

Community Unit School District 303



SECTION 504

of the

Rehabilitation Act of 1973

PROCEDURES

(Revised December 17, 2014)

SECTION 504 BOARD POLICY STATEMENT (6:120)

Education of Students with Disabilities

The District shall provide a free appropriate public education in the least restrictive environment and necessary related supports and/or accommodations to all students with disabilities enrolled in the District, as required by the Individuals with Disabilities Education Improvement Act (IDEIA) and implementing provisions of The School Code, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act. The term “students with disabilities,” as used in this policy, means students for whom it is determined, through definitions and procedures described in the *Illinois Rules and Regulations to Govern the Organization and Administration of Special Education*, that special education services are needed.

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational supports and/or accommodations. Students may be disabled within the meaning of Section 504 of the Rehabilitation Act even though they do not require supports and/or accommodations pursuant to the IDEIA.

For students eligible for supports and/or accommodations under IDEIA, the District shall follow procedures for identification, evaluation, placement, and delivery of supports and/or accommodations to students with disabilities provided in the Illinois State Board of Education’s Rules and Regulations to Govern the Administration of Special Education. For those students who are not eligible for supports and/or accommodations under IDEIA, but, because of disability as defined by Section 504 of the Rehabilitation Act of 1973, need or are believed to need special instruction or related supports and/or accommodations, the District shall establish and implement a system of procedural safeguards. The safeguards shall cover students’ identification, evaluation, and educational placement. This system shall include notice, an opportunity for the student’s parent(s)/guardian(s) to examine relevant records, an impartial hearing with opportunity for participation by the student’s parent(s)/guardian(s), and representation by counsel, and a review procedure.

The District may maintain membership in one or more cooperative associations of school districts that shall assist the School District in fulfilling its obligations to the District’s disabled students.

If necessary, students may also be placed in nonpublic special education programs or education facilities.

LEGAL REF.: Americans With Disabilities Act, 42 U.S.C. §12101 et seq.

Individuals With Disabilities Education Act, 20 U.S.C. §1400 et seq.

Rehabilitation Act of 1973, Section 504, 29 U.S.C. §794.

105 ILCS 5/14-1.01 et seq., 5/14-7.02, and 5/14-7.02a.

23 Ill.Admin.Code §226.

CROSS REF.: 2:150 (Committees), 7:230 (Misconduct by Students with Disabilities)

ADOPTED: August 28, 2006

Public Notification/Procedural Safeguards Regarding Section 504 of the Rehabilitation Act of 1973

Section 504 is an Act which prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. The Act defines a person with a disability as anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working);
2. has a record of such impairment; or
3. Is regarded as having such an impairment.

In order to fulfill its obligation under Section 504, the Community Unit School District 303 recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a handicap will knowingly be permitted in any of the programs and practices in the school system.

The school district has specific responsibilities under the Act, which include the responsibility to identify, evaluate, and if the student is determined to be eligible under Section 504, to afford access to appropriate educational supports and/or accommodations. If a parent(s)/guardian(s), school personnel or other professional believe the student may have a disability that requires supports and/or accommodations under Section 504, they may make a request for evaluation in writing to the building principal of the student's school, to the school psychologist of the school, or to the Section 504 Coordinator listed below.

If the parent(s)/guardian(s) disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing officer.

The Family Educational Rights and Privacy Act (FERPA) and Illinois School Student Records Act (ISSRA) specifies rights related to educational records. The Act gives the parent(s)/guardian(s) the right to: 1) inspect and review his/her student's educational records; 2) make copies of these records; 3) receive a list of all individuals having access to those records; 4) ask for an explanation of any item in the records; 5) ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the student's rights; and 6) a hearing on the issue if the school refuses to make the amendment.

If there are questions, please feel free to contact: **Patti Palagi**, Section 504 Coordinator for the school district, at phone number: **(331) 228-6724**.

COMMUNITY UNIT SCHOOL DISTRICT 303

SECTION 504

OF THE

REHABILITATION ACT OF 1973

Procedures

Introduction

Section 504 was the first federal Civil Rights Law to protect the rights of people with disabilities. It prohibits discrimination in:

- the education of students with disabilities
- vocational education programs
- college programs and other post-secondary education programs
- employment
- health, welfare, and other social service programs; and • other programs and activities that receive federal funds.

