice procedures should be included in yearly district processes in order to provide parents of students with these plans the option of consideration for Section 504 eligibility.

Students with Transitory Impairments and Section 504

A transitory impairment is an impairment with an actual or expected duration of six months or less. A transitory impairment does not constitute a disability for purposes of Section 504 unless its severity is such that it results in a substantial limitation of one or more major life activities for an extended period of time.

The issue of whether a transitory impairment is substantial enough to be a disability must be resolved on a case-by-case basis with respect to each individual student, taking into consideration both the duration (and expected duration) of the impairment and the extent to which the impairment limits one or more major life activities of the affected student. Eligibility decisions are made by a school-based committee, which includes persons knowledgeable about the student.

On a case-by-case basis where appropriate documentation exists, students who are identified with a transitory impairment (i.e., not Section 504-eligible) may receive testing accommodations. As with all testing accommodations, accommodations that are being considered for use during testing must be used routinely during instruction and similar classroom assessments when possible. Approved accommodations for students identified with transitory impairments include those accommodations that are approved for use by Section 504-eligible students. The need for accommodations must be documented prior to testing. Copies of this documentation must be kept at the school and made available to test coordinators. Those administering tests with accommodations must be trained prior to the administration by the school system test coordinator or designee in the use of the specified accommodations.

How Is an Appropriate Education Defined?

USDOE says the following about the right to FAPE under Section 504:

An appropriate education may comprise education in regular classes, education in regular classes with the use of related aids and services, or special education and related services in separate classrooms for all or portions of the school day. Special education may include specially designed instruction in classrooms, at home, or in private or public institutions, and may be accompanied by related services such as speech therapy, occupational and physical therapy, psychological counseling, and medical diagnostic services necessary to the child's education.

Section 504 and Food Allergies

Children protected under Section 504 are commonly those with ADD, ADHD, OCD, Diabetes, AIDS, Asthma (that does not affect educational performance) and allergy just name a few. The criteria by which a child with severe food allergy is eligible for protection under Section 504 is that the physiological condition / disorder of food allergy affects the respiratory, digestive, cardiovascular and skin body systems. The physical impairment of food allergy could substantially limit breathing during an anaphylactic reaction. In addition, the U.S. Office for Civil Rights U.S., Department of Education formally recognizes “allergy” as a “hidden disability.”

Are All Students with Food Allergies Eligible For 504 Plans?

Likely not. In order to be considered eligible for a 504 Plan, a student must have a condition that "substantially limits one or more major life activities". In order to determine eligibility, students are evaluated by the school district prior to creating the 504 Plan (if students are denied 504 Plan protection, parents have the option to appeal the ruling).

The factors the school district considers in evaluating the student includes the severity of the condition and the student's ability to provide self-care. Thus, a kindergarten student with an anaphylactic peanut allergy who cannot yet read would almost certainly be considered eligible under the terms of the law; a high school student of normal intelligence with a milk allergy whose major symptom is rhinitis likely would not.

In making the eligibility determination, the 504 Team will rely on medical information. As a result, the parent may be asked to obtain specific medical information or medical recommendations from his/her child's allergist and/or pediatrician for the Team to review.

**NOTICE OF PARENT AND STUDENT RIGHTS/
PROCEDURAL SAFEGUARDS**

Section 504 of the Rehabilitation Act of 1973 is a non-discrimination statute barring discrimination on the basis of one's disability. Section 504 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 in any program or activity receiving Federal financial assistance.* School districts are required to establish and implement procedural safeguards that include notice, an opportunity for parents to review relevant records, an impartial hearing with opportunity for participation by the student's parents or guardian, representation by counsel and a review process. Under Section 504, a person is considered disabled if s/he suffers from a physical or mental impairment that substantially limits one or more major life activities, including but not limited to learning, walking, breathing, eating, working, and seeing.

