

# ***Roland-Story Community School District***

## ***Section 504 Handbook***

The mission of the Roland-Story Community School District is to build a foundation of lifetime learning for our students, families, and communities.

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**Development**

The Roland-Story Community School District staff and community engaged in a process to establish this *Section 504 Handbook*. This process was part of an effort to develop comprehensive supports for all to serve as a foundation for decisions about eligibility and accommodations for students with a disability.

The development process included meetings of educators to identify needs and establish a process for the decisions about eligibility and accommodations for students with a disability.

**Student Services Section 504 Development Team**

Adam Hubert	District 504 Director
Kate Hartzler	Elementary Principal
Michael Oleson	MS Counselor
Colton Calvert	HS Teacher
Terri Heisterkamp	HS Counselor

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

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

*The RSCSD will identify outcomes for all students to systematically ensure that each child progresses along the continuum of understanding.*

## Introduction and Purpose

Section 504 of the Rehabilitation Act of 1973 directs schools receiving federal funding to eliminate discrimination based on disability from all aspects of school operation. It states:

“No otherwise qualified individual with a disability shall solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

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

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

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

### *Typical General Education Accommodations*

Many forms of accommodations occur within general education classrooms to ensure meeting student learning needs. These typical accommodations are good instructional strategies and are done without the necessity of a Section 504 Accommodation Plan.

- Provide alternative books with similar concepts, but at an easier reading level
- Provide audiotapes of textbooks and have the student follow the text while listening
- Provide interesting reading material at or slightly above the student’s comfortable reading level
- Use a peer helper
- Ask student to repeat/paraphrase context to check understanding
- Use index cards to record major themes
- Provide the student with a list of discussion questions before reading the material
- Keep workspaces clear of unrelated materials
- Provide a structured learning environment
- Reduce visual distractions in the classroom (mobiles, etc.)
- Provide a computer for written work
- Seat the student close to the teacher or a positive role model
- Seat the student away from windows or doorways
- Provide an unobstructed view of the chalkboard

The determination of eligibility for Section 504 accommodations is a responsibility of the Roland-Story Community School District.

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

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

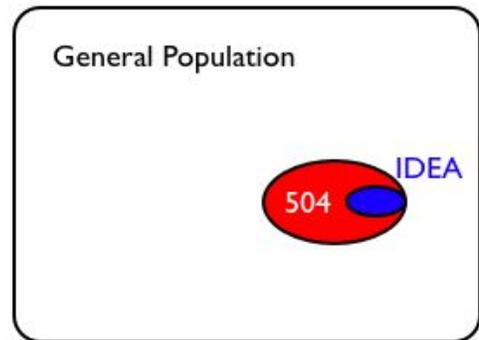
A student with impairment who does not meet the standards for eligibility under the IDEA may or may not fit within the Section 504 definition. Eligibility for services under Section 504 is not automatically granted to a student who is referred for a special education evaluation and who is subsequently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