Section 504 of the Rehabilitation Act of 1973 has direct implications for school districts. Schools are required to (a) have written policies and procedures regarding Section 504 and (b) make reasonable accommodations to make programs accessible to students with disabilities. You may contact your local school district administrator regarding Section 504 issues. The Act forbids discrimination on the basis of disability in any program receiving federal funding, i.e. public schools that receive any type of federal assistance. The Office for Civil Rights (OCR) is the department of the federal government that monitors Section 504.

Section 504 requires an evaluation to determine whether or not a student meets the criteria to be eligible for supports and/or accommodations under Section 504. If your student is eligible for supports and/or accommodations under Section 504, the school district is required to provide an appropriate education. This may mean modifying the regular education program and providing any necessary accommodations. These accommodations might include reducing the amount of required work, completing fewer assignments in a shorter period of time, providing more visual instruction, and/or developing behavioral interventions. **Support, as determined by the team, may also be provided under Section 504 but, if regular, consistent, or direct services may be needed, an evaluation and consideration for special education services under the Individuals with Disabilities Education Improvement Act (IDEIA) should be considered.**

Students who are eligible for a Section 504 plan of accommodations are those who have a physical or mental impairment which substantially limits one or more major life activities which adversely affects his/her education or functioning within the educational setting. Major life activities that may be affected are: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

In almost every case, a student who is eligible for and receives special education services under the IDEA meets the requirements established under Section 504 of the Rehabilitation Act. It is necessary for the district, however, to be concerned for the student who is not eligible for special education and related services, but who may be eligible for supports and/or accommodations under Section 504. Some examples of conditions which may require Section 504 accommodations include students that have been identified as having:

ADD/ADHD

Anorexia

Asthma

Behavioral Difficulties

Bulimia

Cerebral Palsy

Communicable Diseases

Depression

Diabetes

Drug/Alcohol (if the student is no longer using drugs; if using alcohol, it must be outside of school, and student must be of legal age)

Dyslexia

Dysthymia

Emotional Disorders

Excessive Absenteeism

HIV/AIDS

Injuries

Medical Conditions (e.g. allergies, diabetes, heart disease, cancer, hemophilia)

Mutism

Obesity

Physical/Sexual Abuse

Posttraumatic Stress Syndrome

Sexually Transmitted Diseases

Suicidal Tendencies

Temporary Conditions Due to Illness or Accident

Tuberculosis

It is correct to characterize the 504 concept of disabilities as more general than those defined by the Individuals with Disabilities Education Improvement Act (IDEIA). It is also true that the requirements for implementing Section 504 are less specific than those found under IDEIA.

For purposes of compliance with the Act, school districts are required to:

1. evaluate a student who may be eligible as a 504 “qualified handicapped individual,”
2. determine eligibility based on the evaluation results, as well as any other information provided by the parent(s)/guardian(s), and an application of the definition of a handicap condition as described in the Act,
3. develop a 504 Plan outlining the necessary supports and/or reasonable accommodations that are to be provided, when, and by whom,
4. deliver appropriate supports and/or accommodations, when determined to be needed,
5. guarantee procedural safeguards:
 - a. provide appropriate notice
 - b. allow the review of records
 - c. permit the right to counsel
 - d. provide for access to a hearing
6. review the case periodically

All decisions regarding the need for a student to receive supports and/or accommodations under a Section 504 plan are made on a case by case basis and are not automatically assumed from any condition of the student.

Procedures for Implementing Section 504

I. Definition of Qualified Disabled Individual Under Section 504:

Section 504 protects individuals with disabilities from discrimination based on their disability status.

A. A person is disabled within the meaning of Section 504 if he or she:

1. has a mental or physical 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 an impairment.

Major life activities include functions such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

B. A qualified individual with a disability for public school supports and/or accommodations is an individual with a disability:

1. of an age during which individuals who are not disabled are provided such educational supports and/or accommodations;
2. of an age by which it is mandatory under law to provide such supports and/or accommodations to individuals with disabilities, and;
3. who qualifies as having a mental or physical impairment which substantially limits one or more major life activities (as listed above).

