

# Section 504 Manual



**Norwalk Community School District**

November 2021

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## Section 504 Overview

Section 504 of the Rehabilitation Act is a federal civil rights law passed in 1973 that protects the rights of persons with qualifying disabilities. This law directs that recipients of federal funds are to make programs and activities accessible to all persons with disabilities.

Section 504 has three areas of emphasis: employment, facility accessibility, and requirements for preschool, elementary, secondary, and post secondary education programs/activities. This document focuses on the requirements associated with preschool through secondary education programs and activities.

Section 504 of the Rehabilitation Act of 1973 protects persons from discrimination based on their disability status. A person is considered to have a disability, within the definition of Section 504, if he or she:

- Has a **mental or physical impairment** which **substantially limits** one or more of the individual's **major life activities**;
- Has a record of such impairments; or
- Is regarded as having such an impairment

### **Mental and Physical impairment**

A mental impairment is any mental or psychological disorder. A physical impairment is a physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems.<sup>1</sup> The final determination as to whether or not a condition is considered an impairment is left to the discretion of the student's 504 team. A medical diagnosis is not required.

### **Major life activity**

Major life activities include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. The ADA Amendments Act of 2008 includes a *non-exhaustive* list of major activities such as: caring for one's self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, working, and the operation of major bodily functions such as immunity, normal cell growth, elimination, digestion, and endocrine functions. School staff should consider possible 504 evaluations for any health condition that substantially impacts even one major life activity or major bodily function.

### **Substantially Limits and ADA Amendments Act of 2008**

The ADA Amendment Act of 2008 broadened 504 eligibility and lowered the bar for demonstrating that an impairment substantially limits either a major life activity or major bodily function. The 2008 changes specified that an impairment need not prevent or severely or significantly restrict a major activity to be considered substantially limiting. In order to determine impact, the comparison is with how a typical peer performs the same major life activity or bodily function. The determination of a substantial limitation is made on a student-by-student basis by the 504 team.

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<sup>1</sup> <https://www.ada.gov/pcatoolkit/chap1toolkit.htm>

## **Eligibility**

Eligibility is determined when the student's physical or mental impairment meets the federal criteria of "substantially limits a major life activity." The presence of the disability is *not* sufficient, in and of itself, to qualify a student as eligible; nor is a medical diagnosis. When a child is determined eligible, Section 504 ensures that accommodations and services are provided to remove barriers and allow equitable access. The law also provides guidance regarding procedural steps and safeguards.

## **Students who have a disability but do not need accommodations**

A district may conduct a 504 evaluation and determine that while a student meets the Section 504 disability definition they do not need accommodations and an accommodation plan to access a free and appropriate public education. For example this could happen if a high school student is diagnosed with a food allergy that substantially limits the major life activity of eating and the function of the digestive system. However, based on the Section 504 evaluation, it could be determined that the student does not need accommodations as a result of the disability because the student may choose to bring cold lunch and is not participating in family consumer science classes. This student could fully participate in the school's regular physical education program and in extracurricular sports; not need help administering topical medicine; and not require any modifications to the school's policies, practices, or procedures. In this situation the school district is not obligated to provide the student with any additional services. The student is still a person with a disability and therefore remains protected by the general nondiscrimination provisions of Section 504. This student would be marked as qualifying for Section 504 in Infinite Campus, but would not need an accommodation plan.

## **Mitigating measures**

The 2008 Amendments to the ADA made clear that mitigating measures, with the exception of corrective lenses, could not be considered during the evaluation process. Examples of mitigating measures include but are not limited to: medication, medical equipment and devices, prosthetic limbs, low vision devices, accommodations, an individual health plan (IHP) and behavioral modifications. *The corrective effect of mitigating measures may not be used to rule out Section 504 eligibility.* To determine eligibility for a student who is successfully using mitigating measures an evaluation should focus on how the student may perform major life activities/major bodily functions *without* the use of mitigating measures.

## **Episodic conditions or conditions that are in remission**

An impairment that is episodic or in remission is considered a disability if it would substantially limit a major life activity when active. Examples may include depression and bi-polar disorders; juvenile rheumatoid arthritis; inflammatory bowel disease; cancer, and congenital herpes. When in remission, the accommodation plan remains in place ready to implement when the disease state again becomes active.

## **Section 504 and Individual Health Plans (IHP)**

The federal Office of Civil Rights stated that a district may not forego evaluating a student with asthma, food allergies, diabetes, or other health issues for Section 504 based on the fact that the student has an Individual Health Plan at school.