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

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

### Eligibility Determination

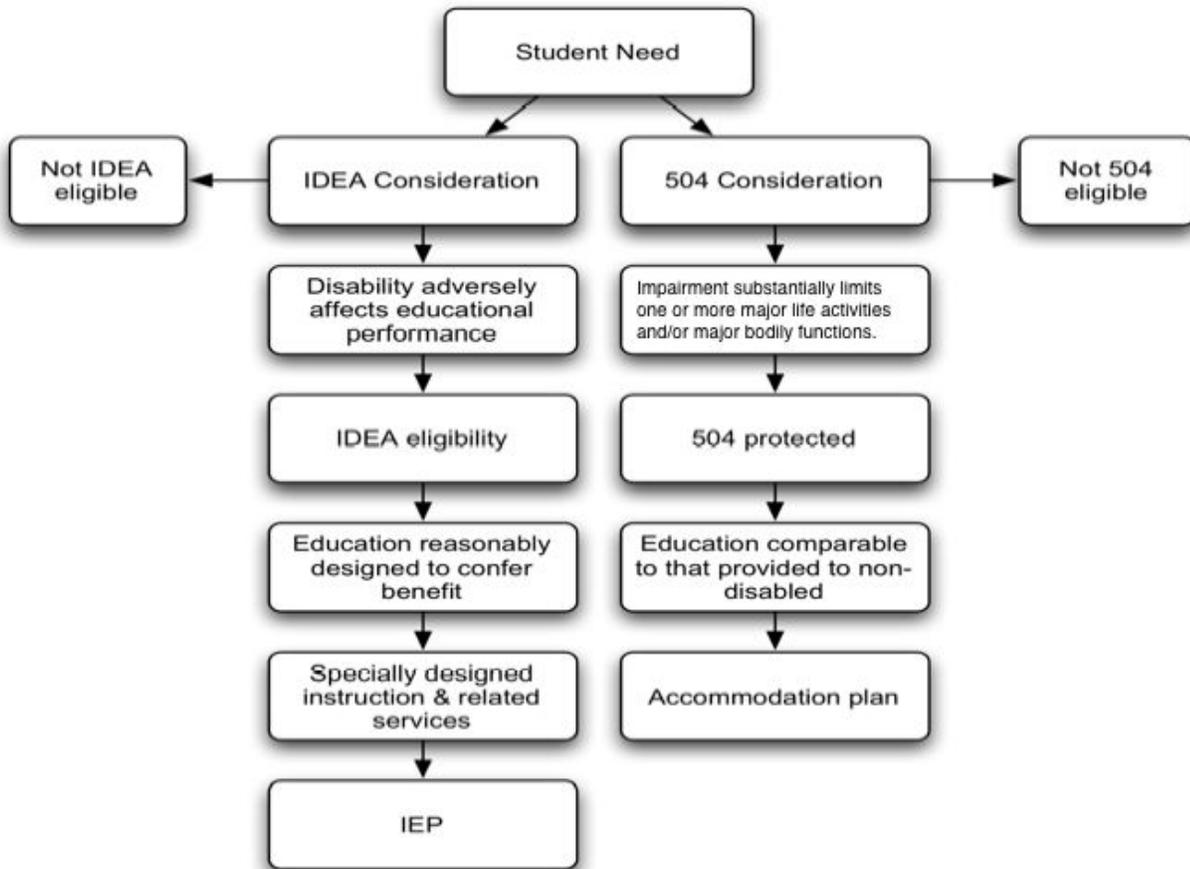
A student must be determined, as a result of an evaluation, to have a “physical or mental impairment” that “substantially limits one or more major life activities and/or major bodily functions.” U.S. Office of Civil Rights establishes the standard for substantial limitation of a student’s ability to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



The District regards a student as having an impairment when:

- The student has a physical or mental impairment that does not substantially limit major life activities and/or major bodily functions, but the district provides services on the assumption of the impairment being so limiting.
- The student’s physical or mental impairment would not substantially limit major life activities and/or major bodily functions but for the attitudes of others towards the impairment.
- The student does not have an impairment at all, but is treated as if he has an impairment that substantially limits a major life activity and/or major bodily function.

Eligibility for Section 504 accommodations is decided by evaluating and determining that all three criteria are met: 1) The student must have a mental or physical impairment; 2) That mental or physical impairment must be substantially limiting; and 3) The impairment must substantially limit one or more major life activities and/or major bodily functions. If any of the three criteria is missing or if there is no impact on the student’s access to school programs or services because of the disability, the student is not eligible for services or accommodations under Section 504. The condition must present a barrier to the student’s ability to access the same educational opportunities as that afforded a non-disabled student, or a substantial limitation does not exist.



#### Definitions

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

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

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

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

*Is regarded as having an impairment* means (A) has a physical or mental impairment that does not substantially limit major life activities and/or major bodily functions but that is treated by a recipient as constituting such a limitation; (B) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or (C) has none of the impairments defined above but is treated by a recipient as having such an impairment.

