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JONQUIL PREPARATORY ACADEMY

Section 504 Procedures Manual

Updated October 2026

Table of Contents

Acknowledgements 5

Introduction 6

Section 504 Background Information 7

What is Section 504? 7

Does Section 504 differ from the ADA? 7

How does Section 504 differ from IDEA? 7

IDEA, Section 504, and ADA Comparison 8

Identifying Students for Section 504 Eligibility 9

What criteria are used to determine Section 504 eligibility? 9

How is a Section 504 evaluation request made? 10

What is the process for reviewing a Section 504 referral? 10

Are schools required to provide parents with a list of parent/student rights under Section 504 before conducting an initial student review? 11

What if the team determines that the student is not suspected of having a… disability/impairment under Section 504? 11

What if the team determines that the student is suspected of having a… disability/impairment under Section 504? 11

What if the team determines that the student is not eligible under Section 504? 12

What if the team determines that the student is eligible under Section 504? 12

Are schools required to provide parents with prior notice of a Section 504 eligibility meeting? 13

Must schools secure parental consent before conducting an initial eligibility meeting? 13

What is a Section 504 Plan? 14

Will every student who is determined to have a disability under Section 504 have a Section 504 Student Plan? 14

Design and Implementation of a Section 504 Plan 15

Where will accommodations be provided and what are some examples of possible accommodations? 15

How are Section 504 accommodations and related services documented and reviewed? 15

Disciplining a Section 504 Student with a Disability 16

What is the discipline process for a Section 504 student with a disability? 16

Violation of the Student Code of Conduct under Section 504 flow chart 17

Must a school make a manifestation determination when considering a long-term suspension or expulsion of a student with a Section 504 Plan? 18

Who makes the manifestation determination and what information is included in this process? 18

Is the school required to provide FAPE services during removal that is found to not be a manifestation of the student's disability? 19

How does a school proceed with drug/alcohol violations by a student identified as eligible under Section 504 of the Rehabilitation Act? 19

Bullying and Harassment of Students with Disabilities 21

Addressing: Parent concerns, complaints, grievances, and due process hearings regarding Section 504 and Title II. 21

APPENDIX

A1 General Accommodations, Modifications, and Strategies 26

Environmental Strategies 26

Organizational Strategies 26

Behavioral Strategies 26

Presentation Strategies 26

Evaluation Methods 27

A2 Disability-Specific Accommodations, Modifications, and Strategies 28

Allergies 28

Arthritis 28

Asthma 29

Attention Deficit Hyperactive Disorder (ADHD) 30

Cancer 31

Cerebral Palsy 32

Chronic Infectious Diseases (i.e., Acquired Immune Deficiency Syndrome (AIDS)) 32

Cystic Fibrosis 33

Deaf/Hard of Hearing and Hearing Impairment 33

Diabetes 34

Drugs and Alcohol 34

Encopresis/Enuresis 35

Epilepsy 35

Learning Disability 35

Leukemia 36

Mood Disorder 36

Other Mental Health Disorders 37

Physical Impairment 37

Student with Special Health Care Needs 38

Transitory/Episodic 38

Tourette's Syndrome 39

Traumatic Brain Injury....39
Tuberculosis....40
Visual Impairment....40
Weight: Diagnosis of Obesity, Anorexia, and Bulimia....41

A3 Section 504 Coordinator/Team Leader To Do List....42
General roles and responsibilities....42
Steps to take for Section 504 initial referral....42
Steps to take with a Section 504 annual review or transition or change in program....43
Steps to take with a Section 504 re-evaluation (three years)....44
Steps to take with Section 504 discipline (pattern of removal, manifestation determination)....44
Steps to take when student enrolls with Section 504 Plan....45

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INTRODUCTION

Section 504 of the Rehabilitation Act of 1973, 29 USC 794, (sometimes referred to as "504") prohibits discrimination against individuals with disabilities solely on the basis of their disability. The purpose of this manual is to inform School employees and parents about Section 504 and the School's procedures to comply with the requirements for Section 504 as it relates to providing services to students. This manual reflects the School's commitment to serve ALL children. The School expects employees to be knowledgeable about School procedures governing Section 504 activities, grievance procedures for resolving Section 504 complaints, and parent and student rights. If you have Section 504 questions, please contact the School 504 coordinator or designated Section 504 team leader. **The Section 504 coordinator will maintain ultimate responsibility for the oversight of Section 504 programs and services.**

The School Section 504 coordinator is the building Principal.

SECTION 504 BACKGROUND INFORMATION

What is Section 504?

Link to the Parent and Educator Resource Guide from the Office of Civil Rights

The Rehabilitation Act of 1973, 29 USC 794, commonly referred to as "Section 504," is a federal statute that prohibits discrimination against persons on the basis of their disability by institutions that receive financial federal assistance. 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.

Section 504's purpose is, among other things, to assure that students with a disability have educational opportunities and benefits equal to those provided to non-disabled students. An eligible student under Section 504 is a student who has a physical or mental impairment that substantially limits a major life activity, has a record of such impairment, or is regarded as having an impairment. If a student qualifies under Section 504, The school must provide such accommodations, services, and supports as are necessary to ensure that the student has equal access to the services, programs, and activities offered by our school.

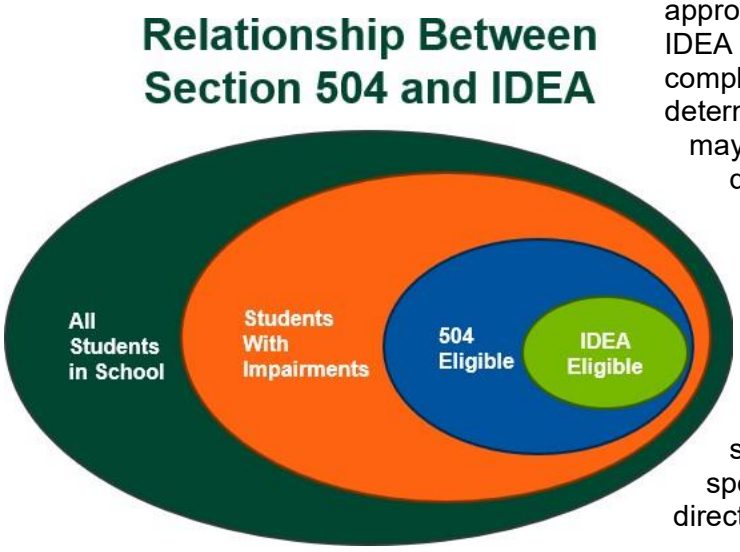
Does Section 504 differ from the (Americans with Disabilities Act) ADA?

Section 504 protects students from discrimination on the basis of disability to the same extent as ADA. This manual uses only the term "Section 504," but the School acknowledges that qualified students with disabilities have similar rights under the ADA to those under Section 504.

How does Section 504 differ from the Individuals with Disabilities Education Act (IDEA)?

A student who qualifies for special education services under IDEA, 20 USC 1400, is a qualified student with a disability under Section 504. A qualified student with a disability under Section 504 is not necessarily eligible for identification under the IDEA. If a student is determined eligible under Section 504, he/she is entitled to receive a free appropriate public education. An appropriate education for a student with a disability under the Section 504 regulations could consist of education in regular classrooms, education in regular classes with supplementary services, and/or special education and related services.

If a student with a disability is receiving special education services in accordance with IDEA, then the student is adequately accommodated for the purposes of Section 504. For this reason, it is generally not necessary or appropriate to provide a student with a disability eligible under IDEA with a Section 504 Plan since compliance with IDEA is compliance with Section 504. However, if a student is determined not to be eligible under IDEA, the Evaluation team may want to consider whether the student would, nevertheless, qualify under Section 504.



This manual will focus solely on Section 504 as it applies to students with disabilities. Employees, parents, and others may also be covered by Section 504, and questions regarding the application of Section 504 to employment situations or other areas where an individual is seeking a "reasonable accommodation" should be directed to the principal or administrator over special education. Any questions regarding IDEA should be directed to the Special Education Department.