The purpose of this notice is to inform parents and students of their entitlement to the following rights under Section 504:

1. You have a right to be informed by the school district of your rights under Section 504. (The purpose of this document is to advise you of those rights.)
2. Your child has the right to a free appropriate public education designed to meet his/her individual educational needs as adequately as the needs of non-disabled students are met.
3. Your child has the right to free educational services except for those fees that are imposed on non-disabled students or their parents.
4. Your child has a right to be educated with children who are not disabled, to the maximum extent appropriate.
5. Your child has a right to facilities, services, and activities that are comparable to those provided for non-disabled students. This right includes your child's right to be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district.
6. Your child has a right to an evaluation prior to an initial Section 504 placement and any subsequent significant change in placement. You also have the right to request such an evaluation. Any student who needs, or is believed to need, accommodations and/or related services under Section 504 must be referred to the Section 504 Committee for evaluation.
7. You have the right to receive notice and offer consent with respect to decisions regarding formal identification, evaluation, and placement of your child.
8. Evaluation and placement decisions must be made by a group of persons (i.e., the Section 504 Committee), including persons knowledgeable about your child, the meaning of the evaluation data, the placement options, and the legal requirements for least restrictive environment and comparable facilities.
9. If eligible under Section 504, your child has a right to periodic formal or informal re-evaluations, occurring at minimum every three years.
10. You have the right to notice prior to any action by the district in regard to the identification, evaluation, or placement of your child.
11. You have the right to examine relevant records and documents regarding your child.
12. You have the right to file a grievance if you believe that your child is being discriminated against on the basis of a disability. You may file a grievance with the district's Section 504 Coordinator (or designee), who will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution. Please also see UCPS Board Policy 4-7.

The Section 504 Coordinator for the Union County Public Schools is:

Dr. Wendy Gravely
Union County Public Schools
400 North Church Street
Monroe, NC 28112
Phone: 704-296-6389
wendy.gravely@ucps.k12.nc.us

13. If you disagree with the Section 504 Coordinator's resolution of your grievance, you have a right to file an appeal of the Section 504 Coordinator's decision with the Superintendent or his or her designee. The appeal must be made in writing within 15 business days of receiving the District Section 504 Coordinator's response to the Executive Director – Office of Academics. The request should be submitted to:

Dr. Jonathan Bowers
Union County Public Schools
400 North Church Street
Monroe, NC 28112
Phone: 704-296-0840
jonathan.bowers@ucps.k12.nc.us

14. If you disagree with the response issued by the Superintendent or Superintendent's designee, you have the right to file an appeal in accordance with the Union County Public Schools Board of Education Policy 4-18 to the Board of Education.
15. You have the right to an impartial due process hearing before an impartial Hearing Officer if you wish to challenge an action or omission with regard to your child's **identification, evaluation, or educational placement** under Section 504. You and your child have the right to participate, speak, and present information at the hearing, and you have the right to be represented by counsel, or any other type of advocate or representative at your expense. The written request for an impartial due process hearing may be made on a form provided by Union County Public Schools for that purpose and submitted to the Executive Director – Office of Academics. The Superintendent's designee is:

