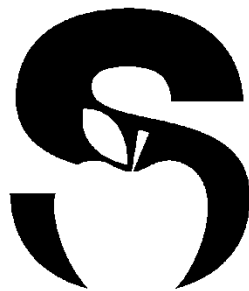


# **SECTION 504 OF THE REHABILITATION ACT OF 1973**



**Serita D. Beamon, SUPERINTENDENT**

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## Educational Equity

Board Policy 2131, Excellence and Equity, outlines that the School Board of Seminole County believes that a high-quality education is a fundamental right of every child, that all children can learn, and that every student should have the opportunity to succeed. The Board is committed to maintaining a high-quality school system that provides excellence and equity for all students.

In particular, the Board believes, and research supports, that quality education is most effective in a diverse setting. In Seminole County, this diversity includes socioeconomic status, gender, race/ethnicity, English Speakers of Other Languages (ESOL), and disability. One of the key educational benefits associated with diversity is improved achievement for all students.

Additionally, Board Policy 2260.01, Section 504/ADA Prohibition against discrimination based on disability, provides that the School Board does not discriminate in admission or access to, or participation in, or treatment in its programs or activities. As such, the Board's policies and practices will not discriminate against students with disabilities and will make accessible to qualified individuals with disabilities its facilities, programs, and activities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the District.

### District Compliance Officer(s)

The following person(s) is/are designated as the District Compliance Officer(s) ("Compliance Officer(s)") for receiving complaints pertaining to Section 504 and/or the ADA:

Human Resource Coordinator  
EEO/Equity Officer; ADA Coordinator  
Seminole County Public Schools  
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The name(s), title(s), and contact information of this/these individual(s) will be published annually on the School District's website.

The Compliance Officers are responsible for coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II of the ADA. A copy of Section 504 and the ADA, including copies of their implementing regulations, may be obtained from the Compliance Officer.

The Compliance Officer(s) will oversee the investigation of any complaints of discrimination based on disability, which may be filed pursuant to the Board's adopted internal complaint procedure and will attempt to resolve such complaints.

The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA. The Board will further establish and implement a system of procedural safeguards in accordance with Section 504, including the right to an impartial due process hearing.

## TABLE OF CONTENTS

Introduction	1
Who is Eligible?	2
Section 504 & FAPE	4
Identification	5
Multi-Tiered System of Supports & Section 504	6
Referral	6
Evaluation	8
Determine Eligibility	9
Accommodation Plan & Implementation	11
Re-evaluation	12
Out-of-District Transfer	13
Section 504 Articulation	13
Parentally Placed Private School/Homeschool	14
Discipline: Suspension & Expulsion	15
Funding	17
Notice of Parent & Student Rights Under Section 504	17
Section 504 Grievance Procedures	17
Due Process	19
Section 504 Definitions& Terms	19
Appendix	21

## INTRODUCTION

The purpose of this manual is to inform School District employees about Section 504 and to provide sample procedures and forms that have been developed to comply with the requirements of Section 504. This manual reflects the commitment of all schools in Seminole County to address the educational needs of ALL children. School district administrators and employees should become knowledgeable about the local school district procedures concerning Section 504, with a particular emphasis on parent and student rights.

Section 504 of the Rehabilitation Act of 1973 (commonly referred to as "504") is a federal anti-discrimination statute that prohibits discrimination against disabled persons by school districts receiving federal financial assistance. Based on language from 29 U.S. Code § 794(a), all federal fund recipients, including public schools, must not discriminate solely on the basis of disability with the respect to the provision of any and all of their programs and activities. Included in Section 504 is the requirement that disabled students be provided with a Free Appropriate Public Education (FAPE). Section 504 protects all students who have any physical or mental impairment and the student's impairment substantially limits one or more major life activities or major bodily function. The Individuals with Disabilities Education Act (IDEA), on the other hand, defines as eligible only students who have specified types of disabilities and who, because of those conditions, need special education and related services. All individuals that are disabled under (IDEA) are also considered to be disabled and therefore protected under Section 504. However, all individuals who have been determined to be disabled under Section 504 may not necessarily be disabled under IDEA.

If school officials suspect a disability, as defined under Section 504, the Section 504 Committee must evaluate the student to determine a student's needs. A Section 504 eligibility meeting and the need for a Section 504 accommodation plan are separate determinations. If the student is determined to have a disability that substantially limits a major life activity or major bodily function under Section 504, then the Section 504 Committee may develop a Section 504 plan if accommodations are needed. In cases where the Section 504 team determines that there is no need for an accommodation plan, the student will be protected under the discrimination prongs of the definition. In cases where an accommodation plan is needed, this plan is developed to ensure that each student who is disabled within the definition of Section 504 of the Rehabilitation Act of 1973, be provided a free appropriate public education, regardless of the nature or severity of the disability.

## WHO IS ELIGIBLE?

All school-age children who meet the much broader definition of “individual with a disability” under Section 504 with a disability, i.e.,

### **Definition of “individual with a disability” under Section 504:**

1. Has a physical or mental impairment which substantially limits one or more major life activities or major bodily functions.
2. Has a record of such an impairment
3. Is regarded as having such an impairment

### **Definition of “physical or mental impairment”**

- a. Any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine; or,
- b. Any mental or psychological disorder: such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability.

### **Definition of “major life activities or major bodily function”**

Major life activities include functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. OCR has made it clear that school agencies may not limit the definition of major life activities to learning when considering if a student has a disability.

Major bodily functions can include: bladder function, bowel function, respiratory function, digestive function, reproductive function, brain function, circulatory function, normal cell growth, endocrine function, immune system function, or neurological function, normal cell growth, endocrine function, immune system function, or neurological function.

**Definition of ‘substantially limits’**

Section 504 and its regulations do not contain a definition of “substantially limits” According to OCR, this should be made on a case-by-case basis with respect to each individual student.

## SECTION 504 AND FAPE

Under Section 504's Subpart D regulations (preschool, elementary, and secondary education), a "free appropriate public education" is required, 34 CFR § 104.33. Under Section 504, FAPE is defined as the provision of regular or special education and related services that:

- a. Are designed to meet individual education needs of handicapped persons as adequately as the needs of nonhandicapped persons are met; and
- b. Are based upon adherence to procedures that satisfy least restrictive environment, evaluation and placement, and procedural safeguards (104.34, 104.35, 104.36).

Districts must provide educational services to students with disabilities in the general education environment to the maximum extent appropriate to the needs of the students. For a student who does not need exceptional education services, it is generally assumed that accommodations will be provided in the general education environment pursuant to the Section 504 plan.

A student may receive related "aids and services" under Section 504 if such services are necessary to provide a free appropriate education. Under Section 504, FAPE includes any related aids and services designed to meet the individual student's needs to the same extent as the needs of students without disabilities are met (34 CFR 104.33). Related services are not explicitly defined in Section 504; however, technical assistance from the OCR indicates that related services refer to developmental, corrective, and other supportive services, including psychological, counseling, and medical diagnostic services and transportation. If the student's disability is severe enough to require related services, the team should review all available data and decide if more data are needed to determine if the student meets eligibility criteria for a disability category under IDEA.

In addition, regulations state that the implementation of an individualized education plan (IEP) developed under IDEA is "one means" of meeting the 504 standard for FAPE. Thus, for IDEA-covered students, following the IDEA's procedures for providing FAPE will satisfy 504's requirements for FAPE. Therefore, a student with an IEP under IDEA would not also have a Section 504 plan. However, the process for 504-only students will be different.



## IDENTIFICATION

34 CFR § 104.35 states that public schools must identify, locate and conduct a free evaluation of students who, because of a disability, “need or are believed to need ” special education or related services under Section 504. If school personnel receive information that would lead them to believe that a student has an impairment, the school agency must evaluate to determine if that impairment substantially limits a major life activity or major bodily function and, if so, if the student needs some special services under Section 504

School staff **must** consider whether to evaluate for Section 504 eligibility when:

- a. A parent requests a Section 504 eligibility evaluation, or Section 504 accommodation plan.
- b. A parent provides medical or psychological documentation of a condition that may constitute a disability.

School staff should **consider** whether to evaluate for Section 504 eligibility when:

- a. A student is referred to the multi-tiered system of support (MTSS) school intervention team and it is determined that an evaluation under IDEA is not appropriate.
- b. Drug abuse has been documented, treatment has been received and the student is not currently using drugs. Students who are currently using drugs are not Section 504 eligible.
- c. A disability of any kind is suspected, including temporary injuries.
- d. A student’s discipline history is characterized by a pattern of multiple suspensions, reassignments, or expulsion is being considered for any student.
- e. A student shows a pattern of not benefiting from the general education instruction being provided.
- f. A student is evaluated and is found not eligible for Exceptional Student Education (ESE) services under the Individuals with Disabilities Education Act (IDEA).
- g. A student is dismissed from Exceptional Student Education services under IDEA with continuing need for accommodations.

## **MULTI-TIERED SYSTEM OF SUPPORTS AND SECTION 504**

A Multi-Tiered System of Supports (MTSS) provides supplemental and individualized instruction to address skill deficits to students who show a need beyond the Tier one of support that all students receive. Student progress is closely monitored with adjustments in instructional interventions based on student learning rates. Parents must be informed of the data used to measure student progress, the research-based interventions used with their child, and their rights to request an evaluation at any time. The MTSS team at each school reviews data and develops individualized intervention plans and uses research-based interventions to assist with closing the gap for each student. Classrooms are naturally multi-tiered environments. The implementation of differentiated instructional strategies helps teachers to be more intentional in the possible instructional and behavioral methodologies and expectations, and, by so doing: (1) Assists teachers with students who present a wide variety of educational and behavioral needs and; (2) Strengthens educational opportunities within the general education program. MTSS is not intended to impede any necessary referrals for consideration of eligibility under the Individuals with Disabilities Education Act (IDEA) or Section 504. If, at any time, a teacher, certified school counselor, administrator, or other professional staff member suspects that the student's difficulties are attributable to a disability, the student should be referred for an evaluation. If a parent/guardian at any time requests an evaluation, the School District must either honor that request or notify the parent/guardian of his/her due process rights and the IDEA, or Section 504, as applicable.

### **REFERRAL**

A meeting will be scheduled with the school based Section 504 team with parents invited using PEER Section 504 Committee Meeting Notice. The purpose of the meeting is to discuss the area(s) of concern with the Section 504 team. Indicate whether the concern was brought by parent, teacher, or other school staff. Notes of the meeting should be documented within PEER using the Section 504 Notice and Consent for Evaluation/Reevaluation.

As a rule, Section 504 does not require that parents be a part of the Section 504 team or group of knowledgeable persons that is making decisions. However, most school districts have incorporated into their procedures the requirement to invite

parents to attend. It is within the school district's discretion as to how parents are to be invited, how many attempts should be made to ensure their attendance, etc. Parental involvement is paramount to collaborative problem solving. Schools must act consistently in their invitation of parents to avoid allegations of retaliation. If the district's policy is to invite parents to attend Section 504 meetings, parents should always be invited.

If it is decided that an evaluation for eligibility should be conducted, the team will plan on what sources of information will be needed and who will be responsible for each source identified. PEER Section 504 Notice and Consent for Evaluation/Reevaluation is developed. Even though 34 CFR §104.36 does not contain a requirement for obtaining parental consent for evaluation, the OCR has interpreted Section 504 to require districts to obtain parental consent for initial evaluation. OCR's current position on parental consent for initial evaluation states that the Section 504 regulations require parental consent prior to the conduct of initial student evaluation procedures for the identification and diagnosis of specific educational services. Based on 34 CFR §104.36 and OCR's current position, Seminole County Public School's policy is that parent participation and consent is best practice but not required by statute. Teams should make a conscious effort to invite and include parents in the decision-making process. If a parent refuses to provide consent or participate in the Section 504 eligibility meeting, the Section 504 team may proceed with the evaluation and eligibility and services determination. The Section 504 team should document the parent's refusal in the Section 504 conference notes.

When a student is found ineligible for ESE, a referral may be made to the certified school counselor of the student for consideration of whether the student's difficulties are caused by a disability under Section 504. Students who do not meet the IDEA's eligibility criteria may or may not meet the definition of Section 504 eligibility.

## EVALUATION

A Section 504 evaluation should (1) identify and document through a variety of sources that the student has a disability and (2) if determined to be necessary, provide data that will assist in planning the accommodation(s) in the regular classroom setting. The determination of what services are needed must be made by a group of persons knowledgeable about the student and handicapping condition, the evaluation data, and placement options (e.g. multidisciplinary plan). The decision about Section 504 eligibility and services must be documented in PEER and placed in the student's Section 504 confidential files and reviewed periodically. Once a student is identified as eligible under Section 504, periodic reevaluation is required.

Evaluation must draw on information from a variety of sources in the area of concern. A medical diagnosis in and of itself does not mean a student is disabled under Section 504. The opinion of the doctor or parent need only be considered in the decision, OCR Senior Staff Memorandum, 19 IDELR 894 (1992).

Data used for the evaluation may include, but is not limited to, medical records, school records, standardized test result, classroom observations, work sample review, anecdotal records, and interview(s) with the student, parent, and school personnel:

- A physician's medical diagnosis may be considered among other sources in evaluating a student with an impairment or believed to have an impairment which substantially limits a major life activity. The medical diagnosis in and of itself does not constitute an evaluation for the purposes of Section 504 eligibility. A medical diagnosis of an illness does not automatically mean a student can receive services under Section 504.
- If medical information is deemed necessary to determine whether the student is 504 eligible, then the district is responsible for providing the medical evaluation at no cost to the parent.
- Consider non-school factors: Conditions resulting from environmental, cultural, and economic disadvantages are not necessarily disabilities. However, information from all aspects of a student's life should be considered.
- Identify the actual physical or mental impairment.
- Identify the major life activity/major bodily function: What is/are the major life activity/ major bodily function(s) affected? There may be no substantial limitation in learning, but access to learning may be impaired by other

limitations. What are the limitations? Learning does not have to be impacted for a student to have a disability to be eligible for Section 504 accommodations that are non-instructional in nature.

Decisions are made by a group knowledgeable about the student, evaluation data, and placement options.

## **DETERMINE ELIGIBILITY**

The Section 504 team, to include persons knowledgeable about the student, will convene to review evaluation data, and placement options. A minimum of three (3) members must be present, with at least one of the student's teachers, certified school counselor and either the principal or Section 504 administrator at the school. Invite the parent via PEER Section 504 Committee Meeting Notice.

It is important to remember that a Section 504 evaluation involves two separate and distinct steps. According to OCR, school agencies are to make the following determinations when conducting a Section 504 evaluation:

1. Does the student have a disability under Section 504? (**Disability Determination**)
2. If so, does the student need regular or special education under Section 504, related aids and services, or supplementary aids and services because of the disability, and in what setting should the student receive them? (**Services/Plan Determination**)

The 504 team must identify the actual physical or mental impairment. The team identifies the major life activity. Learning is not the only major life activity that is an area of concern. However, access to learning may be impaired by other limitations. The team should consider what are the limitations?