II. Designation/Notice of Section 504 Coordinator:
Executive Director of Instructional Interventions

III. Responsibility for Service:
It is the responsibility of the district to provide a free appropriate public education to each qualified disabled individual who is a resident of the district.

IV. Public Notification:
Community Unit School District 303 will annually notify the public through the student handbook of the availability of supports and/or accommodations and how to access them.

V. Referral:

- A. Referrals for the consideration of 504 eligibility may result from child find efforts, direct referrals by parent(s)/guardian(s) or school personnel, other persons having knowledge of the student, the student, or the State Board of Education. These direct referrals may be made at any time.
- B. The school district maintains an organized and written referral process which is communicated to all professional personnel within the system and to persons within the community.
- C. A referral must be made in writing, stating all educational concerns, and dated at the time the request is made, including the reason for the referral. (See Section 504 Referral Form.) All referrals will be reviewed by the building principal, designee and building team, or the 504 Coordinator. If the request for a 504 evaluation is refused, the reasons for refusal will be documented in writing. The parent(s)/guardian(s) can appeal that decision to the Section 504 Coordinator within ten (10) days of the refusal.
- D. All referrals under Section 504 should be directed to the building principal or building school psychologist. If evaluation is necessary, the evaluation shall be conducted by an appropriate team of knowledgeable people in accordance with and under the supervision of the building principal and Section 504 Coordinator. The principals/designee and Section 504 Coordinator will determine the members of the 504 evaluation team.

VI. Evaluation

The primary purpose of conducting an individual evaluation of a student initially referred for a 504 evaluation is to gather information sufficient to permit a group of persons knowledgeable about the student to determine whether the student is a disabled student under Section 504. Section 504 does not specify the degree or specific nature of the evaluation to be conducted. The team conducting the evaluation will determine the scope of the evaluation. The scope of the evaluation is stated in writing and provided to the parent(s)/guardian(s) prior to obtaining informed written consent. It is the intent of the Section 504 Coordinator/Designee to complete the procedures as soon as possible after receiving consent.

- A. Depending upon the type of condition presented by the student, the district may choose to conduct one or more of the following: review of medical reports or other records; observation of the student; interview with the student and/or family; evaluation with standardized instruments and/or informal measures.
 - 1. The evaluation components will be:
 - a. Necessary and appropriate to determine the nature and extent of a disabling condition or a suspected disabling condition and to assess general or specific areas of educational need;
 - b. Appropriate for the age and stage of development of each student to whom they are administered;
 - c. Validated for the specific purpose(s) for which they are used and administered in conformance with instructions provided by their producer;
 - d. Free of racial, cultural, language, or sex bias as stated by their producer.

- e. Selected and administered so as to ensure that when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where these skills are the factors which the test purports to measure);
- f. Written and administered in the native language or conducted in the mode of communication most familiar to the person being assessed, unless it is clearly not feasible to do so;
- g. Administered by trained personnel in conformance with the instructions provided by their producer.

VII. Eligibility Determination

- A. The Section 504 Coordinator or designee will notify the appropriate building personnel when the evaluation is complete.
- B. The building principal/Section 504 Coordinator or designee will then schedule the Section 504 conference.
- C. In order to determine that a student who has been assessed is a disabled student, the knowledgeable group of persons must conclude that:
 - 1. the student has a physical or mental condition (i.e. 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, cardiovascular, digestive, skin, and endocrine or any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, or ADD/ADHD).
 - 2. the presence of such a physical or mental impairment substantially limits one or more of his or her major life activities. In the case of a physical or mental diagnosis by an independent evaluator, a statement of the diagnosis as substantially limiting one or more major life activities should be submitted, and
 - 3. because of the identified disabling condition, the student is in need of accommodations/adaptations in the regular education environment.
- D. The meeting will involve a group of persons knowledgeable about the student, including the student's parent(s)/guardian(s). The team may include the student's teacher, member(s) of the evaluation team, the building principal, the student's parent(s)/guardian(s), and the Section 504 Coordinator. The building principal or Section 504 Coordinator/designee will chair the meeting. When determining eligibility under Section 504, the team will only consider conditions (physical or mental) that substantially limit any of the major life activities as defined in the Act within the school setting and/or pertaining to education. The areas of school functioning that should specifically be addressed are: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. When a condition does not substantially limit a major life