IDEA, SECTION 504, AND ADA COMPARISON

	IDEA (K-12)	Section 504 (K-12/college)	ADA (college/employment)
Requirements in the law	➢ Provides a free, appropriate, public education in the least restrictive environment.	➢ Requires any agency, school, or institution receiving federal financial assistance to provide persons with disabilities to the greatest extent possible, an opportunity to be fully integrated into the mainstream.	➢ Extends coverage of Section 504 to employment, public and private education institutions, transportation providers and telecommunications, regardless of presence of any federal funding.
Definitions in the law	➢ Specific disability categories are defined in the law. Covers students with educational disabilities that require special services from specially trained teachers. ➢ Not all students with disabilities are eligible.	Defines persons with disabilities who: ➢ Have a physical or mental impairment which limits one or more major life activities; ➢ Have a record of such an impairment; or ➢ Are regarded as having an impairment.	➢ Definitions of disability are essentially the same as Section 504 and extends coverage to persons without disabilities who may be related to or associated with a person with a disability. This includes HIV status, contagious, and non-contagious diseases.
Who is covered	➢ Covers students with educational disabilities that require special educational service ages 3-21 or until graduation.	➢ Protects all persons with a disability from discrimination in educational setting based solely on disability.	➢ Protects all persons with a disability from discrimination in educational settings based solely on disability.
Services provided	➢ Offers educational services that are specialized in addition to services available to all students (i.e., PE, Art, field trips).	➢ Eliminates barriers that would prevent a student from full participation in programs/services offered to the general school population.	➢ Eliminates barriers that would prevent a student from full participation in programs/services offered to the general school population.
Funding	➢ Schools receive federal funding to provide special education services.	➢ Requires that schools not discriminate based on student's disability and must provide appropriate supports and services, but schools receive no additional financial support to provide support services or auxiliary aids.	➢ Requires that schools not discriminate based on student's disability and must provide appropriate accommodations, but schools receive no additional financial support to provide support services or auxiliary aids.
Child find	➢ School district is responsible for identifying and evaluating students with disabilities.	➢ K-12: School district is responsible for identifying and evaluating students with disabilities. ➢ College: Students must self-identify as having a disability and must provide documentation of disability.	➢ Students must self-identify as having a disability and must provide documentation of disability.
Evaluation/ Documentation	➢ Evaluations are the responsibility of the school and are performed at no expense to student/parent.	➢ K-12: Evaluations are the responsibility of the school and are performed at no expense to student/parent. ➢ College: Evaluations/documentation of disability are student's responsibility and expense.	➢ Evaluations/documentation of disability are student's responsibility and expense.
	➢ Parents must consent to evaluations and placement decisions.	➢ K-12: Parents must consent to evaluations and placement decisions ➢ College: Student has responsibility for advocacy and negotiating accommodations plan.	➢ Student has responsibility for advocacy and negotiating their plan.
IEP/Section 504 Plan	➢ Individual Education Plan (IEP) developed with parents, teachers, and other specialists involved.	➢ Section 504 Plan developed with parents, teachers, and school personnel involved (for elementary/secondary students). ➢ Section 504 Plan developed with college student and the disability services coordinator on campus.	➢ Plan developed with employer, college student, and disability services coordinator on campus.
Dispute Resolution	➢ School complaint → state complaint → federal complaint ➢ Due process hearing by state appointed hearing officer regarding identification, evaluation, educational placement, or the provision of a free and appropriate public education, within timelines set by the IDEA.	➢ School complaint → state complaint → federal complaint ➢ Due process hearing by school appointed impartial hearing officer in compliance with school policy. Hearing available regarding identification, evaluation, or placement.	➢ ADA complaint with Office of Civil Rights. ➢ ADA mediation.

IDENTIFYING STUDENTS FOR SECTION 504 ELIGIBILITY

What criteria are used to determine Section 504 eligibility?

A student may qualify for Section 504 protection under three criteria: **(1) the student has a mental or physical impairment, that substantially limits one or more major life activities; (2) the student has a record of such an impairment; or (3) the student is regarded as having such an impairment. Students who have a record of such an impairment or who are regarded as having such an impairment qualify for the protections of Section 504 even though they do not require a Section 504 Plan.**

If the student (1) has a physical or mental impairment, (2) that substantially limits, (3) one or more major life activities, he or she will be eligible under Section 504. This does not mean, however, that all students who are eligible require a Section 504 Plan. It is important to understand that all three criteria must be met before the student is eligible for Section 504 protection. Additional detail on each of the three criteria follows.

Physical or mental impairment

This criterion includes any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems. Mental or psychological disorders are also covered. Section 504, in contrast to IDEA, does not limit eligibility to specific categories of disabling conditions. Environmental, cultural, and economic disadvantages are not covered unless the student who has any of these characteristics also has a physical or mental impairment.

Substantially limits

Section 504 does not specifically define the term "substantially limits." The basis for evaluating this criterion is the impact the impairment has on one or more of a student's major life activities. The Section 504 team will consider the nature and severity of the disability as well as how long the disability is expected to last. Simply having a condition or impairment does not automatically qualify a student for Section 504 protection.

Instead, the condition must restrict the individual ***in the conditions, manner, or duration under which they can perform the major life activity*** such that they would be unable or significantly limited in ability to perform the major life activity compared to most people.

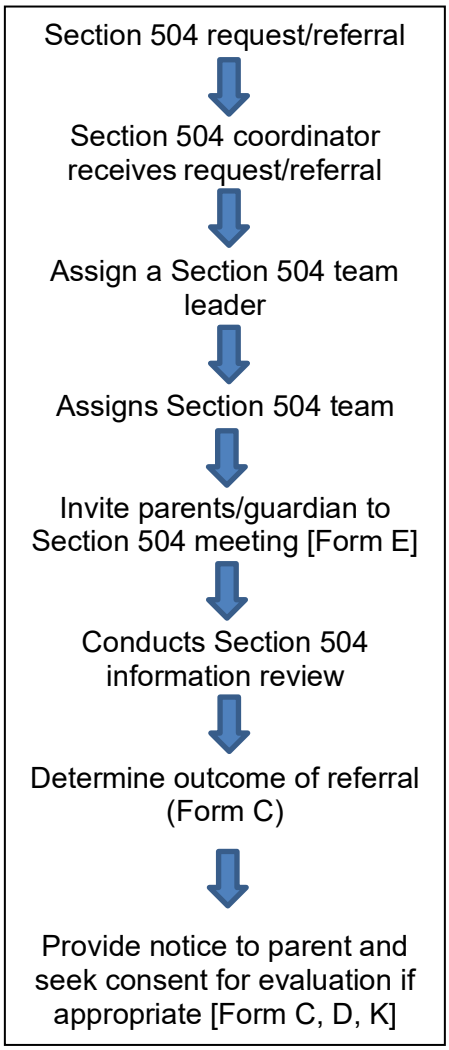
Although "***substantially limits***" is not defined in the law, the Section 504 team should use the following principles to make a disability determination under Section 504:

- A disability is present if the student's physical or mental impairment "substantially limits" the ability of the student to perform a major life activity as compared to the average student in the general population (e.g., if it regularly takes a student with a mental impairment three hours to finish a type of homework assignment that takes other students only one hour to complete).
- An impairment may be substantially limiting even if it does not prevent, significantly restrict, or severely restrict the individual from performing the activity.
- An impairment may be substantially limiting but is considered minor or temporary/transitory if the duration lasts or is expected to last fewer than six months.

Indicators of a substantial limitation could include the following, if, as compared to most students, the student in question demonstrates: a consistent need for more time; a consistent need for testing accommodations; frequent behaviors associated with identified physical/mental impairment that interfere with

school performance; significant difficulty with planning, organization, and execution of activities and assignments; chronic absences or tardiness related to a physical or mental impairment; classroom interventions do not alleviate difficulties; or a steady decline in academic performance.

With the exception of corrective eyeglasses and contact lenses, the Section 504 team may not consider the ameliorative effects of any mitigating measures taken to overcome the impairment, such as medication, equipment, hearing aids, or assistive technology. The team must make the eligibility determination based on the disability, without considering what may already be in place to help the student overcome the effects of the disability.



Major life activities

Major life activities include, but are not limited to, caring for oneself, performing manual tasks, walking, hearing, seeing, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. Determining whether the impairment substantially limits a student's learning is often critical to the Section 504 eligibility decision, however major life activities include activities other than learning. Therefore, a student may be achieving academically and still have a qualifying disability if the physical or mental impairment substantially limits another major life activity. For example, a student with asthma may be achieving academically, but still qualifies as eligible under Section 504 due to a substantial limitation in breathing.

How is a Section 504 evaluation request made?

Any parent or guardian, teacher, counselor, or other school staff member who believes that a student needs supports or accommodation for a qualifying disability can request a Section 504 evaluation. Please advise the person wanting an evaluation to use the Section 504 Evaluation Referral form and forward it to the ***Section 504 team leader***. [See Form B]. Upon receipt, the school must determine if it will conduct the evaluation **within 10 school days** and provide the parent with notice.

What is the process for reviewing a Section 504 referral?

When a Section 504 evaluation request or referral is received, the Section 504 Coordinator may appoint a Section 504 team leader. The Section 504 team leader will determine the composition of the Section 504 team. The Section 504 team must investigate the specific concern that triggered the student review request. The Section 504 team must include individuals knowledgeable about the student and the interpretation of evaluation data. This team can include the parent/guardian of the student, teachers, counselors and other school staff members, and staff members of community agencies as agreed upon by the parent. The parent/guardian should be included in this process whenever possible, and must be provided with a meaningful opportunity to provide input even if they are not in attendance at this meeting.

The Section 504 team must review a variety of information. ***The 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, standardized testing such as aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior.

The Section 504 team's decision to evaluate must be documented on the bottom of the Section 504 Information Review form [**Form C**] and provided to the parent **within 10 school days of receipt of the request for evaluation**. Possible outcomes include the following:

- A disability/impairment is not suspected.
  - No further evaluation at this time.
- A disability/impairment is suspected.
  - Evaluate student for possible Section 504 eligibility (complete Parent Consent for Section 504 Evaluation [**Form D**]).
  - No additional evaluation data is needed; develop a Section 504 Plan as needed [**Form H**].
- Section 504 Plan on file.
  - Review current Section 504 Plan [**Form H**].

The decision to not conduct a Section 504 evaluation occurs only when the school has no reason to suspect that the student has a disability under Section 504.