Learning does not have to be impacted for a student to have a disability to be eligible for 504 accommodations that are non-instructional in nature. The team must determine that the identified impairment substantially limits a major life activity.

Remember that comparisons to learning and accessibility are made to the average population.

The team must consider the student with or without mitigating factors. As of January 1, 2009, the school districts, in determining whether a student has a physical or mental impairment that substantially limits a major life activity must NOT consider the ameliorating effects of any mitigating measures that student is using. Examples of mitigating measures are: medication, medical supplies, equipment, prosthetics, or hearing aids. **NOTE:** There is one exception to the mitigating measures analysis. The ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining if an impairment substantially limits a major life activity.

The Section 504 team will identify and document all sources of information used in the evaluation. The Section 504 eligibility worksheet, SCPS Form #1501 is available to document all sources of information used by the team. The Section 504 eligibility worksheet, SCPS Form #1501 should be uploaded to PEER, if completed. Document eligibility or ineligibility using PEER Section 504 Evaluation/Reevaluation form.

The Eligibility Determination PEER Section 504 Evaluation/Reevaluation form will be completed. If the student's Section 504 disabling condition substantially limits a major life activity and/or major bodily function, a Section 504 plan may be developed in PEER. In cases where the Section 504 team determines that there is no need for an accommodation plan the student will be protected under Section 504 under the discrimination prongs of the definition. Where no plan is needed the student is eligible and receives manifestation determination, procedural safeguards, periodic reevaluation (as needed), as well as the nondiscrimination protectors of the Section 504. If the need for a 504 plan is determined, the Section 504 team would develop an appropriate Section 504 Accommodation Plan. The parent will be provided with a copy of the Eligibility Determination form (PEER Section 504 Evaluation/Reevaluation), Notice of Parent and Student Rights, and if developed a copy of the Accommodation Plan (PEER Section 504).

Information will be entered into the Student Information System utilizing the SKYWARD Section 504 input form (SCPS Form #1504). All Section 504 information documentation will be filed in the student's Section 504 confidential Section 504 file.

## **ACCOMMODATION PLAN & IMPLEMENTATION**

Once a student has been declared eligible under Section 504, the Section 504 team determines whether a Section 504 Accommodation Plan is necessary. Use PEER Section 504 to document the accommodations (See PEER Quick Start Guide in the Appendix for more detailed directions). School personnel must determine what accommodations are warranted do to provide equal access for this student. Services and accommodations must be based on information and data used in the evaluation and eligibility process.

The school Section 504 designee must keep a list of all Section 504 students. The school Section 504 team should annually review students' Section 504 Accommodation Plans. The school Section 504 team should also annually review students who are protected under Section 504 but do not have a current Section 504 Plan and determine if there is a need for a Section 504 Accommodation Plan. All teachers and school personnel have the responsibility of implementing the Section 504 Accommodation Plan. Those responsible for implementing the accommodations should have a copy of the Section 504 Accommodation Plan. The original plan is placed in the student's Section 504 confidential file.

The FTE Clerk must be notified of the date of Section 504 eligibility and a SKYWARD Section 504 Input data form (SCPS Form #1504) data form should be completed and entered into the student information system.

### **MAINTENANCE OF STUDENT RECORDS:**

All records of meetings will be maintained utilizing the district's approved web-based electronic program. The official copies are hard copies with signatures maintained in the student's confidential file.

1. The Section 504 confidential file is maintained in a letter size folder. All materials should be fastened to the folder and organized in reverse chronological order. Only one copy, the original signed if possible, should be maintained of each document.
2. Notification that a student has a Section 504 confidential folder should be placed in the student's cumulative folder.
3. The schedule for maintenance of records requires that folders be organized before students transfer to schools within county and before students move between school levels, i.e. elementary to middle, middle to high school.

4. When a student has been found ineligible under Section 504, the records are stapled together and placed in the confidential Health folder (envelope) in the student's cumulative folder. Notification that a student has been found ineligible under Section 504 should be placed in the student's cumulative folder. A Section 504 folder will not be maintained for that student.

The original records will be maintained at the school site. No records will be maintained by the Student Support Services Department at the District level. When using web-based forms and templates please follow the distribution on the form.

## **RE-EVALUATION**

Section 504 requires periodic re-evaluations with the IDEA schedule of every 3 years may be used but is not required.

A reasonable timeline for re-evaluation is as follows:

- Between 2nd & 3rd grade
- At the beginning of 6th grade
- At the beginning of 9th grade
- The Section 504 Accommodation Plan may be reviewed/revised at the school or parent's requests.

There is no provision for independent evaluations at district expense. The LEA should consider any such evaluations presented.

PEER Section 504 Committee Meeting Notice to invite parents to a meeting to discuss parent concerns, and to document parent information and medical assessments that parent brings.



## **OUT OF DISTRICT TRANSFER STUDENTS**

If a student with a disability transfers from another school district with a Section 504 Plan, the school will implement the plan to the extent practicable. The Section 504 Committee must review the plan and supporting documentation within fifteen (15) school days of first date of attendance. The 504 Committee must include persons knowledgeable about the meaning of the evaluation data and knowledgeable about the placement options to determine whether the plan is appropriate. If the plan is determined to be appropriate, the school is required to document the plan utilizing PEER Section 504. If the 504 Committee determines that the plan is inappropriate, the district is to evaluate the student consistent with the Section 504 procedures outlined in this manual and determine which education program is appropriate for the student.

## **SECTION 504 ARTICULATION**

When a student is articulating from 5th to 6th or 8th to 9th, with a Section 504, a reevaluation meeting needs to be held to discuss their needs for the next grade level. Section 504 articulation meetings will be scheduled by the sending school beginning no earlier than January of the current school year and no later than May of the current school year.

The sending school will schedule a Section 504 reevaluation meeting at a mutually agreeable date/time with the parent to include the zone receiving School Representative\*.

1. Committee Meeting notice is required. This should include the parent, zone receiving School Representative, sending school principal or Section 504 Administrator, and at least one of the student's teachers.
2. Section 504 Notice and Consent for Evaluation/Reevaluation in PEER is completed and signed.
  - a. If the student continues to meet eligibility for a Section 504 and continues to show a need for a Section 504 Plan, the Section 504 Plan is developed and signed.

**or**

- b. If the student no longer meets eligibility for a Section 504 then a Section 504 Plan is not developed.

3. Section 504 Evaluation/Re Evaluation document in PEER is completed and signed.
4. SKYWARD Section 504 Input form (SCPS Form #1504) will be completed by the receiving zone receiving School Representative for the zone receiving School accommodations to be entered. This will be entered by the zone receiving School Data Entry Personnel at the beginning of the following school year.

### **PARENTALLY PLACED PRIVATE SCHOOL/HOMESCHOOL**

A parent/legal guardian may request a Section 504 evaluation for a student currently enrolled in a private school/homeschooled from the student's District school of residence. If the request is determined appropriate, the school will conduct a Section 504 evaluation. Upon enrollment in a District school, the Section 504 Committee, comprised of professionals with firsthand knowledge of the student, will convene to determine the need for applicable accommodations. If appropriate and necessary for the student to access a Free and Appropriate Public Education, a Section 504 accommodation plan will be developed. If the student remains enrolled in a private school or homeschool program, Seminole County Public Schools has no obligation to determine eligibility, develop, or implement a Section 504 accommodation plan.

#### **What is the responsibility of the LEA where the private elementary schools and secondary schools are located to conduct child find activities for parentally placed private school children who reside outside the district or state?**

Answer: Section 612(a)(10)(A)(i) of the Act makes clear that the LEA where the private elementary schools and secondary schools are located is responsible for conducting child find, including individual evaluations, of all parentally placed private school children suspected of having a disability.

### **DISCIPLINE: SUSPENSION AND EXPULSION**

Any student identified as having a qualified disability under Section 504, whether or not they have a plan, have protections for special rules of discipline similar to students identified with a disability under IDEA. Section 504 regulations require school agencies to conduct 504 evaluations when there is reason to believe that

a student has a disability or a need for 504 services before taking any action with respect to initial placement of the student in regular or special education and any significant change of placement. (a) 34 CFR § 104.35 OCR's position is that schools are required to conduct a manifestation determination review (MDR) as the evaluation in connection to disciplinary action that constitutes a significant change of placement. A significant change of placement occurs, by OCR definition, when a student with a disability has been suspended or expelled for more than 10 consecutive days or has a series of suspensions that constitute a pattern of removals that cumulate to 10 or more days in a school year.

If a student identified as having a disability under Section 504 begins to develop behavior concerns and does not have services or accommodations to address those behaviors within their Section 504 plan, the committee should convene to re-evaluate the student's needs. In addition, for a student that is not currently identified under Section 504 that has developed a history of behavior/discipline concerns, the school team should consider their "Child find" obligation to review if there is a potential need for a Section 504 evaluation.

Suspension: Whenever a student protected by Section 504 is recommended for suspension, the building administrator should consider whether the behavior exhibited by the student is linked to the disability under Section 504. Schools are strongly encouraged to pursue alternatives to out-of-school suspension for behaviors that are linked to the disability under Section 504; however, out-of-school suspension may be used if the principal determines it is appropriate, up to ten days in a school year.

When a student with a disability under Section 504 reaches a cumulative total of ten (10) suspension days within one school year, a formal Section 504 Manifestation Determination Review (MDR) meeting is required. The building administrator or administrative designee will schedule the Section 504 MDR meeting to be conducted within 10 days. The parent must be notified and invited to attend the meeting. The minimum membership for a review meeting consists of: The principal or administrative designee for Section 504, a teacher with knowledge of the student, Certified School Counselor. Additionally, it is best practice to include representatives from Student Services (psychologist, social worker, school board nurse) who were involved in the evaluation process or have sufficient knowledge regarding the student.

During this meeting, the team must answer the following two questions:

1. Does the behavior in question have a direct and substantial relationship to the student's disability?
2. Did the school fail to implement the Section 504 plan?

The Section 504 Manifestation Determination Form (SCPS Form #1502) is completed. If the team answers "yes" to either question, it is determined to be a manifestation of the disability. If a manifestation is determined, a significant change in placement via disciplinary removal may not occur. If the team determines that the behavior in question is not a manifestation, the student can be disciplined as a nondisabled peer would be for the same infraction.

Expulsion: Section 504 Eligible Student. - When a student with a disability under Section 504 is recommended for expulsion, the School Section 504 Committee for the student will conduct a Manifestation Determination. If the finding of that meeting is that the behavior is a manifestation of the student's disability under Section 504, the student will not be recommended for expulsion but may be considered for disciplinary reassignment by the Principal. If the behavior is not a manifestation, then the normal expulsion procedures apply. Students awaiting expulsion hearing may be offered educational services if the period out-of-school exceeds ten (10) days.

Statutory Authority: 1001.32(2), 1001.41, 1001.42, 1001.43 F.S.

Laws Implemented: 1001.42 (20), 1003.02 (4), 1013.43 F.S.

## FUNDING

Section 504 does not provide additional funding for schools. IDEA funds may not be used for services to children students found eligible only under Section 504.

## NOTICE OF PARENT AND STUDENT RIGHTS UNDER SECTION 504

Section 504 requires notice to the parent or guardian with respect to identification, evaluation, and/or placement. A copy of Section 504 Notice of Parent and Student Rights is included in this handbook. (See SCPS Form #1459)

## SECTION 504 GRIEVANCE PROCEDURES

If a parent disagrees with a decision of 504 team regarding a student's evaluation, eligibility for services, services provided or other matters directly related to the students 504 Plan pursuant to § 504 of the Rehabilitation Act of 1973 and implementing regulations, the parent may file a grievance. The purpose of this procedure is to secure fair solutions to complaints that may arise from time to time at the lowest possible level or implementation of the Section 504 plan. The grievance shall be submitted on the form provided herein. The grievance shall be filed at step.

**Step 1** – Principal: If the parent does not agree that the problem has been resolved informally through discussion with the 504 team, the parent may submit a grievance to the Principal within three (3) school days following the Section 504 team discussion. The Principal will investigate and determine how to resolve the complaint(s). The Principal will provide his or her decision in writing within five (5) school days after receiving the grievance and will provide a copy to the parent.

**Step 2** –Assistant Superintendent of Student Support Services: If the parent is not satisfied with the Principal's decision, the parent(s) may submit a written request that the Assistant Superintendent of Student Support Services will review the decision. The parent must request the review within five (5) school days after receiving the Principal's decision. The Assistant Superintendent of Student Support Services will review the Principal's decision and determine whether to uphold or amend the Principal's decision. The Assistant Superintendent of Student Support

Services or designee will provide the decision in writing within ten (10) school days after receiving the request for review and will provide it to the parent.

**Step 3** – Voluntary Mediation: A parent and school, through the Assistant Superintendent of Student Support Services, may agree to voluntary mediation regarding the issue(s) submitted for resolution at Step 2, if the grievance is not resolved at Step 2 and as a predicate to an impartial due process hearing. The mediator will be selected by the parent and the school/school district from a list of independent educational mediators provided by the Florida Department of Education. The date, time, and location of the mediation will be mutually agreed upon by the parent(s) and the school district. The School Board shall be responsible for payment of the mediator.

**Step 4** – Impartial Due Process Hearing: Parents are entitled to request a due process hearing pursuant to §§120.567 and 120.57 of the Florida Administrative Procedure Act and Fla. Admin. Code R. Chapter 28-106, Uniform Rules of Procedure, if they disagree with decisions: (1) regarding their child's evaluation and identification as a child entitled to a free appropriate public education as a qualified handicapped person enrolled in a school or program maintained by the school board; (2) accommodations provided, (3) proposed accommodations, (4) educational program; or placement, or (5) nonacademic services as those terms are defined by 34 C.F.R. Part 104, Subpart D.104.31-104.37.

Steps 1 and 2 must be completed prior to the filing of a request for an administrative hearing. Step 3 is optional but recommended.

The due process hearing will be conducted by an administrative law judge assigned by the State of Florida, Division of Administrative Hearings or a local hearing officer appointed by the School Board.

The decision of the administrative law judge or the local hearing officer shall be final and shall be subject only to judicial review pursuant to § 120.68, Fla. Stat. The decision of the administrative law judge may not be modified by the School Board.

1 "Parent" is either or both parents of a student, any guardian of a student, any person in a parental relationship to a student, or any person exercising supervisory authority over a student in place of a parent. § 1000.21(5), Fla. Stat. 29 U.S.C. § 794 3 34 C.F.R. Part 104, Subpart D104.31-104.37

## DUE PROCESS

Parents are entitled to request a due process hearing pursuant to §§120.567 and 120.57 of the Florida Administrative Procedure Act if they disagree with decisions or actions regarding their child's evaluation, identification as a child requiring accommodations, accommodations proposed, educational program, or placement. Attorney's fees may be available to successful litigants.