activity, the individual will not be a qualified individual with a disability under Section 504. The district will consider the accessibility of the school physical plant and the school program (both academic and extracurricular) to the student who may be eligible. Accessibility needs to be considered in relation to physical aspects of the building as well as program/course eligibility, transportation, and extracurricular access. A student identified as eligible under Section 504 must not be denied access to taking a course, attending a school event, or participating in an extracurricular activity solely on the basis of the disability. However, access can be denied using the same standards as applied to students without disabilities. Examples: having academic prerequisites for course enrollment, meeting to try out requirements, or meeting skill standards for course sequence advancement.

- E. A student may be eligible for Section 504 if he/she possesses a physical or mental impairment which can be demonstrated to be in remission but which can be demonstrated to have an historical impact on a major life activity related to accessing his/her education. In such a case, however, current accommodations may not be necessary but the need for them should be reviewed annually by the 504 team.
- F. A student may be eligible for Section 504 if he/she possesses a physical or mental impairment which is controlled or mitigated by medication, technology, or other mitigating measures (excluding eye glasses). In such a case, however, current accommodations may not be necessary.
- G. The notice to attend the 504 conference shall be sent to all participants at least ten (10) calendar days prior to the conference using the Notice of Section 504 Conference Form. Parent(s)/guardian(s) may waive the ten (10) day notice. Written notice will be the practice of the district except under emergencies or by special arrangement with the parent(s)/guardian(s).
- H. The team will be responsible for making the determination of eligibility under Section 504 and determining what supports and/or accommodations are needed to meet the student's needs as they relate to the educational setting.
- I. The parent(s)/guardian(s) will be provided with a copy of the conference summary.
- J. Recommendations made at the 504 conference shall be determined by consensus of the participating public school staff.

VIII. Educational Setting:

The district provides for the education of all qualified disabled individuals with individuals who are not disabled to the maximum extent appropriate to meet the identified educational needs of the individual. The individual will remain in the regular education environment unless it is demonstrated that the education of the individual in the regular education environment with the use of supplementary aids and supports and/or accommodations cannot be achieved satisfactorily. All accommodations under Section 504 must be reasonable. Therefore, accommodations do not have to be made if such accommodations present undue hardship on the program, e.g. physical modification of a building (elevator) to accommodate one student if there is another building in the district that can offer the student the required program, course, or service.

The district provides nonacademic and extracurricular supports and/or accommodations and activities that offer individuals with disabilities the opportunity to participate with individuals without disabilities. However, access can be denied using the same standards as applied to the individuals without disabilities. (Examples: academic prerequisite for course enrollment, meeting tryout requirements, or meeting skill/standards for course sequence advancement.)

IX. Educational Services & 504 Support Plan

- A. The 504 Conference/Support Plan Summary will serve to document the educational concern, summarize the results of the evaluation, and record the determination of eligibility. It will also document any needed educational supports and/or reasonable accommodations to be made, if any.
- B. The supports and/or reasonable accommodations described on the 504 Support Plan shall be based on a composite understanding of the student's characteristics and how the physical or mental condition substantially limits one or more major life activities. Section 504 does not define what constitutes appropriate supports and/or accommodations for students identified as disabled under the Act. Supports and/or accommodations deemed needed under Section 504 are not delivered as Special Education (IDEIA). If the student is also eligible for such supports and/or accommodations under IDEIA, eligibility under the IDEIA Act must be considered in lieu of a 504 Plan. All accommodations under the Act must be reasonable. Therefore, accommodations do not have to be made if such accommodations present "undue hardship" on the program, e.g. physical modification of the building (elevator) to accommodate the student if there is another building in the district that can offer the student the required program, course and/or supports.
- C. If the outcome of the meeting determines that the individual has a disability under 504 and is in need of supports or reasonable accommodations, the district will provide the program and supports and/or accommodations based on the 504 Conference/Support Plan Summary.
- D. If it is determined that the student will not be receiving any special supports and/or accommodations, a written notice of the findings shall be provided to the parent(s)/guardian(s) as well as a notice of their right to appeal the determination.
- E. The 504 Conference Summary/Support Plan will be filed with the building principal; a copy will be maintained by the Section 504 Coordinator and forwarded to the office of the Department of Instructional Interventions. Copies will also be provided to any other staff who will be providing supports and/or accommodations to the student.