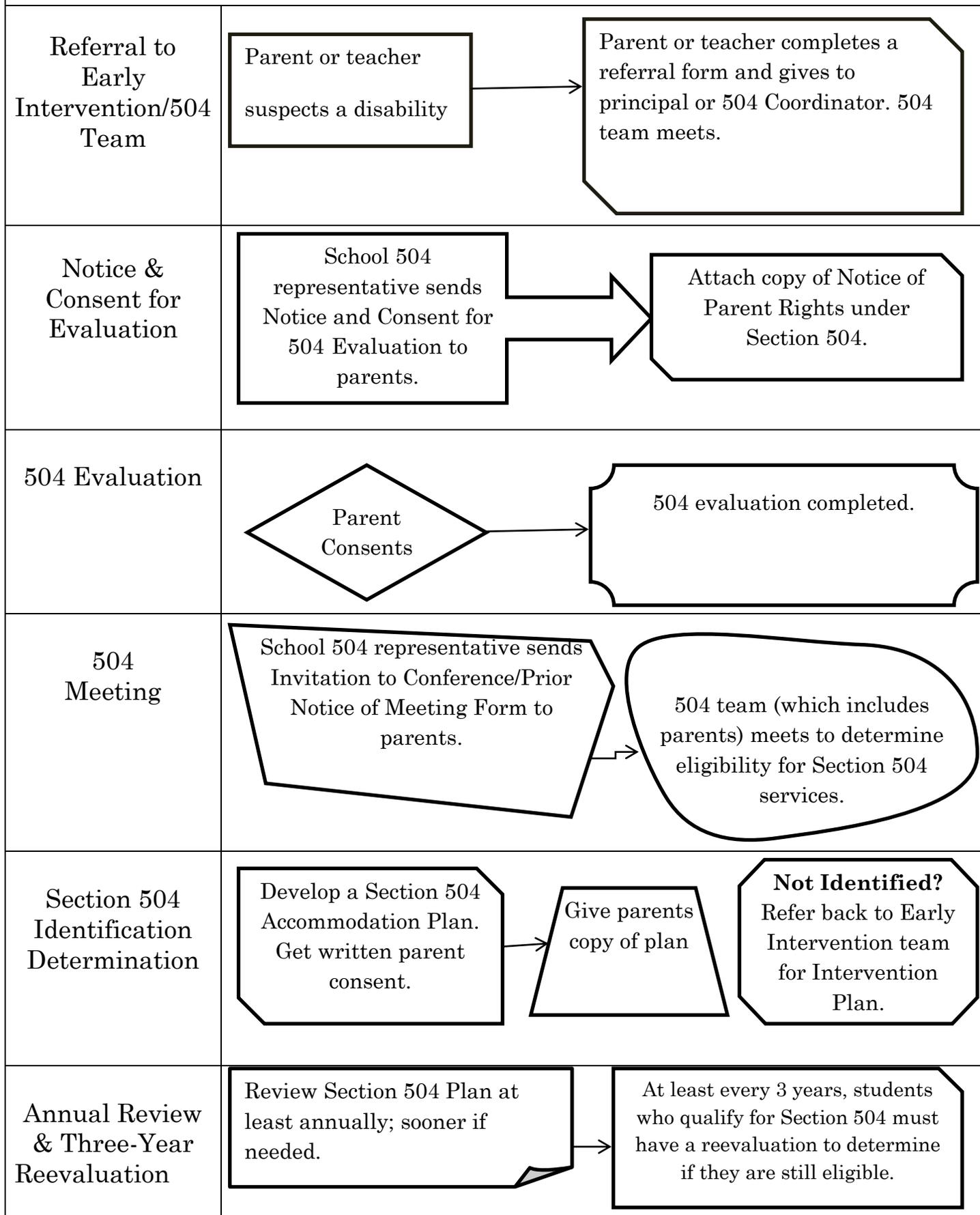
Dr. Jonathan Bowers
Union County Public Schools
400 North Church Street
Monroe, NC 28112
Phone: 704-296-0840
jonathan.bowers@ucps.k12.nc.us

16. You also have a right to file a complaint with the Office for Civil Rights, U.S. Department of Education:

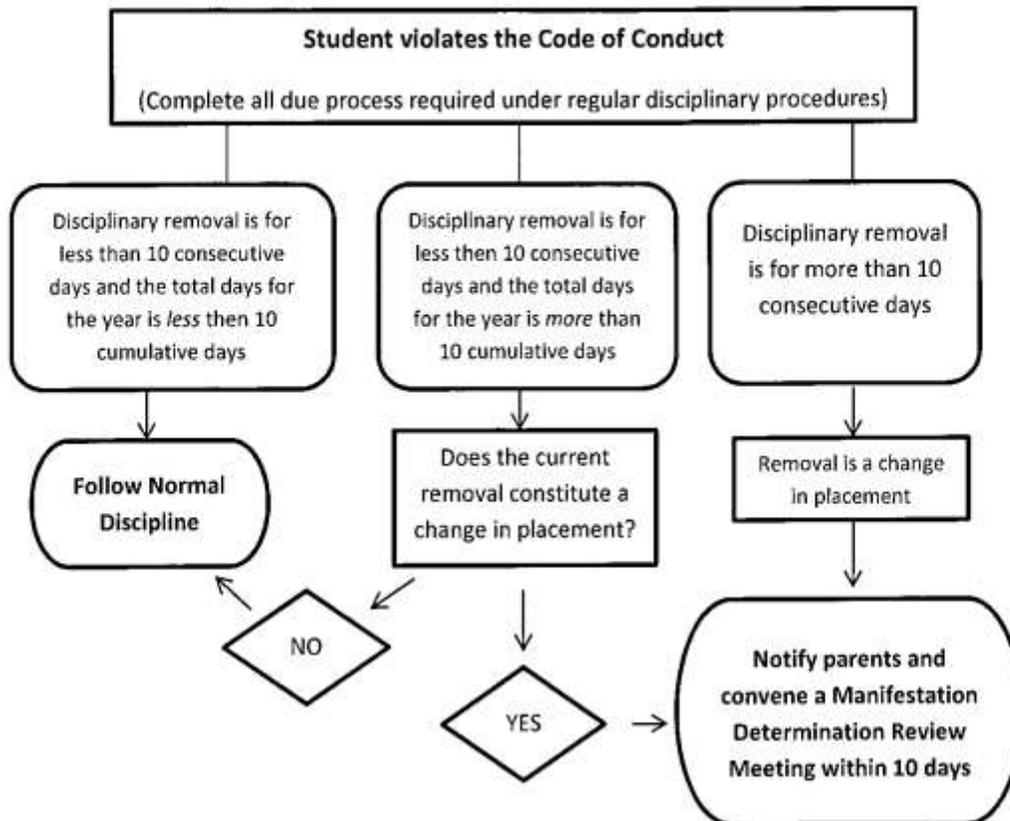
400 Maryland Avenue, SW
Washington, D.C. 20202-1475
Telephone: 202-453-6020
FAX: 202-453-6021; TDD: 877-521-2172
Email: OCR.DC@ed.gov