## SECTION 504 DEFINITIONS AND TERMS

**Free Appropriate Public Education (FAPE)** – A free appropriate public education is the provision of regular or special education and related aids and services that are designed to meet the individual educational needs of disabled persons as adequately as the needs of non-disabled persons are met.

**Individual with a disability** – An individual with a disability is a person who: 1. Has a physical or mental impairment which substantially limits one or more of such person's major life activities; 2. Has a record of such impairment; or, 3. Is regarded as having such impairment.

**Major Life Activities** – A major life activity includes but is not limited to functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. Major life activities also include standing, lifting, bending, reading, concentrating, thinking and communicating. The term also includes the operation of a major bodily function, including but not limited to functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

**Physical or mental impairment** – a physical or mental impairment is: 1. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or 2. Any mental or psychological disorder such as cognitive impairment, organic brain syndrome, emotional or mental illness and specific learning disabilities.

**Substantially Limits** – A student who has a physical or mental impairment that substantially limits a major life activity may be found to have a disability under Section 504. This determination is made on a case-by-case basis. Except for ordinary eyeglasses or contact lenses, the effects of mitigating measures (e.g., medications, prosthetics, hearing aids, etc.) may not be considered when assessing whether a student has an impairment that substantially limits a major life activity. To the extent feasible, only the impact the impairment has on a major life activity without mitigating measure may be considered when determining whether the disability substantially limits a major life activity. If a student has an impairment that is episodic or in remission, the School District must consider whether the impairment, when active, would substantially limit a major life activity. If so, then the student meets the definition of a student with a disability.



## APPENDIX

Forms not maintained utilizing the district's approved web-based electronic program can be found in the Section 504 Folder in the SCPS One-Drive. Email [Peersupport@scps.k12.fl.us](mailto:Peersupport@scps.k12.fl.us) to request access to the SCPS One-Drive Section 504 folder.

FLDOE PEER QUICK-START GUIDE: SECTION 504 OF THE REHABILITATION ACT 1973

INSTRUCTIONS FOR COMPLETING SKYWARD SECTION 504 INPUT

NOTICE OF PARENT AND STUDENT RIGHTS UNDER SECTION 504 (SCPS FORM #1459)

PEER SECTION 504 NOTICE AND CONSENT FOR EVALUATION/REEVALUATION

PEER SECTION 504 EVALUATION/REEVALUATION

PEER SECTION 504 COMMITTEE MEETING NOTICE

PEER SECTION 504 PLAN

SECTION 504 CHECKLIST

INITIAL EVALUATION

REEVALUATION

OUT-OF-DISTRICT TRANSFER

MANIFESTATION DETERMINATION

SECTION 504 ELIGIBILITY WORKSHEET (SCPS Form #1501)

SECTION 504 EVALUATION TEACHER INPUT (SCPS Form #...)

SECTION 504 GRIEVANCE FORM (SCPS Form #1279 and SCPS Form #1279s – Spanish Version)

SECTION 504 MANIFESTATION DETERMINATION EVALUATION (SCPS Form #1502)

SKYWARD SECTION 504 INPUT (SCPS Form #1504)



**SEMINOLE COUNTY PUBLIC SCHOOLS, FLORIDA**  
**EXCEPTIONAL STUDENT SUPPORT SERVICES**  
**Section 504 Eligibility Worksheet**

<b>Student:</b>		<b>Student ID#:</b>		<b>Date of Birth:</b>	
<b>Grade:</b>		<b>Referral Date:</b>		<b>School:</b>	
Reason for Referral (attach additional pages if necessary):					
Teacher:		Teacher:		Teacher:	
<b>Attendance</b>					
Is this student enrolled in school? <input type="checkbox"/> Yes <input type="checkbox"/> No (if no, explain)					
This student has been absent for ___ ___ days out of ___ ___ school days this school year. (Reasons):					
List schools previously attended:					

<b>Student Grade Reports</b>										
Current Year Grade Report by Grading Period								_ _ - _ _ Year	_ Grades _ - _ _ Year	
Subject:	1	2	3	4	5	6	Final	Subject	Subject:	
Over time, this student's grades: (check the appropriate box)										
have become higher each year	<input type="checkbox"/>	stayed about the same each year	<input type="checkbox"/>	have become lower each year	<input type="checkbox"/>					
dropped suddenly in grades	<input type="checkbox"/>	data not available	<input type="checkbox"/>							
Compared with most of the other students in this school, this student's grades: (check the box)										
are better	<input type="checkbox"/>	are about the same	<input type="checkbox"/>	are worse	<input type="checkbox"/>					
data not available	<input type="checkbox"/>									
Has the student ever been retained? <input type="checkbox"/> Yes <input type="checkbox"/> No    If YES, list grade level(s) where retention occurred and reason for retention(s)										

<b>Discipline Information</b> (Attach copies of any behavioral plan or contract)			
Identify the behaviors exhibited by the student (check all that apply)			
Poor attention and concentration	<input type="checkbox"/>	Shifts from one uncompleted task to another	<input type="checkbox"/>
Often loses things necessary for tasks	<input type="checkbox"/>	Interrupts or intrudes on others	<input type="checkbox"/>
Excessively high/low activity level	<input type="checkbox"/>	Difficulty working with peers	<input type="checkbox"/>
Difficulty following directions	<input type="checkbox"/>	Difficulty remaining seated	<input type="checkbox"/>
Fidgets, squirms or seems restless	<input type="checkbox"/>	Confrontational	<input type="checkbox"/>
Dress code violations	<input type="checkbox"/>	Leaves class without permission	<input type="checkbox"/>
Brings inappropriate items to school	<input type="checkbox"/>	Other	<input type="checkbox"/>
In response to these behaviors, what behavior management techniques have been attempted?			
Results of these techniques:			
Has this student been suspended, expelled or removed to an alternative placement during the previous or current school year?	<input type="checkbox"/>	No	<input type="checkbox"/>
Yes (see below)			
If yes, explain and attach copies of <b>all</b> disciplinary referrals (including those that resulted in discipline other than suspension, or expulsion). Report totaling removal days.			

<b>Evaluation Data for State Assessment (FSA/EOC)</b>								
FSA Latest Administration School Year:			FSA Previous School Year:			EOC School Year:		
Subject	Level	Scale Score	Subject	Level	Scale Score	Subject	Pass? (Y/N)	Level
Reading			Reading					
Mathematics			Mathematics					
Writing			Writing					
Science			Science					

Over time, this student's test scores: (check the appropriate box)			
have become better each year	<input type="checkbox"/>	have stayed about the same each year	<input type="checkbox"/>
dropped suddenly in grades	<input type="checkbox"/>	data not available	<input type="checkbox"/>
Compared to the mean of the district/school/classroom, this student's test scores: (circle comparison group and check the appropriate box)			
improved each year	<input type="checkbox"/>	stayed about the same each year	<input type="checkbox"/>
		worsened each year	<input type="checkbox"/>
		Other:	

<b>Health Information</b>		Person conducting screening:	
Attach information relating to any doctor's order, diagnoses, or evaluation pertaining to disability (example, medical reports, psychological reports, ADD/ADHD diagnostic information, etc.)			
Does student exhibit any signs of health or medical problems?	<input type="checkbox"/>	No	<input type="checkbox"/>
Is student receiving any medications at school?	<input type="checkbox"/>	No	<input type="checkbox"/>
Does the student require adaptive equipment or facility adaptation?	<input type="checkbox"/>	No	<input type="checkbox"/>
Does the student have a physical or mental impairment that is episodic?	<input type="checkbox"/>	No	<input type="checkbox"/>
		Yes	

If yes, please describe the condition, when and how often it is active, and its impact on the student when it is active.

Does the student have a physical or mental impairment that is in remission?  No  Yes

**Health Information continued: ....**

**Vision** Type of screening: Date of screening:  
 (Vision examination must have been administered within a year from the date of referral)

Visual acuity before correction: Right \_\_\_ Left \_\_\_  
 Visual acuity with correction: Right \_\_\_ Left \_\_\_

**Hearing** Date of most recent screening: Type of screening:

Results:

Interpretation of results:

As a result of the screening, is there any indication of a need for further assessment or adjustment? (If yes, please explain below.)  Yes  No



**SEMINOLE COUNTY PUBLIC SCHOOLS, FLORIDA**  
**EXCEPTIONAL STUDENT SUPPORT SERVICES**  
**Section 504 Evaluation Teacher Input**

<b>Student:</b>	<b>Student ID#:</b>	<b>Date of Birth:</b>
<b>Grade:</b>	<b>Date:</b>	<b>School:</b>
Teacher:		Subject:

<b>Instructional Rating</b>													
Rate the concerns you have about this student. For each skill, mark: 1 = Poor; 2 = Below Average; 3 = Average; 4 = Above Average; 5 = Superior; N = Not observed													
	1	2	3	4	5	N		1	2	3	4	5	N
Reading Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Tests	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Math Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Follows Oral Directions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Written Expression	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Follows Written Directions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Spelling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Organizational Skills	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Classroom Work	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Interaction with Staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Homework	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							

<b>Instructional Rating</b>							
Rate this student's behavior in relation to other students of the same AGE. For each behavior, mark: 1 = Poor; 2 = Below Average; 3 = Average; 4 = Above Average; 5 = Superior; N = Not observed							
	1	2	3	4	5	N	
Generally, cooperates or complies with teacher requests.							
Adapts to new situations without getting upset.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Accepts responsibility for own actions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Makes and keeps friends at school.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Works cooperatively with others.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Has an even, usually happy, disposition.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Appropriate attention and concentration.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Compliance with teacher directives.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Brings necessary materials to class.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fidgets, squirms, or seems restless.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Completes tasks on time.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Stays on task, is easily redirected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Remains Seated.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Takes turns, waits for turn.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

What have you done differently in your classroom to meet this student's educational/behavioral needs?
What were the results of these efforts?

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### Section 504 Checklist

**Note:** This checklist is only a guideline. Depending on the circumstances, Section 504 teams may find that they require additional documents not included in the checklists


#### Initial Evaluation

✓	Document	Purpose	Location
	Section 504 Committee Meeting Notice	To invite parents to meetings convened to address their child's Section 504 eligibility; accommodations and services, when needed; disciplinary protections; and any other relevant issues	PEER
	Notice of Rights for Disabled Students and their Parents Under Section 504 of the Rehabilitation Act of 1973 - SCPS Form #1459 (sent with Section 504 Committee Meeting Notice)	To provide parents with notice when the district proposes or refuses actions related to the identification, evaluation, or educational placement of students who, because of a disability, need or are believed to need special instruction or related services	PEER and Section 504 Folder in the SCPS One-Drive
	Section 504 Notice and Consent for Evaluation/Reevaluation	To be used for initial evaluations and required reevaluations	PEER
	Section 504 Evaluation/Reevaluation	To document the evaluation process for initial evaluations and required reevaluations; there is a section to include conference notes	PEER
	Section 504 Eligibility Worksheet - SCPS Form #1501	To document all sources of information used by the Section 504 Team; upload completed document to PEER if used	Section 504 Folder in the SCPS One-Drive
	Health Care Plan	If applicable - Include the student's health care plan	SSS Forms Folder in One-Drive
	Section 504 Plan	If applicable - To develop a plan following a reevaluation; there is a section to include conference notes.	PEER
	Skyward Section 504 Data Input Form - SCPS Form #1504	To enter a student's Section 504 Team determination in Skyward after the meeting (eligible or ineligible information)	Section 504 Folder in the SCPS One-Drive

### Section 504 Checklist

**Note:** This checklist is only a guideline. Depending on the circumstances, Section 504 teams may find that they require additional documents not included in the checklists


#### Reevaluation

 Document	Purpose	Location
Section 504 Committee Meeting Notice	To invite parents to meetings convened to address their student's Section 504 eligibility; accommodations and services, when needed; disciplinary protections; and any other relevant issues	PEER
Notice of Rights for Disabled Students and their Parents Under Section 504 of the Rehabilitation Act of 1973 - SCPS Form #1459 (sent with Section 504 Committee Meeting Notice)	To provide parents with notice when the district proposes or refuses actions related to the identification, evaluation, or educational placement of students who, because of a disability, need or are believed to need special instruction or related services	PEER and Section 504 Folder in the SCPS One-Drive
Section 504 Notice and Consent for Evaluation/Reevaluation	To be used for initial evaluations and required reevaluations	PEER
Section 504 Evaluation/Reevaluation	To document the evaluation process for initial evaluations and required reevaluations; there is a section to include conference notes	PEER
Section 504 Eligibility Worksheet - SCPS Form #1501	If applicable - To document all sources of information used by the Section 504 Team; upload completed document to PEER if used	Section 504 Folder in the SCPS One-Drive
Health Care Plan	If applicable - Include the student's health care plan	SSS Forms Folder in One-Drive
Section 504 Plan	If applicable - To develop a plan following a reevaluation; there is a section to include conference notes.	PEER
Skyward Section 504 Data Input Form - SCPS Form #1504	To enter a student's Section 504 Team determination in Skyward after the meeting (continued eligible or discontinued eligibility info)	Section 504 Folder in the SCPS One-Drive

### Section 504 Checklist

**Note:** This checklist is only a guideline. Depending on the circumstances, Section 504 teams may find that they require additional documents not included in the checklists

#### Out of District Transfer

 Document	Purpose	Location
Student's Out of District Section 504 Plan	The Section 504 team reviews and implements the plan within 15 school days of the student's first date of attendance.	
Section 504 Committee Meeting Notice	To invite parents to meetings convened to address their child's Section 504 eligibility; accommodations and services, when needed; disciplinary protections; and any other relevant issues	PEER
Notice of Rights for Disabled Students and their Parents Under Section 504 of the Rehabilitation Act of 1973 - SCPS Form #1459 (sent with Section 504 Committee Meeting Notice)	To provide parents with notice when the district proposes or refuses actions related to the identification, evaluation, or educational placement of students who, because of a disability, need or are believed to need special instruction or related services	PEER and Section 504 Folder in the SCPS One-Drive
Section 504 Notice and Consent for Evaluation/Reevaluation	To be used for initial evaluations and required reevaluations	PEER
Section 504 Evaluation/Reevaluation	To document the evaluation process for initial evaluations and required reevaluations; there is a section to include conference notes	PEER
Section 504 Eligibility Worksheet - SCPS Form #1501	If applicable - To document all sources of information used by the Section 504 Team; upload completed document to PEER if used	Section 504 Folder in the SCPS One-Drive
Health Care Plan	If applicable - Include the student's health care plan	SSS Forms Folder in One-Drive
Section 504 Plan	If applicable - To develop a plan following a reevaluation; there is a section to include conference notes.	PEER
Skyward Section 504 Data Input Form - SCPS Form #1504	To enter a student's Section 504 Team determination in Skyward after the meeting (continued eligible or discontinued eligibility info)	Section 504 Folder in the SCPS One-Drive



### Section 504 Checklist

**Note:** This checklist is only a guideline. Depending on the circumstances, Section 504 teams may find that they require additional documents not included in the checklists

#### Manifestation

When a student with a disability under Section 504 reaches a cumulative total of ten (10) suspension days within one school year, a formal Section 504 Accommodation Review meeting is required; schedule the Section 504 Accommodation Review meeting within 10 days.