X. Yearly Review & Revision

- A. On an annual basis, the 504 Plan will be reviewed to determine continued eligibility as well as the type and intensity of supports and/or accommodations. This review will be scheduled by the building principal or Section 504 Coordinator/designee. A contact will be made to the parent(s)/guardian(s) to outline the options prior to scheduling the review (see Appendix A).
- B. Participants may or may not be the same group of persons who determined initial eligibility.
- C. If a student is transferring buildings within the district, records will be forwarded to ensure that necessary support plans are continued.

XI. Re-Evaluation

- A. A re-evaluation of the initial evaluation for each 504 eligible student is conducted every three (3) years or more frequently if conditions warrant.
- B. Written consent for re-evaluation will be obtained from parent(s)/guardian(s) or from the student if over 18 years of age.
- C. The re-evaluation will review the components of the most recent evaluation as well as update those components and/or additional components as may be necessary to determine continued eligibility and 504 supports and/or accommodations.

XII. Discontinuation of 504 Supports and/or Accommodations

- A. A meeting with a group of persons knowledgeable about the student shall recommend the discontinuation of 504 supports and/or accommodations of a student if it determines on the basis of the review of all pertinent information any of the following:
 - 1. the student no longer requires any specialized supports and/or accommodations to meet the identified needs;
 - 2. the student no longer requires any special accommodations within the educational setting; or
 - 3. the student can be appropriately educated in a general classroom environment without special support.
- B. The meeting will be documented on the Section 504 Conference/Support Plan Summary form that the student remains eligible for Section 504 but that no supports and/or accommodations are currently needed. The need for 504 supports and/or accommodations based on the existing condition will be reviewed on an annual basis by appropriate school personnel.

XIII. Termination of 504 Supports and/or Accommodations

- A. A meeting with a group of persons knowledgeable about the student shall recommend the termination of a student from the special supports and/or accommodations if it determines on the basis of the review of all pertinent information that the **condition for which the student was originally made eligible no longer exists**.
- B. The meeting requires a written notification of the conference and documentation through the Section 504 Conference/Support Plan Summary form. Parent(s)/Guardian(s) will be provided with copies of all documentation related to the determination to discontinue supports and/or accommodations and their right to appeal that determination.

XIV. Procedural Safeguards

- A. The parent(s)/guardian(s) shall receive a written notice of the Section 504 conference. The notice will be sent ten (10) calendar days prior to the suggested date for the conference. Written notice will be the practice of the district except under emergencies or by special arrangements with the parent(s)/guardian(s). Parent(s)/Guardian(s) have the right to waive ten (10) days notice if school and team members agree to convene a conference in less than ten (10) days.
- B. The parent(s)/guardian(s) have a right to review their student's records and have a right to representation at the conference.
- C. The parent(s)/guardian(s) have a right to an impartial hearing and representation at this hearing. Request for hearings are to be made in writing to the Section 504 Coordinator. The district will provide information to the parent(s)/guardian(s) on how to access a hearing.
- D. The parent(s)/guardian(s) have a right to periodic review of the student's continued eligibility for the special supports and/or accommodations.

504 HEARING PROCEDURE

If the parent(s)/guardian(s) disagrees with the district's identification, evaluation, provision of supports and/or accommodations or change or termination of supports and/or accommodations under Section 504, they have a right to request a 504 hearing.

The district 504 forms, i.e. Conference Notice and Conference/Support Plan Summary, indicate a district person to contact if the parent(s)/guardian(s) requests a hearing under the provisions of Section 504. This person will attempt to resolve the parent(s)/guardian(s)' complaint in an informal manner. If resolution is not reached, the district contact person shall advise the parent(s)/guardian(s) of the following procedures:

