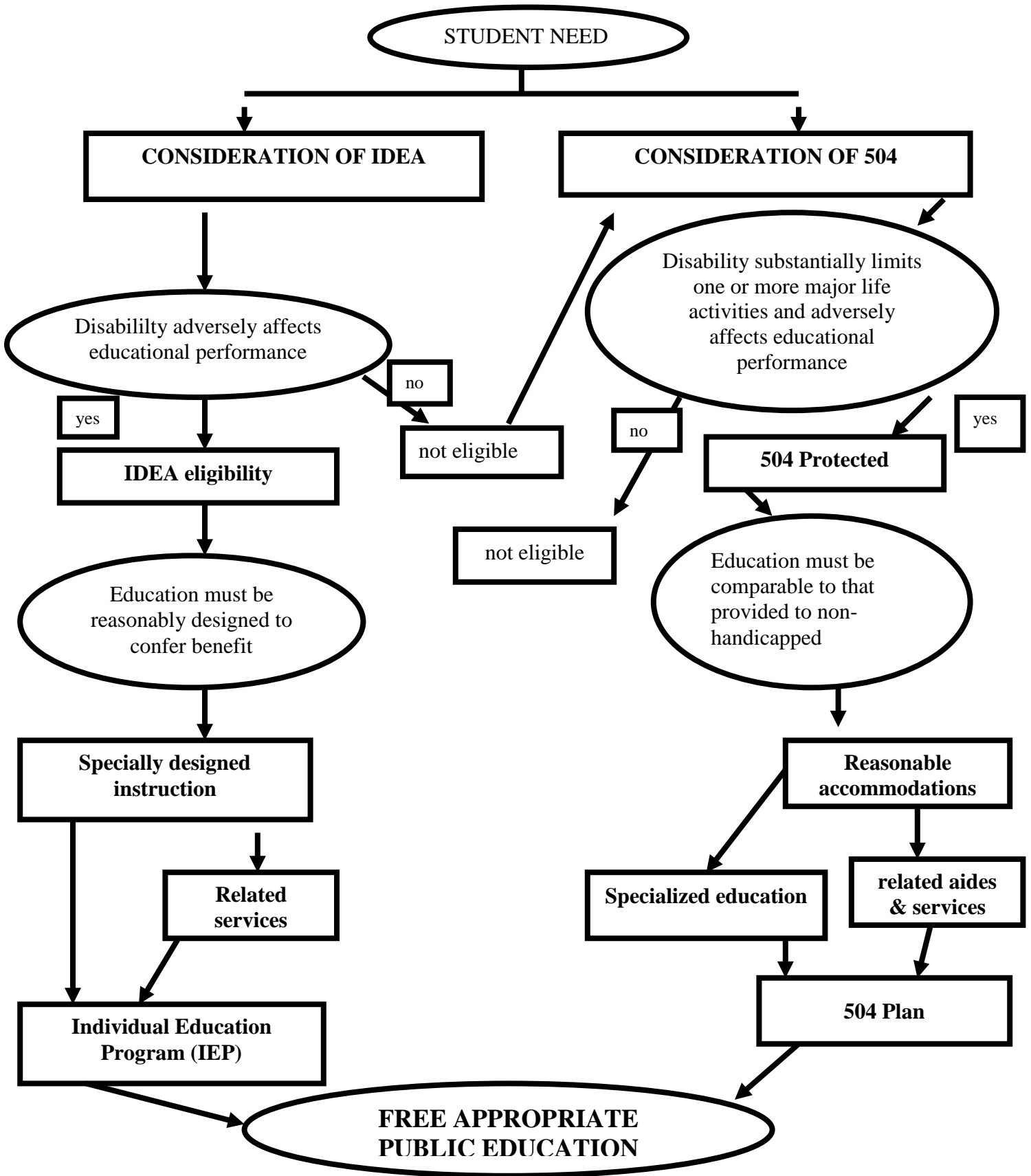


IDEA/504 FLOW CHART



504 and IDEA Comparison Chart

Component of the Legislation	IDEA	Section 504
Purpose	Is a federal statute whose purpose is to ensure a free and appropriate education services for children with disabilities who fall within one of the specific disability categories as defined by the law.	Is a broad civil rights law which protects the rights of individuals with disabilities in any agency, school or institution receiving federal funds to provide persons with disabilities to the greatest extent possible, an opportunity to fully participate with their peers.
Who is Protected	Covers eligible students ages 3-21 whose disability adversely affects the child's educational performance and/or ability to benefit from general education.	Covers all persons with a disability from discrimination based solely on their disability. Section 504 defines a person with a disability as: Having a physical or mental impairment which limits one or more major life activity; Have a record of such an impairment; or Are regarded as having an impairment.
Services	Provides individual supplemental educational services and supports in addition to what is provided to students in the general curriculum to ensure that the child has access to and benefits from the general curriculum. This is provided free of charge to the parent.	Requires schools to eliminate barriers that would prevent the student from participating fully in the programs and services offered in the general curriculum.
Requirements for delivering Services	Requires a written Individualized Education Plan (IEP) documentation with specific content addressing the disability directly and specifying educational services to be delivered, mandating transition planning for students 16 and over, as well as a Behavior Intervention Plan (BIP) for any child with a disability that has a behavioral issue. "Appropriate Education" is defined as a program reasonably calculated to provide "educational benefit" to the student. Related services are provided as required for the student to benefit from the educational process and are aligned with specially designed instruction (e.g., counseling, speech, transportation, occupational and physical therapy, etc.)	Does not require a written IEP but does require a documented plan. "Appropriate Education" means comparable to the one provided to general education students. Section 504 requires that reasonable accommodation be made for the child with a disability. Requires the school to provide reasonable accommodations, support and auxiliary aides to allow the child to participate in the general curriculum.
Funding	Provides additional funding to states for eligible students	Does not provide additional funds. Additionally, IDEA funds may not be used to serve children found eligible under section 504 only.

STAFF RESPONSIBILITIES

District Coordinator of Section 504

- coordinates district efforts to comply with Section 504 regulations including training of administrative staff,
- assures publication of Child Find Notice and distributes copy for posting at all district sites,
- reviews 504 Evaluation Summary if proposed accommodations require resources beyond the school level,
- receives and reviews copy of all Section 504 Accommodation Plans,
- accepts and reviews Section 504 complaints, organizes and conducts investigations, and attempts to resolve any concerns/ complaints. and
- organizes district response to any complaint filed with the Office of Civil Rights.

Principal or Administrative Designee - School Team Chairperson

- coordinates school efforts to comply with Section 504 regulations, including training of school staff,
- assures posting of Child Find Notice annually,
- establishes school 504 Team(s) and serves as chairperson of Team(s),
- guides 504 referral and evaluation and service delivery process,
- consults with District 504 Coordinator as needed,
- forwards copy of each 504 Accommodation Plan to District 504 Coordinator,