### *Eligibility Review*

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

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

- A parent and/or doctor presents the school with a disability diagnosis and a Section 504 Accommodation Plan is written without first determining if the disability causes substantial limitation of a major life activity.
- A student is placed on a Section 504 Accommodation Plan solely because the parent wants the student to have additional time on college qualifying examinations (e.g. ITBS/ITED, ACT, SAT).
- A student fails to qualify for special education support and is automatically signed up for a Section 504 Accommodation Plan without first qualifying based on Section 504 criteria.
- A student is automatically placed on a Section 504 Accommodation Plan when the student no longer qualifies for special education services without first qualifying them based on the three Section 504 criteria, which are different from special education criteria.
- A student is placed on a Section 504 Accommodation Plan as an alternative way to receive special education services because the parent refuses to “label” a student by including them in a special education program.

### *Eligibility Determination Team*

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

A Section 504 Eligibility Determination Team must consist of at least three educators who

- know the student or
- have expertise in the student’s area of suspected impairment, or
- who are familiar with interpreting test results and evaluative data, or
- who are familiar with accommodations and services offered by the district

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

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

#### **Core Members**

School Principal  
 School Section 504 Coordinator  
 Classroom Teacher(s)  
 Parent/Family  
 Student as developmentally appropriate

#### **Members Flexibly Determined**

School Nurse  
 District Section 504 Coordinator  
 GWAEA service providers  
 School Counselor  
 Other agency representation as appropriate

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

### *Temporary Disability*

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

## Accommodations

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

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

A modification, as used in this document, is an adjustment to an assignment or a test that changes the standard or what the test or assignment is supposed to measure. Examples of possible modifications include a student completing work on part of a standard assignment or a student completing an alternate assignment that is more easily achievable than the standard assignment. Some intervention tools might be seen as either an accommodation or a modification depending on the situation or on the implementation enabling an individual student with disabilities to enable him/her to participate in the general education program.

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

### Section 504 Accommodations

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

Accommodations are to be reasonable. Accommodations are intended to provide persons with disabilities compensation for their functional limitation(s) due to a mental or physical impairment. Where Section 504 is concerned, accommodations are made to bring a student with a disability to the same starting point as a non-disabled student. Consequently, the accommodations defined in a Section 504 plan are those interventions that are over and above the accommodations available to all students.

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

#### Environmental Accommodations

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

#### Organizational Accommodations

- Model and reinforce organizational systems
- Reinforce self-monitoring and self-recording of assignments
- Write out homework assignments, check student's recording of assignments
- Tailor homework assignments toward student strengths
- Set time expectations for assignments
- Use graphic organizers, study guides or other organizing methods

#### Presentation Accommodations

- Record presentations so the student can listen to them again; allow students to record lessons
- Select alternative textbooks, workbooks, or provide books on tape
- Highlight main ideas and supporting details in the book

- Provide copied material for extra practice
- Differentiate instruction to match student's preferred learning style and needs
  - a) media rich lesson presentations
  - b) small groups required to produce a written product
  - c) large groups required to demonstrate a process
  - e) peer tutors or cross-age tutors
  - f) demonstrations, simulations
- Simplify and repeat instructions about in-class and homework assignments
- Vary instructional pace and instructional materials used

#### Evaluation Accommodations

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

The Office of Civil Rights does not recognize undocumented accommodations or modifications with or without a Section 504 Accommodation Plan.

## **Roles and Responsibilities**

The collaboration of all stakeholders provides the greatest opportunity to ensure

### *District Section 504 Coordinator*

The District Section 504 Coordinator helps each school meet requirements under Section 504, provides resources and helps educators and administrators understand their responsibilities under Section 504. With other administrators and teachers, the District Section 504 Coordinator helps create an ongoing program to support problem-solving teams in accommodating student needs. The District Section 504 Coordinator also answers questions and addresses issues about Section 504 in the school setting. The Roland-Story Community School District Section 504 Coordinator has the following responsibilities:

- Facilitate 504 professional development for school administrators
- Assist educators and administrators understanding of Section 504 responsibilities
- Ensure the implementation of eligibility determination
- Ensure the documentation and accuracy of active Section 504 Accommodation Plans
- Monitor the implementation of Section 504 Accommodation Plans
- Ensure the publication of Section 504 information and forms
- Facilitate Iowa Department of Education Equity Review

### *School Administrator*

The school administrator has the responsibility to ensure that all school staff adhere to Section 504 procedures.