✓	Document	Purpose	Location
	Section 504 Committee Meeting Notice	To invite parents to meetings convened to address their child's Section 504 eligibility; accommodations and services, when needed; disciplinary protections; and any other relevant issues	PEER
	Notice of Rights for Disabled Students and their Parents Under Section 504 of the Rehabilitation Act of 1973 -SCPS Form #1459 (sent with Section 504 Committee Meeting Notice)	To provide parents with notice when the district proposes or refuses actions related to the identification, evaluation, or educational placement of students who, because of a disability, need or are believed to need special instruction or related services	PEER and Section 504 Folder in the SCPS One-Drive
	Section 504 Manifestation Determination Form - SCPS Form #1502	To determine if the offense is a manifestation of the student's disability. If it is, then the committee will review the student's Section 504 Accommodation Plan and amend where appropriate.	Section 504 Folder in the SCPS One-Drive
	Section 504 Evaluation/Reevaluation	To document the evaluation process for initial evaluations and required reevaluations; there is a section to include conference notes	PEER
	Section 504 Plan	Team reviews the current Section 504 Plan to determine if changes need to be made; there is a section to include conference notes.	PEER
	Skyward Section 504 Data Input Form - SCPS Form #1504	To enter a student's Section 504 Team determination in Skyward after the meeting (continued eligible or discontinued eligibility info)	Section 504 Folder in the SCPS One-Drive



**SEMINOLE COUNTY PUBLIC SCHOOLS, FLORIDA**  
**EXCEPTIONAL STUDENT SUPPORT SERVICES**  
**Section 504 Manifestation Determination Evaluation**

<b>Procedural Checklist:</b>			
<b>Both boxes must be checked before the §504 evaluation for manifestation determination can occur.</b>			
	Verify how the parent was informed of the date, time, and place for this evaluation		
<input type="checkbox"/>	in writing	<input type="checkbox"/>	by phone
<input type="checkbox"/>		<input type="checkbox"/>	in person
<input type="checkbox"/>		<input type="checkbox"/>	Other
	Verify that the §504 Committee is a group, including a person with the knowledge in each of the required areas. (See below)		

<b>Student:</b>	<b>Student ID #:</b>
<b>School/District:</b>	<b>Date of Evaluation:</b>

<b>§504 Committee Membership:</b>		
By regulation, the Section 504 Committee is a group of knowledgeable people. Within the group, each required type of knowledge must be present. List each member attending and check the area of knowledge each provides (attach an additional sheet if necessary). Each required area of knowledge must be present on the committee.		
Name	Position/Title	Knowledge of ...
		<input type="checkbox"/> The child
		<input type="checkbox"/> The meaning of the evaluation data
		<input type="checkbox"/> The placement options
		<input type="checkbox"/> The child
		<input type="checkbox"/> The meaning of the evaluation data
		<input type="checkbox"/> The placement options
		<input type="checkbox"/> The child
		<input type="checkbox"/> The meaning of the evaluation data
		<input type="checkbox"/> The placement options
		<input type="checkbox"/> The child
		<input type="checkbox"/> The meaning of the evaluation data
		<input type="checkbox"/> The placement options
		<input type="checkbox"/> The child
		<input type="checkbox"/> The meaning of the evaluation data
		<input type="checkbox"/> The placement options

<b>Evaluation Data Considered from a Variety of Sources</b>			
The Committee reviewed and carefully considered data gathered from a variety of sources, including the Referral Document. [Please check each type of data reviewed by the Committee, or attach copies of the data.]			
<input type="checkbox"/>	Parent input	<input type="checkbox"/>	Student work portfolio
<input type="checkbox"/>	Grade reports	<input type="checkbox"/>	Special education records (specify)
<input type="checkbox"/>	Standardized Tests and Other Tests	<input type="checkbox"/>	Disciplinary records/referrals
<input type="checkbox"/>	Early Intervention data	<input type="checkbox"/>	Medical evaluations/diagnoses
<input type="checkbox"/>	Teacher/Administrator Input	<input type="checkbox"/>	Witness statements
<input type="checkbox"/>	School Health Information	<input type="checkbox"/>	Other
Note: If information from a conversation or other data in unwritten form was considered, please document that oral data relied upon by attaching written notes summarizing the conversation or data.			

<b>Behavior subject to disciplinary action</b> (The 504 Committee does not address whether or not the alleged behavior occurred):				
<b>List each of the student's Section 504 qualifying physical or mental impairments:</b>				
<b>The Section 504 Committee reviewed and discussed the data listed above. Based on this review, the Committee has made the following determinations:</b>				
Question #1: Was the conduct in question caused by, or directly and substantially related to the student's disabilities?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Question #2: Was the conduct in question the direct result of the school's failure to implement the student's Section 504 plan, if there was any such failure?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
<b>Results:</b> If either of the questions are answered "yes", the behavior must be considered to be a manifestation of the student's disability. In that event, the student cannot be expelled or placed in the school's disciplinary alternative education setting for more than 10 school days.				

Committee Notes:



**SEMINOLE COUNTY PUBLIC SCHOOLS, FLORIDA**  
**EXCEPTIONAL STUDENT SUPPORT SERVICES**  
**Notice of Rights for Disabled Students and their Parents**  
**Under §504 of the Rehabilitation Act of 1973**

The Rehabilitation Act of 1973, commonly known in the schools as “Section 504”, is a federal law passed by the United States Congress with the purpose of prohibiting discrimination against disabled persons who may participate in, or receive benefits from, programs receiving federal financial assistance. In the public schools specifically, §504 applies to ensure that eligible disabled students are provided with educational benefits and opportunities equal to those provided to non-disabled students.

Under §504, a student is considered “disabled” if he or she suffers from a physical or mental impairment that substantially limits one or more of their major life activities, such as learning, walking, seeing, hearing, breathing, working, and performing manual tasks. Section §504 also applies to students with a record of having a substantially-limiting impairment, or who are regarded as being disabled even if they are truly not disabled. Students can be considered disabled, and can receive services under §504, even if they do not qualify for, or receive, special education services.

The purpose of this Notice is to inform parents and students of the rights granted them under §504. The federal regulations that implement §504 are found at Title 34, Part 104 of the Code of Federal Regulations (CFR) and entitle eligible students and their parents, to the following rights:

1. You have the right to be informed about your rights under §504. [34 CFR 104.32] The School District must provide you with written notice of your rights under §504 (this document represents written notice of rights as required under §504). If you need further explanation or clarification of any of the rights described in this Notice, contact appropriate staff persons at the District’s §504 Office and they will assist you in understanding your rights.
2. Under §504, your child has the right to an appropriate education designed to meet his or her educational needs as adequately as the needs of non-disabled students are met. [34 CFR 104.33].
3. Your child has the right to free educational services, with the exception of certain costs normally also paid by the parents of non-disabled students. Insurance companies and other similar third parties are not relieved of any existing obligation to provide or pay for services to a student that becomes eligible for services under §504. [34 CFR 104.33]
4. To the maximum extent appropriate, your child has the right to be educated with children who are not disabled. Your child will be placed and educated in regular classes, unless the District demonstrates that his or her educational needs cannot be adequately met in the regular classroom, even with the use of supplementary aids and services. [34 CFR 104.34].
5. Your child has the right to services, facilities, and activities comparable to those provided to non-disabled students. [34 CFR 104.34].
6. The School District must undertake an evaluation of your child prior to determining his or her appropriate educational placement or program of services under §504, and also before every subsequent significant change in placement. [34 CFR 104.35].
7. If formal assessment instruments are used as part of an evaluation, procedures used to administer assessments and other instruments must comply with the requirements of §504 regarding test validity, proper method of administration, and appropriate test selection. [34 CFR 104.35]. The District will appropriately consider Information from a variety of sources in making its determinations, including, for example: aptitude and achievement tests, teacher recommendations, reports of physical condition, social and cultural background, adaptive behavior, health records, report cards, progress notes, parent observations, and scores on TAKS tests, and mitigating measures, among others. [34 CFR 104.35]

8.Placement decisions regarding your child must be made by a group of persons (a §504 committee) knowledgeable about your child, the meaning of the evaluation data, possible placement options, and the requirement that to the maximum extent appropriate, disabled children should be educated with non-disabled children [34 CFR 104.35].

9. If your child is eligible for services under §504, he or she has a right to periodic evaluations to determine if there has been a change in educational need. Generally, an evaluation will take place at least every three years. [34 CFR 104.35].

10. You have the right to be notified by the District prior to any action regarding the identification, evaluation, or placement of your child. [34 CFR 104.36]

11. You have the right to examine relevant documents and records regarding your child (generally documents relating to identification, evaluation, and placement of your child under §504). [34 CFR 104.36]

12. You also have a right to present a grievance or complaint to the District's §504 Coordinator (or designee), who will investigate the situation, take into account the nature of the complaint and all necessary factors, and respond appropriately to you within a reasonable time. See page 4 for SCPS Section 504 Grievance Procedure.

13. You have the right to an impartial due process hearing if you wish to contest any action of the District with regard to your child's identification, evaluation, or placement under §504. [34 CFR 104.36]. You have the right to participate personally at the hearing, or to be represented by an attorney, if you wish to hire one.

14. If you wish to contest an action taken by the §504 Committee by means of an impartial due process hearing, you must submit a Notice of Appeal or a Request for Hearing to the District's §504 Coordinator at:

~~Christine Kirkreit, IDEA Compliance Administrator, 400 E. Lake Mary Blvd., Sanford, FL 32773~~ Change to Michelle Ferren and Gianna Gallant's contact info.

A date will be set for the hearing and an impartial hearing officer will be appointed. You will then be notified in writing of the hearing date, time, and place.

15. If you disagree with the decision of the hearing officer, you have a right to seek a review of that decision before a court of competent jurisdiction (normally, your closest federal district court).

16. You also have a right to file a complaint to the Office for Civil Rights (OCR) of the Department of Education. The address of the OCR Regional Office that covers this school district is:

Director, Office of Civil Rights  
61 Forsyth St. S.W., Suite 19T70, Atlanta, GA 30303-8927, Tel. 404-974-9406



**SEMINOLE COUNTY PUBLIC SCHOOLS, FLORIDA  
SKYWARD SECTION 504 INPUT**

Last Name	First Name	Middle Name	Grade	School Name	Student ID

- Protected Under 504 and Accommodation Plan is not required
- Protected Under 504 with an Accommodation Plan
- Ineligible for Section 504

**Section 504 Maintenance**

2.1	Dismissal Date	
2.2	Status of Evaluation (504)	
2.3	IAP Begin Date	
2.4	Eval Meeting Date	
2.5	Initial Eligibility	
2.6	Next IAP Date	
2.7	IAP End Date	
2.8	Next Eval Review Date	
2.9	Referral Type	

**Additional Section 504 Dates**

- Health Care Plan

**Special Considerations**

<b>4.1 Impairments</b>													
<b>4.2 Life Activities</b>													
<b>4.3 Student Accommodations</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">Accommodation Code</th> <th style="width: 50%;">Accommodation Detail Maintenance (Notes)</th> </tr> </thead> <tbody> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </tbody> </table>	Accommodation Code	Accommodation Detail Maintenance (Notes)										
Accommodation Code	Accommodation Detail Maintenance (Notes)												


**State-Defined Codes (Check if any of the below accommodations are needed and used throughout the school year.)**

<input type="checkbox"/> <b>C- Contracted Braille</b>	<input type="checkbox"/> <b>L – Large Print</b>	<input type="checkbox"/> <b>P – Paper-Based Test in Lieu of Computer-based Test</b>	<input type="checkbox"/> <b>Q- Unique Accommodation</b>
<input type="checkbox"/> <b>R – Reading Passage Booklet</b>	<input type="checkbox"/> <b>U – Un-contracted Braille</b>	<input type="checkbox"/> <b>Z- Not Applicable</b>	

SCPS Form 1504(e) (Rev.404/11/2018)FED	Distribution: <input type="checkbox"/> FTE Clerk	Date Given to FTE Clerk:	Completed by:
-------------------------------------------	--------------------------------------------------	--------------------------	---------------

**INSTRUCTIONS FOR COMPLETING THE  
SKYWARD 504 INPUT FORM  
SCPS#1504**

**Completed SCPS Form 1504 when a student is referred for an initial evaluation determination, reevaluation for a section 504, or dismissal from section 504.**

	<b>SEMINOLE COUNTY PUBLIC SCHOOLS, FLORIDA</b>										
<b>SKYWARD SECTION 504 INPUT</b>											
<b>Last Name</b>	<b>First Name</b>	<b>Middle Name</b>	<b>Grade</b>	<b>School Name</b>	<b>Student ID</b>						
<b>1. 504 Eligibility</b>											
<input type="checkbox"/> Protected Under 504 and Accommodation Plan is not required											
<input type="checkbox"/> Protected Under 504 with an Accommodation Plan											
<input type="checkbox"/> Ineligible for Section 504											
<b>2. Section 504 Maintenance</b>											
2.1	Dismissal Date										
2.2	Status of Evaluation (504)										
2.3	IAP Begin Date										
2.4	Eval Meeting Date										
2.5	Initial Eligibility										
2.6	Next IAP Date										
2.7	IAP End Date										
2.8	Next Eval Review Date										
2.9	Referral Type										
<b>3. Additional Section 504 Dates</b>											
<input type="checkbox"/> Health Care Plan											
<b>4. Special Considerations</b>											
4.1 Impairments											
4.2 Life Activities											
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 55%;"><b>Accommodation Code</b></td> <td style="width: 45%;"><b>Accommodation Detail Maintenance (Notes)</b></td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>						<b>Accommodation Code</b>	<b>Accommodation Detail Maintenance (Notes)</b>				
<b>Accommodation Code</b>	<b>Accommodation Detail Maintenance (Notes)</b>										
4.3 Student Accommodations											
<b>5. State-Defined Codes (Check if any of the below accommodations are needed and used throughout the school year.)</b>											
<input type="checkbox"/> C- Contracted Braille		<input type="checkbox"/> L – Large Print		<input type="checkbox"/> P – Paper-Based Test in Lieu of Computer-							
<input type="checkbox"/> R – Reading Passage Booklet		<input type="checkbox"/> U – Un-contracted Braille		<input type="checkbox"/> Z- Not Applicable							
				<input type="checkbox"/> Q- Unique Accommodation							

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SCPS Form 1504(e) (Rev.404/11/2018)FED	<b>Distribution:</b> <input type="checkbox"/> FTE Clerk	<b>Date Given to FTE Clerk:</b>		<b>Completed by:</b>	
-------------------------------------------	---------------------------------------------------------	---------------------------------	--	----------------------	--

Instructions Updated 04/02/2019



**1. Eligibility**

<b>1. 504 Eligibility</b>
<input type="checkbox"/> Protected Under 504 and Accommodation Plan is not required <input type="checkbox"/> Protected Under 504 with an Accommodation Plan <input type="checkbox"/> Ineligible for Section 504 *

Check the student's placement.