1. The request for a hearing must be in writing. The request shall specify the reason(s) the hearing is being requested, and the desired remedy.
2. Within five (5) calendar days of the receipt by the district of the request for the hearing, the district shall assign an impartial 504 hearing officers.
3. The hearing shall be scheduled by the hearing officer.
4. The district and the parent(s)/guardian(s) shall have the right to present evidence relevant to the issues. The parties shall have the right to be represented at the hearing by legal counsel at their own expense.
5. The hearing officer shall limit his/her decision to the issue or issues presented by the parent(s)/guardian(s) in their written request for a hearing. The hearing officer's decision must be written and shall include a summary of the evidence and the reasons for the decision. The decision is to be based solely on the hearing officer's interpretation of the meaning or application of Section 504 of the Rehabilitation Act of 1973 and the evidence presented.
6. The hearing officer's decision will be made within a reasonable period of time following the conclusion of the hearing. The hearing officer shall send a copy of the decision to the parent(s)/guardian(s) and school district.
7. Either party can appeal the hearing officer's decision to the Office of Civil Rights and/or pursue judicial review.
8. The hearing will be provided at no cost to the parent(s)/guardian(s).
9. A recording will be made of the hearing and a copy provided to the parent(s)/guardian(s), at no cost, upon request.

Notification of Nondiscrimination and Explanation of Procedural Safeguards Under Section 504 of the Rehabilitation Act of 1973

The purpose of this notice is to provide you with an explanation of the procedural safeguards, or rights, which exist under Section 504 of the Rehabilitation Act of 1973. Staff at your student's school can also provide you with a personal explanation of such rights and answer any questions you may have. Should you desire additional explanation or information, you may directly contact Laurel O'Brien, Executive Director of Instructional Interventions, (331) 228-4901, who will be happy to help you further understand this process.

Section 504 is an Act which prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. The Act defines a person with a disability as anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities (major life activities include functions such as: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working);
2. has a record of such impairment; or
3. is regarded as having such an impairment.

In order to fulfill its obligation under Section 504, the school district recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a handicap will knowingly be permitted in any of the programs and practices in the school system.

The school district has specific responsibilities under the Act which include the responsibility to identify, evaluate, and, if the student is determined to be eligible under Section 504, develop a 504 Plan to afford access to appropriate educational supports and/or accommodations.

Under Section 504, students with disabilities which may impact some aspect of their school functioning are potentially entitled to supports and/or accommodations in the school environment. Each school within our district has a building-based team that routinely reviews information regarding students who may have disabilities. Students who possess "conditions" or "disabilities" must be evaluated to determine if they qualify for supports and/or accommodations under Section 504. As a parent or guardian of a student in our district, if you believe that your student has a disability that interferes with his or her functioning in school, you may request a 504 evaluation. Requests for evaluation are reviewed to determine if evaluation is necessary. When appropriate, the district conducts an evaluation to determine four things: 1) Does the student possess a handicapping condition?; 2) Does the condition substantially limit a major life activity (e.g. self-care, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, or working); 3) Does the interference with the major life activity negatively impact the student's functioning in school?; and 4) What supports and/or accommodations (if any) are required for the student? If the district refuses your request for an evaluation, you can appeal that decision to the Section 504 Coordinator.

An evaluation by school personnel under Section 504 may involve such activities as a review of school records, observations of the student, interviews with staff and/or parent(s)/guardian(s), interviews with medical personnel, a review of medical records, distribution of behavior rating scales, and/or direct assessment of the student. Before conducting an initial 504 evaluation for your student, the district will obtain your written consent. The purpose of the consent is to make certain that you understand the nature and extent of the 504 evaluation process and that you agree that this process is needed for your student.

Once the 504 evaluation is complete, a conference will be held to review results and determine if any supports and/or accommodations are needed. You have the right to be notified of all 504 conferences convened for the purposes of determining the existence of a disability and/or the extent of any supports and/or accommodations which might be provided under this Act. School staff will work with you to schedule the meeting at a time that is convenient for you.

If it is determined by the team members that your student receive an actual plan of 504 supports and/or accommodations, the school is required to review the plan periodically. This 504 plan review generally occurs at least once per year but the plan can be reviewed as often as needed. You have the right to receive a copy of this 504 Plan.

An Act known as FERPA (Family Rights and Privacy Act) identifies your rights regarding your student's educational records. Under this Act, you have the right to: 1) inspect and review your student's educational records; 2) make copies of these records; 3) receive a list of all individuals having access to these records; 4) ask for an explanation of any item in the records; 5) ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the student's right; and 6) a hearing on the issue if the school refuses to make the amendment. Please submit your concerns and requests in writing to the Section 504 Coordinator.