If the decision is to conduct a Section 504 evaluation, the Section 504 team may administer and use other formal and informal measures as necessary. The list of needed evaluations must be identified, and **parental consent must be obtained prior to initiating an initial evaluation** under Section 504 (Form D). The team must ensure that information obtained from all sources is documented and carefully considered. A psychologist may be needed to assist in the evaluation. The school must complete the **evaluation and convene an eligibility determination meeting following state timeline requirements.** If the student is eligible, a plan must be developed.

The team's task is to determine eligibility based on the Section 504 definition of disability (i.e., does the student have a mental or physical impairment that substantially limits one or more major life activities).

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

Yes, schools are required to provide Notice of Parent/Student Rights and Procedural Safeguards under Section 504 **[Form K]** for the purpose of:

- Notice to the parent explaining any identification, evaluation, eligibility, or placement decisions.
- An opportunity for parents to review relevant records.
- An impartial hearing with opportunity for participation by the student's parent or guardian and representation by counsel.
- An appeal procedure to review the hearing decision.

What if the team determines that the student is not suspected of having a disability/impairment under Section 504?

If the Section 504 team determines that there is no evidence to suspect a disability after completing a Section 504 Information Review [**Form C**], the team needs to complete the recommendation section noting "no further evaluation at this time."

What if the team determines that the student is suspected of having a disability/impairment under Section 504?

If after completing a Section 504 Information Review, the Section 504 team determines that there is evidence to suspect a disability, the team has two options:

1. If the team has sufficient data to determine eligibility, indicate this on the **Section 504 Information Review** [**Form C**], under the section entitled *Recommendation of Section 504 team* – No additional evaluation data is needed. Develop a Section 504 Plan as determined needed.

2. If further evaluation is needed, indicate this on the **Section 504 Information Review [Form C**], under the section entitled *Recommendation of Section 504 Team* – "A disability/impairment is suspected; evaluate the student for possible 504 Eligibility," complete Parent Consent for Section 504 Evaluation [**Form D**], and provide a copy of the Notice of Parent/Student Rights and Procedural Safeguards under Section 504 [**Form K**].

What if the team determines that the student is not eligible under Section 504?

In the event that the Section 504 team determines that the student does not meet the definition of disability under Section 504, the Section 504 team leader is responsible for notifying the parent by completing the Parent Notice: Section 504 Eligibility or Non-Eligibility Determination Form (**Form G**) and providing it to the parent, either in person or by mail, and Notice of Parent/Student Rights and Procedural Safeguards under Section 504 (**Form K**). A parent may contest the determination by requesting a due process hearing, filing a complaint with the Office of Civil Rights, or through court proceedings.

What if the team determines that the student is eligible under Section 504?

If the team determines that the impairment substantially limits one or more major life activities and therefore the student is eligible under Section 504, the team leader is responsible for:

1. Notifying the parent of the determination of eligibility using the Section 504 Eligibility Determination Report [**Form F**].
2. Providing notice using the Parent Notice: Section 504 Eligibility or Non-eligibility Determination Form [**Form G**].
3. Providing a copy of the Notice of Parent/Student Rights and Procedural Safeguards under Section 504. [**Form K**].

The team will then need to determine whether the student also requires a Section 504 Plan. A Section 504 Plan provides the student with a ***free appropriate public education (FAPE)***, which is ***defined*** as regular or special education and related aids and services designed to meet the student's individual educational needs as adequately as the needs of students without disabilities are met. This is generally done through a Section 504 Plan but may include more than just "accommodations." However, not all students eligible under Section 504 will need a Section 504 Plan. These students, however, ***remain eligible for Section 504's protections against discrimination***.

Here are some of the ***common misuses of the Section 504 evaluation process***:

- A parent and/or doctor presents the school with a diagnosis of an impairment, and a Section 504 Plan is written without first conducting an evaluation (including information from a variety of sources) or determining if the impairment causes substantial limitation of a major life activity.
- A student is placed on a Section 504 Plan solely to satisfy a highly competitive parent who wants specific accommodations to help his or her child receive higher grades or test scores on standardized tests, such as the SAT.
- A student determined not eligible for special education services under IDEA, therefore a Section 504 Plan is automatically developed without first following determination guidelines based on Section 504 criteria.

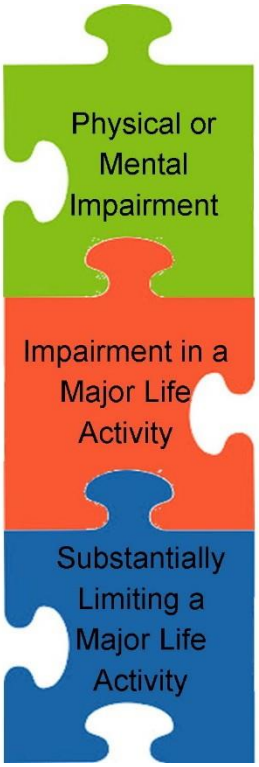
Section 504 of the Rehabilitation Act was enacted to banish discrimination on the basis of disability.

Here are some ***examples of circumstances that could be considered discrimination based on disability***:

- Refusing to provide occupational or physical therapy to a student identified under Section 504 who needs it for educational purposes solely because the student is not IDEA eligible.

- Not providing accommodations for a student with a disability who tries out for an extracurricular activity (e.g., elementary chorus) that meets before or after school.
- Providing summer school or after-school care only to non-disabled students.
- Requiring the parent of a student with a physical or mental impairment to provide transportation to field trips or to accompany the student on a field trip when transportation is provided to non-disabled students or when parental participation is not required for non-disabled students.
- Providing a shortened school day for students with disabilities because of transportation issues.
- Segregating students with disabilities in basements, portable classrooms, or separate wings of the school.
- Failing to provide an interpreter for a parent with a hearing impairment or limited English language for school-initiated activities, such as a Section 504 meetings and parent/teacher conferences.

The Section 504 Eligibility Determination Process



1. Physical or Mental Impairment.
Any physical or mental impairment may result in qualification under Section 504. Unlike IDEA, there are no categories of qualifying disabilities. This step in the Section 504 evaluation process relies on a collection of data that can include medical, psychiatric, or psychological information provided by qualified professionals and/or pertinent school data.

2. Major Life Activity.
The identified physical or mental impairment must affect a major life activity, including but not limited to caring for oneself, performing manual tasks, walking, hearing, seeing, speaking, breathing, learning, reading, concentrating, thinking, communicating and working, or the operation of a major bodily function. A substantial limitation of any major life activity could result in eligibility.

3. Substantially Limited.
The impairment must substantially limit the major life activity, which means the student is restricted as to the condition, manner or duration under which the student can perform the major life activity as compared to the condition, or manner or duration under which a student of the same age/grade in the general population could perform the same major life activity.

Are schools required to provide parents with prior notice of a Section 504 eligibility meeting?

Yes. A parent/guardian must receive prior notice of a Section 504 eligibility meeting. If a parent is unable or unwilling to attend, the school may hold the eligibility or Section 504 Plan meeting without the parent, however parents must be given meaningful opportunity to provide input. The Section 504 team leader should consult with the Section 504 coordinator regarding unique parent concerns.

Must schools secure parental consent before conducting an initial eligibility meeting?

No. Parental consent is not required for the Section 504 eligibility meeting or determination. However, schools should include parents in the evaluation process and need consent before performing an initial evaluation.

WHAT IS A SECTION 504 PLAN?

The Section 504 Plan [Form H] documents the specific accommodations and supports that the student needs to ***ensure that the individual needs of the student are met as adequately as the needs of non-disabled students.*** The Section 504 Plan should be designed to provide appropriate supports (*e.g.*, to "level the playing field") needed by the student to address his/her disability, **not to** provide all of the supports needed to maximize the student's potential. The need for accommodations should be documented in the student's records.

The 504 team should make an individual determination of the student's educational needs and the accommodations required. A Section 504 Plan must be implemented in the least restrictive environment.

Will every student who is determined to have a disability under Section 504 have a Section 504 Plan?

No. When the Section 504 team is considering whether a student has a disability under Section 504, the team cannot consider any **mitigating measures** (i.e., medication, assistive devices such as hearing aids, or other individual supports) used by the student. The one exception is for ordinary eyeglasses or contact lenses. In some cases, a student may not need a Section 504 Plan if the mitigating measures allow the student to access his/her education. If the team determines that an eligible student requires accommodations and/or related aids or services, a Section 504 Plan will be written. If the team determines that a student does not require any accommodations and/or related aids or services, the meeting minutes should state that no aids or services are needed at this time. **The student is still protected by Section 504 from discrimination based on his/her disability and retains the protection of Section 504.** If the mitigating measure is removed or is no longer effective, the team should reconvene and determine if a Section 504 Plan is now required.

In addition, keep in mind that while a Section 504 Plan might not be necessary, an informal general education intervention plan may be appropriate. In the event that the Section 504 team determines that the student does not require a Section 504 Plan, the Section 504 team leader is responsible for notifying the parent by completing and mailing the Parent Notice: Section 504 Eligibility or Non-eligibility Determination form (**Form G**) including Notice of Parent / Student Rights and Procedural Safeguards Under Section 504 (**Form K**).