**\*Note:** If student is found ineligible by the section 504 team, enter only the **Eval Meeting Date** (box 2.4) and check **Ineligible for Section 504** (box 1).

**2. 504 Maintenance**

2. Section 504 Maintenance	
2.1	Dismissal Date
2.2	Status of Evaluation (504)
2.3	IAP Begin Date
2.4	Eval Meeting Date
2.5	Initial Eligibility
2.6	Next IAP Date
2.7	IAP End Date
2.8	Next Eval Review Date
2.9	Referral Type

Field on Form 1504	Enter	Important Notes
2.1 Dismissal Date	Enter date of dismissal from 504	
2.2 Status of Evaluation (504)	Enter "504"	
2.3 IAP Begin Date	Enter the date the section 504 is written	
2.4 Eval Meeting Date	Enter the date the section 504 meeting was held at the school	
2.5 Initial Eligibility	Enter date the student became eligible initially	Date should only be entered when student is initially made eligible
2.6 Next IAP Date	Leave blank for placed section 504. Skyward automatically auto populates one year from the IAP Begin Date (box 2.3)  For <b>temporary</b> section 504 plans: enter approximate date of end of temporary section 504	Temporary section 504 plans: Based upon team 504 committee decision, enter approximate date of the end of the temporary section 504 plan
2.7 IAP End Date	Leave blank. Skyward automatically auto populates one year from the IAP Begin Date (box 2.3)	
2.8 Next Eval Review Date	Leave blank. Skyward automatically auto populates one year from the IAP Begin Date (box 2.3)	
2.9 Referral Type	Enter P = Placed or T = Temporary	Temporary is 6 months or less

**3. Additional Section 504 Dates**

<b>3. Additional Section 504 Dates</b>
<input type="checkbox"/> <b>Health Care Plan</b>

Check the **Health Care Plan** box if the student has a health care plan. No date is required.

**4. Special Considerations**

<b>4. Special Considerations</b>		
<b>4.1 Impairments</b>	<input type="checkbox"/>	
<b>4.2 Life Activities</b>	<input type="checkbox"/>	
<b>4.3 Student Accommodations</b>	<b>Accommodation Code</b>	<b>Accommodation Detail Maintenance (Notes)</b>

Refer to the *Section 504 Impairment Codes, Life Activities Codes, and Student Accommodation Codes Guide* to reference specific code, descriptions, and examples.

Student accommodations: If the student is protected under section 504 with an accommodation plan, list all accommodations needed in this section. In **Accommodation Detail Maintenance (Notes)**, describe accommodation details. Note: if the accommodation is not listed in the Section 504 Accommodation Code Guide, enter **Other**. Describe the accommodation in **Accommodation Detail Maintenance (Notes)**.

**5. State-Defined Codes: Check if any of the below accommodations are needed and used throughout the school year.**

<b>5. State-Defined Codes (Check if any of the below accommodations are needed and used throughout the school year.)</b>			
<input type="checkbox"/> <b>C- Contracted Braille</b>	<input type="checkbox"/> <b>L – Large Print</b>	<input type="checkbox"/> <b>P – Paper-Based Test in Lieu of Computer-based Test</b>	<input type="checkbox"/> <b>Q- Unique Accommodation</b>
<input type="checkbox"/> <b>R – Reading Passage Booklet</b>	<input type="checkbox"/> <b>U – Un-contracted Braille</b>	<input type="checkbox"/> <b>Z- Not Applicable</b>	
SCPS Form 1504(e) (Rev.404/11/2018)FED	Distribution: <input type="checkbox"/> FTE Clerk	Date Given to FTE Clerk: <input type="checkbox"/>	Completed by: <input type="checkbox"/>

**IMPAIRMENT CODES**

<b>CODE</b>	<b>SHORT DESCRIPTION</b>	<b>LONG DESCRIPTION</b>
ADHD	ADHD/ADD	ADHD/ADD
AFSYN	ALCOHOL FETAL S	Alcohol Fetal Syndrome
AGORA	AGORAPHOBIA	Agoraphobia
ANXTY	ANXIETY	Anxiety
APD	AUDIT PROC DIS	Auditory Processing Disorder
ASDIS	ACUTE STRESS DI	Acute Stress Disorder
ASPDI	ASPERGER'S DISO	Asperger's Disorder
ASTMA	ASTHMA	Asthma
BIPLR	BIPOLAR	Bipolar
CANCR	CANCER	Cancer
CONDD	CONDUCT DISORDE	Conduct Disorder
DEPRE	DEPRESSION	Depression
DIABE	DIABETES	Diabetes
EATDI	EATING DISORDER	Eating Disorder
EPSLY	EPILEPSY	Epilepsy
HEMOP	HEMOPHILLIA	Hemophilia
HEPAT	HEPATITIS	Hepatitis
HRTCD	HEART CONDITION	Heart Condition
IMMDD	IMMUNE DEF DIS	Immune Deficiency Disorder
LEUKE	LEUKEMIA	Leukemia
MIGRA	MIGRAINE CONDIT	Migraine Condition
MOODD	MOOD DISORDER	Mood Disorder
OCDIS	OBESSIVE COMP	Obsessive Compulsive Disorder
OPPDI	OPPOSITIONAL DE	Oppositional Defiant Disorder
OTHER	OTHER	Other
PTSD	POSTTRAUMATIC S	Posttraumatic Stress Disorder
RAD	REACTI ATCH DIS	Reactive Attachment Disorder
RHEUM	RHEUMATIC FEVER	Rheumatic Fever
SCANM	SICKLE CELL AN	Sickle Cell Anemia
SCHIZ	SCHIZOPHRENIA	Schizophrenia
SEPAX	SEPARATION ANXI	Separation Anxiety Disorder
SOCHP	SOCIAL PHOBIA	Social Phobia
THYRO	THYROID	Thyroid
TOURE	TOURETTE SYND	Tourette Syndrome
TRICH	TRICHOTILLOMANIA	Trichotillomania
VISIM	VISUAL IMPAIRME	Visual Impairment

**LIFE ACTIVITY CODES**

<b>CODE</b>	<b>SHORT DESCRIPTION</b>	<b>LONG DESCRIPTION</b>
BND	Bending	Bending
BRE	Breathing	Breathing
CAR	Caring for self	Caring for self
CON	Concentrating	Concentrating
COP	Coping	Coping
CRD	Coord difficult	Coordination difficulties
EAT	Eating	Eating
FTG	Fatigue	Fatigue
HRG	Hearing	Hearing
LFT	Lifting	Lifting
LRN	Learning	Learning
MOB	Mobility	Mobility
MUS	Muscle weak	Muscle weakness
OTH	Other	Other
PMT	Per manual tas	Performing manual tasks
RDG	Reading	Reading
SEE	Seeing	Seeing
SLP	Sleeping	Sleeping
SPK	Speaking	Speaking
STA	Standing	Standing
STM	Stamina	Stamina
THK	Thinking	Thinking
WLK	Walking	Walking
WRK	Working	Working

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**ACCOMMODATION CODES**

<b>CODE</b>	<b>SHORT DESCRIPTION</b>	<b>LONG DESCRIPTION</b>
AST	Asst tec low/high	Assistive tech (low/high)
ASW	Access to snack	Access to snacks/water
ATH	Use pers device	Use pers device capture asgn
ATT	Add trans time	Additional trans time
AUR	Allow use restr	Allow use restroom
BRE	Breaks	Breaks
CFU	Check for under	Check for understanding
CNS	Competing noise	Seat away from competing noise
FPR	Flex presentati	Flexible presentation
FRE	Flex responding	Flexible responding
FSC	Flex sched ex	Flexible sched extended time
FST	Flex set/sm grp	Flexible setting/small group
OTH	Other	Other
PBA	Paper based asm	Paper based assessment
PLD	Planner daily	Student use planner daily
RED	Redirection	Redirection or cueing to task
SCK	Stu check sis	Student check student info
SEA	Seating	Preferential seating
SGN	Stu gen class	Student generated class notes
SPP	Designated safe	Designated safe place/person
TEN	Teacher notes	Teacher notes
VSC	Visual schedule	Visual schedule

School Board Approved on 7/25/2023

# PORTAL TO EXCEPTIONAL EDUCATION RESOURCES

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BUREAU OF EXCEPTIONAL EDUCATION AND STUDENT SERVICES

## PEER Quick-Start Guide: Section 504 of the Rehabilitation Act of 1973



# PEER Quick-Start Guide: Section 504 of the Rehabilitation Act of 1973

## Table of Contents

Overview .....	1
I. Accessing and Completing Documents .....	2
II. Section 504 Meeting Notice.....	5
III. Section 504 Notice and Consent for Evaluation.....	7
IV. Section 504 Initial Evaluation/Reevaluation.....	9
V. Section 504 Plan/Annual Review/As-Needed Reevaluation .....	12

# PEER Quick Start Guide: Section 504

## Overview

### Authority

Section 504 of the Rehabilitation Act of 1973 (Section 504) is a civil rights statute prohibiting discrimination against individuals with disabilities. Section 504 is enforced by the U.S. Department of Education, Office for Civil Rights (OCR). School districts in Florida are required to identify a Section 504 coordinator and establish district policies and procedures to implement Section 504.

### Notice and Consent under Section 504

In accordance with Section 504 and the implementing regulations at 34 CFR §104.36, a school district must establish and implement a system of procedural safeguards that includes providing parents with notice when the district proposes or refuses actions related to the identification, evaluation, or educational placement of students who, because of a disability, need or are believed to need special instruction or related services. The regulations don't prescribe specific content for notice required under Section 504, but state that compliance with the requirements of the Individuals with Disabilities Education Act (IDEA) is one way of meeting this obligation.

Although the law does not directly state that parental consent must be obtained before a student can be evaluated, OCR has interpreted Section 504 to require districts to obtain parental consent for initial evaluation. While Section 504 itself is silent on the form of parental consent required, guidance from OCR supports, and most school districts require, that parental consent be in writing.

Parental consent is not necessary for Section 504 eligibility or for the provision of a Section 504 accommodation plan. The Section 504 committee's determination that a student needs certain accommodations and supports to ensure nondiscrimination and an appropriate public education establishes the district's obligation to implement them. However, if the student is eligible and in need of 504 services, the school district must provide notice to the parents along with a copy of their rights under Section 504.

### Annual Reviews and Reevaluation

Unlike IDEA, Section 504 does not specifically require Section 504 plans to be reviewed annually. That said, an annual review is recommended as school staff, subject matter, and school demands change annually. Similarly, Section 504 does not explicitly state that reevaluation must occur at least once every three years. Instead, it refers to "periodic reevaluation of students and states that a process consistent with IDEA is one means of meeting the requirement.

Unlike IDEA, Section 504 also requires reevaluation "prior to a significant change of placement." OCR considers removal from the student's educational program for more than ten consecutive school days, transferring a student from one type of program to another, or a significant change in the accommodations or services provided through the Section 504 plan situations requiring reevaluation through review of data.

Following the procedures outlined in the FLDOE's *District Implementation Guide for Section 504* (2011)<sup>1</sup>, PEER provides for both a more formal triennial reevaluation process and implementation of less formal "as-needed" reevaluation as part of the annual review process. Refer to your district's Section 504 policies and procedures to ensure compliance with established local requirements.

### Section 504 in PEER

The Section 504 procedures in PEER are based on those in FLDOE's *District Implementation Guide for Section 504*. Specifically, they include:

- ✓ Section 504 Meeting Notice
- ✓ Section 504 Initial Evaluation/Reevaluation
- ✓ Initial Section 504 Plan
- ✓ Section 504 Annual Review/As-Needed Reevaluation

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<sup>1</sup> <http://www.fl DOE.org/core/fileparse.php/7690/urlt/0070057-sect504.pdf>



## I. Accessing and Completing Documents

### Section 504 Processes

All Section 504 processes and documents are accessed from the Student Dashboard.

Click the **Section 504** tab. Section 504 documents that have been completed or are in process will be presented. Before beginning a new process, verify that an open document does not already exist. Open documents are identified by gold shading.

Click +Add and select from the available options in the dropdown list to create a document.

FLORIDA DEPARTMENT OF EDUCATION  
PORTAL TO EXCEPTIONAL EDUCATION RESOURCES  
BUREAU OF EXCEPTIONAL EDUCATION AND STUDENT SERVICES

Logged In: District User02 | Sign Out | District: PEER Team | Student: Paradise, Tropical S | Birth Date: 11/26/2009 | Grade: 03

### Student Dashboard

Name: Paradise, Tropical S | Birth Date: 11/26/2009 (8 Years & 10 Month(s)) | State Student ID – Alias:  
School: ESE K-8 SCHOOL | State Student ID: XXXXXX057T | Native Language, Student: English  
Grade: 03 | Local Student ID: 123654789ZZ | Primary Language Spoken in Home: Spanish

Map to Staff | View All Student Notifications

Student Information | Evaluation & Eligibility | Plans | Meeting Notice | Prior Written Notice | Matrices | Section 504 | Conference Notes | Uploaded Files

#### Section 504

+ Add ▾

- Section 504 Notice and Consent for Evaluation
- Section 504 Initial Evaluation/Reevaluation
- Section 504 Committee Meeting Notice
- Section 504 Plan

### Verify Intent to Create a Document

Once created in PEER, documents cannot be deleted. When you select Section 504 Notice and Consent for Evaluation, Section 504 Initial Evaluation/Reevaluation, or Section 504 Plan, you are presented with a pop-up prompt verifying your intent to create a document. Select **Create** to proceed or **Cancel** to return to the Student Dashboard.

### Student Dashboard

Name: Paradise, Tropical S | Birth Date: 11/26/2009 (8 Years & 10 Month(s)) | State Student ID – Alias:  
School: ESE K-8 SCHOOL | State Student ID: XXXXXX057T | Native Language, Student: English  
Grade: 03 | Local Student ID: 123654789ZZ | Primary Language Spoken in Home: Spanish

Map to Staff | View All Student Notifications

Student Information | Evaluation & Eligibility | Plans | Meeting Notice | Prior Written Notice | Matrices | Section 504 | Conference Notes | Uploaded Files

#### Section 504

+ Add ▾

■ = Open Document

#### Create New Section 504 Notice and Consent for Evaluation


Are you sure you want to create a new Section 504 Notice and Consent for Evaluation? Once created, it **cannot** be deleted.

Review the documents currently presented on the Section 504 tab to verify an open document does not already exist.