## **Extracurricular Sports & Activities**

A school district that offers extracurricular activities and sports must do so in such manner as is necessary to afford qualified students with disabilities an equal opportunity for participation. This means districts must make *reasonable* modifications and provide accommodations that are needed to ensure an equal opportunity to participate. (It is understood that the term "reasonable" is vague; hence each situation will need to be reviewed on a case-by-case basis by the district administration in collaboration with the student and his or her parents. Likewise, the student must have the skill and abilities needed (or be able to develop such skills and abilities) in order to reasonably participate.

## Failing Grade

A 504 Plan does not insure a passing grade: it is possible that a student with a 504 Plan could still fail a class. Providing necessary accommodations and services simply removes barriers to access. The student must still complete assigned work and the quality of that work must be sufficient to earn a passing grade. In cases where a student is failing a class, school officials should make sure all parts of the 504 Plan are in place and being actively implemented by school staff. The team may also want to reconvene to determine whether the current plan needs revision.

## Section 504 District Contacts

Each Norwalk school building will identify a lead contact(s) for their building. This person is responsible for the coordination of 504 activities at the building level to include maintenance and accuracy of records, staff communication/education at the building level, plan implementation, transition within and between buildings, and coordination of annual reviews. The district contact person is responsible for overseeing the district 504 program and ensuring that the district is appropriately identifying and serving students who are eligible for Section 504 services.

<b>Building</b>	<b>Contact Person</b>
Oviatt Elementary	Nicole Banegas & Kelly Oliver
Orchard Hills Elementary	Rodney Martinez & Sonya Chittenden
Lakewood Elementary	Grace Sullivan & Shawna Neifert
Norwalk Middle School	Chad Wiedmann & Rachel Ertz
Norwalk High School	Jessica Gambrel & Diana Duffy

Inquiries concerning the school district's compliance with Section 504 regulations or the Americans with Disabilities Act regulations pertaining to services provided to students should be directed to the District 504 Coordinator. The following individual has been designated to coordinate the school district's efforts to comply with these Section 504/ADA regulations:

### Section 504 District Coordinator

The following individual has been designated to coordinate the school district's efforts to comply with these Section 504/ADA regulations:

Eric Neessen  
Director of Student Services  
380 Wright Rd., Norwalk, IA 50211  
515-981-0676  
[eneessen@norwalk.k12.ia.us](mailto:eneessen@norwalk.k12.ia.us)

## Evaluations

Parental consent for evaluation is required. Without signed parental/guardian consent an evaluation will not be conducted. Section 504 requires that eligibility determinations be made based upon a careful review of information from a variety of sources. Information provided by parents must be considered in the evaluation process along with other information supplied by the school district. Relevant information used for an evaluation may include: *(This is not an exhaustive list.)*

- Information gathered from school records, observations, interviews, medical or hospital records, rating scales, permanent products that the student has produced and curriculum-based measurement probes.
- Interviews with the student's teacher(s), parents and medical or mental health professionals who have evaluated the student.
- Educational records and permanent products such as standardized test scores, attendance records, disciplinary records, health records, hearing or vision screening results, samples of daily work or the teacher's grade book.
- Direct observations of the student.

## Decision Makers

Section 504 guidelines indicate that decisions should be made by an educational team. This team is to be composed of school staff who are:

- 1) Knowledgeable of the *student*
- 2) Knowledgeable about the *meaning of assessment data* and
- 3) Knowledgeable of *placement options and able to commit district resources.*

While one individual can fulfill more than one of these roles, *there must be more than one* school staff member at Section 504 meetings. Depending on the nature of the suspected disability, a team could consist of the building 504 lead contact, school nurse, and a general education teacher. However these three individuals are not all required to be in attendance. Other individuals may participate on the team as necessary. Parents should also be invited to participate in this process. OCR has ruled that parents have a special knowledge of their child's impairment and are uniquely positioned to provide information about the student. If a parent is scheduled to attend and does not appear at the meeting, the team may proceed and notify the parent in writing regarding any decisions made. The student may also choose to be involved in the process, depending upon the age of the child, the nature of the disability, and the surrounding circumstances.

## Section 504 Protocols

Upon parental request or teacher/staff concern, the 504 team will convene and begin the process defined below (also refer to the *Section 504 Procedures Checklist*). It is important that this process be completed in a timely manner. No more than 60 days should transpire from the time the parent/guardian signs consent to when the evaluation is completed and an eligibility decision made.