DESIGN AND IMPLEMENTATION OF A SECTION 504 PLAN

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

Section 504 requires that a student with a disability be educated with non-disabled students to the maximum extent appropriate. As with IDEA, this is considered educating the student in the least restrictive environment. Therefore, implementation of most Section 504 Plans should occur within the regular classroom. ***Accommodations*** generally are those adjustments to things like seating arrangement, lesson presentation, assignments, and other facets of the learning experience that provide the student with ***equal access to learning opportunities***. An example could be moving the student to a position in the room that best supports his or her ability to attend to schoolwork. Accommodations might involve the use of special visual aids, large print, or using video recordings. Allowing a student additional time to complete a specific kind of task is also an accommodation. Countless accommodations exist that can support a student's equal access to educational opportunities. The bottom line, however, is that the student must be provided a FAPE (Free Appropriate Public Education), which may include regular or special education or other services and supports. It is the job of the Section 504 team to identify those accommodations and supports that address the needs of a Section 504 eligible student and provide the student with FAPE. Once these supports have been identified, the Section 504 team will identify the placement in which the student will receive these services. The Section 504 team may also contact the Section 504 team leader for assistance with the accommodation process.

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

If the Section 504 team determines that a student has a qualifying disability, the team's second responsibility is to identify what is necessary for the student to receive a FAPE, i.e., the regular or special education and related aids and services designed to meet the student's individual educational needs as adequately as the needs of non-disabled students are met. Documentation of the plan's detail is in the Section 504 Plan. [**Form H**]. This Plan provides a summary of accommodations that a student needs, the student's placement, as well as the aids, services, or modifications necessary for the student to receive a FAPE. The original Section 504 Plan should be maintained and located in a confidential file based on state requirements. Also, the Section 504 team leader is responsible for sending a copy of the Section 504 Plan to the parent (along with Notice of Parent/Students Rights and Procedural Safeguards under Section 504 [**Form K**] and to the Section 504 coordinator/team leader. Parental consent is required for initial placement under Section 504. The initial placement and Section 504 Plan is then implemented following receipt of parent consent to implement the Section 504 Plan.

The Section **504 team leader** is responsible for **updating myNHA regularly** to reflect that this student is now a Section 504 eligible student. Include all required data in all Section 504 related fields.

A Section 504 team shall review the Section 504 Plan:

- Annually.
- When changes to the plan are needed.
- Prior to a significant change in placement.
- When a student with a Section 504 Plan transfers into the school.

The purpose of a review is to add, subtract, and/or modify student accommodations or other services or aids as needed. In addition, a reevaluation is required before a significant change in placement, which includes a long-term suspension or expulsion, or a pattern of removal, and can be satisfied by completing a Section 504 Manifestation Determination [**Form J**].

DISCIPLINING A SECTION 504 STUDENT WITH A DISABILITY

What is the discipline process for a Section 504 student with a disability?

Long-term suspension (more than 10 consecutive days), or more than 10 cumulative days in a school year which results in a ***pattern of removal*** or expulsion of a student constitutes a significant change in placement. As such, ***a reevaluation is required before a Section 504 student is long-term suspended or expelled***. This reevaluation requirement is ***fulfilled by completing a Section 504 Manifestation Determination Review*** [**Form J**]. A Section 504 team must conduct a manifestation determination review (MDR) within 10 school days of the decision to remove the student. Section 504 students are subject to the same disciplinary action as non-disabled students, provided that the student's behavior is not a manifestation of his or her qualifying disability. If the Section 504 team concludes that the violation is a manifestation of the student's qualifying disability, the discipline process must end, and the student returns immediately back to school (to their prior placement). In addition, the Section 504 team should review the Section 504 Plan to determine if changes are needed. If the violation is not a manifestation of the child's qualifying disability, the student is subject to the same disciplinary action that any non-disabled student would receive for the same violation.

Section 504 has no explicit provision requiring states to provide FAPE to students with disabilities who are suspended or expelled, however, should state law mandate provision of continued services to properly expelled students, then such services must be offered to both disabled and non-disabled students alike.

For students whom a manifestation of the disability was determined, the Office of Civil Rights strongly suggests following the guidelines set forth in IDEA to conduct a Functional Behavior Assessment (FBA) and develop a Behavior Intervention Plan (BIP) as appropriate.

Violation of the Student Code of Conduct under Section 504

Is the student currently identified under Section 504 (including with or without a plan)?

- NO → Follow school discipline procedures for non-disabled student.
- YES → Does the violation warrant a removal from school that constitutes a significant change in placement (more than 10 days OR a pattern of removal following 10 cumulative days)?

  - NO → Follow school short-term suspension/expulsion procedures for non-disabled students.
  - YES → **Long-Term Suspension or Expulsion**
    - Complete pattern of removal.
    - Notify parents of long-term suspension or expulsion and provide copy of 504 Procedural Safeguards.
    - Request long-term suspension/expulsion hearing.
    - Hold a manifestation determination within 10 days of the incident or upon determination of pattern of removal.
    - Share results with the Board.

    → **Complete MDR within 10 school days of the determination to remove**

    - If violation is **NOT** a manifestation of disability: → Follow school long-term suspension/ expulsion procedures for non-disabled students.
    - If violation **IS** a manifestation of disability: → Return student to school, no further disciplinary action is needed. Conduct FBA and develop BIP as appropriate.

***For disciplinary infractions resulting from drugs, alcohol, or weapons:**

- Consult your SE supervisor.
- See Section 504 Manual pg.19.

Must a school make a manifestation determination when considering a long-term suspension or expulsion of a student with a Section 504 Plan?

Yes. While the regulations implementing Section 504 do not specifically discuss a "manifestation determination," they do require that a school complete an evaluation prior to imposing a "significant change in placement." Long-term suspension or expulsion is considered a significant change in placement. To fulfill the evaluation requirements and to ensure that students are not disciplined because they have a disability, the school is required to conduct a Section 504 Manifestation Determination [**Form J**]. Similar to suspension or expulsion of a student having a disability under IDEA, a school must conduct a manifestation determination for a Section 504 student whenever the discipline will result in a significant change in placement. A **"significant change in placement" occurs when:**

- The suspension or expulsion will be for more than 10 consecutive school days. Like IDEA, a suspension/expulsion of more than 10 consecutive days constitutes a significant change in placement and requires schools to determine if the cause of the behavior is the disability identified in the student's Section 504 Plan, or if the cause of the behavior is caused by the school's failure to implement the Section 504 Plan.

OR

- A series of suspensions that total more than 10 cumulative days in a school year may be determined a significant change in placement and therefore trigger the MDR under Section 504. This is done on a case-by-case basis. The Office of Civil Rights has identified some of the key factors in determining patterns of removal: the length of each suspension, the proximity of one suspension to another, the nature of the behavior, and the total amount of time the student is excluded from school. Schools should use the Pattern of Removal Worksheet for Students with Disabilities to track removals during the school year and determine a pattern of removal [**Form I**].

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

The manifestation determination should be made by a Section 504 team that consists of persons who are knowledgeable about the student, the meaning of the evaluation data, and the placement options. The parent/guardian must be given a meaningful opportunity to provide input. When possible, the members of the Section 504 team should be the same members who designed the Section 504 Plan. ***School officials responsible for school disciplinary procedures, such as the school principal or dean, cannot make the determination alone***. However, such administrators may be members of the Section 504 team and may present pertinent student information to the Section 504 team.

The Section 504 team must have available information that competent professionals would require when making a manifestation determination. Such information might include information about the misconduct, attendance and academic records, psychological evaluation data, behavior plans, medical information, discipline records, the student's Section 504 Plan, and information from the parents and staff observations. The information should be current enough to afford an understanding of the behavior that is the subject of the manifestation determination.

After reviewing the relevant information, the Section 504 team will next consider if the behavior is a manifestation of the student's disability. This inquiry is resolved by answering the following questions:

- Was the conduct caused by, or does the behavior have a direct and substantial relationship to the student's disability?
- Was the conduct the result of the school's failure to implement the Section 504 Plan?

If the Section 504 team answers either question in the affirmative, then the behavior is a manifestation of the student's disability and no disciplinary action can be taken past the 10 days. It is recommended, however, that the Section 504 team review the student's current educational placement to determine whether the student is receiving an appropriate instructional program and related aids and services, and whether behavioral intervention strategies should be implemented for the student. In addition, subject to procedural safeguards, changes in the student's placement may be made, if appropriate.

Is the school required to provide FAPE services during removal that is found to not be a manifestation of the student's disability?

If the Section 504 team determines that the behavior is not a manifestation of the disability, the school may impose whatever long-term suspension or expulsion it would impose under the same circumstances if a non-disabled student were the offender. The school has no obligation to continue to provide educational services to a Section 504 student during the period of a long-term suspension or expulsion, unless the school provides such services to non-disabled students who are long-termed suspended or expelled consistent with state requirements.

The Section 504 team must conclude its work by completing a Section 504 Manifestation Determination [Form J], and the parent/guardian must be given notice of the results of the manifestation determination and the *Notice of Parent/Student Rights and Procedural Safeguards under Section 504* [**Form K**] with opportunity to challenge them.

How does a school proceed with drug/alcohol violations by a student identified as eligible under Section 504 of the Rehabilitation Act?