Finally, if you disagree with the determination whether or not to evaluate your student, the outcome of the evaluation, or the 504 plan for supports and/or accommodations, you may file a complaint with the school district. Because we believe that most disagreements can be resolved at the building level, we prefer that your first contact be with the building principal and the professionals who are assigned to manage 504 cases in your student's school. The Executive Director of Instructional Interventions may also be contacted for further discussion of any unresolved concerns. Finally, if you do not obtain resolution of your issues, you have the right to request a hearing. The district is responsible for locating an impartial person to conduct such a hearing and render a conclusion as to the appropriate resolution of the issues raised in your hearing request. You do have the right to be represented by counsel at such a hearing, at your own expense, and the right to an appeal of any conclusions. Your request for a hearing must be in writing and submitted to the Section 504 Coordinator.

Although we encourage you to follow the above procedures to address your complaint, you may contact the Office for Civil Rights at any time. (Office of Civil Rights, U.S. Department of Education, 400 Maryland Ave SW, Washington, D.C. 20202-1100)

We hope that this explanation of your rights clarifies the Section 504 process and the nature of the district's responsibilities. It is our desire to work together with parent(s)/guardian(s) in all cases in a manner that meets the needs of each student we serve. Thank you for consideration of this information.



C.U.S.D.
303

St. Charles Community Unit School District 303

201 South 7th Street, St. Charles, IL 60174, 331-228-2000 | Fax: 331-228-2001

APPENDIX A

Section 504 Referral Form

DATE	STUDENT NAME	DOB	SEX
NAME OF PARENT/GUARDIAN	ADDRESS		
HOME PHONE	SCHOOL	GRADE	TEACHER/TEACHERS
REFERRING PERSON			

REASON FOR REFERRAL

- | | | |
|--|---|--|
| <input type="checkbox"/> Academic/Learning Difficulties | <input type="checkbox"/> Vision Difficulties | <input type="checkbox"/> Reading |
| <input type="checkbox"/> Hearing Difficulties | <input type="checkbox"/> Speech/Language Difficulties | <input type="checkbox"/> Social/Emotional Issues |
| <input type="checkbox"/> Math | <input type="checkbox"/> Physical/Health Difficulties | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Written Language | <input type="checkbox"/> Behavior Difficulties | |
| <input type="checkbox"/> Significantly Below Average Ability | <input type="checkbox"/> Below Average Ability | |

ETHNIC CODE (check one)

- | | | |
|--|--|--------------------------------|
| <input type="checkbox"/> American Indian | <input type="checkbox"/> Black | <input type="checkbox"/> White |
| <input type="checkbox"/> Asian | <input type="checkbox"/> Hispanic/Latino | <input type="checkbox"/> Other |

LANGUAGE SPOKEN IN HOME	STUDENT'S LANGUAGE USE PATTERN
STUDENT'S MODE OF COMMUNICATION	STUDENT'S CULTURAL BACKGROUND

Submit to building principal or designee for disposition of evaluation. A copy of referral is also to be sent to the District Section 504 Coordinator.



APPENDIX A

CONSENT FOR INITIAL SECTION 504 EVALUATION

NAME OF STUDENT (student's legal name)	DATE OF BIRTH	NAME OF PARENT/GUARDIAN (parent, guardian, foster parent, surrogate parent)
--	---------------	---

Your student was referred for a Section 504 Evaluation on _____ by _____
The reason for this referral is _____

As the parent(s) or guardian(s) of this student, you must give your consent before this evaluation can be conducted. Your signed consent indicates that you have been informed of the extent of this evaluation, and understand your Procedural Safeguards relating to Section 504 evaluations and that you are in agreement with the need for a 504 Evaluation for your student.