In compliance with federal law, Union County Public School system administers all educational programs, employment activities, and admissions without discrimination because of race, religion, national or ethnic origin, color, age, military service, disability, or gender, except where exemption is appropriate and allowed by law.

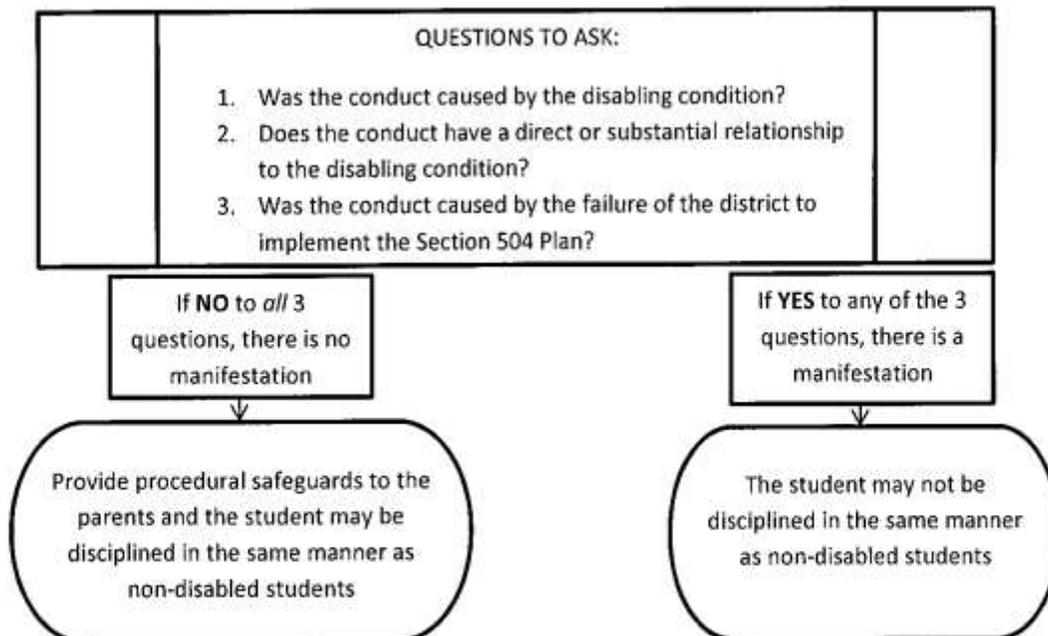
GENERAL OVERVIEW OF SECTION 504 PROCESS



Discipline of Students with Section 504 Plans



Manifestation Determination Review Meeting*



*Under Section 504, the student *is not* entitled to a manifestation determination if the student is currently engaging in the illegal use of drugs including alcohol. SECTION 504 PROVIDES THAT "LOCAL EDUCATION AGENCIES MAY TAKE DISCIPLINARY ACTION PERTAINING TO THE USE OR POSSESSION OF ILLEGAL DRUGS OR ALCOHOL AGAINST ANY STUDENT WITH A DISABILITY WHO IS CURRENTLY ENGAGING IN THE USE OF DRUGS OR ALCOHOL TO THE SAME EXTENT THAT SUCH DISCIPLINARY ACTION IS TAKEN AGAINST STUDENTS WHO ARE NOT DISABLED."