- maintains a master list of those students with 504 Plans, including name, grade, major life activity area impacted, annual review date, and projected reevaluation date, and
- accepts and reviews school 504 complaints, organizes and conducts investigations, and attempts to resolve any complaints/concerns.
- Ensures Family Educational Rights and Privacy and Confidentiality Acts

Certified/Classified District Staff

- attend Section 504 training at the school level,
- complete a Referral for 504 Assistance as needed,
- serve as 504 Team member when appropriate as determined by school 504 Team chairperson, and
- implement 504 Accommodation Plan(s) as appropriate.

SECTION 504 PROCEDURES CHECKLIST
(District Forms are identified in bold type)

- Parent/Guardian is notified of 504 meeting— **Notice of Conference, Parents’ Rights in Brief** is sent to the parent with this notice.
- A meeting is held to discuss and determine need for additional evaluation. Review **Parents’ Rights in Brief** and have the parents sign the **Receipt of Parents’ Rights in Brief. Section 504 Conference Notes/Summary** of the meeting are kept; the parent may have a copy if requested. If it is determined that further evaluation is needed, the parent is asked to give permission by signing at the bottom of the **Parent/Guardian Consent for Evaluation**. If permission is denied, end the meeting and contact the District 504 Coordinator.
- When evaluation is completed (within 60 school days), a **Notice of Conference** is sent to the parent; a meeting is held to discuss the evaluation results and determine 504 eligibility. The **Section 504 Eligibility Conference Summary** is completed and documents the team decision. **Parents’ Rights in Brief** is given and the **Receipt of Parents’ Rights in Brief** is signed; **Section 504 Conference Notes/Summary** of the meeting are kept. If the student is determined to be ineligible for 504 protections, the parent is notified (copy of **Section 504 Eligibility Conference Summary**). If the student is eligible under Section 504, the **Section 504 Plan** is developed at the meeting and the **Parent/Guardian Consent for Initial Provision of Section 504 Services and/or Accommodations** is signed. Implementation of the **Section 504 Plan/Section 504 Accommodation Data** begins immediately. The **Section 504 Plan** is placed in the 504 file, with all other 504 documentation. A copy is kept in the Student Cumulative folder. Copies of **Section 504 Eligibility Conference Summary** and **Section 504 Plan** are given to the parent and sent to District 504 Coordinator/ Designee.
- The **Section 504 Plan/Section 504 Accommodation Data** is reviewed at least annually; a **Notice of Conference** is sent to parents. **Section 504 Conference Notes/Summary** of the meeting are kept. A new **504 Plan** is developed and the **Section 504 Accommodation Data** sheet is put into place, or, following a reevaluation, the **Section 504 Conference Notes/Summary** indicates that the student is no longer eligible. A copy of **Parents’ Rights in Brief** and the **Receipt of Parents’ Rights in Brief** is signed and copies of all forms are given to the parent.
- A reevaluation is conducted at least every three years, or whenever there is a question of continued eligibility or a change in placement **Notice of Conference** is sent to the parent and a meeting is held. **Section 504 Eligibility Conference Summary** is completed. A new **Section 504 Plan/Section 504 Accommodation Data** is developed if appropriate. A copy of those forms and **Parents’ Rights in Brief** is given to the parent. Parents sign the **Receipt of Parents’ Rights in Brief**.
- Whenever a student displays a pattern of behavior that interferes with their learning or the learning of others, a 504 Team should review and complete a **Section 504 Functional Behavioral Assessment** and a **Section 504 Behavior Intervention Plan**.
- In reviewing a student’s misconduct the 504 Team must determine if the misconduct was caused or had a direct and substantial relationship to the disability by completing the **Section 504 Manifestation Determination**.