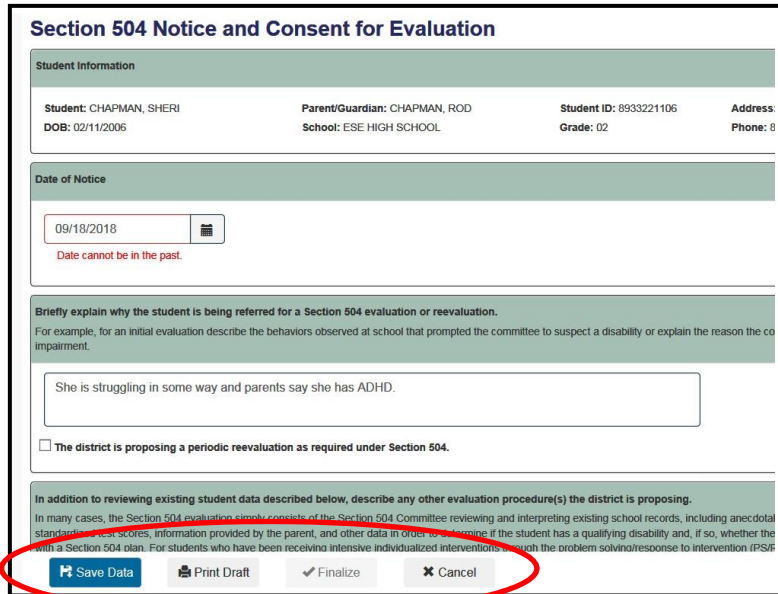
Create Cancel

### Prompts and Responses

A response is required for each prompt. When applicable, items expand when checked to present sub-items or descriptive textboxes. Instructions on the screen indicate when a sub-item or textbox is required. Whenever **Other** is selected as a response, a brief description must be entered in the associated textbox.

Throughout this guide prompts are identified with the symbol 

### Action Buttons



**Section 504 Notice and Consent for Evaluation**

**Student Information**

Student: CHAPMAN, SHERI      Parent/Guardian: CHAPMAN, ROD      Student ID: 8933221106      Address:  
 DOB: 02/11/2006      School: ESE HIGH SCHOOL      Grade: 02      Phone: 8

**Date of Notice**

09/18/2018  
Date cannot be in the past.

**Briefly explain why the student is being referred for a Section 504 evaluation or reevaluation.**  
 For example, for an initial evaluation describe the behaviors observed at school that prompted the committee to suspect a disability or explain the reason the co-impairment.

She is struggling in some way and parents say she has ADHD.

The district is proposing a periodic reevaluation as required under Section 504.

In addition to reviewing existing student data described below, describe any other evaluation procedure(s) the district is proposing.  
 In many cases, the Section 504 evaluation simply consists of the Section 504 Committee reviewing and interpreting existing school records, including anecdotal standards test scores, information provided by the parent, and other data in order to determine if the student has a qualifying disability and, if so, whether the student meets the criteria for a Section 504 plan. For students who have been receiving intensive individualized interventions through the problem solving/response to intervention (PSI/RTI) process, the evaluation may also include a review of the effectiveness of those interventions.

**Save Data**    **Print Draft**    **Finalize**    **Cancel**

Action buttons “float” at the bottom of the screen.

Click **Save Data** to save responses that have been entered.

Click **Cancel** to return to the Student Dashboard.

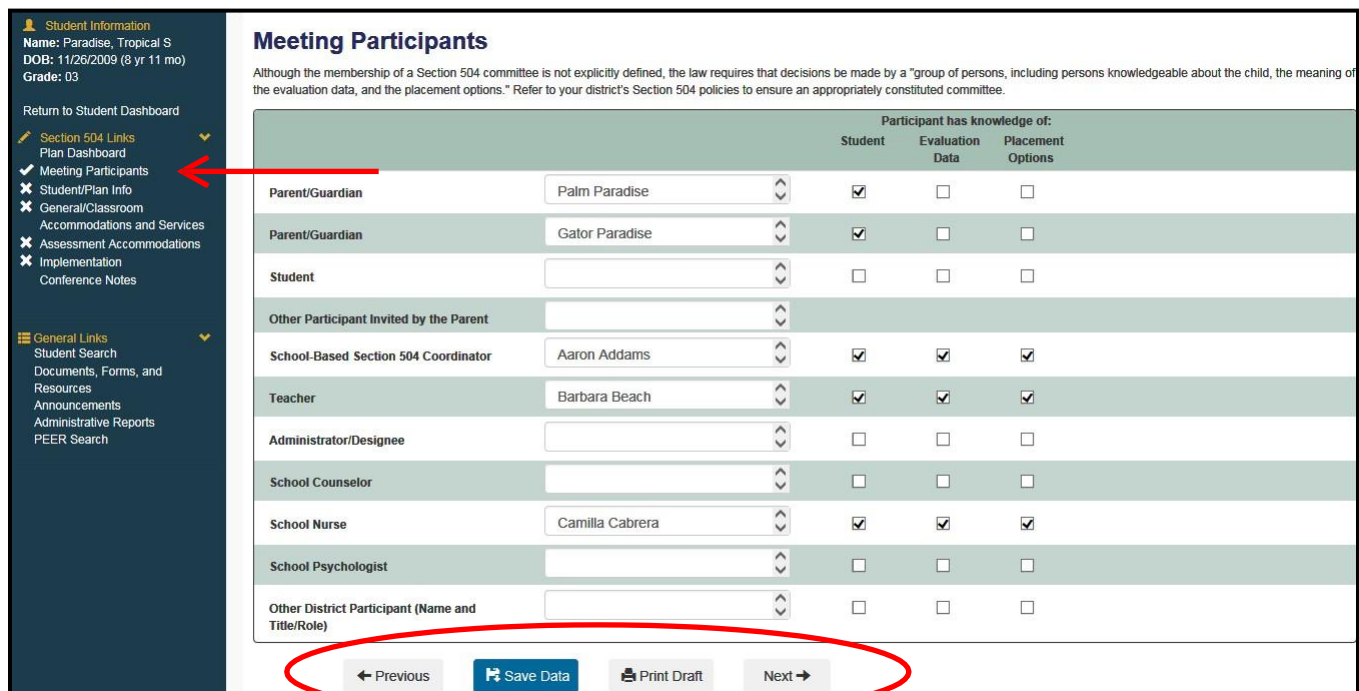
Click **Print Draft** if you wish to review the content in PDF form.

The **Finalize** button is inactive until responses are entered and save for all prompts. Remember to save data frequently to prevent loss of content.

### Navigation

The Section 504 Committee Meeting Notice and Section 504 Notice and Consent for Evaluation are completed and finalized on single screens. In contrast, Section 504 Initial Evaluation, Section 504 Plan, and Section 504 Annual Review/As-Needed Reevaluation comprise multiple screens. The screens are intended to be completed in order by entering a response for each prompt, clicking **Save Data**, and then clicking **Next** at the bottom of the screen.

Screens also can be accessed from the left-side navigation bar. Incomplete screens are designated by X; once data are entered in all required fields, the designation changes to ✓.



**Meeting Participants**

Although the membership of a Section 504 committee is not explicitly defined, the law requires that decisions be made by a “group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.” Refer to your district’s Section 504 policies to ensure an appropriately constituted committee.

	Participant has knowledge of:	Participant has knowledge of:		
		Student	Evaluation Data	Placement Options
Parent/Guardian	Palm Paradise	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parent/Guardian	Gator Paradise	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Student		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Participant Invited by the Parent				
School-Based Section 504 Coordinator	Aaron Addams	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Teacher	Barbara Beach	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Administrator/Designee		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School Counselor		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School Nurse	Camilla Cabrera	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
School Psychologist		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other District Participant (Name and Title/Role)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

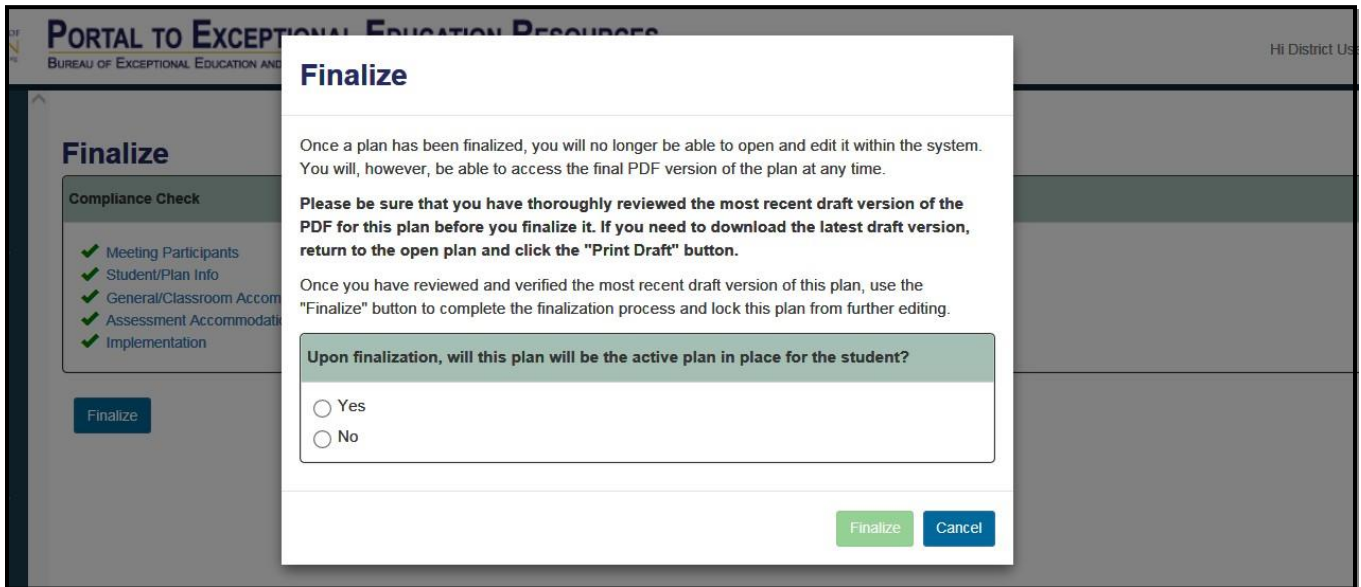
**Previous**    **Save Data**    **Print Draft**    **Next**

## Finalize Document

Review content for accuracy and completeness before finalizing. Once finalized (i.e., “locked”), a document cannot be edited or revised.

When you click **Finalize** you are presented with a pop-up prompt verifying your intent to finalize the document. Select Finalize to proceed or Cancel to return to the document.

In addition, since administrative reports generated in PEER draw from plans designated as “active,” when finalizing a Section 504 plan or Annual Review/As-Needed Reevaluation you will be asked to indicate if it is now the active plan in place for the student.



## II. Section 504 Meeting Notice

### Purpose

The Section 504 Meeting Notice is used to invite parents to meetings convened to address their child’s Section 504 eligibility; accommodations and services, when needed; disciplinary protections; and any other relevant issues.

Eligibility and placement decisions under Section 504 must be made by a group of individuals knowledgeable about the student, evaluation data, and placement options. Although Section 504 itself does not require that parents be a member of the Section 504 committee, parental involvement is a critical component of collaborative problem solving. As a result, most school districts have incorporated into their procedures the requirement that parents be invited to participate.

### Completing the Notice



#### Student Information

The information in this section is prepopulated from the student demographic file uploaded to PEER and the PEER Student Information screen. The parent/guardian name, address, and phone can be edited from the Student Information screen accessible from the Student Dashboard. All other fields can only be edited through the district’s student information system.



#### Notice Information

Enter the date the notice will be provided to the parent, the name of the contact person, and their phone or email.



#### Meeting Details

Enter the date, time, and location of the meeting.



#### Meeting Purpose

Check all that apply. If “Other” is selected, a description must be entered in the text box.



#### Meeting Participants

Any group making decisions about a student’s eligibility and the accommodations and services the student needs as a result of a disability under Section 504 must include “persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.” Refer to your district’s policies to ensure the required committee members are included.

Check all that apply. Names are optional unless required by the district. Use the “Other” text field to identify meeting participants whose titles or roles are not listed. When “Other” is selected, a description must be included.

**Meeting Participants**

Although the membership of a Section 504 committee is not explicitly defined, the law requires that decisions be made by a "group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options." Refer to your district's policies regarding required participation.

<input checked="" type="checkbox"/> School-Based Section 504 Coordinator	Name:	<input type="text"/>
<input type="checkbox"/> Administrator/Designee	Name:	<input type="text"/>
<input type="checkbox"/> School Counselor	Name:	<input type="text"/>
<input checked="" type="checkbox"/> Teacher	Name:	<input type="text"/>
<input checked="" type="checkbox"/> Parent/Guardian	Paradise, Palm	
<input checked="" type="checkbox"/> Parent/Guardian	Paradise, Gator	
<input type="checkbox"/> Student	Paradise, Tropical S	
<input checked="" type="checkbox"/> Other		<input type="text" value="School nurse"/>
<input type="checkbox"/> Other		<input type="text"/>



### Procedural Safeguards

School districts are required to establish and implement procedural safeguards under Section 504 that include providing parents with notice of the safeguards. Unlike IDEA, however, the law does not mandate when that notice must be provided. Many districts require notification annually; contact your school or district Section 504 Coordinator for information regarding your district’s policy.

If a copy of the safeguards is not provided with the meeting notice, describe how the parent was provided a copy as required by your district’s policy.

**Procedural Safeguards**

Parents must be provided a copy of their procedural safeguards under Section 504. Although the law does not stipulate when the procedural safeguards must be given, the following recommendation parallels the requirement under IDEA: (1) upon initial referral for evaluation, (2) at the time of a periodic review; (3) upon receipt of the first state complaint within the school year, (4) upon filing of the first due process request within the school year, (5) in accordance with the discipline procedures in Rule 6A-6.03312, Florida Administrative Code (F.A.C.), and (6) upon request by a parent. Refer to your district’s policies regarding procedural safeguards.

A copy of the Section 504 Procedural Safeguards is provided with this notice:  Yes  No

Describe how/when the parent was provided a copy:

A copy was provided at the start of the school year during the initial evaluation.

### Finalizing and Printing the Notice

When all items are complete, click **Save Data**. If any required items are left blank, an error message is presented at the top of the screen. Provide missing information, if any, click **Save Data** again, and then click **Finalize**.

You will be redirected to the **Section 504 Committee Meeting Notice Dashboard**.

Click **View PDF** to print the notice.

Additional dashboard functionality includes:

1. Creating a duplicate notice if the parent does not respond to the first one.
2. Entering comments relevant to the request, such as documenting communication with the parents or attempts to contact them.

### III. Section 504 Notice and Consent for Evaluation

#### Purpose

The Section 504 Notice and Consent for Evaluation describes the evaluation the district is proposing and documents the request for parental consent. It is used for initial evaluations and required reevaluations. Section 504 requires the school district to establish procedures for periodic reevaluation of eligible students, but does not specify how frequently they must occur. It does, however, suggest the following the triennial reevaluation requirement under IDEA as one way to comply. Refer to your district's policies to ensure the required timeline is followed.