504 Team Review for Long Term Suspension Procedures

Under the Rehabilitation Act of 1973, students with disabilities/504 accommodations are entitled to a meeting called **Manifestation Determination**. In other words, when a student with a Section 504 Plan is recommended for long term suspension, or has a series of short term suspensions which result in a change in placement, we have a meeting (Manifestation Determination) to determine if the conduct resulting in the suspension is a manifestation of their disabling condition. *Under Section 504, the student is not entitled to a manifestation determination if: (1) the student's misconduct involves the use or possession of illegal drugs or alcohol; and (2) the student is currently engaging in the illegal use of drugs or the use of alcohol. In such instances, the student may be disciplined in the same manner as a non-disabled student would be disciplined for the use or possession of illegal drugs or alcohol.

1. **Due process procedures for discipline are followed (i.e. investigation, student opportunity to be heard, written notice of the charges, etc.).**
2. **Notify the office of the appropriate Director of School Performance.**
3. **Call the District 504 Coordinator and parent to schedule a Manifestation Determination meeting within 10 days of the suspension. The District 504 Coordinator will conduct the Manifestation Determination meeting and complete the required forms.**
4. **Send home the Invitation to Conference for a Manifestation Determination meeting.**

General Section 504 Information

Goal: To collaborate as a school district to ensure that we are providing 504 Accommodations for eligible students. Also, our goal is to collaborate with parents/guardians to inform them of Section 504 and make decisions in the best interest of students.

- **Questions?** If you have a question about a 504 Plan, discuss it with your principal/assistant principal and 504 Committee before calling the District 504 Coordinator.
- **Training:** Section 504 Coordinators and/or Administrators shall train staff on Section 504 compliance and updates. When training staff, help them understand the basics of Section 504, including the purpose of the law, child find obligations and the FAPE obligation. Inform them about behavioral and learning styles typically associated with certain disabilities, such as ADHD. Make sure they know that a 504 team must come together before a student can receive Section 504 accommodations. Finally, help teachers understand the types of events or conditions that trigger an initial evaluation. Each licensed staff member shall be trained in Section 504 during staff meetings or small group meetings. It is advised that teacher assistants and nurses attend this training. Send a copy of the agenda and sign-in sheet from this training to Dr. Wendy Gravely, District Section 504 Coordinator.
- **504 Committee consists of at least the following people: Parents/Guardians, Administrator(s), 504 Coordinator, and all Current/Regular Classroom Teacher(s). Other appropriate personnel may also be invited to attend.** At the elementary level, the classroom teacher and other special area teachers (Music, Art, PE, Media, etc.) may also need to attend. At the middle and high school levels, all current teachers should attend. If all current teachers cannot attend, please ensure that you have documentation from the teacher regarding the implementation of the 504 Plan and the student's progress in class. The

school nurse and a transportation representative should also be invited to the meeting if the accommodations are for medical purposes.