In matters of student conduct related to the use and/or possession of alcohol or illegal drugs, please contact your building's Special Education Supervisor before proceeding with disciplinary action.

The Office of Civil Rights (OCR) **does not equate possession** of illegal drugs and alcohol with the **use** of illegal drugs or alcohol.

Use of Illegal Drugs and Alcohol

For a student who is currently engaging in the **use** of illegal drugs or alcohol in which ***the school determines that the student violated the code of conduct for which discipline is warranted, the school is not required to*** provide procedural safeguards/disciplinary protections under Section 504. He/she can be disciplined in all instances under the district's regular code of student conduct.

Must school districts employ the manifestation determination process for students violating the school code for current use of alcohol or controlled substances?

- **No.** For students identified under Section 504, school districts may take disciplinary action against an individual with a disability who currently is engaged in the illegal use of drugs or in the use of alcohol to the same extent that such disciplinary action is taken against nondisabled students. Moreover, special education/Section 504 due process procedures shall not apply in this circumstance. A manifestation determination review **(MDR) is not required**.

Possession of Illegal Drugs and Alcohol

For a student who is currently engaging in the **possession** of illegal drugs or alcohol in which ***the school determines that the student violated the code of conduct for which discipline is warranted, the school is required to*** provide procedural safeguards/disciplinary protections under Section 504. He/she can be disciplined in all instances under the district's regular code of student conduct.

Must school districts employ the manifestation determination process for students violating the school code for possession of alcohol or controlled substances?

- **Yes.** In circumstances where a student is found to be in possession of illegal drugs or alcohol on school campus or school related functions, ***and the school determines that the student violated the code of conduct, the student must be afforded*** procedural safeguards/disciplinary protections under Section 504. The team must hold an MDR if a removal ***or potential removal*** related to the possession of illegal drugs results in a change of placement for the student.

Alcoholism and Drug Addiction

Students diagnosed with alcoholism or drug addiction may be eligible for protection and services under Section 504 based on his/her addiction to drugs/alcohol if the impairment substantially limits one or more major life activities.

BULLYING AND HARRASSMENT OF STUDENTS WITH DISABILITIES

Bullying and/or harassment of students with disabilities that is based on his/her disability is strictly prohibited.

Bullying is characterized by aggression used within a relationship where the aggressor(s) has more real or perceived power than the target, and the aggression is repeated, or has the potential to be repeated over time. Bullying can involve overt physical behavior or verbal, emotional, or social behaviors (e.g., excluding someone from social activities, making threats, withdrawing attention, destroying someone's reputation) and can range from blatant aggression to far more subtle and covert behaviors. Bullying may also occur through misuse of electronic technology that may include cell phones, social media, computers, offensive text messages, or e-mail rumors.

Harassment under Section 504 is defined as intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the school's program. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Harassing conduct may take many forms, including verbal acts and name-calling, graphic and written statements, or other conduct that may be physically threatening, harmful, or humiliating. Harassment creates a hostile environment when the conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by a school. Harassment is considered to have occurred when such conduct:

1. Has the purpose or effect of creating an intimidating, hostile, or offensive academic environment,
2. Has the purpose or effect of substantially or unreasonably interfering with a student's academic performance, or
3. Otherwise adversely affects an individual's academic opportunities.

If, at any time, a person believes that he/she has been subjected to bullying or harassment or a person sees or suspects that another person is being bullied or harassed, the person should report such behavior using the complaint process that immediately follows this section. The school provides assurance that it strictly prohibits school employees and/or others from intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Section 504 or Title II because an individual has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under Section 504 or Title II.

ADDRESSING: PARENT CONCERNS, COMPLAINTS, GRIEVANCES, AND DUE PROCESS HEARINGS REGARDING SECTION 504 AND TITLE II

This process is not appropriate for addressing general complaints. Please refer to the school's Parent and Student Handbook or applicable board policy for complaint procedures for all non-Section 504 complaints.

The best solutions to grievances, complaints, or parent concerns occur at the school level. Therefore, the parties may agree to resolve the complaint informally. The process described in step one below must be voluntary. If the parties choose to engage in voluntary informal dispute resolution, the first step in resolving a complaint should involve the Section 504 coordinator/team leader working with the grievant, complainant, or parent to a mutually acceptable resolution of the concern(s). The Section 504 coordinator/team leader oversees all aspects of this procedure. If the concern(s) cannot be resolved informally, or if the complainant is unwilling to pursue voluntary dispute resolution, then the resolution would proceed under the complaint/grievance procedure located (step two below). The Section 504 coordinator/team leader should advise the grievant, complainant, or parent of the following steps in the complaint process.

The school will take steps to prevent the recurrence of any discrimination and will take steps to correct its discriminatory effects on a complainant and others.

In addition, the school prohibits retaliation and expressly prohibits the school or others from intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Section 504 or Title II or because an individual has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under those laws or these procedures.

SECTION 504 / TITLE II COMPLAINTS / GRIEVANCES

Step 1: Voluntary Informal Resolution

A person who believes that he or she has been discriminated against by the school or a school employee or agent in violation of Section 504 or Title II of the ADA is encouraged, but is not required, to discuss the matter informally with the Section 504 coordinator/team leader.

A. If the aggrieved party is a student, parent of a student, or visitor of the school, the grievant should contact the Section 504 coordinator/team leader to attempt to resolve the complaint.

B. If the Section 504 coordinator/team leader is the subject of the complaint, the grievant should contact the NHA director of school quality (DSQ) to attempt to resolve the complaint. To obtain the contact information for the DSQ, please contact the Parent Relations Department at 877-223-6402 or 616-222-1700.

C. If the aggrieved party is an employee of the school and/or NHA, the grievant should follow the NHA complaint process and procedures contained in the Employee Handbook.

The person investigating the complaint **shall provide his or her findings in writing** to ***both the person who alleged the violation and the person who is the subject of the complaint*** within **10 business days** following receipt of the complaint. Either party may terminate the voluntary informal resolution process at any time.

Step 2: Formal Complaint or Grievance

If the informal step one process does not resolve the matter, or if the grievant does not wish to use the informal procedures under step one, a written complaint (**Form N** can be used for this purpose), signed and dated by the grievant, must be submitted to the Section 504 coordinator/team leader within 180 calendar days of the alleged violation, specifying:

1. The name and contact information of both the grievant and grieved party;
2. Name and contact information of any witnesses;
3. The facts of the incident or action complained about;
4. The date of the incident or action giving rise to the complaint;
5. The type of discrimination alleged to have occurred;
6. Any other evidence as deemed appropriate by the grievant; and
7. The specific resolution sought.

Step 3: Formal Complaint/Grievance Investigation Procedure

In the event that the Section 504 coordinator/team leader is the subject of the complaint, the DSQ or designee will conduct an investigation. The investigator will take the following action:

1. Commence an investigation which, absent unusual circumstances, will be **concluded within 30 business days** (excluding holiday breaks) of receipt of the complaint. During the investigation, witnesses will be interviewed by the investigator and the complainant may present written information

or other evidence. Any witness testimony or information obtained from the complainant will be considered by the investigator.

2. Upon completion of the investigation, the investigator will provide his/her **written findings** to the complainant, aggrieved party, and the school's DSQ. If a violation of Section 504 or Title II is found, the findings will state the action(s) necessary to remedy discrimination and the prevent recurrence. The Section 504 coordinator/team leader will be responsible for carrying out any needed remedial action. These findings must be issued in writing **within the 30 business day timeframe of the investigation.**

Step 4: Formal Complaint/Grievance Appeal Process

The complainant may **appeal the investigator's determination** to the DSQ, by notifying the Section 504 coordinator in writing **within ten (10) calendar days** of the issuance of the investigator's written findings. If the DSQ or their designee investigated the original complaint, then the complainant's appeal will be directed to the NHA director of special education. Absent unusual circumstances, the appeal investigation and findings will be concluded within **30 business days** (excluding holiday breaks) of receipt of the request for appeal by the complainant.

The individual conducting the appeal investigation may seek or consider additional information related to the facts and circumstances surrounding the complaint, and may elect to secure the services of an outside party to conduct the appeal and shall affirm, modify, or reverse the original findings and/or resolution. The decision on appeal shall be final. The complainant may pursue remedies with a court of competent jurisdiction or file a complaint with the Office for Civil Rights (OCR) if that option is available with OCR.

DUE PROCESS HEARING

If the complaint involves the identification, the evaluation, the content of a student's Section 504 Plan, or the placement of a student, the matter is best resolved through an informal meeting involving the complainant, the Section 504 coordinator, and others as appropriate. If the matter cannot be resolved, in addition to, or as an alternative to filing a grievance or complaint, or if the complainant does not wish to pursue informal resolution, then the complainant may choose to request a due process hearing using the procedures set forth below.

