

EDUCATION OF STUDENTS WITH DISABILITIES UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973

<u>STEP</u>	<u>DESCRIPTION OF ACTIVITY</u>
1. Concern	Student, parent, teacher, counselor, or administrator believe they are observing in a student substantially limited performance in one or more major life activities that is believed to be caused by a physical or mental impairment
2. Referral	The concerned individual should complete the Referral Form and give it to the designated building team.
3. Screening	The designated building team reviews the referral, completes an appropriate student's files review, and consults with teachers, parents/guardians, peers, professionals, and/or student
Decision to be made: Does this student appear to have a disability under Section 504?	
	If yes: <ul style="list-style-type: none">• Provide the parent/guardian with a copy of the Section 504 rights.• If further information is needed, provide notice to parents for evaluation and obtain their consent in writing. Also obtain written consent for a mutual exchange of information from parent/guardian as appropriate.
	If no: <ul style="list-style-type: none">• Provide screening results to source of referral with accompanying recommendations• Provide written notice to parents that student does not qualify.
4. Evaluation	Conduct all evaluations deemed appropriate and for which the parent/guardian have given written permission
5. Eligibility	<p>A Section 504 Team is recommended to be composed of one of the student's teachers (and/or the student's counselor), a building administrator, and persons knowledgeable about the student's disability and the meaning of the evaluation data and service options. The team convenes to review all evaluation results, determine eligibility as a student with a disability under Section 504, and document the meeting in writing. The team composition may vary according to the needs of the student.</p> <p>If no: <ul style="list-style-type: none">• Consider other referral sources or options for the student and/or school. Provide written notice to parents that student doesn't qualify.</p> <p>If yes: <ul style="list-style-type: none">• The second decision to be made Does the student also seem to have a disability under one of the IDEA conditions?</p> <p>If yes: <ul style="list-style-type: none">• Refer to Special Education Team for appropriate disposition</p> <p>If no: <ul style="list-style-type: none">• Proceed to step 6.</p> <p>NOTE: Whatever the disposition of the case at step 5, the team should complete a written Section 504 eligibility statement.</p>
6. Develop Accommodation Plan	Once eligibility under Section 504 has been determined, the process moves to the development of a student accommodation plan. This plan is to be developed by a professional team that may or may not be the same individuals who were involved at the eligibility step 5, but a similar minimum team composition is recommended.
7. Parent Permission	Provide parents with a copy of the student accommodation plan and get their written permission to initiate the plan.
8. Educational Services	The educational services are implemented as outlined in the student's accommodation plan. One individual should be designated as the case manager to monitor the implementation of the plan and the progress of the student.

<u>STEP</u>	<u>DESCRIPTION OF ACTIVITY</u>
9. Annual Review	A student's Section 504 Team meets annually to review the student's Section 504 Plan to ensure that it is meeting the student's needs. If the Section 504 Team decides that the student's Section 504 Plan needs to be revised, the Section 504 Team provides the parent or guardian Referral & Evaluation Notice/Parent Consent for Evaluation, and Parent & Student Rights and a copy of the student's revised Section 504 Plan.
10. Periodic Re-evaluation	A student's Section 504 Team periodically re-evaluates the student to determine continued eligibility and if the student's educational needs have changed. Before a re-evaluation, the Section 504 Team provides the parent or guardian Referral & Evaluation Notice/Parent Consent for Evaluation, and Parent & Student Rights. Re-evaluations must occur at least every three years and before any significant change in a student's placement. Significant changes in placement include initiating or discontinuing a service, significantly increasing or decreasing the amount of a service, and certain disciplinary removals from school (e.g. long-term suspensions and expulsions).

DISPUTE RESOLUTION

Grievance procedures

Grievance procedures for Section 504 complaints are found in the procedure for Policy 3210, Discrimination.

Federal complaint procedure

At any time before, during, or after the district's grievance resolution process, the complainant may file a written complaint with the U.S. Department of Education, Office of Civil Rights, 915 Second Avenue, Room 3310, Seattle, WA 98174-1099, phone 206-607-1600, email OCR.seattle@ed.gov. A complaint to the Office of Civil Rights may be made without going through the district's grievance procedures.

Mediation

The parties may agree to mediate their dispute. Mediation is completely voluntary and will not interfere with any procedural safeguards available to parents, including filing a grievance with the district, requesting a due process hearing, or filing a complaint with OCR. Mediation costs are the responsibility of the district.

Due process hearing

The district or parents may request a Section 504 due process hearing to resolve a dispute over the identification, evaluation or educational placement of a student with disabilities being served or considered for Section 504 accommodations.

NOTE: Due Process hearing or mediation requests must be made directly to the District 504 Compliance Officer. If a parent requests a due process hearing or mediation, districts should contact the Office of State Superintendent of Public Instruction; Special Services Department; Old Capitol Building; PO Box 47200; Olympia, Washington, 98504-7200; (360) 753-6733 to obtain a list of qualified hearing officers or mediators and a sample hearing officer or mediator contract. Districts are responsible for hearing officers or mediators. Districts are responsible for arranging for hearing officer and mediator expenses. When contacting OSPI, be sure they understand that the dispute is under § 504 and that the district is just obtaining information, not seeking to have a special education hearing set up with a state administrative law judge. OPSI encourages districts to first utilize mediation as a method to resolve disputes.

Adoption Date: 06.17.03
Stanwood-Camano School District
Revised: 12.18.12