- **Review Meetings:** At the middle and high school levels, review meetings should take place once each semester. **This is not an annual review of the 504 Plan; it is a staff meeting to ensure that all teachers are aware of their obligations under the 504 Plan.**
- **Yearly Reviews:** A 504 Plan should be reviewed each year with the 504 Team which consists of the Parent/Guardian, 504 Coordinator, Current/Regular Classroom Teacher(s), and Administrator(s). Other appropriate people should be invited to the meeting. Don't forget those students who are 504 eligible but may not need accommodations or have an Accommodations Plan.
- **3rd Year Reevaluations:** A 504 Plan should be reevaluated every **three years**. The 504 committee will determine if the child needs to continue with the plan.
- **Student/Parent Handbook:** At the meeting, please review the *Handbook for Students and Parents* with Parents/Guardians and inform staff of new changes to Section 504. **ALWAYS, ALWAYS, ALWAYS** offer and provide a handbook to parents/guardians. Document receipt or refusal of handbook.
- **Paperwork:** Make sure all student information is accurate (date of birth, full legal name, school, etc.). Please SPELL CHECK your work.
- **Accommodations:** There are two types of accommodations: Instructional and Testing. In order for a student with disabilities to be eligible to receive a testing accommodation, it must be documented in the student's current Section 504 Plan. Accommodations must be routinely used during instruction and on similar classroom assessments that measure the same content. Be specific when writing accommodations. For example, one modification might be 30 minutes extra time to complete work. **TEACH** the way you **TEST**: **TEST** the way you **TEACH**. In order to allow sufficient time for the testing accommodations to be considered routinely used, there should be no additions/changes made to the testing accommodations in the Section 504 Plan just prior to testing, unless the student's eligibility status has changed (i.e. the student exits the EC identification). This ensures that students have experience using the accommodations during instruction and similar classroom assessments prior to testing.
- **30-Day State Implementation Rule:** If a student does not have at least 30 calendar days prior to the test date to use the accommodation, then the use of the accommodation cannot be considered "routinely used" during instruction or similar classroom assessments. **If a student is newly identified as having a disability and it is just prior to testing, any testing accommodations that are documented and implemented should have been used as intervention prior to identification.** The use of testing accommodations that are not routinely used during instruction or similar classroom assessments is a misadministration and results in invalid test scores. Instructional accommodations can and should be used/changed as appropriate. Please ensure that parents are aware that for any 504 Plans written within the 30-day testing window that the accommodations will not be implemented for the upcoming testing cycle. Questions regarding these dates should be directed to Dr. Wendy Gravely, District Coordinator for Section 504 & Compliance at 704.296.6389.
- **504 Accommodation Plan and Testing Modification Sheets:** Testing modifications sheet and the 504 Accommodation should have matching dates (Yearly Reviews, Initial Plan, 3rd Year Reevaluation, etc.). During testing, test administrators must monitor accommodation usage by completing the *Review of Accommodations Used During Testing* monitoring forms. The completed forms will provide valuable information during annual meetings to determine the instructional and testing accommodations students need to receive.
- **Manifestation Determination Meetings:** Under the Rehabilitation Act of 1973, students with disabilities/504 accommodations are entitled to a meeting called Manifestation Determination. In other words, when a student with a 504 is recommended for long term suspension, we have a suspension review meeting (Manifestation Determination) to ascertain if the conduct being considered is related to their disability. Please call the District 504 Coordinator at 704-296-6389 before scheduling

manifestation determination meetings to confirm the meeting date. The District Coordinator will conduct the meeting and complete required documents.

- **EC Exit:** If a student has been reevaluated in the EC program and it is in the month of April and/or May, please contact the EC Program Specialist assigned to your school if you feel the child needs modifications for the EOG/EOC.
- **Cum Folder Notice:** If a student has a 504 plan, please place a note (copied on cherry colored paper) in the cumulative folder. The note should read as follows: Please See Student's Section 504 Folder.
- **Folder Location:** Please have a designated location where 504 information/folders will be contained in the building. ALL folders (active and inactive) should be kept at your school site in a secure location.
- **Out-of-State and Out-of-County 504 Plans:** Please meet with the parents/guardians within 10 days of receiving the 504 Plan/Folder. Please follow procedures to conduct the Section 504 meeting and complete the required documents in ECATS.
- **Parent Referral:** If it is a parent referral, please remind the parent that the child must be determined to meet the disability definition in Section 504 and the ADA, including whether or not the child has a disability that results in a substantial limitation of a major life activity or bodily function. Although the determination of whether or not a disability substantially limits a major life activity is subjective, school personnel must use their professional judgment, collectively, to make this determination. **The Section 504 Team determines eligibility, not physicians, psychologists, or other professionals who may diagnose a disability or condition.**
- **Initiate Section 504 referral under these conditions:** Section 504 states that a district must conduct an evaluation of students "who, because of handicap, need or are believed to need special education and related services." 34 CFR 104.35(a). Here are some specific circumstances that could trigger your duty to refer a student for an evaluation:
 - Student has an impairment of any kind.
 - Parent requests an evaluation or a 504 plan.
 - Student transfers from another district with a plan.
 - Administrators are considering suspension or expulsion.
 - Academic performance is lower than expected.
 - Student is evaluated under the IDEA and found ineligible.
 - Student exhibits a chronic medical problem, including allergies.
 - Student is chronically absent because of medical or health issues.
 - Student receives medication on school grounds

Adapted from: *Student Access, A Resource Guide for Educators*; CASE (2006)

Source: James McKethan, education consultant.