- Facilitate Section 504 professional development of school staff
- Facilitate appropriate and inclusive 504 teams
- Ensure the integrity of Section 504 eligibility determination
- Complete and maintain Section 504 forms/plans (copies appropriately filed)
- Maintain school database of active Section 504 Accommodation Plans
- Provide a copy of active Section 504 plans to the District Section 504 Coordinator
- Monitor and assess Section 504 plan accommodations
- Ensure the annual review of active Section 504 plans with appropriate and inclusive 504 teams
- Communicate inactive Section 504 plans to the District Section 504 Coordinator

### *School Section 504 Coordinator*

The Section 504 School Coordinator helps the school meet Section 504 requirements, coordinates resources, and documents and communicates necessary records as required in this plan. With other administrators and teachers, the Section 504 School Coordinator helps create an ongoing program to support problem-solving teams in accommodating student needs. The Section 504 School Coordinator has the further responsibility to serve as a core member of the School Section 504 Eligibility Determination Team. The Section 504 School Coordinator also answers questions and addresses issues about Section 504 in the school setting.

### *Classroom Teacher*

Beyond those typical general education accommodations identified previously, teachers have the following responsibilities to ensure that reasonable accommodations are made for students eligible for Section 504 services.

- Assist in the eligibility determination process
- Implement identified Section 504 Accommodations
- Provide evidence on the effectiveness of the Section 504 accommodations as needed
- Participate in the Section 504 Accommodation Plan annual review

### *School Nurse*

The school nurse is a member of a team who contributes to the identification and evaluation of students who may be eligible for services under Section 504. Through shared responsibility with other team members, the school nurse assists in the planning and implementation of individual accommodation plans as needed. Specialized areas of assessment and implementation may include the following:

- Assess student health status through communication with the parents and health care providers;
- Consult with the classroom teacher and counselor on medical issues related to the student;
- Develop health care protocols to meet student specific health needs during a school day;
- Monitor student health and progress;
- Serve as the team liaison to the medical community; and
- Maintain open communication with the family on the health status of the student

The school nurse also plays an important role in identifying health-related limitations on major life functions for students with health-related disabilities and/or chronic health problems and interpreting the scope of Section 504 for Eligibility Determination Team, administrators and parents. By participating in the identification of students eligible for Section 504 accommodations, the school nurse contributes to maximizing student academic performance by preventing further health problems and optimizing students' academic performances.

#### *Parents*

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

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

#### **Review**

An Eligibility Determination Team review of active Section 504 Accommodation Plans should occur annually with more frequent reviews occurring as needed. While annual or other plan reviews do not have parental notification requirements, it is advisable to invite parents to participate in the review process and that parents receive prior notice explaining the proposed action.

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

It is necessary to conduct a manifestation determination meeting for a student qualifying for Section 504 Accommodations when the suspension or expulsion will be for more than 10 consecutive or cumulative school days. A suspension/expulsion of more than 10 consecutive or cumulative days constitutes a significant change in placement and requires schools to determine if the cause of the misconduct is the disability identified in the student's Section 504 Accommodation Plan.

Those involved in a manifestation determination meeting need to be knowledgeable about the student and the meaning of the data being reviewed. When possible, convene those individuals who designed the student's Section 504 Accommodation Plan. When this is not possible, teachers, parents, health professionals, counselors, etc. can serve on the team that makes a manifestation determination provided they have knowledge of the student and the data being reviewed. Those responsible for school disciplinary procedures, such as the school principal or school board officials cannot make the determination.