The evaluation methods that will be used by Community Unit School District 303 to conduct this evaluation will include (checked boxes only):

- Review of school records
- Review of medical records
- Observations of the student
- Interview(s) with school staff
- Interview(s) with parent(s)/guardian(s)
- Interview(s) with medical personnel
- Behavior rating scales
- Direct assessment of the student (list procedures and person responsible for administration):
- Other:

CHECK ONE:

- I give consent** **I do not give consent** *to conduct a 504 Evaluation for my student.*

Date

Signature of Parent/Guardian



C.U.S.D.
303

St. Charles Community Unit School District 303

201 South 7th Street, St. Charles, IL 60174, 331-228-2000 | Fax: 331-228-2001

APPENDIX A

CONSENT FOR SECTION 504 RE-EVALUATION

NAME OF STUDENT (student's legal name)	DATE OF BIRTH	NAME OF PARENT/GUARDIAN (parent, guardian, foster parent, surrogate parent)
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Your student has been receiving supports and/or accommodations within Community Unit School District 303 under Section 504 of the Rehabilitation Act due to _____ At this time, it has been determined by the Section 504 team at your student's school that a Section 504 Re-Evaluation is required.

As the parent(s) or guardian(s) of this student, you must consent to the extent of this re-evaluation before it can be conducted. Your signed consent indicates that you have been informed of and understand the Procedural Safeguards relating to Section 504 evaluations, and that you are in agreement with the need for a 504 Re-Evaluation for your student.

The evaluation methods that will be used by Community Unit School District 303 to conduct this re-evaluation will include (checked boxes only):

- Review of school records
- Review of medical records
- Observations of the student
- Interview(s) with school staff
- Interview(s) with parent(s)/guardian(s)
- Interview(s) with medical personnel
- Behavior rating scales
- Direct assessment of the student (list procedures and person responsible for administration):
- Other:

CHECK ONE:

- I give consent** **I do not give consent** *to conduct a 504 Re-Evaluation for my student.*

Date

Signature of Parent/Guardian



APPENDIX A

Notice of Section 504 Conference

Re: (Student)

Date:

- To consider possible eligibility and provision of supports and/or accommodations under Section 504 of the Rehabilitation Act of 1973.
- To review eligibility and supports and/or accommodations being provided for under Section 504 of the Rehabilitation Act of 1973.
- Other (Specify):

Date of Conference:

Location:

Time:

Conference Participants (Name/Title)	
Chairperson:	

You have the right to bring other individuals, at your discretion, to this conference, including legal counsel. Please notify the district/program representative if you are in need of interpreting or translating services, or if you will be bringing legal representation with you to the meeting.

You also have the right to review your student's records and to request a hearing if you disagree with the district's identification, evaluation, provision of supports and/or accommodations, or change or termination of supports and/or accommodations under Section 504. If you desire a review of the records or wish to initiate a hearing, please contact:

Name/Title

Phone Number



C.U.S.D.
303

St. Charles Community Unit School District 303

201 South 7th Street, St. Charles, IL 60174, 331-228-2000 | Fax: 331-228-2001

APPENDIX A

Section 504 Conference/Support Plan Summary

Date:

Student Name:	D.O.B.:
Student District I.D. #:	Grade:
Attending School:	Teacher(s):
Serving School:	Current Placement:
School next school year:	
Parent(s)/Guardian(s):	
Address:	
Phone:	

Conference Participants (Name/Title)	
Chairperson:	

Purpose of Conference

- To consider eligibility and provision of supports and/or accommodations under Section 504.
- To review eligibility and supports and/or accommodations being provided under Section 504.
- Other (Specify):

I. Does the student evidence a disability under Section 504 of the Rehabilitation Act of 1973?

- No Yes If yes, identify and/or describe the disability:

Evaluation Procedures/Results

- II. Does the disability affect one or more major life functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, and/or learning, in the school setting?
 No Yes If yes, describe the life activity(s) affected:

- III. Is there an education impact?
 No Yes If yes, please describe:

- IV. Describe supports and/or accommodations to be provided by the district for areas of significant impact listed in Section II and which class(es) will need to provide the supports and/or accommodation(s) listed:

- V. Summary of other points of discussion/recommendations (if applicable):

You have the right to legal representation, at your own expense, to review your student’s records and to request a hearing if you disagree with the district’s identification, evaluation, provisions of supports and/or accommodations, or change or termination of supports and/or accommodations under Section 504. If you desire to schedule a time to review the records or wish to initiate a hearing, please contact:

Name/Title

Phone Number

I have received a copy of the 504 Conference Summary and an explanation of the rights explained above.

Signature of Parent/Guardian

Date