1. A request for a due process hearing must be made in writing to the Section 504 coordinator. As part of the written request, the complainant must provide the facts underlying the complaint and a proposed resolution of the due process complaint.
    a. The Section 504 coordinator will promptly refer the due process hearing request to the NHA director of special education.

    b. The NHA director of special education or designee will appoint an impartial hearing officer.
        i. The individual conducting the hearing must *be* impartial, have knowledge of Section 504, and may not be an employee of the school or NHA.

    c. The appointed hearing officer will schedule a due process hearing to occur as soon as possible for the parent and school, but in any event, absent agreement of the parties, not later than 30 calendar days after the hearing request is received by the Section 504 coordinator.
        i. The parent and/or the school may be represented by legal counsel at the hearing.

ii. The parent or attorney may present evidence and/or testimony supporting the challenge to the Section 504 team's determination.
iii. The school may respond by presenting evidence and/or testimony related to the allegations in the due process hearing request.
iv. The hearing officer will have discretion and authority to permit or direct the taking of testimony, presentation of evidence, and other matters to ensure an orderly proceeding.

d. Upon conclusion of the hearing, the hearing officer will render a written decision with findings of fact and conclusions of law within 30 calendar days of the completion of the due process hearing. Copies of the hearing officer's decision will be provided to the complainant, Section 504 coordinator, and director of special education. The decision of the hearing officer will be final.
e. An aggrieved party may pursue appropriate remedies in a court of competent jurisdiction or through OCR if that option is available through OCR.

FILING A COMPLAINT WITH OCR

A written complaint may be filed with the Office for Civil Rights at each state's regional office listed below.

New York, North Carolina Washington DC (Metro) 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: 800-877-8339 Email: OCR.DC@ed.gov	**Georgia** Atlanta Office Office for Civil Rights U.S. Department of Education 61 Forsyth St. S.W., Suite 19T10 Atlanta, GA 30303-8927 Telephone: 404-974-9406 FAX: 404-974-9471 TDD: 800-877-8339 Email: OCR.Atlanta@ed.gov
Colorado, Indiana, Michigan, Ohio, Wisconsin Denver Office Office for Civil Rights U.S. Department of Education Cesar E. Chavez Memorial Building 1244 Speer Boulevard, Suite 310 Denver, CO 80204-3582 Telephone: 303-844-5695 FAX: 303-844-5756 TDD: 800-877-8339 Email: OCR.Denver@ed.gov	**Louisiana** Kansas City Office Office for Civil Rights U.S. Department of Education One Petticoat Lane 1010 Walnut Street, 3rd floor, Suite 320 Kansas City, MO 64106 Telephone: 816-268-0550 FAX: 816-268-0599 TDD: 800-877-8339 Email: OCR.KansasCity@ed.gov

Complaints may also be submitted electronically through the U.S. Department of Education's Office for Civil Rights complaint process. The complaint will be routed to the OCR office with authority over the school or entity involved.

APPENDIX

Section 504 Procedures

A1: General Accommodations, Modifications, and Strategies 26

A2: Disability-Specific Accommodations, Modifications, and Strategies 28

A3: Section 504 Coordinator/Team Leader To-Do List 42

GENERAL ACCOMMODATIONS, MODIFICATIONS, AND STRATEGIES

The following is a list of general accommodations, modifications, and strategies to consider when developing or revising Section 504 Plans. While not an exhaustive list, the following may provide guidance for Section 504 teams.

Environmental Strategies

- Provide a structured learning environment.
- Adapt non-academic times such as lunch, recess, and physical education.
- Change student seating location.
- Utilize a study carrel.
- Alter location of personal/classroom supplies for easier access or to minimize distraction.

Organizational Strategies

- Model and reinforce organization systems (e.g., color-coding, folder system, etc.).
- Record homework assignments for the student.
- Check student's recording of assignment.
- Tailor homework assignments toward student strengths.
- Set time expectations for assignments.

Behavioral Strategies

- Use behavioral support techniques consistently within a classroom and across classes.
- Implement behavioral/academic contracts.
- Utilize positive verbal and/or nonverbal reinforcement.
- Utilize logical or natural consequences.
- Confer with the student's parents.
- Confer with the student.
- Establish a home/school communication system for behavior monitoring.
- Post rules and consequences for classroom behavior.
- Put student on a daily/weekly progress report or contract.
- Model and reinforce self-monitoring and self-recording of behaviors.

Presentation Strategies

- Tape lessons so the student can listen to them again; allow students to tape lessons.
- Select alternative textbooks, workbooks, or provide text-to-voice software.
- Highlight main ideas and supporting details in the book/use post-its or highlighting tape.
- Provide copied material for extra practice (e.g., outlines, study guides, etc.).
- Vary the method of lesson presentation using multi-sensory techniques:
    - Lecture plus overhead/board demonstration support.
    - Small groups required to produce a written product.
    - Large groups required to demonstrate a process.
    - Peer tutors or cross-age tutors.
    - Demonstrations and simulations.
    - Experiments.
    - Games.
- One-to-one instruction with other available adults.
- Ask student to repeat/paraphrase context to check understanding.
- Arrange for a mentor to work with the student in his/her interest area or area of greatest strength.

- Provide peer tutoring.
- Simplify and repeat instructions about in-class and homework assignments.
- Vary instructional pace.
- Model and reinforce the use of compensatory strategies (e.g., pencil grip, mnemonic devices, spell check, etc.).
- Vary the kind of instructional materials used.
- Assess whether the student has the necessary prerequisite skills.
- Determine whether materials are appropriate to the student's current functioning levels.
- Model and reinforce study skill strategies (e.g., SQ3R).
- Introduce definition of new terms/vocabulary and review to check for understanding.
- Be aware of the student's preferred learning style and needs, differentiating instruction to match.

Evaluation Methods

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

DISABILITY-SPECIFIC ACCOMMODATIONS, MODIFICATIONS, AND STRATEGIES

The following is a list of disability specific accommodations, modifications, and strategies to consider when developing or revising Section 504 Plans. While not an exhaustive list, the following may provide guidance for Section 504 teams.

Allergies

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

Possible Accommodations and Services:

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

Arthritis

EXAMPLE: A student with severe arthritis may have persistent pain, tenderness, or swelling in one or more joints. A student experiencing arthritic pain may require a modified physical education program. For purposes of this example, the condition substantially limits the major life activity of learning.

Possible Accommodations and Services:

- Provide a rest period during the day.
- Accommodate for absences for doctor appointments.
- Provide assistive devices for writing (e.g., pencil grips, non-skid surface, typewriter/computer, etc.).
- Adapt physical education curriculum.
- Administer medication following medication administration protocols.
- Train student for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.
- Arrange for assistance with carrying books, lunch tray, etc.
- Provide book caddie.
- Implement movement plan to avoid stiffness.
- Provide seating accommodations.
- Allow extra time between classes.
- Provide locker assistance.
- Provide modified eating utensils.

- Develop health care plan and emergency plan.
- Provide for accommodations for writing tasks; a note taker, or a computer or tape recorder for notetaking.
- Make available access to wheelchair/ramps and school van for transportation.
- Provide more time for massage or exercises.
- Adjust recess time.
- Provide peer support groups.
- Arrange for instructional aide support.
- Install handle-style doorknobs (openers).
- Record lectures/presentations.
- Have teachers provide outlines of presentations.
- Issue Velcro fasteners for bags.
- Obtain padded chairs.
- Provide a more comfortable style of desk.
- Adjust attendance policy, if needed.
- Provide a shorter school day.
- Furnish a warmer room and sit student close to the heat.
- Adapt curriculum for lab classes.
- Supply an extra set of books for home use and keep a set at school.
- Let student give reports orally rather than in writing.
- Provide an awareness program for staff and students.
- Monitor any special dietary considerations.
- Involve school health consultants in school health-related issues.

Asthma

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

Possible Accommodations and Services:

- Adapt activity level for recess, physical education, etc.
- Provide inhalant therapy assistance.
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.
- Remove allergens (e.g., hairspray, lotions, perfumes, paint, latex, etc.).
- Make field trips that might aggravate the condition non-mandatory and supplement with videos, audiotapes, movies, etc.
- Accommodate medical absence by providing makeup work, etc.
- Adjust for administration of medications.
- Provide access to water, gum, etc.
- Adapt curriculum expectations when needed (i.e., science class, physical education, etc.).
- Develop health care and emergency plans.
- Have peers available to carry materials to and from classes (e.g., lunch tray, books, etc.).
- Provide rest periods.
- Make health care needs known to appropriate staff.
- Provide indoor space for before- and after-school activities.
- Have a locker location which is centralized and free of atmosphere changes.
- Adapt attendance policies, school day duration, or 180-day requirement, if needed.
- Place student in most easily controlled environment.

Attention Deficit Hyperactive Disorder (ADHD)

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

Possible Accommodations and Services:

- Seat the student away from distractions and in close proximity to the teacher.
- State classroom rules, post in an obvious location, and enforce consistently.
- Use simple, concise instructions with concrete steps.
- Provide seating options.
- Tolerate (understand the need) excessive movement.
- Provide a peer tutor/helper.
- Teach compensatory strategies.
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.
- Monitor for stress and fatigue; adjust activities.
- Adjust assignments to match attention span, etc.
- Vary instructional pace.
- Vary instructional activities frequently.
- Provide supervision during transitions, disruptions, and field trips.
- Model the use of study guides and organizing tools.
- Accommodate testing procedures; lengthy tests might be broken down into several shorter administrations.
- Provide counseling and prompt feedback on both successes and areas needing improvement.
- Initiate frequent parent communication.
- Establish a school/home behavior management program.
- Provide training for staff.
- Have the student use an organizer; train in organizational skills.
- Establish a nonverbal cue between teacher and student for behavior monitoring.
- Assign chores/duties around room/school.
- Adapt environment to avoid distractions.
- Reinforce appropriate behavior.
- Have child work alone or in a study carrel during high-stress times.
- Highlight required or important information/directions.
- Provide a checklist for student, parents, and/or teacher to record assignments of completed tasks.
- Use a timer to assist student to focus on given task or number of problems in time allotted. Stress that problems need to be done correctly.
- Have student restate or write directions/instructions.
- Allow student to respond in variety of different modes (i.e., may place answers for tests on tape instead of paper).
- Give student opportunity to stand/move while working.
- Provide additional supervision to and from school.
- Adapt student's work area to help screen out distracting stimuli.
- Grade for content integrity, and not just neatness/presentation.
- Schedule subjects which require greater concentration early in the day.
- Supply small rewards to promote behavior change.
- Avoid withholding physical activity as a negative reinforcer.
- Allow for periodic, frequent physical activity, exercise, etc.