### Step 1 – Defining the Disability

- Upon parental request or teacher/staff concern, the Section 504 building lead will begin the process of verifying and defining the child's disability.
- A meeting may be held with the parent to complete this initial step.
- The Section 504 building lead obtains written parental consent to begin the 504 evaluation process using the Parent Consent form.
- When available, obtain copies of psychological evaluation, physician's report or other relevant evaluations from the parents.
- For medical or mental health conditions, consult with the school nurse, prior to meeting with the parent, to determine what information may already be available in the nurse's office and what additional information may be needed. Obtain a signed release of information to obtain medical records and/or talk with identified medical or mental health providers that could provide the team with relevant information. If a parent declines this request, the evaluation will still proceed.
- Consideration should be given to having the school nurse conduct a health review for all students evaluated for Section 504 eligibility. The school nurse will serve as a member of the 504 eligibility team for any student with physical or mental health concerns.
- Once completed, all original and supporting documents should be filed in the student's Section 504 folder. Section 504 folders will be located in an area designated by the Section 504 representative in each school building.

### Step 2 – Collection of Information to Document Section 504 Eligibility

- School personnel will begin gathering evidence/data to determine the impact of the child's disability on their school functioning. This could include information not only on how the student is functioning during the school day but also on the bus and during extracurricular activities outside of the traditional school day. The *Section 504 Elementary and Secondary Teacher Input* forms should be used to collect information on the student (which form used will depend on the grade level of the child).
- The 504 team will use the *Section 504 Eligibility Determination* form as a guide during this process. All sections of this document must be thoroughly completed.

### Step 3 – Eligibility Determination

- Based on a comprehensive review of the student's data, the 504 team will meet to determine if the student qualifies for protections under Section 504. This should be documented on the *Section 504 Eligibility Determination* form.
- The evaluation must include multiple sources of information and be completed within 60 days from the time signed consent is obtained.

- Section 504 teams are to make eligibility decisions based upon information which they possess and not on unsubstantiated statements. For example, if a parent indicates their child has been diagnosed with ADHD, ODD, and OCD but the medical record only notes ADHD, the team cannot consider the other reported diagnoses as a basis for determining Section 504 eligibility.
- The *Release of Health and/or Educational Information* form should be used to communicate directly with outside providers.
- Section 504 teams must insure that the *Section 504 Eligibility Determination form* is thoroughly completed and indicates data reviewed, the decision made concerning eligibility, and include parent or guardian signatures.

#### **Step 4 – Determining Need for an Accommodation Plan**

- There is a possibility of five decisions that can be made based on the information presented:
  - The student does not qualify for Section 504 eligibility and remains in the general education setting with no additional supports.
  - The student does not qualify but continues with general education intervention.
  - The student is eligible for Section 504 protections but is not in need of a plan at this time.
  - The student is eligible for Section 504 and is need of accommodations; the *Section 504 Accommodation Plan* form will be completed.
  - The student does have a disability and are suspected of needing specialized instruction: hence they should be referred for a “disability suspect” determination in collaboration with the AEA.
- All accommodations listed in the accommodation plan must be consistent with and result from the impaired major life activity.
- Accommodations should be stated in concrete terms and identify the staff person responsible for oversight.
- A staff member must be designated to oversee implementation of the accommodation plan, serve as a contact person, and communicate with the parent.
- Building contact person must insure that appropriate school staff members are made aware regarding contents of the accommodation plan.
- The 504 team must insure that implementation is monitored and if accommodations do not provide the student access, insure that the Section 504 team is reconvened to revise the plan.
- The District must insure accurate accounting to DE for all Section 504 eligible students. Building contact persons will note in Infinite Campus each identified student with a 504 plan.
- The Section 504 Accommodation plan must also be uploaded to Infinite Campus.
- All original and supporting documents will be filed in the student’s Section 504 folder.

#### **Step 5 —Reporting Through Infinite Campus**

- Students who are identified as qualifying under Section 504 are reported annually to the DE. This information is pulled from Infinite Campus. All students who qualify under Section 504 must have this indicated in Infinite Campus.

- Copies of the student’s 504 Accommodation Plan should also be uploaded into Infinite Campus so that it is available for administrative purposes as well as to insure that it is readily available to individuals who may have responsibilities for implementing it.

## Annual Reviews

All accommodation plans for students who are Section 504 eligible will be reviewed and updated on an annual basis. Parents/guardians will be notified when the annual and three- year reevaluation is due and the 504 building lead will schedule a meeting to include the parent either in person or by speaker phone. If after repeated documented attempts to identify an agreeable meeting date and when within 5 days of the annual meeting due date, the meeting can be held without the parent and the parent then notified in writing of any decisions made.

The Section 504 building contact, or designee, is responsible to advocate for students as they move to a new grade level and/or a new attendance center. The building contact will meet with the appropriate staff to share 504 plans and the names of eligible students who are not in need of a plan.