504 Form List

Initial Evaluation

Form A	Notice of Conference
Form B	Parent/Guardian Consent for Evaluation
Form C	Parents' Rights in Brief
Form D	Receipt of Parents' Rights in Brief

Initial 504 Eligibility

Form A	Notice of Conference
Form E	Section 504 Eligibility Conference Summary
Form F	Section 504 Plan
Form G	Section 504 Conference Notes/Summary
Form H	Parent/Guardian Consent for Initial Provision of Section 504 Services and/or Accommodations
Form I	Section 504 Accommodation Data
Form K	Section 504 Functional Behavioral Assessment (if appropriate)
Form L	Section 504 Behavior Intervention Plan (if appropriate)

Periodic Re-evaluation of 504 (at least every 3 years)

Form A	Notice of Conference
Form B	Parent/Guardian Consent for Evaluation
Form C	Parents' Rights in Brief
Form D	Receipt of Parents' Rights in Brief
Form F	Section 504 Plan
Form G	Section 504 Conference Notes/Summary
Form I	Section 504 Accommodation Data
Form K	Section 504 Functional Behavior Assessment (if appropriate)
Form L	Section 504 Behavior Intervention Plan (Review if appropriate)

Annual 504 Review

Form A	Notice of Conference
Form C	Parents' Rights in Brief
Form D	Receipt of Parents' Rights in Brief
Form F	Section 504 Plan
Form G	Section 504 Conference Notes/Summary
Form I	Section 504 Accommodation Data
Form L	Section 504 Behavior Intervention Plan (if appropriate)

Manifestation Determination

Form A	Notice of Conference
Form C	Parents' Rights in Brief
Form D	Receipt of Parents' Rights in Brief
Form F	Section 504 Plan*
Form G	Section 504 Conference Notes/Summary*
Form I	Section 504 Accommodation Data*
Form J	Manifestation Determination for Section 504 Students
Form K	Section 504 Functional Behavior Assessment*
Form L	Section 504 Behavior Intervention Plan*

*Review current forms and re-develop if necessary

(INSERT SCHOOL DISTRICT NAME)

NOTICE OF CONFERENCE

To: _____ Date: _____

Re: (Student Name) _____

Date of Conference: _____ Time: _____

Location of Meeting: _____

Purpose of Conference:

_____ To consider possible eligibility for and/or provision of services and/or accommodations under Section 504 of the *Rehabilitation Act of 1973*.

_____ To review eligibility for and/or services and/or accommodations being provided under Section 504 of the *Rehabilitation Act of 1973*.

_____ Other: _____

Conference Participants (Title and Name):

You have the right to bring other individuals, at your discretion, to this conference. Please notify your student's Building Administrator/504 Designee if you are in need of an interpreter or translator.

Enclosure: Parents' Rights in Brief

Sincerely,

Building Administrator/504 Designee

Contact Information

PARENTS' RIGHTS IN BRIEF

Section 504 of the *Rehabilitation Act of 1973*

It is the policy of the Board of Education to provide a free and appropriate public education to each student with a disability. It is the intent of the District to ensure that students who are eligible for services and/or accommodations within the definition of Section 504 of the *Rehabilitation Act of 1973* are identified, evaluated, and provided with appropriate educational services and/or accommodations.