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

#### **Section 504 Plan Termination**

The first step in terminating a Section 504 Accommodation Plan is for the Eligibility Determination Team to review current student need and determine that the plan is no longer needed to provide the student equal access or that the student no longer has a qualifying disability. Once this is determined, the Eligibility Determination Team is to complete a Section 504 Accommodation Plan Termination form. This completed form is attached to the front of the existing Section 504 Accommodation Plan and kept in the student cumulative file to support the future efforts of staff that might need to consider some type of future intervention for the student.

#### **Confidentiality**

The confidentiality of student records is addressed in both state and federal law. The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age certain rights with respect to student education records and provides guidelines for the maintenance of confidentiality. It is the responsibility of educators involved in Section 504 processes and activities to adhere to the requirements for confidentiality.

## Due Process

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

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

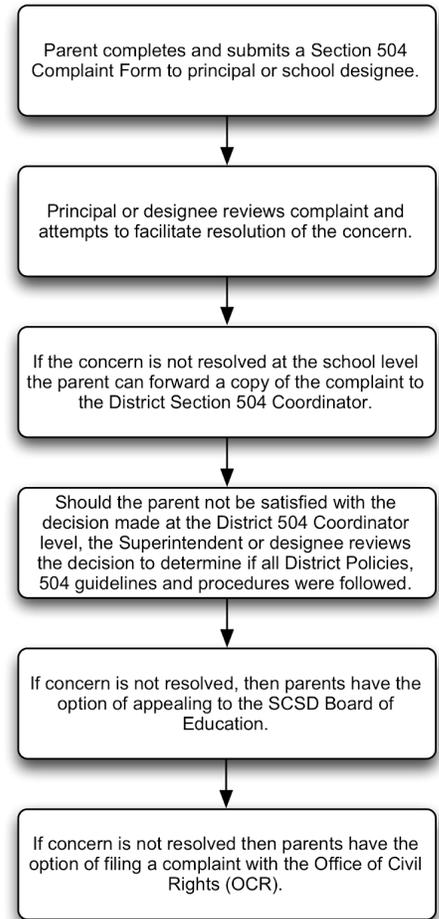
If informal discussion fails to resolve the concern, a Section 504 Complaint Form can be filed. The principal or immediate supervisor will respond in writing within ten (10) working days.

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

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

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

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



U.S. Department of Education  
 Office for Civil Rights, Chicago Office  
 500 W. Madison Street Suite 1475  
 Chicago, IL 60661  
 Tel# (312) 730-1560  
 FAX# (312) 730-1576  
 TDD (312)730-1609  
 Email: [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov)

### **Staff Development**

The Roland-Story Community School District will make Section 504 information readily available for all staff working in the district. Periodic training and consultation will be provided to staff involved in the identification, evaluation, or implementation of Section 504 Accommodation Plans. All new staff will be provided basic information on Section 504 and will be informed of how to access more detailed Section 504 resources.

### **Public Notice**

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

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

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

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

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

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

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

Contact the Roland-Story Community School District Section 504 Coordinator for further information.

Adam Hubert

Section 504 District Coordinator

Roland-Story Community School District

1009 Story Street

Story City, IA 50248

Voice (515) 733-4301

Fax (515) 733-2131

**Section 504 Eligibility Review Request**

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

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

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

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

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

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

Signature of person requesting Section 504 review

Relationship to student \_\_\_\_\_ Date \_\_\_\_\_

**Section 504 Eligibility Determination Meeting Notice**

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

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2. has a record of such impairment; or
3. is regarded as having such an impairment.

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

Meeting date: \_\_\_\_\_ Meeting location: \_\_\_\_\_

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

Team Members	Relationship with Student
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

The Section 504 Eligibility Determination Team invites you to participate in this meeting as part of the eligibility team. Please indicate your intention to participate by signing and returning this completed form to your child’s school. If you should have questions or need more information please contact your child’s school principal.