#### Completing the Notice



##### Student Information

The information in this section is prepopulated from the student demographic file uploaded to PEER and the PEER Student Information screen. The parent/guardian name, address, and phone can be edited from the Student Information screen accessible from the Student Dashboard. All other fields can only be edited through the district's student information system.



##### Date of Notice

Enter the date the notice is completed.



##### Briefly explain why the student is being referred for a Section 504 evaluation or reevaluation.

For example, indicate whether the parent or the district initiated the request, why they suspect a qualifying physical or mental impairment, and what impairment is suspected. A check box is provided if the reason for referral is required reevaluation.

**Briefly explain why the student is being referred for a Section 504 evaluation or reevaluation.**  
For example, for an initial evaluation describe the behaviors observed at school that prompted the committee to suspect a disability or explain the reason the committee suspects a qualifying physical or mental impairment.

The teacher reports that Tropical is struggling during group activities, becoming frustrated or angry when peers don't do what she says. Current redirection strategies are not as effective as they were in the past.

The district is proposing a periodic reevaluation as required under Section 504.



##### In addition to reviewing existing student data described below, describe any other evaluation procedure(s) the district is proposing.

As with ESE evaluations conducted under IDEA, evaluation procedures conducted under Section 504 must be at not cost to the parent.

**In addition to reviewing existing student data described below, describe any other evaluation procedure(s) the district is proposing.**  
In many cases, the Section 504 evaluation simply consists of the Section 504 Committee reviewing and interpreting existing school records, including anecdotal evidence, observations, prior testing, grades, standardized test scores, information provided by the parent, and other data in order to determine if the student has a qualifying disability and, if so, whether the student needs accommodations or services in accordance with a Section 504 plan. For students who have been receiving intensive individualized interventions through the problem solving/response to intervention (PS/RtI) process, the evaluation will include a review of the classroom assistance and interventions provided, the results of those efforts, and any other data generated by the process.

The parent provided an updated medical report documenting the diagnosis of ADHD and its impact on the student.

Existing information is sufficient. No additional evaluation procedures or sources of information are needed at this time.



##### Provide contact information for a person the parents can call if they have questions or concerns about their procedural safeguards or the evaluation process.

Enter the individual's name and/or title and phone number and/or email address.

### **Finalizing and Printing the Notice**

When all items are complete, click **Save Data**. If any required items are left blank, an error message is presented at the top of the screen. Provide missing information, if any, click **Save Data** again, and then click **Finalize**.

You will be redirected to the **Section 504 Notice and Consent for Evaluation Dashboard**.

Click **View PDF** under the Notice Archive section to print the notice.

Additional dashboard functionality includes:

1. Documenting the parent's decision regarding consent.
2. Creating a duplicate notice if the parent does not respond to the first one.
3. Entering comments relevant to the request, such as documenting communication with the parents or attempts to contact them.

## IV. Section 504 Initial Evaluation/Reevaluation

### Purpose

The Section 504 Notice and Consent for Evaluation documents the evaluation process for initial evaluations and required reevaluations. Section 504 requires the school district to establish procedures for periodic reevaluation of eligible students, but does not specify how frequently they must occur. Refer to your district’s policies to ensure the required timeline is followed.

### Completing the Process

#### Meeting Participants Screen

At the start of the meeting, be sure to introduce all participants and explain their various roles and responsibilities. Enter the name of each meeting participant. Include individuals who are participating remotely (e.g., via conference call or videoconference).

The committee must include “persons knowledgeable about the child, the meaning of the evaluation data, and the placement options.” Check the applicable box or boxes for each participant. (Note: Designating the area(s) of knowledge does not apply to other participants invited by the parent, as the obligation to ensure a properly constituted committee belongs to the district.)

You may enter as many “Other” participants as necessary. If a district-invited participant has a role or title other than the ones that are provided, enter it with their name in the text box.

### Meeting Participants

Although the membership of a Section 504 committee is not explicitly defined, the law requires that decisions be made by a "group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options." Refer to your district's Section 504 policies to ensure an appropriately constituted committee.

		Participant has knowledge of:		
		Student	Evaluation Data	Placement Options
Parent/Guardian	<input type="text" value="Palm Paradise"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parent/Guardian	<input type="text" value="Gator Paradise"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Student	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Participant Invited by the Parent	<input type="text"/>			
School-Based Section 504 Coordinator	<input type="text" value="Aaron Addams"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Teacher	<input type="text" value="Barbara Beach"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Administrator/Designee	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School Counselor	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School Nurse	<input type="text" value="Camilla Cabrera"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
School Psychologist	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other District Participant (Name and Title/Role)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

← Previous
Save Data
Print Draft
Next →

Click **Save Data**, then click **Next**.

You will be presented with the **Initial Evaluation/Reevaluation Process** screen.

#### Initial Evaluation/Reevaluation Process Screen



#### Meeting Date

Enter the meeting date.





### Reason for Evaluation

Select the radio button indicating if this is an **initial evaluation** or a **required periodic reevaluation**.



### Data Sources

Indicate the data sources that were used as the basis of the evaluation.

To the extent applicable, the committee should consider information related to the effect of mitigating measures in use by the student or provided on behalf of the student (e.g., medication; assistive technology).

Check all that apply.

Click **Save Data**, then click **Next**.

You will be presented with the **Eligibility** screen.

### Eligibility Screen

This screen walks the committee in order through each eligibility component. If the response to a question is Yes, the next question is required. If the response to any question is No, no further response is required. The responses to these four questions form the basis for the committee decision on the next screen.

The Americans with Disabilities Amendments Act of 2008 (ADAAA) revised the definition of “disability” as applied to both the ADA and Section 504. For the purposes of determining eligibility under Section 504, the law says the meaning of disability “shall be construed in favor of broad coverage...” and further states that mitigating measures have no bearing in determining whether a disability qualifies under the law. This understanding should guide the committee’s evaluation of the potentially eligible student.



### Does the student have a physical or mental impairment?

This is an educational determination only, and not a medical diagnosis for purposes of treatment.

All impairments, including those that are episodic, in remission, or mitigated should be entered in the text box.

An impairment with an anticipated duration of six months or less is considered a temporary impairment. If the impairment is temporary, briefly describe the circumstances. (Note: Students with Section 504 plans due to temporary impairments are not eligible for the McKay Scholarship for Students with Disabilities.)



### If Yes, does the physical or mental impairment affect one or more major life activities or major bodily functions?

You will only respond to this prompt if the answer to the previous question is Yes.

If there is an effect (to any extent), check all that apply. For an impairment that is episodic, in remission, or mitigated, identify the activity or function affected when the disability is present or active.



### If Yes, does the physical or mental impairment *substantially limit* a major life activity or major bodily function? Describe the nature and extent of the impact of the impairment on the student.

You will only respond to this prompt if the answer to the previous question is Yes.

“Substantially limits” does not mean “significantly restricted.” When making this determination, the committee should not consider the ameliorative (helpful or positive) effects of mitigating measures (except for ordinary eyeglasses or contact lenses). The fact that the impairment is episodic (the impact of the impairment is sometimes substantially limiting, but not always) or in remission does not preclude eligibility if the impairment would substantially limit a major life activity or major bodily function when active.



### If Yes, does the student need Section 504 accommodations or services in order for his or her educational needs to be met as adequately as those of nondisabled peers?

You will only respond to this prompt if the answer to the previous question is Yes.

If the impairment is in remission or the student’s needs are currently addressed by mitigating measures, a Section 504 plan is not needed. If the student does not need a Section 504 plan, briefly explain the basis for this decision.

If the student's needs are so extreme as to require special education and related services, a referral for an exceptional student education (ESE) evaluation should be considered.

Click **Save Data**, then click **Next**.

You will be presented with the **Committee Decision** screen.

### **Committee Decision Screen**

A student is eligible under Section 504 if the student has a physical or mental impairment that substantially limits a major life activity or bodily function.

Some eligible students require accommodations or services provided under a Section 504 plan. Others do not require additional supports, but are protected from discrimination based on their disabilities. The following decision rules apply:

- ✓ If any of the first three responses on the Eligibility Screen is No, the student is not eligible under Section 504.
- ✓ If the responses to the first three questions on the Eligibility Screen are all Yes and the response to the fourth question is No, the student is eligible for the nondiscrimination protections of Section 504, but the committee will not create a Section 504 plan at this time, as the student's needs are currently being met as adequately as his or her nondisabled peers' needs are met.
- ✓ If the responses to all four questions on the Eligibility Screen are Yes, the student is eligible for both the nondiscrimination and free appropriate public education (FAPE) protections of Section 504. The committee will create a Section 504 plan for the student detailing the accommodations and/or services that will be provided.

The Section 504 Committee's analysis of the eligibility criteria as applied to the evaluation data indicates that at this time:

- Not Eligible** – The student was evaluated and is not eligible under Section 504.
- Eligible + Plan**– The student is/continues to be eligible under Section 504. A Section 504 plan that governs the provision of a free appropriate public education to the student will be developed or, for reevaluation, the current plan will be reviewed and updated as appropriate. The student will receive the manifestation determination, procedural safeguards, periodic reevaluation, and nondiscrimination protections of Section 504.
- Eligible + No Plan (In Remission)** – The student is/continues to be eligible under Section 504, but will not require a Section 504 plan because the impairment is in remission, and there is no current need for services. The student will receive the manifestation determination, procedural safeguards, periodic reevaluation, and nondiscrimination protections of Section 504. Should the need for a plan arise, the committee will reconvene and develop an appropriate Section 504 plan. (Section 504 Eligible code "N")
- Eligible + No Plan (Mitigating Measures)** – The student is/continues to be eligible under Section 504, but will not require a Section 504 plan because his or her needs are met as adequately as his or her nondisabled peers due to the positive effect of mitigating measures currently in use. The student will receive the manifestation determination, procedural safeguards, periodic reevaluation, and nondiscrimination protections of Section 504. Should the need for a plan arise, the committee will reconvene and develop an appropriate Section 504 plan.
- Dismissal** – The student was reevaluated and is no longer eligible under Section 504 and is exited from the program. The student will now receive regular education without Section 504 services. The student will receive the nondiscrimination protections of Section 504 as a student with a record of an impairment, but the manifestation and periodic reevaluation requirements no longer apply.
- IDEA Eligible/Section 504 Dismissal** – The student has been evaluated and determined eligible for exceptional student education (ESE) services as a student with a disability. Consequently, the student will receive a free appropriate public education in accordance with an individual educational plan (IEP) through the IEP team process, and is exited from the Section 504 program. The Section 504 nondiscrimination protections and procedural safeguards continue to apply.
- Other**– Please describe:

(Note: Students who are eligible for nondiscrimination protections under Section 504 but who do not need a Section 504 plan are not eligible for the McKay Scholarship for Students with Disabilities.)

Click **Save Data**, then click **Next** to navigate to the **Conference Notes** screen.

### **Conference Notes Screen**

Conference notes are optional. Conference notes can be used to capture discussion from the meeting. If

Be sure to click **Save Data** if conference notes were entered, then click **Next**.

## V. Section 504 Plan/Annual Review/As-Needed Reevaluation

### Purpose

Section 504 Plan is used to develop a plan from scratch following an initial evaluation or required periodic reevaluation. It is anticipated that, since the evaluation document describes the data that were reviewed, this is not repeated on the Section 504 Plan.

Annual Review/As-Needed Reevaluation is used when the committee chooses to open an existing Section 504 plan, review the contents to determine the extent to which the plan accurately captures the student's needs, and revise it as needed.

### Completing a Section 504 Plan

When you begin a Section 504 Plan you are presented with the plan Dashboard. Click **Next** to navigate to the next screen and begin the process.

### *Meeting Participants Screen*

Complete the Meeting Participants screen as described on **page 9**.

Click **Save Data**, then click **Next** to navigate to the **Student/Plan Information** screen.

### *Student/Plan Screen*



#### **Meeting Date**

Enter the meeting date.



#### **Meeting Purpose**

Indicate the purpose for the meeting. Check all that apply.



#### **Impairment**

Identify the physical or mental impairment(s) that substantially limits one or more of the student's major life activities or bodily functions. If this is a temporary Section 504 plan (i.e., the impairment is transitory with an anticipated duration of six (6) months or less), briefly describe the circumstances.



#### **Major Life Activity/Major Bodily Function**

Identify the major life activity or bodily function that is substantially limited by the impairment. Check all that apply.

Click **Save Data**, then click **Next** to navigate to the **General/Classroom Accommodations and Services** screen.

### *General/Classroom Accommodations and Services Screen*

This screen is used to document general accommodations and services the student requires within the classroom and other school settings. Accommodations required for state and district standardized assessments are entered on the **Assessment Accommodations** screen, and should reflect accommodations the student routinely uses within the classroom.

Since students only need a Section 504 plan if they need accommodations or services, at least one accommodation or service must be entered on this screen.

Click **+Add**. You will be presented with a pop-up screen with three prompts.



#### **Identified Need/Area of Concern**

Briefly describe the identified need or area of concern to be addressed by this accommodation or service (e.g., difficulty staying on-task)



#### **Accommodation/Service**

Briefly describe the accommodation or service that will be provided. Include sufficient detail to ensure that it is clear to all involved (e.g., seat the student in a low-distraction work area near the source of instruction).



**Person(s) Responsible**

Identify the individual(s) responsible for implementing the accommodation or service (e.g., all classroom teachers).

Click **Cancel** to close the pop-up without saving the entry.

Click **Save** to retain the entry and close the pop-up. As accommodations or services are entered, they are presented on the main screen in a table.

General/Classroom Accommodations and Services		
<p><b>Note:</b> Enter classroom and other general accommodations and services here. Accommodations required for state and district standardized assessment will be entered on the next screen.</p> <p>Decisions regarding the accommodations and services to be implemented must be based on information and data from the evaluation or reevaluation and eligibility determination process. These supports must address the student's needs resulting from the identified impairment(s) and be designed to facilitate access to education and other school activities. They must be described in a way that is clear to all involved, including when and by whom the accommodation or service will be implemented.</p>		
<p><span>+ Add</span> <span>Edit</span> <span>Delete</span></p>		
Need/Area of Concern	Accommodation/Service	Person(s) Responsible
Difficulty staying on-task	Seat the student in a low-distraction work area near the sourc...	All classroom teachers
Inappropriate gestures and sounds or words (tics)	Ignore symptoms that can be ignored; model and demonstrat...	All classroom teachers
Tics increase during times of stress	Prompt student when needed to identify triggers and decreas...	School counselor and classroom teachers

To revise an entry, select it by clicking on the row and then click **Edit**. The pop-up appears and can be edited.

To delete an entry, select it by clicking on the row and then click **Delete**. Confirm the deletion by clicking **Delete** or **Cancel**.

Click **Next** to navigate to the **Assessment Accommodations** screen.