- \_\_\_\_\_ Notify parents and other participants of Annual Section 504 Meeting
- \_\_\_\_\_ Review 504 Accommodation Plan and edit if needed
- \_\_\_\_\_ Provide parents with copy of parental rights
- \_\_\_\_\_ Provide parent with copy of current plan

## Three Year Reevaluations

Every three years, or sooner if there are significant changes in physical or mental health status, a *Section 504 Eligibility Determination* form will be filled out to insure continued eligibility for accommodations. Note on this form that a three-year reevaluation is being conducted and the decision made, as a result of the reevaluation, pertaining to the student’s continued eligibility under Section 504.

- Request/obtain relevant information from parent. As necessary, obtain signed parental consent for release of information. There is no need, at this time, to obtain parental consent to conduct a reevaluation.
- Collect data from appropriate sources (60 days from date of meeting)
  - ✓ Parent Interview
  - ✓ Student Interview
  - ✓ Teacher Input
  - ✓ School Nurse
  - ✓ School Records
  - ✓ Outside Sources (Physician, Counselor, Psychologist)
  - ✓ Other: \_\_\_\_\_

- Once evaluation data has been collected, notify parent, and schedule a meeting to discuss the evaluation results and determine continued 504 eligibility. The team decision is documented.
- If the student is determined to be ineligible for 504 protections or no longer in need of a plan, the parent is notified and parent rights are provided.
- If the student is eligible for continued 504 protections, the Section 504 Accommodations Plan is developed or modified at the meeting. Implementation typically begins immediately.
- Ensure that all individuals responsible for implementation of any necessary plan are notified of their specific responsibilities.

- \_\_\_\_\_ Write/Update *504 Student Accommodation* plan
- \_\_\_\_\_ Send copy of finalized plan to parent
- \_\_\_\_\_ Upload new accommodation plan into Infinite Campus
- \_\_\_\_\_ Provide parent with a copy of the finalized plan

## Section 504 and Discipline

Students who are eligible for Section 504 accommodations and services are held to a similar standard, with regard to discipline, as students eligible under IDEA. A student who is currently receiving Section 504 accommodations must undergo a process similar to a manifestation determination before disciplinary suspensions over 10 days or expulsions are assigned. In disciplining a student:

- The administrator will determine whether the student committed the infraction of which the student is accused;
- For suspensions beyond 10 days the student's 504 team will determine whether the behavior was caused by the disability (manifestation determination).

### Suspension/Placement

A disabled student may not be suspended for more than ten days without a manifestation determination. The student's 504 team must make the determination of the relationship between the misconduct and the disability. If the team determines the behavior was not caused by the disability, the student may be disciplined in the same manner as students who do not qualify under Section 504. [Note: No compensatory educational services are required during a suspension.]

The student's team may modify the current educational placement when the misconduct is directly caused by the disability. If appropriate, an alternative educational placement may be considered.

## **Substance Abuse**

Students with substance abuse violations are excluded from the definition of handicapped under Section 504 and ADA. Therefore, current drug or alcohol offenders are subject to the same disciplinary action to the extent applied to non-handicapped students for a similar code of conduct infraction.

## **Graduation**

When a student with a 504 Plan gets close to graduation, school staff should help the student determine if accommodations will be necessary in the student's post-secondary plans. If so, the *Support for Accommodations Request* form (see forms section below) should be completed and shared with the post-secondary institution and the student. Additionally, records for the 504 Plan should be maintained for at least five years after graduation.

## **Parental and Student Rights**

Parents and students have specific rights under Section 504. The district must inform parents and students of these rights. Parents and/or students have the following rights:

1. Insure participation of your child in school district programs and activities, including extracurricular programs and activities, to the maximum extent appropriate, free of discrimination based upon the student's disability and at the same level as students without disabilities;
2. Receipt of free educational services to the extent they are provided students without disabilities;
3. Receipt of information about your child and your child's educational programs and activities in your native language;
4. Notice of identification of your child as having a qualifying disability for which accommodations may need to be made and notice prior to evaluation and placement of your child and right to periodically request a re-evaluation of your child;
5. Inspect and review your child's educational records including a right to a copy of those records for a reasonable fee.
6. Ask the school district to amend your child's educational records if you feel the information in the records is misleading or inaccurate. Should the school district refuse to amend the records, you have a right to a hearing and to place an explanatory letter in your child's file explaining why you feel the records are misleading or inaccurate;
7. A hearing before an impartial hearing officer if you disagree with your child's evaluation or placement. You have a right to counsel at the hearing and have the decision of the impartial hearing officer reviewed.