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

\_\_\_\_\_ Date \_\_\_\_\_  
 \_\_\_\_\_ Date \_\_\_\_\_

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

*Parents/Students have the right to:*

1. Have your child/you take part in, and receive benefits from public education programs without discrimination based on a disability.
2. Have the District advise you as to your rights under federal law.
3. Receive notice with respect to identification, evaluation, or placement of your child/yourself.
4. Have your child/you receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the District make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child/you educated in facilities and receive services comparable to those provided students without disabilities.
6. Have your child/you receive special education and related services if she/he is found to be eligible under the Individuals with Disabilities Education Act (IDEA), or to receive reasonable accommodations under Section 504 of the Rehabilitation Act.
7. Have eligibility and educational placement decisions made based upon a variety of information sources, and by individuals who know the student, the eligibility data, and placement options.
8. Have transportation provided to a school placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the District.
9. Give your child/you an equal opportunity to participate in nonacademic and extracurricular activities offered by the school District through the provision of reasonable accommodations.
10. Examine all relevant records relating to decisions regarding your child's/your identification, eligibility, educational program, and placement.
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
12. Receive a response from the District to reasonable requests for explanations and interpretations of your child's/your records.
13. Request amendment of your child's/your educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the District refuses this request, it shall notify you within a reasonable time, and advise you of the right to a hearing.
14. Request impartial due process hearing related to decisions regarding your child's/your identification, eligibility, and educational placement. You and your child may take part in the hearing and have an attorney represent you at your own cost.
15. File a complaint with the District when you believe your child's/your rights have been violated.

*Parents/Students have the responsibility to:*

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

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

Name: \_\_\_\_\_

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

### Section 504 Eligibility Determination

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

Assessment/evaluation information (check all that apply):

- Psychological Evaluation       Physician Report       Achievement Tests       Teacher Recommendations  
 Observation Data       Discipline History       Parent Information       Curriculum Based Assessments  
 Others (specify): \_\_\_\_\_

Specify the student's mental or physical impairment(s):

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

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

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

Place an "X" on the following scale to indicate the specific degree the impairment limits the major life activities and /or major bodily functions (checked above).

- Make an educated estimate *without the effects of mitigating measures* (i.e.: medication, low-vision devices (except glasses and contacts), hearing aids and cochlear implants, mobility devices, prosthetics, assistive technology, learned behavioral or adaptive neurological modifications, and reasonable accommodations or auxiliary aids/services).
- Similarly, for impairments that are episodic or in remission, make the determination for the time they are active.
- Use the average student in the general population as the frame of reference.
- Interpret close calls in favor of broad coverage.

**Section 504 Eligibility Determination (Page 2)**

Provide justification for this rating: (*Substantially* means that the student is significantly restricted as the condition, manner, or duration of performing a major life activity and/or major bodily function when compared to students of comparable age. The condition must present a barrier to the student's ability to access the same educational opportunities afforded a non-disabled student, or a substantial limitation does not exist.)

- Negligibly
- Mildly
- Moderately
- Substantially
- Extremely

If the team's determination is less than "substantially", provide notice to the parents/guardians of their procedural rights, including an impartial hearing. If the team's determination was "substantially" or "extremely," the team should determine and list on the 504 plan the specific accommodations necessary for the child to have an opportunity commensurate with non-disabled students (of the same age).

Justification for rating:

**Section 504 Eligibility Determination**

Based on the analysis of the evaluation data, does the student have a disability substantially limiting a major life activity and/or major bodily function?

- No**, the student is not Section 504 eligible.
- No**, the student will be referred for (1)  a Suspected Disability or (2)  a Health Plan.
- Yes**, the student is Section 504 eligible, but does not require a plan because (1) of the corrective effects of mitigating measures or (2) the impairment is episodic or in remission. The 504 team will be re-convened as necessary to review the status of the student's disability (3) the parent(s)/guardian(s) do not want Section 504 accommodations for the student at this time.
- Yes**, the student is 504 eligible and requires an accommodation plan.