- Determine trigger points and prevent action leading to trigger points.
- Provide for socialization opportunities, such as circle of friends.

Cancer

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

Possible Accommodations and Services:

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

Cerebral Palsy

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

Possible Accommodations and Services:

- Provide assistive technology devices.
- Arrange for use of ramps and elevators.
- Allow for extra time between classes.
- Assist with carrying books, lunch trays, etc.
- Adapt physical education curriculum.
- Provide for physical therapy as appropriate. Such therapy needs to relate directly to "life skills."
- Train for proper dispensing of medications; monitor and/or distributed medications; monitor for side effects.
- Adapt eating utensils.
- Initiate a health care plan that also addresses emergency situations.
- Train paraprofessionals in the case of this student (i.e., feeding, diapering, transporting to and from the wheelchair).
- Adapt assignments.
- Educate peers/staff with parent/student permission.
- Ensure that programs conducted in the basement or on second or third floor levels are accessible.
- Ensure that bathroom facilities, sinks, and water fountains are readily accessible.

Chronic Infectious Diseases (e.g., Acquired Immune Deficiency Syndrome (AIDS))

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

Possible Accommodations and Services:

- In-service staff and students about the disease, how it is transmitted, and how it is treated. (***N.B.:*** **Consult appropriate district policies prior to using this accommodation; you must be extremely careful regarding confidentiality.**).
- Apply universal precautions.
- Administer medications following medication administration protocols, train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.
- Adjust attendance policies.
- Adjust schedule or shorten day.
- Provide rest periods.
- Adapt physical education curriculum.
- Establish routine communication with health professionals, area nurse, and home.
- Develop health care and emergency plan.
- Consult with doctor, parents, teachers, area nurse, and administrators.
- Train appropriate teachers on medical/emergency procedures.
- Provide two-way audio/video link between home and classroom via computer, etc.
- Arrange for an adult tutor at school or home.
- Adapt assignments and tests.
- Provide an extra set of textbooks for home.

- Provide staff training on confidentiality.
- Provide education and support for peers regarding issues of death and dying.
- Provide transportation to and from school if needed as a related service.
- Tape books or provide a personal reader.
- Arrange to communicate with a home computer with e-mail.
- Notify parents of communicable disease in the classroom.
- Arrange for participation in a support group.
- Provide for post-secondary employment transitions for secondary students.
- Foster supportive community attitudes regarding the district's need to provide education to HIV-positive/AIDS students.
- Develop and promote a nondiscriminatory classroom climate and supportive student attitudes.
- Promote the most supportive, least restrictive educational program.
- Initiate a "Kids on the Block" AIDS program.
- Videotape classroom teaching.
- Provide a peer support group to encourage communication.
- Involve school health consultant in school-related health issues.

Cystic Fibrosis

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

Possible Accommodations and Services:

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

Deaf/Hard of Hearing and Hearing Impairment

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

Possible Accommodations and Services:

- Allow for written direction/instructions in addition to oral presentation.
- Ensure delivery of instruction facing the student to allow lip reading.
- Provide visual information as primary mode of instruction.
- Allow for provision of interpreter services.
- Install acoustical tile, carpeting.

- Seat in a location with minimal background noise.
- Provide paper and pencil/pen to write/draw requests when needed.
- Facilitate acquisition of TDDs and related assistive technology.
- Allow for extra time between classes.

Diabetes

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

Possible Accommodations and Services:

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

Drugs and Alcohol

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

Possible Accommodations and Services:

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

Encopresis/Enuresis

EXAMPLE: A student urinates or defecates in clothes. This is not to be confused with physical incontinence; it is a needed behavior change (i.e., toilet training, bowel/bladder retraining).

Possible Accommodations:

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

Epilepsy

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

Possible Accommodations and Services:

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

Learning Disability

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

Possible Accommodations and Services:

- Provide lower-readability materials covering course context.
- Provide extended time on tests.
- Arrange for student/volunteer readers.
- Provide information on accessing reading materials on tape or electronically.
- Allow access to spell checkers and/or word processing.
- Provide information on accommodations for college-entrance/qualifying exams (i.e., PSAT).
- Written directions in addition to oral.
- Clearly sequenced instruction.

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

Leukemia

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

Possible Accommodations and Services:

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

Mood Disorder

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

Possible Accommodations and Services:

* Break down assignments into manageable parts with clear and simple directions, given one at a time.
* Plan advanced preparation for transitions.
* Monitor clarity of understanding and alertness.
* Allow most difficult subjects at times when student is most alert.

- Provide extra time on tests, class work, and homework if needed.
- Strategies in place for unpredictable mood swings.
- Provide appropriate staff with training on bipolar disorder.
- Create awareness by staff of potential victimization from other students.
- Implement a crisis intervention plan for extreme cases where student gets out of control and may do something impulsive or dangerous.
- Provide positive praise and redirection.
- Report any suicidal comments to counselor/psychologist immediately.
- Consider home instruction for times when the student's mood disorder makes it impossible for him to attend school for an extended period.

Other Mental Health Disorders

EXAMPLE: A student with other mental health disorders may need an adjusted class schedule to allow time for regular counseling or therapy. For purposes of this example, the condition substantially limits the individual's major life activity of learning. This may include depression, anxiety, oppositional defiant disorder, obsessive compulsive disorder, and others.

Possible Accommodations and Services:

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

Physical Impairment

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

Possible Accommodations and Services:

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

Student with Special Health Care Needs

EXAMPLE: The student has a special health care problem and requires clean intermittent catheterization (CIC) twice each day. This procedure empties the bladder and helps prevent urinary tract infections and possible wetting. The condition is substantially limiting in the major life activity of caring for oneself.

Possible Accommodations and Services:

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

Transitory/Episodic

EXAMPLE: A student was in an automobile accident and will be homebound and/or hospitalized for an extensive period. The student should receive accommodations if this disability substantially limits a major life activity for a lengthy period of time.

Possible Accommodations and Services:

- Provide duplicate sets of texts.
- Provide assignments to hospital school.
- Tape lessons.
- Provide homebound instruction.
- Schedule periodic home-school meetings.
- Arrange for student to leave class early to get to next class.
- Provide access to elevators.
- Excuse from or adapt physical education program.
- Arrange for a friend to assist student in getting from class to class, provide help with getting lunch tray.
- Establish a student support network.
- Provide a cordless telephone/beeper/pager.
- Provide an interactive system – computer, e-mail, TV.
- Arrange for peer notes.
- Change seating arrangements to accommodate needs.
- Adapt assignments depending on disability.
- Allow more time for test completion.
- Allow shortened days; adjust attendance policy.
- In-service staff and class and prepare an emergency care plan.
- Switch programs/classes to an accessible classroom on the main floor.
- Test verbally.
- Provide peer assistance for social involvement (i.e., to keep child informed of social activities).
- Furnish life-skill assistance.

Tourette's Syndrome

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

Possible Accommodations and Services:

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

Traumatic Brain Injury

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

Possible Accommodations and Services:

- Provide extended school year/time.
- Furnish memory/organizational aids.
- Provide alternative testing.
- Initiate tutoring programs.
- Arrange an emergency plan.
- Monitor for seizure activity.
- In-service staff and peers with student/parent permission.
- Monitor fatigue/mental exhaustion.
- Provide frequent short breaks during periods of intense concentration.
- Shorten the instructional day if indicated.
- Provide strategies for organizing/sequencing tasks.

Tuberculosis

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

Possible Accommodations and Services:

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

Visual Impairment

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

Possible Accommodations and Services:

- Preferential seating.
- Adaptations to the physical environment (i.e., consistent room arrangement, removal of obstacles to path of entry, etc.).
- Copies of text/reading materials for adaptation.
- Modified writing tools (i.e., dark felt tip pens).
- Perkins Brailler.
- Slate and stylus.
- Raised lines on writing paper.
- Dark lined writing paper.
- Lighting aids.
- Low-vision devices, including magnifiers, monocular glass, and closed-circuit TV.
- Desktop slant board.
- Enlarged print materials, including textbooks, workbooks, and worksheets.
- Braille textbooks and reading materials.
- Books on tape.
- Audiotape recorder, tapes, and organizational location (headphones if needed).
- Oral instead of written tests.
- Standardized tests (i.e., CAT, SAT) in large print or Braille.
- Tactile maps.
- Computer with enlarged print screen/adaptations.
- Speech synthesizer for input and output.
- Screen reading device.
- Optical Character Recognition System Scanner.
- Mobility devices (i.e., white cane).
- Abacus.