**Assessment Accommodations Screen**

This screen is used to document assessment accommodations the student needs to participate in state and district standardized assessments. Assessment accommodations must be based on student need and be the same or similar to what the student typically uses to learn and perform tasks in the classroom setting (as described in the previous section). Refer to the most current test administration manual for guidance.

Assessment accommodations are sorted into four categories – Presentation, Response, Scheduling, and Setting. Other Assistive Technology or Device is provided to capture assistive technology or devices the student needs to participate in the assessment system that are not captured in one of the four main categories.

Click on the category title to display an expanded list of accommodations for that category. If the student does not need an assessment accommodation, check the box indicating this.

Presentation Accommodations (0)  
 These include specialized formats, assistive technology or devices, software or computer settings, or other supports the student needs to access the applicable test materials (i.e., computer-based; paper-based) and content. Note that all directions are presented orally to all students, so this is not included as a separate item on the list of accommodations.

---

Response Accommodations (0)  
 These include alternate response modes, assistive technology and devices, or other supports the student needs to answer test questions and enter a response.

---

Scheduling Accommodations (0)  
 Include here adjustments to the established testing schedule the student needs to participate in the assessment system.

---

Setting Accommodations (0)  
 Include here changes to the test environment (e.g., location, furniture, physical setting) the student needs to participate in the assessment system.

---

Other Assistive Technology or Device (0)  
 Include here any other assistive technology or devices the student needs to participate in the assessment system that are not captured in one of the four categories listed above.

Other assistive technology or device:

---

Clear All

The Section 504 committee considered the student's need for assessment accommodations and determined that none are needed at this time.

Click **Save Data**, then click **Next** to navigate to the **Implementation** screen.

### Implementation Screen

This screen is used to document procedures to ensure the Section 504 plan will be implemented with fidelity.



**Describe how teachers and other staff will be informed of their specific responsibilities related to implementing this Section 504 plan, including if the plan is continued from one school year to the next or the student moves from one school to another.**

Briefly describe the process for communication within and between schools to ensure there is not lapse in implementation when students are assigned a new teacher, move to the next grade level, or transfer schools. This is generally part of pre-planning or other “school year start up” activities, with some additional processes in place to address mid-year changes. Examples include:

- A copy of the student’s Section 504 plan is provided at the start of the year to each staff member responsible for implementing it
- A designated staff member (e.g., Section 504 coordinator; school counselor) provides each teacher with a list of their students who have plans, instructions for accessing them (e.g., online through PEER; cumulative folder), and a signature or initialing process to document that they have read and understand their roles.

For consistency, many schools and districts simply mirror whatever processes they use under IDEA to ensure that, as students transfer schools or enroll in new courses or classes, the individual educational plans (IEPs) are accessible to each staff member responsible for implementing them and those staff members understand the services and accommodations they are required to provide.

Click **Save Data**, then click **Next** to navigate to the **Conference Notes** screen.

### Conference Notes Screen

Conference notes are optional. Conference notes can be used to capture the discussion from the meeting. If you wish to explain how accommodations and services will be implemented, please include that information in the appropriate section of the plan (i.e., General/Classroom Accommodations and Services; Assessment Accommodations).

Be sure to click **Save Data** if conference notes were entered, then click **Next** to navigate to the **Finalize** screen.

Note: **Next** and the **Finalize** screen appear when all prior screens are completed.

### Section 504 Plan Dashboard

When the plan is finalized, you will be directed to the Section 504 Plan Dashboard. The current status of the plan will show as “Locked,” followed by an action button – **Section 504 Annual Review/As-Needed Reevaluation**.

#### Section 504 Plan Dashboard

Plan Details

Meeting Date:	10/31/2018
Created/Updated:	10/31/2018 by DISTRICTUSER02@FILLER.NET
Current Status:	Locked

[➤ Section 504 Annual Review/As-Needed Reevaluation](#)

### Completing an Annual Review/As-Needed Reevaluation

When you begin an Annual Review/As-Needed Reevaluation, you are presented with a series of questions verifying that it is appropriate for the situation, or if a formal periodic reevaluation should be conducted instead:

1. Is the student’s initial evaluation or most recent reevaluation less than three (3) years old?
2. Generally speaking, does the student’s most recent evaluation/reevaluation accurately reflect all of the student’s physical or mental impairments, including those that are episodic or in remission?
3. Generally speaking, does the student’s most recent evaluation/reevaluation accurately reflect the impact of the student’s physical or mental impairments, including those that are episodic or in remission, on the student’s ability to access and participate in the school’s programs and activities?

If all answers are Yes, click **Create** to continue with the review.

If one or more answers is “No” or if the committee is considering dismissal (e.g., the student is now eligible under IDEA and will be dismissed from Section 504; the student no longer has an impairment), click **Cancel**, return to the **Student Dashboard**, and begin the triennial/required reevaluation process by clicking **+Add** and selecting **Section 504 Notice and Consent for Evaluation**.

**Meeting Participants Screen**

Complete the Meeting Participants screen as described on **page 9**.

Click **Save Data**, then click **Next** to navigate to the **Student/Plan Information** screen.

**Student/Plan Screen**



**Meeting Date**

Enter the meeting date.



**Meeting Purpose**

Indicate the purpose for the meeting. Check all that apply.



**Data Sources**

Identify the sources of information that the committee reviewed. Check all that apply..



**Review of Student Needs**

Taking into consideration the student’s current educational setting, including such things as grade level curriculum and learning expectations, nonacademic and extracurricular activities, and standardized assessment requirements, briefly summarize changes, if any, in the impact of the impairment(s) or the student’s impairment-related needs since the last evaluation or review.

If the impairment is in remission or mitigating measures apply, describe the circumstances.



**Section 504 Committee Action**

Based on the review described above, determine whether any section(s) of the current Section 504 plan need to be changed to accurately and clearly reflect the student’s needs resulting from the disability and the accommodations and services that will be provided.

Select the appropriate radio button and click **Save Data**.

**Section 504 Committee Action**

A student with a disability that substantially limits one or more major life activities is protected from discrimination under Section 504. In addition, some students with disabilities require accommodations or services provided in accordance with a Section 504 plan to meet their individual educational needs as adequately as the needs of students without disabilities are met. The Section 504 plan must be reviewed periodically to ensure the supports continue to be appropriate. Review the Section 504 plan currently in place and indicate the committee’s decision:

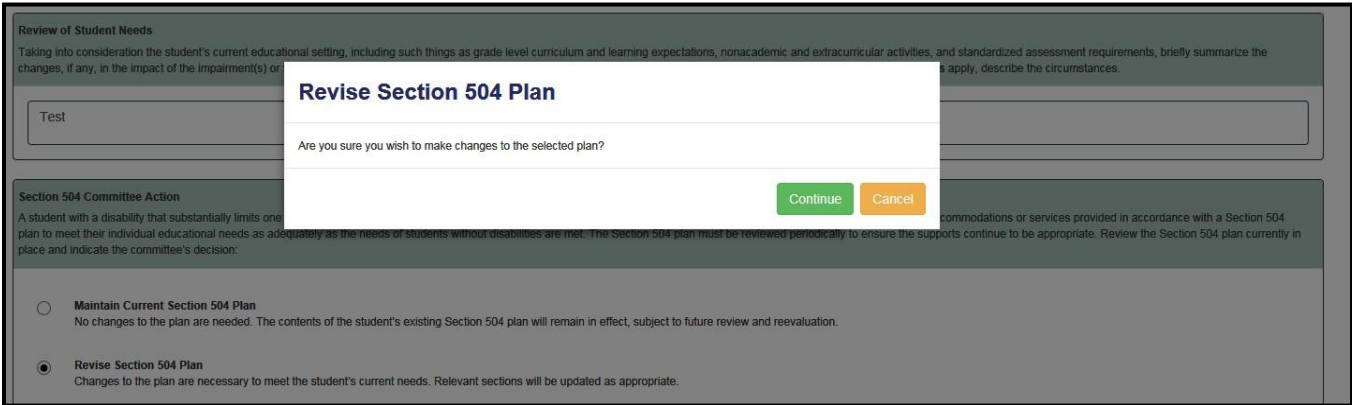
- Maintain Current Section 504 Plan**  
No changes to the plan are needed. The contents of the student’s existing Section 504 plan will remain in effect, subject to future review and reevaluation.
- Revise Section 504 Plan**  
Changes to the plan are necessary to meet the student’s current needs. Relevant sections will be updated as appropriate.
- Section 504 Plan No Longer Needed – Impairment in Remission**  
The student remains eligible for the nondiscrimination protections under Section 504, but does not require a Section 504 plan because the physical or mental impairment is in remission and there is no current need for accommodations or services. Procedural safeguards apply, including disciplinary protections (e.g., manifestation determination), and periodic reevaluation will be conducted to determine continued eligibility. Should a need for accommodations or services arise, the Section 504 committee will convene and develop an appropriate plan.
- Section 504 Plan No Longer Needed – Mitigating Measures**  
The student remains eligible for the nondiscrimination protections under Section 504, but does not require a Section 504 plan because the student’s needs are met as adequately as his nondisabled peers due to the positive effect of mitigating measures currently in use. Procedural safeguards apply, including disciplinary protections (e.g., manifestation determination), and periodic reevaluation will be conducted to determine continued eligibility. Should a need for accommodations or services arise, the Section 504 committee shall convene and develop an appropriate plan.

When one of the following is selecting, clicking **Next** will take you to the **Conference Notes** screen, followed by the **Finalize** screen:

- ✓ Maintain Current Section 504 Plan
- ✓ Section 504 Plan No Longer Needed – Impairment in Remission
- ✓ Section 504 Plan No Longer Needed – Mitigating Measures

When **Revise Section 504 Plan** is selected, you will be presented with a prompt verifying that you want to make the changes.

Select **Continue** to proceed or **Cancel** to return to the Student/Plan Information screen to select a different committee action.



When you click **Continue**, you are returned to the Student/Plan Information screen with two additional prompts visible.



**Impairment**

The response pulls through from the existing plan. Review the text field and radio buttons and revise as needed.



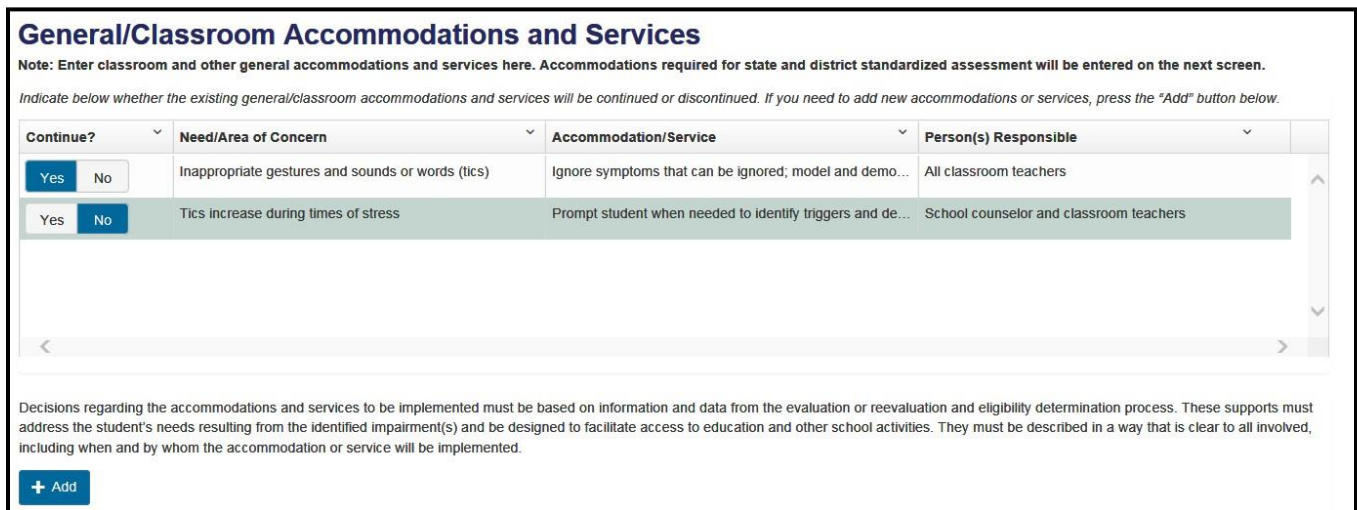
**Major Life Activity/Major Bodily Function**

The response pulls through from the existing plan. Review the checked items and revise as needed.

Click **Save Data**, then click **Next** to navigate to the **General/Classroom Accommodations and Services** screen.

**General/Classroom Accommodations and Services Screen**

The responses pull through from the existing plan. The default response under **Continue** is Yes. Carefully review each entry. If an accommodation or service is no longer needed or any section of the entry is not accurate, click No to delete the item from the new plan.



Click **+Add** to enter new accommodations or services based on the student’s current needs (see pages 13-14).

Whether changes are made to the screen or not, click **Save Data** to indicate the information has been reviewed and is accurate.

Click **Next** to navigate to the **Assessment Accommodations** screen.

### **Assessment Accommodations Screen**

The responses pull through from the existing plan. Review each assessment accommodation. Add or delete selections based on the student’s current needs (see page 14).

Whether changes are made to the screen or not, click **Save Data** to indicate the information has been reviewed and is accurate.

Click **Next** to navigate to the **Implementation** screen.

### **Implementation Screen**

The response pulls through from the existing plan. Review the content for accuracy and revise as needed (see page 15).

Whether changes are made to the screen or not, click **Save Data** to indicate the information has been reviewed and is accurate.

Click **Next** to navigate to the **Conference Notes** screen.

### **Conference Notes Screen**

Since this is a new meeting, the conference notes prompt is presented blank – notes from the existing plan do not pull through.

Conference notes are optional.

Click **Save Data** if conference notes were entered, then click **Next** to navigate to the **Finalize** screen.

Note: **Next** and the **Finalize** screen appear when all prior screens are completed.

### **Section 504 Plan Dashboard**

When the annual review is finalized, you will be directed to the Section 504 Annual Review/As-Needed Reevaluation Dashboard for this document. The current status of the plan will show as “Locked,” followed by an action button – **Section 504 Annual Review/As-Needed Reevaluation**.

There is no limit to the number of annual reviews that can be conducted in this way.

Plan Details	
Meeting Date:	11/07/2018
Created/Updated:	11/07/2018 by DISTRICTUSER02@FILLER.NET
Current Status:	Locked
<a href="#">Section 504 Annual Review/As-Needed Reevaluation</a>	

Plan Archive	
<a href="#">View PDF</a>	Section 504 Annual Review/As-Needed Reevaluation
<a href="#">View PDF</a>	Activity History

*Note: The annual review/as-needed reevaluation functionality is only available if a current plan exists. If the committee determines that an eligible student does not require a Section 504 plan due to the effect of mitigating measures or the impairment being in remission and then, at a later date, a plan is required, the new plan must be developed as a stand-alone document.*