Team Signatures	Date	Position

**Parental/Guardian Notice**

I have participated in the Section 504 Eligibility process and have received copies of this notice and the Parent's Notice of Section 504 Rights.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date



**Section 504 Accommodation Plan**

Student \_\_\_\_\_

Date of Birth \_\_\_\_\_

Grade \_\_\_\_\_ School \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

State/Zip \_\_\_\_\_

Parent \_\_\_\_\_

Home Phone \_\_\_\_\_

Work Phone \_\_\_\_\_

Date \_\_\_\_\_

Status  Initial  Annual Review

This student has been found to be Section 504 eligible and requires the following accommodations based on evaluation information from a variety of sources documented on the Notice of Eligibility.

Identify the major life activities and/or major bodily functions substantially limited by the disability, describe the accommodation related to the disability, and identify the person(s) responsible for implementing the accommodation.

Activity	Accommodation	Person(s) Responsible

Team Signatures

Date

Relationship with Student

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

\_\_\_\_\_

**Section 504 Manifest Determination Review**

Student	Date of Birth	Grade	School
Address__	City	State/Zip	
Parent		Date	

**Purpose**

The purpose of this meeting is to determine whether the student’s alleged misconduct is a manifestation of the student’s educational disability. It is not an opportunity to dispute the alleged misconduct or disciplinary action.

**Agenda**

- I. *Description of Misconduct:* It is appropriate to have the school administration provide this information based on personal knowledge and discipline logs and notices sent to the parents from the school. Description should be thorough and detailed.

- II. *Analysis:* Review the relevant information in the student’s file, including information from parents, any teacher observations, and the student’s 504 Plan.

- A. Was the misconduct for which the District seeks to discipline the student, caused by or did it have a direct and substantial relationship to the student’s educational disability?  Yes     No

- B. Was the misconduct for which the District seeks to discipline the student a direct result of the failure to implement the current 504 Plan?  Yes     No

**Roland-Story Community School District**  
1009 Story Street, Story City, Iowa 50248  
www.roland-story.k12.ia.us • (515) 733-4301 • fax (515) 733-2131

**Section 504 Manifest Determination Review-Page 2**

If the answer to either of the above questions is “yes,” the misconduct is a manifestation of the student’s educational disability. If the answer to both questions is “no,” then the misconduct is not a manifestation of the student’s educational disability.

- III. Conclusions of the Manifestation Determination: Please summarize the facts of the student’s alleged misconduct, the elements that are characteristic of the student’s educational disability, and the reasoning used in making the determination of whether the student’s misconduct is or is not a manifestation of the student’s educational disability. Be precise and well-reasoned.

- IV. Next Steps (when appropriate):

- A. If the student’s misconduct is a manifestation of the student’s disability, the Section 504 team must:
  - 1. Withdraw the recommendation to expel, to long-term suspend, or to impose any other disciplinary change of placement.
  - 2. Discuss other points.
- B. If the student’s alleged misconduct is not a manifestation of the student’s disability, the student may be disciplined in the same manner as non-disabled students.

### Section 504 Accommodation Plan Termination

Student \_\_\_\_\_ Date of Birth \_\_\_\_\_ Grade \_\_\_\_\_ School \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_ State/Zip \_\_\_\_\_  
 Location of Conference \_\_\_\_\_ Date of Conference \_\_\_\_\_

The Section 504 Eligibility Determination Team has determined that the Section 504 Accommodation Plan currently in place for the above named student is no longer needed.

In the space below, briefly describe the reason for terminating the student's 504 plan referencing the three qualifying criteria listed below.

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

Rationale

**Section 504 Complaint Form**

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

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

Describe the alleged violation of Section 504 in specific terms. Include 1) the specific incident or activity that is viewed as discrimination; 2) the individuals involved; 3) dates, times, and locations involved; and 4) the disability that forms the basis of the complaint (attach additional pages if needed).

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

Describe proposed resolution of this issue.