Weight: Diagnosis of Obesity, Anorexia, and Bulimia

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

Possible Accommodations and Services:

- Provide special seating modifications.
- Make dietary modifications per physician recommendation.
- Adapt physical education program per physician recommendation.
- Allow extra time to get to classes.
- Educate peers.
- Adapt rest rooms.
- Provide opportunities for socialization and peer counseling/interaction.
- Ensure privacy for self-care.
- Provide counseling involving the area nurse.
- Provide for elevator privileges per physician's recommendation.
- Arrange for counselor/area nurse to supervise peer counseling to deal with esteem issues, peer attitudes, teasing, etc.

- Address busing concerns to ensure room on buses for seating.
- Arrange to provide opportunities for the individual to participate in intramural and extra-curricular events.
- Make any class location changes that may be needed.

SECTION 504 COORDINATOR/TEAM LEADER TO-DO LIST

General Roles and Responsibilities

- Become knowledgeable and current in the requirements of Section 504.
- Review school policy on Section 504.
- Know school procedures under Section 504.
- Provide information and training to staff on Section 504 requirements.
- Coordinate scheduling of Section 504 meetings and appointment of the Section 504 team leaders.
- Comply with school procedures and timelines for the Section 504 process.
- Provide for the physical accommodations required to prevent discrimination under Section 504.
- Provide for the supports, services, technology, and modifications as defined in the Section 504 Plan.
- Provide accommodation in scheduling to ensure access for the student with a disability according to the Section 504 Plan.
- Provide training of appropriate staff on health, medication, or behavior management.
- Ensure implementation of the Section 504 Plan.
- Provide documentation of timely implementation of district Section 504 process.

Steps to take for Section 504 Initial Referral

- Section 504 coordinator may designate a Section 504 team leader.
- The Section 504 team leader will identify the appropriate staff to attend a team meeting to review and determine the appropriateness of the Section 504 referral. This determination **must be completed within 10 school days of receipt of the referral.**
    - This team must include at a minimum, the student's general education teacher(s), grade-level dean, parent (if available), the individual making the referral (if available), and any additional staff deemed appropriate
- **The Section 504 team leader will:**
    - **Schedule, convene, and facilitate the meeting to review the request for evaluation and to complete the *Section 504 Information Review* [Form C]. The outcome of this decision must be documented** on the bottom of the ***Section 504 Information Review*** [**Form C**].
    - Provide parent with **notice** of the referral within 10 school days of receipt of the request by completing the ***Parent Consent for Section 504 Evaluation*** and **Obtaining Parent Consent** [**Form D**].
    - Provide parents with **Form C, D, and *parent the Notice of Parent/Student Rights and Procedural Safeguards*** under Section 504 [**Form K**]. If an evaluation is recommended, the school must first obtain **parent signed consent prior to initiating the initial evaluation.**
    - Obtain or direct staff to obtain ***Release of Confidential Information and Records*** from parent for medical, psychological information, etc. using Release of Confidential Information [**Form L**]. Note: Parent release of medical or other records is not a condition for eligibility, or an appropriate reason to refuse or renew a service.
- The evaluation must be conducted consistent with assessment standards and by appropriately credentialed staff.
- **The Section 504 team leader will:**
    - Schedule a meeting to determine Section 504 eligibility and plan within 30 school days of consent for evaluation [**Form E, F**].

- **If not eligible**, provide documentation and notice to parent along with a copy of their Notice of Parent/Student Rights and Procedural Safeguards under Section 504 [**Form F, K**].
- **If eligible**,
  - Develop a Section 504 Plan [**Form H**].
  - Provide parent with a copy of the Section 504 Plan and a copy of the Notice of Parent/Student Rights and Procedural Safeguards under Section 504 [**Form K**].
  - **Obtain parent signed consent to implement the initial Section 504 Plan.**
  - Support implementation of the Section 504 Plan by:
    - Providing a copy of the Section 504 Accommodation Plan to all staff that work directly or indirectly with the student.
    - Arrange for the provision of the supports, services, technology, or modifications as defined in the Section 504 Plan.
    - Provide staff with a copy of the Section 504 Accommodations Log [**Form M**] to record implementation of accommodations.

- **The Section 504 coordinator/team leader will receive and resolve complaint if the parent:**
  - Disagrees with school recommendation.
  - Requests a grievance/complaint.
  - Requests a due process hearing.

Steps to take with a Section 504 Annual Review or Transition or Change in Program

- **The Section 504 coordinator/team leader will:**
  - Provide notice to parent of Section 504 meeting using the Parent Invitation: Section 504 Meeting [**Form E**] and a copy of the Notice of Parent/Student Rights and Procedural Safeguards under Section 504 [**Form K**].
  - Arrange for the appropriate staff to attend the Section 504 meeting.
  - Review and revise the Section 504 Plan as appropriate to the supports, services, and modifications required to prevent discrimination and create access to participate as non-disabled peers [**Form H**].
  - **Note:** During an annual review meeting, the team may determine that the **student no longer needs or qualifies for a Section 504 Accommodation Plan** (e.g. a change in the student status or condition). Such a decision must be made based on student need and must be clearly documented through the Section 504 Information Review **[Form C]**, scheduling of the Section 504 meeting **[Form E],** and completion of the Section 504 Eligibility Determination Report **[Form F].**
  - Implement the Section 504 Plan.
  - Provide a copy of the Section 504 Plan to all staff that work directly or indirectly with the student.
  - Arrange for the provision of the supports, services, technology, or modifications as defined in the Section 504 Plan.
  - Provide staff with a copy of a Section 504 Accommodations Log [**Form M**] to record implementation of accommodations.

- **The Section 504 coordinator/team leader will receive and resolve complaint if the parent:**
  - Disagrees with school recommendation.
  - Requests a grievance/complaint.
  - Requests a due process hearing.

Steps to take with a Section 504 Re-Evaluation (three years)

- **The Section 504 coordinator/team leader will:**
  - Provide notice to parent of meeting to discuss re-evaluation using the Parent Invitation: Section 504 Meeting [**Form E**].
  - Provide parent the Notice of Parent/Student Rights and Procedural Safeguards under Section 504 [**Form K**]. Complete the Section 504 Information Review [Form C] and the Parent Consent for Section 504 Evaluation, noting on this form that parent consent is not required for a re-evaluation.
  - Arrange for the appropriate staff to conduct the evaluation and collect relevant data if needed
  - Obtain or direct staff to obtain release of information, if needed, using Release of Confidential Information [**Form L**]
    Note: Parent refusal to release medical or other records is not an appropriate reason to refuse or renew services
  - Schedule release of staff to participate in Re-Evaluation meeting and Plan Review (also see Plan Review above for more details on required steps)
- **The Section 504 Coordinator/Team Leader will receive and resolve complaint if the parent:**
  - Disagrees with school recommendation.
  - Requests a grievance/complaint.
  - Requests a due process hearing.

Steps to take with Section 504 Discipline (Pattern of Removal, Manifestation Determination)

- **The team leader will:**
  - Track the number of student removals from school using the *Pattern of Removal Worksheet* for Students with Disabilities [**Form I**].
  - Plan MDR meeting where a significant change in placement has been triggered (long-term suspension (more than 10 consecutive days), expulsion, or pattern of removal).
  - Provide notice to parent of meeting to discuss manifestation determination.
  - Provide parent the Notice of Parent/Student Rights and Safeguards under Section 504 [**Form K**].
  - Arrange for the appropriate staff to collect relevant data and conduct the manifestation determination.
  - Obtain or direct staff to obtain release of information, if needed, using Release of Confidential Information [**Form L**].
    - **Note**: Parent release of medical or other records is not a condition for refusal of service or renewal of service.
  - Conduct MDR consistent with the required procedure [**Form J**].
  - If behavior is related to the student's disability or failure of the district to implement the student's Section 504 Accommodation Plan, the period of suspension or expulsion must end and the student must be returned to the prior setting with continued supports and services consistent with the Section 504 Plan or revised Plan as appropriate.
  - If the behavior is not related to the student's disability, proceed to implement discipline in the same manner as for non-disabled students and in accordance with the School Code of Conduct and State School Code.
- The Section 504 coordinator/team leader will receive and resolve complaint if the parent/guardian:
  - Disagrees with school recommendation.
  - Requests a grievance/complaint.

- Requests a due process hearing.

Steps to take when student enrolls with Section 504 Plan

- Provide the parent notice of the Section 504 review meeting using the Parent Invitation: Section 504 Meeting and with a copy of the Notice of Parent/Student Rights and Procedural Safeguards under Section 504 [**Forms E and K**].
- Complete Section 504 Information Review and determine if additional evaluation information is needed. Document the outcome of this decision at the bottom of **Form C**.
- Complete Parent Consent for Section 504 Evaluation if deemed appropriate. If there is no eligibility information within the file, complete additional evaluations if needed and/or complete the Eligibility Determination [**Forms D, F**].
- If the team agrees with the Section 504 Plan, implement the plan as written.
- If the team questions the existing Section 504 Plan, the school must consider revisions and/or consider the need for additional evaluations.