- **Alternative Parent Contacts:** If the parent refuses to meet with the 504 team or you are unable to contact the parent, then meet with your principal to determine an alternative contact. For example:
 - Send a certified letter to the parent inviting them to a conference.
 - Make a home visit. Possibly request that the school's social worker, attendance counselor, teacher, administrator, or other pertinent school personnel visit the home.
 - If the home visit is unsuccessful, meet with the 504 team, determine that the student needs to continue with services, and mail the parent a copy of the plan (certified letter).
 - Consider a phone conference. Please DOCUMENT the conference with the 504 Team (administrator, teachers, and counselors) present.
 - **DOCUMENT** all conversations, mail attempts, etc.
 - **NEVER consider making the 504 Plan inactive because you are unable to contact parents!**

Section 504 Procedure Checklist

Student _____ Grade _____ Student ID # _____

School _____ 504 Coordinator _____

| Required Forms for Initial Evaluation | Date Completed | Completed by (Initials Only) |
|--|----------------|---------------------------------|
| Referral Received | | |
| Prior Notice and Parental/Guardian Consent for Consideration, copy of referral form and Parent/Student Rights handbook sent home | | |
| Signed Parent/Guardian Consent for Evaluation Received | | |
| Parent/Guardian Invitation to 504 Team Meeting Received | | |
| Teacher Input & Progress Monitoring Forms Received | | |
| Physician or Psychologist Statement or Medical Records Received | | |
| Student presented to 504 Team (Meeting scheduled within 10 school days of receiving referral) | | |
| Determination of Eligibility Form Completed Review information regarding impairment; i.e., observations, medical records, teacher input, etc. | | |
| Team Meeting Notes | | |
| The Student is eligible and a Section 504 Plan is developed. All forms in the Section 504 process in ECATS are completed. | | |
| A copy of all signed forms and the meeting minutes are provided to the parent(s). | | |

Section 504 accommodations plans will be reviewed at least annually with the parents/guardians and all those who work with the student. Reevaluation will occur at least every 3 years. At reevaluation, the Determination of Eligibility form will be completed again, and parents/guardians will again receive copies. The team will consist of a group of people knowledgeable of the needs of the student, including the parents/guardians and student (if age appropriate) and of the evaluations.



**NOTIFICATION OF REFUSAL TO USE
SECTION 504**

Justification for District commitment to this documentation:

Unless explicitly stated to the contrary, a related aid or service (accommodation) provided in a Section 504 Plan **is not an option**. Therefore, students **will not** be given the opportunity to choose whether or not to utilize accommodations or modifications. Parents will receive notification if their child refuses to use an accommodation or modification listed on a student's plan. This form is to be sent to parents on each occasion that a Section 504 student **refuses** to use an accommodation or modification.

| | |
|--------------------|-------------|
| Notification Date: | School: |
| Student: | Grade: |
| Teacher: | Student ID: |
| | Subject: |

SECTION 1: Refusal Incident

Your child refused to use the following accommodation / modification listed on his/her current Section 504 plan.

1. Date of Refusal: _____
2. Subject in which refusal occurred: _____
3. Accommodation(s)/Modification(s) Refused: _____
4. Was this a Testing Accommodation(s)? Yes No

Was this test graded? _____

5. Immediate steps taken when refusal occurred: _____
6. Signature(s) of Faculty/Staff/Administrator(s) involved:

| | |
|--|--|
| | |
| | |
| | |
| | |

SECTION 2: Meeting Requested

- To discuss the above incident and clarify or revise the accommodations/modifications on your child's plan, the Section 504 Team is requesting that you and your child meet **with** the Section 504 team.

Date: _____

Time: _____

Location: _____

- If you are unavailable to meet on this time/date, please call the School-Level Section 504 Coordinator, whose contact information is as follows:

Name: _____

Contact Information: _____

- If you, as a parent/guardian, would like to request a Section 504 meeting to discuss these issues and review or revise your child's Section 504 plan, please contact:

Name: _____

Contact Information: _____

Attach a copy of Parent-Student Rights and Procedural Safeguards.

Section 504 –Teacher Input

Student: _____ Grade: _____ Date: _____

Teacher: _____ Subject Taught: _____

Please answer the following questions to assist the 504 Team in determining eligibility for the above-named student.

1. What strengths does this student exhibit in your class?

2. What is the student’s current grade in your course/class?

3. Please check all factors that may account for the student’s current grade if the student is performing below expected grade level:

- Missing Assignments
- Failure to Participate
- Excessive Absences/ Tardiness
- Late Assignments
- Inappropriate behavior

4. List assessment results that may also be affecting this student’s performance (i.e., MAP testing, classroom assessments or tests, BOG testing, etc.).

5. What challenges does this student exhibit in your class?

6. Does this student have testing accommodations? Yes No If yes, please list:

7. List modifications or accommodations that this student utilizes regularly in class.

8. Are there any accommodations or modifications that the student regularly declines or refuses to use?

9. Please list any accommodations or modifications that you have implemented on behalf of this student that is not listed on his/her plan.

10. Include any additional comments or information regarding the student's progress.



Minutes of Section 504 Team Meeting

Student ID: _____ Student Name: _____ Grade: _____
School: _____ Date of Meeting: _____ Time: _____

I. Meeting Purposes/Areas of Concerns

II. Summary of Staff Reports/Comments

III. Summary of Parent/Guardian Reports/Comments

IV. Other Pertinent Information

V. Findings/Conclusions

Team Members Present

| Team Member | Position | Team Member | Position |
|-------------|-----------------|-------------|----------|
| | Parent | | |
| | 504 Coordinator | | |
| | Administrator | | |
| | Teacher | | |
| | Nurse | | |



**Section 504 Physician and/or
Treatment Professional Questionnaire**

| | |
|--|--|
| Name of Student: _____ | Student's Date of Birth: _____ |
| Parent Name: _____ | Student's Grade: _____ |
| Parent Address and Telephone Number: _____ _____ _____ | School Attending: _____ |
| Treating Health Care Professional's Name (Please Print) _____ | Address and Telephone Number: _____ |
| Treating Health Care Professional's Title _____ | _____ _____ |
| I hereby give my permission for the school staff to contact the above Health Care Professional and staff to obtain health care information to better serve my child's health needs if questions arise. | |
| _____ Parent/Guardian | _____ Date |

A referral has been initiated for the above-named student under Section 504 of the Rehabilitation Act of 1973. In order for a student to qualify for special accommodations under Section 504, (s)he must have a physical or mental impairment which substantially limits a major life activity or major bodily function. Because the referral is related to health care concerns, the 504 Team must determine whether the health care concerns affect the student's ability to benefit from education. A variety of information will be used to determine eligibility, and we are requesting information from you. The parent/guardian has given permission for release of health care data on the above student.

Please complete this form and attach any records pertinent to the health care or educational needs of this student. **We are NOT requesting that evaluation, testing, or services be performed, but we are requesting copies of records, including written diagnostic information.**

1. Please specify the student's physical or mental impairments that have been identified, and attach copies of records and diagnostic statements in support of the identified impairment(s).

2. Detail the treatment and prognosis.

3. If the child is diagnosed with ADD/ADHD, what information was considered in making this diagnosis? Was information from the school about the child's performance/behavior in school considered?

4. If student has a food allergy, is this a life-threatening allergy? Yes No

a) Is the food allergy documented by a board-certified allergist? Yes No

b) Type of Exposure: Ingestion Airborne Topical

c) Describe the nature of the disabling condition. (Health information, severity of food allergy, type of exposure, etc.) How was the allergen determined? Skin Prick Blood Testing Both

5. In your professional opinion, describe whether and how the identified impairment *impacts* the child's daily activities?

6. What precautions or accommodations are recommended for consideration by the school?

Date Phone Number Signature of Physician or Treatment Professional

Please return this questionnaire by: _____ (Date) To: _____

Please fax or mail to: _____