8. File a complaint with the Iowa Civil Rights Commission:

*Iowa Civil Rights Commission  
Grimes State Office Building  
400 E. 14th Street  
Des Moines, IA 50319-0201  
515-281-4121, 1-800-457-4416  
Fax 515-242-5840*

## Grievance Procedure

An internal grievance procedure to resolve complaints/grievances regarding Section 504 plan process or placements is available. The Norwalk complaint/grievance procedures for Section 504 plan is as follows:

- Level 1: Within ten working days from the occurrence of the circumstance giving rise to the complaint, the grievant will complete the appropriate section of the *Grievance Form* and meet with the school or district contact in order to resolve the complaint. The school or district contact will have ten working days to respond to the grievant in writing.
- Level 2: If the complaint is not satisfactorily resolved at the building level, the grievant may file a written grievance with the superintendent. This should be done within ten working days of the compliance officers' response. The superintendent will have ten working days to respond in writing to the grievant.
- Level 3: If the complaint is not satisfactorily resolved at level two, the grievant may file a written request with the superintendent for grievance mediation. This shall be done within ten working days of the superintendent's response. An impartial mediator will be arranged within ten working days of receiving the request.
  - The grievant may, at personal expense, be represented by counsel at mediation.
  - The mediation recommendations must be based solely on the evidence presented at the mediation conference and shall include a summary of the evidence and reasons for the recommendations.
  - The mediator can be any impartial person that is mutually acceptable to the grievant and the superintendent.
- Level 4: If the complaint is not satisfactorily resolved through mediation, the grievant may file a written request with the superintendent for a hearing with an impartial hearing officer. This shall be done within ten working days of the end of mediation. The superintendent shall arrange for an impartial hearing officer within ten working days of receiving the request. The hearing officer shall make a recommendation in writing within ten working days after the hearing.
  - The grievant may, at personal expense, be represented by counsel at the hearing.
  - The hearing officer's recommendations must be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the recommendations.

- o The hearing officer can be any impartial person that is mutually agreed upon by the grievant and the superintendent. It is recommended that the person have a legal background and knowledge of educational issues.

## Section 504 Procedures Checklist

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STUDENT NAME	DATE
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- Referral (Date received: \_\_\_\_\_)
- Notification Letter sent to parents on date: \_\_\_\_\_
- Parents given copy of their rights on date: \_\_\_\_\_
- Parent Consent Form signed (Date received: \_\_\_\_\_)
- Collect data from applicable sources (60 days from date of consent):
  - Parent Interview
  - Student Interview
  - Teacher Input
  - School Nurse
  - School Records
  - Outside Sources (Physician, Counselor, Psychologist)
- Notify parents and others of Determination Meeting (via phone call, text, email or letter Sent: \_\_\_\_\_)
- Fill out Determination Form
  - If ineligible send notification letter to parents (Date Sent: \_\_\_\_\_)
  - If eligible and in need of a plan, team may proceed to develop plan
  - If eligible and not in need of a plan, document that on Determination form.
  - If eligible and team needs to reconvene, notify parents of meeting date to finalize 504 Plan (Date Sent: \_\_\_\_\_)
- Write 504 Accommodation Plan (Date Sent: \_\_\_\_\_)
  - Send notification letter to parents and
  - Send copy of finalized plan (Date Sent: \_\_\_\_\_)
- Meeting with staff assigned responsibilities under the Section 504 Plan
- Document Section 504 eligibility and upload accommodation plan in Infinite Campus

## Sample Classroom and Facility Accommodations

The following classroom/facility accommodations are *examples* of ways in which Section 504 disabilities may be successfully accommodated within the regular classroom.

### Pacing

Adjust for completion of assignments  
Allow frequent breaks, vary activity often  
Omit assignments requiring copying in timed situation

### Assignments:

Give directions in small, distinct steps  
Allow copying from paper/book  
Use written back-up for oral directions  
Lower reading level of assignment  
Adjust length of assignment  
Break assignment into a series of smaller assignments  
Reduce paper and pencil tasks  
Read directions/worksheets to students  
Avoid penalizing for spelling errors  
Adapt worksheets, packets  
Give oral/visual cues or prompts  
Record or type assignment  
Maintain assignment notebook

### Environment

Leave class for Content Master/Resource assistance smaller assignments  
Preferential seating  
Alter physical room arrangement  
Define limits (physical/behavior)  
Cooling off period

### Presentation of Subject Matter

Carbon Copying notes of other students  
Note taking assistance  
Pre-teach content  
Multi Check often for understanding/review  
Provide visual on key points  
Tape lectures for replay  
Advance organizers  
Have student repeat directions  
Utilize manipulative/"hands on" activities  
Make/use vocabulary files  
Emphasize critical information  
Pre-teach vocabulary

Present demonstration

Emphasize teaching approach (Auditory Visual Tactile)

### Reinforcement and Follow Through

Use positive reinforcement  
Use concrete reinforcement  
Request parent reinforcement  
Peer tutoring  
Teach study skills  
Use study sheets to organize material  
Reinforce long-term assignment  
Repeated review/drill  
Use behavioral contracts/check cards  
Weekly progress reports  
Before or after school tutoring  
Conference with student

### Testing Adaptation

Taped texts  
Highlighted text/study guides  
Use supplementary materials  
Testing Adaptation  
Oral  
Type handwritten teacher material Taped  
Special equipment  
Modify format  
Use of laminated materials  
Read test to student  
Use of adapted or simplified texts  
Reduce reading level  
Use of calculator/computer  
Write test item response for student  
Braille texts  
Adjust time for test completion  
Large print books  
Short answer/multiple choice  
Credit for projects  
Modify weights of examinations  
Shorten length

## Section 504 Forms

### **Required Forms:**

Below are listed the required forms which must be used when evaluating and serving a student in Section 504.

- 1) Section 504 Notification Letter to Parents/Parent Consent
- 2) Section 504 Eligibility Determination
- 3) 504 Student Accommodation Plan

### **Optional Forms:**

Forms that are available and may be needed include:

- 1) Section 504 *Elementary* Teacher Input Form
- 2) Section 504 *Secondary* Teacher Input Form
- 3) Authorization for the Release of Health and/or Educational Information
- 4) Support for Accommodation Request (SAR) Form
- 5) Grievance Form for Section 504 concerns

## Section 504 Notification Letter to Parents

The Norwalk Community School District does not discriminate in its educational programs and activities on the basis of a student's disability. We have reason to suspect that \_\_\_\_\_ may have a physical or mental impairment that substantially limits a major life activity. We will be convening a team of individuals to determine whether accommodations may need to be made to meet his or her individual needs as adequately as the needs of other students. We want to include people on the team who know your child, and would especially value your input.

Once the information has been reviewed, we will be meeting with you to discuss plans to meet your child's needs. Please feel free to contact:

\_\_\_\_\_ at  
Section 504 Liaison or Appointee

\_\_\_\_\_ School

\_\_\_\_\_ Phone number

Parents and students have specific rights under Section 504 of the Rehabilitation Act of 1973. These rights are summarized on the back of this form.

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

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### Parent Consent

Student's Name: \_\_\_\_\_

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

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

Comments:

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

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

\_\_\_\_\_  
Date

## **Section 504 Student and Parental Rights**

per Board Policy 102.E3

The Norwalk Community School District does not discriminate in its educational programs and activities on the basis of a student's disability. It has been determined that your child has a qualifying disability for which accommodations may need to be made to meet his or her individual needs as adequately as the needs of other students. As a parent, you have the right to the following:

- Participation of your child in school district programs and activities, including extracurricular programs and activities, to the maximum extent appropriate, free of discrimination based upon the student's disability and at the same level as students without disabilities;
- Receipt of free educational services to the extent they are provided students without disabilities;
- Receipt of information about your child and your child's educational programs and activities in your native language;
- Notice of identification of your child as having a qualifying disability for which accommodations may need to be made and notice prior to evaluation and placement of your child and right to periodically request a re-evaluation of your child;
- Inspect and review your child's educational records including a right to copy those records for a reasonable fee; you also have a right to ask the school district to amend your child's educational records if you feel the information in the records is misleading or inaccurate; should the school district refuse to amend the records, you have a right to a hearing and to place an explanatory letter in your child's file explaining why you feel the records are misleading or inaccurate; and
- Hearing before an impartial hearing officer if you disagree with your child's evaluation or placement; you have a right to counsel at the hearing and have the decision of the impartial hearing officer reviewed.

## Section 504 Eligibility Determination

**Eligibility Meeting Date:**

Student Name:		DOB:		Gender:	
School:		Grade:			
Parent/Guardian:		Three year Reevaluation Date:			

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

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

\*Must consider multiple sources. Possible source examples: medical records, school records, standardized testing results, interviews, teacher input, and observation data.

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**Actions to be Taken:**

- The student has a physical or mental impairment that significantly impacts a major life activity
    - A Section 504 Accommodation Plan will be written
    - A Section 504 Accommodation Plan is not needed at this time
  - The student does not have a physical or mental disability that significantly limits one or more major life activities.
    - No further action is needed at this time.
    - A individual health plan will address the student's need for health services.
  - The team recommends in addition to a Section 504 Plan that further evaluation for possible IDEA eligibility be pursued.
- 

Eligibility Determination Team Members:

Name and Title	Required team members
	Member knowledgeable about the student (parent or staff member)
	Member knowledgeable about the meaning of evaluation data
	Member who can allocate district resources
	Other team members

## Section 504 Student Accommodation Plan

<b>Eligibility Determined Date:</b>	<b>Purpose of meeting</b> Initial, Annual, or 3 yr. Reevaluation:
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Student:	Date of Birth:	Grade:
Parent Name(s):	Plan Facilitator:	Building:
Staff and other persons present at the meeting:		

Areas of Strength:

Describe Areas of Concern Based on Eligibility Determination:

Areas of Difficulty	Accommodations	Person Responsible	Date of Review

<b>Annual Review Date:</b>	<b>Those participating :</b>	<b>Outcome (plan modified or remains current)</b>
3 yr. Reevaluation:		

## Elementary Section 504 Teacher Input Form

<b>Student Name:</b>		<b>Grade:</b>	
<b>Teacher Name:</b>		<b>Due Date:</b>	

*This student is being evaluated (re-evaluated) for eligibility for Section 504. The information you provide will be used as part of this process and will be shared with the parent.*

1. What is the student's current grade in each subject?
  
2. Please check all the factors that may account for the student's current grade and write in numbers where applicable:
  - Missing assignments
  - Late assignments
  - Incomplete or illegible assignments
  - Failure to participate in class
  - Other *(Please describe.)*
  
3. What strengths does this student display in your classroom?
  
4. What challenges does this student present in your classroom?
  
5. Have you made any informal accommodations or modifications for this student such as extending timelines, preferential seating, or adjusting expectations? *(If yes please list below and tell whether or not it was effective.)*
  
6. Have you been in contact with this parent/guardian during the current school year? How often and what has been your primary means of communication *(e-mail, phone, conference)?*
  
7. Any additional information or comments? *(Please use additional pages as necessary.)*

## Secondary Section 504 Teacher Input Form

<b>Student Name:</b>		<b>MS/HS Subject:</b>	<b>Grade:</b>	
<b>Teacher Name:</b>			<b>Due Date:</b>	

*This student is being evaluated (re-evaluated) for eligibility for Section 504. The information you provide will be used as part of this process and will be shared with the parent.*

1. What is the student's current grade in your class (HS/MS) or in each subject?
  
2. Please check all the factors that may account for the student's current grade and write in numbers where applicable:
  - Missing assignments
  - Late assignments
  - Incomplete or illegible assignments
  - Failure to participate in class
  - Other *(Please describe.)*
  
3. What strengths does this student display in your classroom?
  
4. What challenges does this student present in your classroom?
  
5. Have you made any informal accommodations or modifications for this student such as extending timelines, preferential seating, or adjusting expectations? *(If yes please list below and tell whether or not it was effective.)*
  
6. Have you been in contact with this parent/guardian during the current school year? How often and what has been your primary means of communication *(e-mail, phone, conference)?*
  
7. Any additional information or comments? *(Please use additional pages as necessary.)*

# Authorization for the Release of Health and/or Educational Information

**Student Name:** \_\_\_\_\_ **DOB:** \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

On behalf of the above named student, I authorize \_\_\_\_\_  
(Name of health care provider, agency, or medical institution)

to release evaluation records to \_\_\_\_\_ and \_\_\_\_\_  
(Area Education Agency)(School or School District)

for the purpose of determining eligibility for and/or provision of Section 504.

AEA Contact: \_\_\_\_\_ District Contact: \_\_\_\_\_

AEA Address: \_\_\_\_\_ District Address: \_\_\_\_\_

For this purpose, I consent to the release of the following health information to the AEA and school district regarding this child from \_\_\_\_\_ to \_\_\_\_\_.

- |   |   |
|---|---|
| <input type="checkbox"/> Current Medical Status     | <input type="checkbox"/> Current Medications/treatments |
| <input type="checkbox"/> Recommendations for School | <input type="checkbox"/> Other                          |

I hereby give special permission to the above named medical entity to release records pertaining to:

- |   |  |
|---|--|
| <input type="checkbox"/> Mental health                | <input type="checkbox"/> Substance abuse/chemical dependence |
| <input type="checkbox"/> Sexually transmitted disease | <input type="checkbox"/> HIV/AIDS                            |

I understand that the released information becomes a part of the student's educational records and, as such, is protected by the Family Educational Rights and Privacy Act (FERPA). The information may be reviewed by all members of the Section 504 team and, as appropriate, those identified as having legitimate educational interest. The information may also be used in the future, including if the student moves, for the purpose of educational decision making.

I understand that I have the following **rights** with respect to this authorization:

- The right to inspect or copy the health information to be disclosed by this form.
- The right to receive a copy of this form.
- The right to withdraw this Authorization by written notification at any time (although my withdrawal will not be effective as to uses and/or disclosures already made regarding this form).

This authorization is valid until \_\_\_\_\_ or until one year after the date of signing, whichever occurs first.  
Date

<b>Signature</b>	<b>Relationship to Student</b>	<b>Date</b>

**Health Insurance Portability and Accountability Act (HIPAA)/Family Educational Rights and Privacy Act (FERPA) Notice**

Any and all personally identifiable information regarding children and families is protected from unauthorized disclosure under FERPA. Personally identifiable information protected by FERPA is specifically exempted from HIPAA privacy standards. FERPA prohibits disclosure of personally identifiable information without parent consent except in limited circumstances, requires notice to be provided to the child's family regarding their privacy rights, requires providers to keep records of access to a child's records, and contains complaint and appeal procedures which apply to disputes over records.

**Notice to Recipients of Mental Health Information**

In accordance with the Iowa Mental Health Information Disclosure Act (Iowa Code, Chapter 228), a recipient of mental health information may disclose this information only with the written authorization of the subject or the subject's legal representative or as otherwise provided in chapter 228 and 220. Unauthorized disclosure is unlawful and civil damages and criminal penalties may apply. Federal confidentiality rules (42 CFR Part 2) restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

**Notice to Recipients of Substance Abuse Information**

This information has been disclosed from records whose confidentiality is protected by Federal law. Iowa Code, Chapter 125 and Federal regulations (42 CFR, Part 2) prohibit any further disclosure without the specific written consent of the person to whom the information pertains, or as otherwise permitted by such statute and regulations. A general authorization for the release of medical or other information is not for this purpose. Federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

**Notice to Recipients of HIV Related Testing Information**

This information has been disclosed to you from records whose confidentiality is protected by state law. State law prohibits you from making any further disclosure of the information without specific written consent of the person to whom it pertains, or as otherwise permitted by law. A general authorization for the release of medical or other information is not sufficient for this purpose. (Iowa Code 141.23) Federal confidentiality rules (42 CFR, Part 2) restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

# Support for Accommodation Request (SAR) Form

Students who receive Section 504 services, graduate from high school, and go on to an institution of higher learning may need accommodations at that setting. The Support for Accommodation Request (SAR) form has been developed as a tool for summarizing documentation from a student's secondary school experience. School staff may use this form to summarize relevant and useful information from a variety of sources (accommodation plans, assessments, reevaluations, high school records). The SAR can be used as the basis for verifying eligibility and supporting requests for accommodations, academic adjustments, and/or auxiliary aids at the post-secondary level. Completing this form can be very helpful to students as they transition to post-secondary educational setting.

## Support for Accommodation Request

**To be used in consideration of post-secondary academic accommodation requests**

**Student's Name:**

**1. ELIGIBILITY/DIAGNOSTIC STATEMENT:**

- Date of original eligibility:
- Most recent re-evaluation date:
- Current goal area(s) of concern:

**2. FORMAL DIAGNOSIS and DATE (when available):**

**3. What is the BASIS OF DETERMINATION for current services?** (Provide available diagnostic assessment information and recent evaluation results; include performance levels with/ without accommodations.)

**4. Describe the CURRENT FUNCTIONAL IMPACT of the disability:**

**5. RESPONSE TO specially designed INSTRUCTIONAL INTERVENTION:**

**6. Expected PROGRESSION or STABILITY of the disability:**

**7. HISTORY of ACCOMMODATIONS:**

- 9<sup>th</sup> Grade:
- 10<sup>th</sup> Grade:
- 11<sup>th</sup> Grade:
- 12<sup>th</sup> Grade:

**8. SUGGESTED ACCOMMODATIONS for post-secondary experiences:**

**9. RECOMMENDATIONS (include accommodations, linkages to adult services, other support) for**

Living:

Working:

**10. ADULT/COMMUNITY Contacts:**

Agency:

Status:

Name/Position:

Telephone:

**11. SIGNATURE of Credentialed Professional:**

Name of Person completing this form (Print):

Title/Role:

Agency/Organization:

Telephone:

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**12. AUTHORIZATION for RELEASE OF INFORMATION**

I hereby authorize the release of information summarized in this **Support for Accommodation Request** for the purpose of evaluating eligibility and accommodation requests.

**Name of Student (Print):** \_\_\_\_\_

**Student Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**13. STUDENT WRITTEN RESPONSE—Statement of Goals (Please write your statement of at least 3-5 sentences describing what you hope to accomplish in the next year.)**

## Grievance Form for Section 504 concerns

Your name: \_\_\_\_\_

Student Name and grade level:

\_\_\_\_\_

Reason for filing grievance:

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

(attach additional sheets if necessary)

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

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

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

Email: \_\_\_\_\_