Parents (or, if age 18 or older, students) have the following rights under Section 504:

1. Right for your child to take part in and receive benefits from the District and its programs and activities, including nonacademic and extracurricular programs and activities, without discrimination on the basis of his/her disability;
2. Right to be informed, in your native language, of any proposed actions related to identification, evaluation, or educational placement of your child;
3. Right to examine all relevant records of your child;
4. Right to have an evaluation of your child that draws on information from a variety of sources in order to determine his/her eligibility for Section 504 services and/or accommodations;
5. Right to have periodic reevaluations of your child, including reevaluation before any significant change in your child's placement;
6. Right for your child to receive appropriate educational services and/or accommodations in the least restrictive environment that is appropriate for the child if he/she is found eligible under Section 504;
7. Right to a manifestation determination review before any disciplinary removal of your child that constitutes a significant change in placement, in order to determine if your child's misconduct was related to his/her disability;
8. Right to file a grievance under the District's Uniform Grievance Procedure for any claim of discrimination on the basis of disability and to appeal the grievance decision;
9. Right to request an impartial due process hearing under the District's Section 504 Procedures And Procedural Safeguards for any claim about the identification, evaluation, or educational placement of your child, to participate in and be represented by legal counsel at the hearing, and to appeal the hearing decision; and
10. Right to forego or terminate the District's grievance process and/or due process hearing procedures described above and file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR").

Note: Copies of the District's Uniform Grievance Procedure and the District's Section 504 Procedures And Procedural Safeguards, as well as contact information for OCR, are available at [insert location(s) in District where copies may be obtained].

Building Administrator/Designee

(INSERT SCHOOL DISTRICT NAME)

Dear _____,

Section 504 of the *Rehabilitation Act* requires that school districts document that parents have been provided and understand the Parent/Student rights in Identification, Evaluation and Placement pursuant to Section 504 of the *Rehabilitation Act*.

The attached Parents' Rights in Brief is designed to provide a brief explanation of the important information regarding the safeguards to which parents/guardians and children are entitled. A complete copy of the District's Section 504 Procedures and Procedural Safeguards is available at [insert location(s) in District where copies may be obtained].

Please sign and date below that you are in receipt of your Parents' Rights in Brief.

Parent/Guardian Signature

Date

(INSERT SCHOOL DISTRICT NAME)

SECTION 504 ELIGIBILITY CONFERENCE SUMMARY

Student: _____

Date: _____

Grade: _____

Purpose of Conference:

_____ To consider possible eligibility for and/or provision of services and/or accommodations under Section 504 of the *Rehabilitation Act of 1973*.

_____ To review eligibility for and/or service and/or accommodations being provided under Section 504 of the *Rehabilitation Act of 1973*.

_____ Other: _____

1. Sources of Data:

- | | |
|--|--------------------------------------|
| ___ medical reports/health information | ___ teacher/psychologist observation |
| ___ adaptive behavior scales/behavior scales | ___ discipline/attendance records |
| ___ achievement tests | ___ student progress reports/grades |
| ___ cognitive assessments | ___ functional behavior assessment |
| ___ language surveys/assessments | ___ other (specify) _____ |
| ___ parent input | _____ |
| ___ motor assessments | |

A. Is there documented evidence of a physical and/or mental impairment?
___ Yes ___ No (if no, a 504 plan is not required)

B. Is a major life activity substantially limited by the physical or mental impairment?
___ Yes ___ No (if no, a 504 plan is not required)

If yes, please check the major life activity(s) that is/are substantially limited.

- | | | |
|--|---------------|--------------|
| ___ caring for one's self | ___ hearing | ___ learning |
| ___ walking | ___ breathing | ___ seeing |
| ___ performing manual tasks | ___ working | ___ standing |
| ___ eating | ___ sleeping | ___ lifting |
| ___ communicating | ___ bending | ___ thinking |
| ___ concentrating | ___ speaking | ___ reading |
| ___ the operation of a major bodily function | | |

2. Summary of discussion/recommendations (attach additional pages as necessary):

Conference Participants:

(INSERT SCHOOL DISTRICT NAME)

SECTION 504 PLAN

Name: _____

Date of Meeting: _____

Date of Birth: _____

Grade: _____

1. State the student's mental and/or physical impairment(s):

2. Describe how the mental or physical impairment substantially limits a major life activity:

3. Describe the services, accommodations, and/or other supports that are necessary, including their frequency, location, and duration), who will provide them, and in what educational setting(s)/classes (attach additional pages if necessary):

4. State- and District-Wide Assessments (specify needed accommodations, if any):

5. Additional Comments:

6. Review/Reassessment Date:

7. Person responsible for overseeing and monitoring the plan:

Conference Participants:

SECTION 504 CONFERENCE NOTES/SUMMARY

Student's Name	Date
Participants/Titles:	
Notes/Summary:	

**PARENT/GUARDIAN CONSENT FOR INITIAL PROVISION
OF SECTION 504 SERVICES AND/OR ACCOMMODATIONS**

Date: _____ Student's Name: _____ Student's Date of Birth: _____

Dear _____
(Parent(s)/Guardian(s) Name)

At a recent conference your child was recommended for the initial provision of Section 504 services and/or accommodations and a Section 504 plan was developed. Before a school district may provide the services and/or accommodations described in your child's Section 504 plan, your informed written consent is required. Your consent is voluntary and you may revoke your consent at any time. If you revoke consent, it does not negate any action that occurred after the consent was given and before it was revoked.

Check One:

I give consent For the initial provision of the services and/or accommodations as indicated on my child's Section 504 plan. The proposed services and/or accommodations have been fully explained to me and are consistent with the Section 504 plan developed for my child.

I understand that my consent is voluntary. I understand that my consent is not required for continued Section 504 services and/or accommodations or for a change in the services and/or accommodations. At least annually, I will be given reasonable opportunity for comment on and input into my child's Section 504 plan.

I received a copy of the **Parents' Rights Brief** which have been fully explained to me by school personnel, including the procedures for requesting an impartial hearing.

I understand that as soon as possible following development of the Section 504 plan, but not more than ten (10) calendar days, aids and services will be provided to my child in accordance with his/her Section 504 plan.

I do not give consent For services and/or accommodations included in the Section 504 plan.

I understand that the school district will not be in violation of its obligation to make available a free appropriate public education for my child if I refuse to give consent.

I have received Copy of the Section 504 Eligibility Summary
 Copy of the Section 504 Plan
 Other _____

Date: _____ Parent/Guardian Signature: _____

If you have any questions concerning this process or require additional information regarding your and your child's rights, please contact:

Name: _____ Title: _____ Phone: _____

Sincerely,

(Signature)

Name: _____

Title: _____

(INSERT SCHOOL DISTRICT NAME)

MANIFESTATION DETERMINATION FOR SECTION 504 STUDENTS

A. Identifying information:

Student's Name: _____

Date of Meeting: _____ Date of Birth: _____

B. Conference Participants:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

C. Team review and determination:

1. What is the misconduct for which disciplinary action has been taken or is being considered?

2. The team has considered and reviewed the following relevant student information in terms of the misconduct subject to disciplinary action:

Evaluation, diagnostic results or other relevant information, including the students most recent Section 504 evaluation and plan YES NO

Is there a behavior intervention plan as part of the student's 504 plan? YES NO

3. In determining if the misconduct was a manifestation of his/her disability, the Section 504 team must determine the following:

(a) If the misconduct in question was caused by, or had a direct and substantial relationship to, the child's disability; YES NO **or**

(b) If the misconduct in question was the direct result of the District's failure to implement the Section 504 Plan YES NO

4. If the team determines the misconduct was not a manifestation of the child's disability, then the District's regular disciplinary procedures will apply.
5. If the team determines that the misconduct was a manifestation of the child's disability:
 - (a) The team must conduct a Functional Behavioral Assessment and implement a behavior intervention plan (BIP) if this has not already been done prior to the current misconduct;
 - (b) If a BIP has already been developed, review and modify it, as necessary, to address the misconduct in question; and
 - (c) The team must review the student's current 504 plan and educational placement to determine if it remains appropriate. If the team believes that a significant change in placement may be necessary, the team must initiate a reevaluation of the student.

MEETING NOTES:

SECTION 504 FUNCTIONAL BEHAVIORAL ASSESSMENT

Student	
Grade	Date
Participants/Titles	
Describe the behavior of concern	
What strategies have you tried to address the behavior?	
Describe the triggers of the student's behavior	
How long and/or how often has this behavior been occurring?	
Does the behavior occur only during certain subjects or settings, and/or times; identify:	
What are the consequences when the behavior occurs?	
Hypothesis of the behavior:	

(INSERT SCHOOL DISTRICT NAME)

**SECTION 504
BEHAVIOR INTERVENTION PLAN**

A functional assessment of behavior must be completed and attached prior to developing a Behavior Intervention Plan

Complete when the Section 504 team has determined a Behavior Intervention Plan is needed.

Student:	Grade:	Date:
-----------------	---------------	--------------

Target Behavior(s):	Intervention(s) to be Implemented:	Procedure/schedule for evaluating effectiveness and person responsible: