

DAVID DOUGLAS SCHOOL DISTRICT

SECTION 504 MANUAL

Sept. 2009
Revised 5/2011

INTRODUCTION
DAVID DOUGLAS SCHOOL DISTRICT
SECTION 504 MANUAL

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against students and/or employees with disabilities.

The purpose of this manual is to inform the user about Section 504 general information; review the District's legal obligations to comply with regulations governing Section 504 and the Americans with Disabilities Act of 1992; identify, evaluate, and provide a free appropriate public education (FAPE) to students with disabilities; and ensure that procedural safeguards are available to students and parents whenever a complaint resolution process is needed. The District expects employees to be knowledgeable about District procedures governing Section 504 activities, grievance procedures for resolving Section 504 complaints, and parent and student rights.

**DAVID DOUGLAS SCHOOL DISTRICT
STUDENT SERVICES DEPARTMENT**

**PROCEDURES FOR SERVING STUDENTS WITH DISABILITIES
UNDER SECTION 504, REHABILITATION ACT OF 1973**

CONCERN

A referral requesting possible evaluation of a student for a disability is a written request initiated by a parent, teacher, counselor, or other school personnel when such a person has reason to believe that a student has a disability that significantly impairs that student's ability to function at school. All referrals must be in writing and must be submitted to the building Student Intervention Team (SIT).

EVALUATION AND ELIGIBILITY

If the 504 team (including the parent) makes the determination that formal evaluation is not appropriate, the 504 team will provide written notice to the referring party and parent, and will provide them with a copy of the Section 504 Notice of Parent/Student Rights in Identification, Evaluation, and Placement.

If the SIT makes the determination that formal evaluation is appropriate, the SIT will refer the case to the Section 504 team* with all the documents it has collected. If referred for consideration under Section 504, the Section 504 team will send a Prior Notice/Parent Consent to Evaluate to be forwarded to the parent or guardian. Consent would typically be used for sensory or occupational evaluation or academic evaluation.

Upon receipt of a completed Prior Notice Parent Consent to Evaluate form from the student's parent or guardian, the Section 504 team will assume the responsibility of evaluating the student for eligibility under Section 504.

Once the evaluation is completed, the Section 504 team completes the Section 504 Eligibility Determination Report which sets forth the Section 504 team decision.

The Section 504 team sends a notice to the parent/guardian who establishes a time and location to share the evaluation data and determine eligibility/non-eligibility.

(Note: You must include a copy of the Section 504 Parent/Student Rights with the Notice to Parent of Educational Planning Meeting).

*A Section 504 team should include: the parent; the student's teacher(s); when appropriate, the student; the building 504 coordinator; and/or other appropriate persons knowledgeable about the student's suspected disability and the meaning of the evaluation data and accommodation options. The team composition will vary according to the concern/needs of the student.

DEVELOP ACCOMMODATION PLAN

If the Section 504 team determines that the student has a physical or mental impairment that substantially limits one or more major life activities, the student shall be found to be an eligible Section 504 disabled student. If the 504 team determines that a Section 504 plan is needed, it must be developed and signed, and copies must be distributed to appropriate team members, parents, and the student's cumulative file.

PERIODIC RE-EVALUATION

Each student's Section 504 Plan must be re-evaluated periodically and whenever there is a significant change in placement or circumstances, the following three issues should be addressed at the re-evaluation:

- (1) the need for additional evaluation information;
- (2) the continued eligibility as a student with a disability under Section 504; and
- (3) the content of the Section 504 Plan.

COORDINATION AND ARTICULATION

To ensure adequate coordination and articulation, the counselor will be case manager.

Typical role of the Case Manager:

- 1) The Case Manager ensures that the Section 504 Plan is signed by the appropriate staff member(s) (e.g., parent, teacher, CUM file with copies distributed to appropriately involved parties (e.g., counselor, nurse, teachers, other support staff, ESL, administrators);
- 2) The Case Manager ensures that there is a periodic check-in with teachers and student to monitor implementation of the plan.

SECTION 504

GENERAL INFORMATION AND QUESTIONS AND ANSWERS

Information

Examples of physical or mental impairments under Section 504 if they substantially limit a major life activity may include, but are not limited to the following:

1. Communicable diseases: AIDS, AIDS related complex (ARC) or asymptomatic carriers of the AIDS virus (HIV); tuberculosis;
2. Temporary disabilities: The factors to consider are anticipated length of disability, the seriousness of illness/injury and needs of student.
3. Attention Deficit Disorder (ADD) or Attention Deficit Hyperactivity Disorder (ADHD);
4. Behavior disorders;
5. Chronic asthma and severe allergies;
6. Physical handicaps such as spina bifida, hemophilia and conditions requiring children to use crutches;
7. Diabetes;
8. Drug addicted or alcoholic students in recovery;
9. Oppositional Defiant Disorder.

Questions and Answers

1. **Q.** Are there any impairments which automatically qualify a student for protection under Section 504?
A. No. An impairment in and of itself does not qualify a student for protection under Section 504. The impairment must substantially limit one or more major life activities in order to qualify a student for protection under Section 504.
2. **Q.** What is a “major life activities”?
A. Major life activities include walking, seeing, hearing, speaking, and breathing, learning, working, caring for oneself and performing manual tasks. The student’s disability need only substantially limit one major life activity for the student to be eligible.

Section 504
Questions and Answers (continued)

- 3. Q.** What does “substantially limits” mean?
- A.** When a team is determining whether a major life activity is substantially limited three tests should be used:
1. the nature and severity of the limitation
 2. the expected duration of the problem
 3. the long term impact of the problem
- 4. Q.** If a student has been evaluated for IDEA, and does not qualify, is a 504 evaluation necessary?
- A.** Yes. Whenever a student does not qualify under IDEA it is advisable the student be evaluated for possible 504 eligibility.
- 5. Q.** What kind of evaluation is necessary for determining 504 eligibility?
- A.** The district should have relevant and current information. Tests and evaluation materials must be administered by trained personnel. They must address specific areas of education need and can include measures such as paper/pencil tests, teacher observation, reviews of class work or review of records. It is important that more than one source of information be used in any 504 eligibility.
- 6. Q.** Can a medical diagnosis suffice as an evaluation for the purpose of providing FAPE?
- A.** No. A physician’s medical diagnosis may be considered among other sources in evaluating a student with a disability or believed to have a disability which substantially limits a major life activity. Other sources to be considered, along with medical diagnosis, include aptitude and achievement tests, physical condition, social and cultural background, school nurse assessment and adaptive behavior.
- 7. Q.** Are students with medical or psychological diagnosis automatically (or almost always) considered disabled under Section 504?
- A.** No. Students are only considered disabled under Section 504 if they have a mental or physical impairment that substantially limits one or more major life activities. The team considering eligibility needs to consider the medical and/or psychological evaluation information in determining whether the mental or physical impairment substantially limits one or more major life activities.
- 8. Q.** How often must a 504 student be re-evaluated?
- A.** A review of the plan must be done periodically. It is required to conduct a re-evaluation prior to a significant change in placement. If there is any major change in the student’s program, such as expulsion or suspension of more than 10 days, the team should re-evaluate the effectiveness of the 504 plan.

Section 504
 Questions and Answers (continued)

9. **Q.** What about “mitigating measures”?
A. The ADAA rejected the notion of considering mitigating measures (e.g. medication, hearing aides) when determining whether a person’s physical or mental impairment was substantially limiting to them.

Mitigating Measures under ADAA/504

Not Okay to Consider	Okay to Consider
Adaptive responses (learned behavior or neurological compensatory strategies)	
Assistive technology	
Auxiliary aids and services	
Low-vision devices	Eyeglasses, contact lenses
Medication	
Mobility devices	
Prosthetic devices	
Reasonable accommodations	

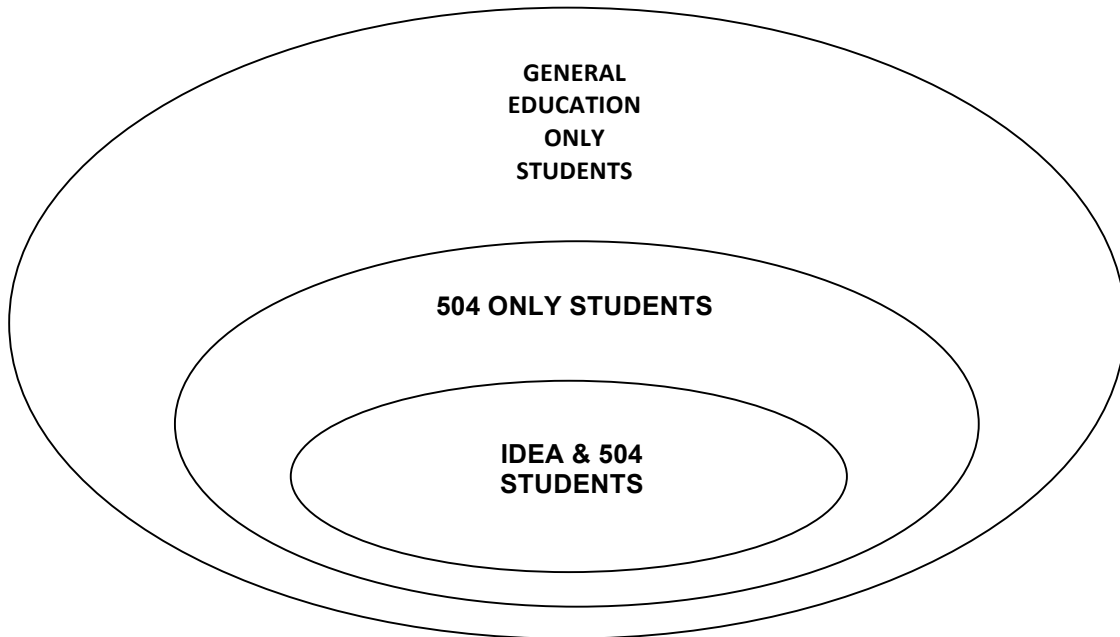
For this reason, a student could well be considered disabled under Section 504 even if the student’s condition is fully controlled by medication. In this circumstance the team should consider whether a 504 plan is necessary to provide access to the general curriculum.

10. **Q.** Are students with attention deficit disorder (ADD) or attention deficit hyperactivity disorder (ADHD) considered disabled under Section 504?
A. Sometimes. In 1991, the Department of Education acknowledged that attention deficit disorder (ADD) and attention deficit hyperactivity disorder (ADHD) are impairments that can be the basis for eligibility under either Section 504 or the IDEA.
11. **Q.** Is pregnancy or teen parenting considered a physical impairment under Section 504?
A. No, neither pregnancy or teen parenting is considered an impairment under either Section 504 or the ADA. However, if a student suffers medical complications from pregnancy that substantially limit a major life activity, then the pregnancy may be a temporary disability under Section 504 and the ADA. Each situation should be determined on a case-by-case basis, and an individual determination should be made.

Section 504
Questions and Answers (continued)

- 12. Q.** Does Section 504 cover students engaged in drug use?
- A.** Section 504 specifically provides that anyone actively engaging in drug use does not qualify as an individual with a disability and is not protected under Section 504. This exception does not apply to individuals who: (a) have completed treatment and are no longer engaging in the illegal use of drugs; (b) are participating in treatment and no longer engaged in the illegal use of drugs; or (c) is wrongly regarded as engaging in the use of illegal drugs.
- 13. Q.** Is David Douglas responsible for developing 504 plans for private school students or home schooled students?
- A.** No, but some private schools may have responsibilities under Section 504 or ADA.
- 14. Q.** When are individual behavior plans required under Section 504?
- A.** Under Section 504, the OCR requires district to develop individual behavior plans for a student with a disability when the student's behavioral difficulties interferes with his/her ability to benefit from his/her education.
- 15. Q.** What are the suspension/expulsion rules for 504 students?
- A.** No student with a disability can be suspended for longer than 10 (ten) cumulative days in a school year if the behavior is a manifestation of the disability. The courts have defined suspension very broadly. It may include in-school suspension, agreements with parents to have student go home and any situation where a student is not in a "learning environment".
- 16. Q.** Is a "manifestation determination" required?
- A.** Yes, for behavior that is a manifestation of the student's disability. School district cannot suspend or expel a student with a disability under Section 504 for more than ten consecutive school days in a school year. Thus, school districts must determine whether a student's behavior is a manifestation of the student's disability before suspending a student with disabilities for more than 10 days cumulative. Rare exceptions may be made on a case by case basis but only in consultation with the district's Section 504 coordinator.
- 17. Q.** What are the responsibilities of regular education teachers with respect to implementation of Section 504 plans? What are the consequences if the district fails to implement the plans?
- A.** Regular education teachers must implement the provisions of Section 504 plans. If the teachers fail to implement the plans, such failure can cause the school district to be in noncompliance with Section 504.

STUDENT POPULATION



IDEA/504 STUDENTS

Students are qualified under one or more of eleven (11) IDEA disabling conditions*. Specially designed individual education programs are planned for each student by IEP Teams.

*

Hearing Impairment
Intellectually Disabled
Vision Impairment
Deaf/Blindness
Communication Disorder
Orthopedic Impairment
Traumatic Brain Injury
Other Health Impairments
Autism Spectrum Disorder
Specific Learning Disability
Emotional Disturbance

SECTION 504 STUDENTS ONLY

Due to substantial mental or physical impairments that limit one or more of the students major life activities. Special accommodations to the student's progress are required. A Section 504 accommodation plan is designed for each student according to individual need.

Examples of potential 504 disabilities not typically covered and cannot stand alone under IDEA are:

- communicable diseases-HIV, Tuberculosis
- medical conditions-asthma, allergies, diabetes, heart disease
- temporary medical conditions due to illness or accident
- drug/alcohol addiction

**DAVID DOUGLAS SCHOOL DISTRICT
STUDENT INTERVENTION TEAM
INITIAL S.I.T. REFERRAL**

Appendix A-1

Current Date: _____ Date Received: _____ Referring Person/Title: _____
 Student Name: _____ DOB: _____ M F
 School: _____ Grade: _____ Pupil Number: _____ SSID#: _____
 Ethnicity: _____ Race: _____
 Parent/Guardian: _____ Phone #: _____ Date Contacted: _____
 Parent/Guardian: _____ Phone #: _____ Date Contacted: _____

Attendance: (see Permanent Record card/report cards)

Current Year: Present _____ Absences _____ Tardies _____ Past attendance concerns Y N
 Comments: _____

Sensory Screenings: (see health folder or contact school nurse)

Vision	Hearing
Date: _____ <input type="radio"/> Pass <input type="radio"/> No Pass	Date: _____ <input type="radio"/> Pass <input type="radio"/> No Pass
Date: _____ <input type="radio"/> Pass <input type="radio"/> No Pass	Date: _____ <input type="radio"/> Pass <input type="radio"/> No Pass

Current Services/Interventions:

<input type="checkbox"/> Title I	<input type="checkbox"/> 504	<input type="checkbox"/> Counseling	<input type="checkbox"/> TAG
<input type="checkbox"/> Speech	<input type="checkbox"/> ELL	<input type="checkbox"/> Merge	<input type="checkbox"/> CICO
<input type="checkbox"/> OT	<input type="checkbox"/> PT	<input type="checkbox"/> Other (describe below) _____	

Report Card History:

Retention(s): Y N Year: _____ Grade: _____

Reading		Math		Writing		Communication	
Level	Benchmark	Level	Benchmark	Level	Benchmark	Level	Benchmark
Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N
Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N
Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N
Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N
Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N
Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N	Gr _____	<input type="radio"/> Y <input type="radio"/> N

Standardized Scores:

State Assessment		ELPA		Woodcock-Munoz		DIBELS	Other/DRA
Grade 3	Grade 4	Date	Level	Date	Level	Date: _____ Current ORF: _____ Current NWF: _____	
Rdg _____	Rdg _____	_____	_____	_____	_____		
Math _____	Math _____	_____	_____	_____	_____		
	Writ _____	_____	_____	_____	_____		
Grade 5		_____	_____	_____	_____		
Rdg _____		_____	_____	_____	_____		
Math _____		_____	_____	_____	_____		
Sci _____		_____	_____	_____	_____		

Past Evaluations: (testing divider/SPED divider or folder)

Cognitive/IQ Academic Behavior Mental Health Speech/Comm OT PT
 Comments: _____

Attach the following documents:

Progress Monitoring Colored Graph Individual Student Performance Profile

DAVID DOUGLAS SCHOOL DISTRICT
Student Services Department

**SECTION 504 PARENT/STUDENT RIGHTS IN IDENTIFICATION,
EVALUATION AND PLACEMENT**

Please Keep This Explanation for Future Reference

(Section 504 of the Rehabilitation Act of 1973)

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to:

1. Have your child take part in, and receive benefits from public education programs without discrimination because of his/her disability;
2. Have the school district advise you of your rights under federal law;¹
3. Receive notice with respect to identification, evaluation, or placement of your child;
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the provision of regular education or special education and related aids and services that are designed to meet the individual needs of students with disabilities as adequately as the needs of non-disabled students are met.
5. Have your child educated in facilities and receive services comparable to those provided non-disabled students;
6. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluation data, and placement options;
7. Have transportation provided to and from a district initiated alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district;
8. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district;
9. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement;
10. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
11. A response from the school district to reasonable requests for explanations and interpretations of your child's records;
12. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy right of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time, and advise you of the right to a hearing;
13. Request an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. You and the student may take part in the hearing and have an attorney represent you. Hearing requests must be made to the State Superintendent of Public Instruction, Oregon Department of Education, 255 Capitol Street NE, Salem, Oregon 97310-0290, pursuant to OAR 581-15-109;
14. File a written grievance following the district's grievance or complaint procedure.

The person in this district who is responsible for assuring that the district complies with Section 504 is the Director of Student Services, 503-261-8209.

¹This document is your notice of your rights.

**David Douglas School District
Student Services Department**

**PRIOR NOTICE/PARENT CONSENT TO EVALUATE
UNDER SECTION 504**

This letter is to advise you and provide you notice that the District proposes to evaluate the educational performance of:

Student Name

And determine if he/she is eligible for services under Section 504 of the Rehabilitation Act of 1973. The eligibility determination process will include a multidisciplinary team review of existing evaluation and performance information or the following evaluations to be completed:

The District will notify you if your child is or is not eligible for a plan under Section 504 and provide you with an opportunity to review and discuss the information.

Enclosed is a copy of the Section 504 Parent/Student Rights in Identification, Evaluation and Placement.

Please indicate your consent by checking and signing the initial evaluation statement below and return in the enclosed, stamped, self-addressed envelope.

Your written consent is necessary because: _____

I understand that the granting of consent for initial evaluation is voluntary.

Please mark one: _____ Consent to evaluate is **given**. _____ Consent to evaluate is **denied**.

Parent/Guardian Signature

Date

Work Phone

Home Phone

If you have questions, please contact _____

Thank you for working with the District to provide appropriate services for your child.

Enclosure: Parent Rights, Envelope

C: Student Cumulative File

8/2011

David Douglas School District
Student Services Department

Notice to Parent/Guardian of Educational Planning Meeting
Section 504

Dear Parent/Guardian:

As part of the process to plan the best education program for:

_____ Student Name _____ DOB _____ Pupil # _____

You are invited to participate in a meeting on : _____

The purpose of this meeting is to: _____

Those invited to attend this meeting other than yourself and those you invite may include:

Name/Position	Name/Position
_____	_____
_____	_____
_____	_____
_____	_____

You may wish to bring any written evidence of medical, psychological, or educational nature for presentation and/or person whom you feel would be of help to you in expressing your concerns.

Please call _____ to confirm this meeting or to arrange a mutually convenient time.

Sincerely,

5/2011

Copies to: Student Cumulative File Student Services Parent

DAVID DOUGLAS SCHOOL DISTRICT
Student Services Department

**REQUEST FOR MEDICAL INFORMATION
FOR SECTION 504 EVALUATIONS**

Student's Full Name: _____ Date: _____

The above named student has been referred for potential eligibility under Section 504 due to a physical or mental impairment. Please complete the following information and return to the person indicated below. If the person indicated is not the student's parent, a Release of Information Consent form is attached. Thank you for your information and timeliness!

1. Medical Diagnosis:

a. Is the disability/impairment temporary? ___ Yes ___ No

b. If temporary, what is the anticipated duration? _____

2. Which major life activities are affected? How?

_____ Concentrating	_____ Bowel Functions	_____ Bladder Functions
_____ Walking	_____ Speaking	_____ Seeing
_____ Breathing	_____ Reading	_____ Eating
_____ Hearing	_____ Manual Tasks	_____ Learning
_____ Thinking	_____ Digestive Functions	_____ Other

Explain: _____

3. Medical Treatment Plan (Include medications and/or assistive devices): _____

4. Recommendations or additional comments: _____

(Signature of Physician)

(Printed Name)

Date

Please return to:

Name/Title

School

Address

Telephone Number

5/2011/eb

Copies to:

Student Cumulative File

Student Services

Parent

DAVID DOUGLAS SCHOOL DISTRICT
Student Services Department

Date: _____ Date of Initiation of Plan: _____

SECTION 504 ELIGIBILITY AND ACCOMMODATION PLAN

Student: _____ Building: _____ DOB: _____ Grade: _____

Disability Documentation:

NOTE: Do not consider mitigating circumstances in answering these questions.

1. The student has or is believed to have a physical or mental impairment. Yes___ No___

- If yes, what is it?

- A written medical notice documenting the physical or mental impairment is provided by the appropriate medical or health care professional. Yes___ No___
If yes, date of notice?

- List and attach all medical reports, evaluations, test results, or other pertinent information: _____

2. The impairment substantially limits one or more of the student's major life activities (without regard to mitigating measures, except for eyeglasses or contact lenses). Yes___ No___

- If yes, what is the basic life activity (or activities) affected?

- How is it "substantial?" _____

Accommodation Plan:

Note: May consider mitigating circumstances in determining whether a plan is needed.

- Does the student need accommodations to access the benefits of public education as adequately as the needs of nondisabled students are met?

Yes___ No___

If yes, list below:

Accommodations/Adaptations	Responsibility	Location

Signature of Team Members	Title	Agree	Disagree

PERIODIC REVIEW: Parent agreement required for initial 504 plan

Date	Continue Plan (Comments)	Counselor	Parents(s)

(Significant changes should be written on a new form and attached to the originals).

DAVID DOUGLAS SCHOOL DISTRICT
Student Services Department

**TEACHER DOCUMENTATION/RECORD
OF 504 IMPLEMENTATION**
(Teacher use only)

This form is designed for staff to document their implementation of Section 504 Plan.

Student: _____ School: _____

Teacher: _____ Date: _____ Grade: _____

Accommodations:

Parent Contact:

Date:

Comments:

_____	_____
_____	_____
_____	_____
_____	_____

DAVID DOUGLAS SCHOOL DISTRICT
Student Services Department

GRIEVANCE PROCEDURE

Section 504 of the Rehabilitation Act of 1973

Parents of student(s) who believe they are the subject of discrimination within the meaning of Section 504 of the Rehabilitation Act of 1973 may make a request to the principal by telephone, or in writing for an informal meeting to resolve the issue.

1. Informal meeting:

- a. Will be held at a time and place mutually agreeable to the parties.
- b. Will involve those persons knowledgeable of and able to address the issues raised in the grievance.
- c. Will be attended by a school administrator.

If the grievance is resolved at this meeting, the issues presented and the decisions made will be placed in writing in the cumulative file of the student. The school administrator will take responsibility for implementing agreements reached at the informal level.

2. Request for Hearing:

If the informal meeting does not produce a mutual agreement, the parent may request a formal hearing to resolve the issues in the grievance.

- a. The parent makes a request for a hearing in which the issues in the grievance are specified in writing to the school principal.
- b. The principal establishes a date and location for the hearing agreeable to both parties.
- c. The grievance will be heard by a panel consisting of the following:
 - The school principal or designated representative.
 - A member chosen by the parent.
 - A neutral, qualified third party appointed by the superintendent. (Student Services Director)
- d. The hearing is private. Persons other than the student, parent, witnesses and counsel are not to be admitted.

3. Conduct of Hearing:

The principal or designated representative shall preside over the panel. This person hears evidence from the school staff and from the parent to determine the point or points of disagreement regarding the records. The principal makes a determination after hearing the evidence and determines what steps, if any, are to be taken to correct the record. This determination is made in a reasonable period of time. Such actions are to be made in writing to the parent.

4. Appeal from Decision of Hearing:

If, after such hearing is held as described above, the parent is not satisfied with the recommended action, the parent may appeal to the district school board at which time the action of the hearings panel may be reviewed and affirmed, reversed, or modified. *Procedure for appeal beyond the local district board follows the prescribed action as set forth in Oregon Administrative Rule 581-21-049.

5. Communication

Translation, interpretation or alternative communication will be provided in the event the grievant speaks a language other than English or there is an obstacle to normal spoken or written communication.

**DAVID DOUGLAS SCHOOL DISTRICT
STUDENT SERVICES DEPARTMENT**

SECTION 504 Meeting Notes

Student: _____ Date: _____

Team Members: _____

Notes:

OVERVIEW
Section 504
Sample Accommodations/Modifications to Assist
Team in Decision Making

<p><u>Pacing</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Adjust time for completion of assignments <input type="checkbox"/> Allow frequent breaks, vary activities often <input type="checkbox"/> Modify assignments requiring coping in a time situation 	<p><u>Assignments</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Give directions in small units <input type="checkbox"/> Use written back-up for oral directions <input type="checkbox"/> Lower reading level of assignment <input type="checkbox"/> Adjust length of assignment <input type="checkbox"/> Change format of assignment <input type="checkbox"/> Break assignment into a series of smaller assignments <input type="checkbox"/> Reduce paper and pencil tasks <input type="checkbox"/> Read directions/worksheets to student <input type="checkbox"/> Record or type assignments <input type="checkbox"/> Maintain assignment notebook <input type="checkbox"/> Avoid penalizing for spelling errors <input type="checkbox"/> Block off or mask sections of work <input type="checkbox"/> Use highlighted texts <input type="checkbox"/> Accept homework papers dictated by the student and recorded by someone else <input type="checkbox"/> Allow use of computers, calculators, and word processors
<p><u>Environment</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Leave class for assistance <input type="checkbox"/> Preferential seating <input type="checkbox"/> Define limits (behavioral/physical) <input type="checkbox"/> Reduce/minimize distractions: <ul style="list-style-type: none"> <input type="checkbox"/> visual <input type="checkbox"/> auditory <input type="checkbox"/> Cooling off period <input type="checkbox"/> Provide consistent temperature <input type="checkbox"/> Adjust lighting <input type="checkbox"/> Adjust room temperature <input type="checkbox"/> Study carrels <input type="checkbox"/> Partitions <input type="checkbox"/> Stand-up desks <input type="checkbox"/> Reading corners <input type="checkbox"/> Key rules posted in prominent place in classroom 	<p><u>Medication</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Monitor closely <input type="checkbox"/> Report effects to physician or parent <hr/> <p><u>Reinforcement and Motivations</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Use positive reinforcement <input type="checkbox"/> Use concrete reinforcers <input type="checkbox"/> Check often for understanding/review <input type="checkbox"/> Peer or cross-age tutoring <input type="checkbox"/> Request parent reinforcement <input type="checkbox"/> Have student repeat directions <input type="checkbox"/> Emphasize study/organizational skills <input type="checkbox"/> Repeated review/drill <input type="checkbox"/> Use behavior modification techniques <input type="checkbox"/> Before or after school tutoring <input type="checkbox"/> Instruct socialization skills <input type="checkbox"/> Provide student with a copy of class notes <input type="checkbox"/> Presentations to class
<p><u>Presentation of Subject Matter</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Emphasize teaching <ul style="list-style-type: none"> <input type="checkbox"/> auditory <input type="checkbox"/> visual <input type="checkbox"/> tactile <input type="checkbox"/> multi <input type="checkbox"/> Individual/small group instruction <input type="checkbox"/> Utilize specialized curriculum <input type="checkbox"/> Tape lectures for replay <input type="checkbox"/> Present demonstration <input type="checkbox"/> Utilize manipulatives <input type="checkbox"/> Emphasize critical information/key concepts <input type="checkbox"/> Pre-teach vocabulary <input type="checkbox"/> Advanced organizers/study guides <input type="checkbox"/> Provide visual cues 	<p><u>Testing Adaptations</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Oral tests <input type="checkbox"/> Taped tests <input type="checkbox"/> Modified format/projects <input type="checkbox"/> Reduced reading level <input type="checkbox"/> Provide extra test time <input type="checkbox"/> Portfolio
<p><u>Grading</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Modify weights of examinations <input type="checkbox"/> Credit for projects <input type="checkbox"/> Credit for class participation <input type="checkbox"/> Other (specify): _____ 	<p><u>Self-Management</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Use of charting/graphing to evaluate self <input type="checkbox"/> Instruction in study skills <input type="checkbox"/> Homework organizer
<p><u>Communication</u></p> <ul style="list-style-type: none"> <input type="checkbox"/> Home notes <input type="checkbox"/> Daily/weekly journal <input type="checkbox"/> Parent meetings 	

EXPANDED LIST OF CLASSROOM AND FACILITY ACCOMMODATIONS

The following information provides more examples of ways in which the needs of children with disabilities (or Section 504 disabilities) may be accommodated in the regular classroom. (Remember all accommodations must be directly related to the identified disability.)

AREA OF CONCERN	ACCOMMODATIONS
Parent/Student/Teacher Communications	<ul style="list-style-type: none"> - Develop a daily/weekly journal. - Develop parent/student/school contacts. - Schedule periodic parent/teacher meetings. - Provide parents with duplicate sets of texts.
Staff Communications	<ul style="list-style-type: none"> - Identify resource staff. - Network with other staff. - Schedule building team meetings. - Maintain ongoing communication with building principal.
School/Community/Agency	<ul style="list-style-type: none"> - Identify and communicate with appropriate personnel working with student. - Assist in agency referrals. - Provide appropriate carryover in the school environment.
Instructional Day	<ul style="list-style-type: none"> - Allow student more time to pass in hallways. - Modify class schedule.
District Policies/Procedures	<ul style="list-style-type: none"> - Allow increase in number of excused absences for health reasons. - Adjust transportation/parking arrangements. - Approve early dismissal for service agency appointments.
Modification of classroom/building to accommodate equipment needs.	<ul style="list-style-type: none"> - Use air purifier. - Control temperature. - Accommodate specific allergic reactions.
Building Health/Safety Procedures	<ul style="list-style-type: none"> - Administer medication - Apply universal precautions. - Accommodate special diets.
Difficulty sequencing and completing steps to accomplish specific tasks (e.g., writing a book report, term paper, organized paragraphs, division problems, etc.	<ul style="list-style-type: none"> - Break up task into workable and obtainable steps. - Provide examples and specific steps to accomplish task.
Shifting from one uncompleted activity to another without closure.	<ul style="list-style-type: none"> - Define the requirements of a completed activity (e.g., "your math is finished when all 6 problems are complete and corrected; do not begin on the next task until it is finished".)

Resources:

Anchorage School District - Attention Deficit Disorders, Suggested Classroom Accommodations for Specific Behaviors

EXPANDED LIST OF CLASSROOM AND FACILITY ACCOMMODATIONS

AREA OF CONCERN	ACCOMMODATIONS
Difficulty following through on instructions from others.	<ul style="list-style-type: none"> - Gain student's attention before giving directions. Use alerting cues. Accompany oral directions with written directions. - Give one direction at a time. Quietly repeat directions to the student after they have been given to the rest of the class. Check for understanding by having the student repeat the directions. Place general methods of operation and expectations on charts displayed around the room and/or on sheets to be included in student's notebook.
Difficulty sustaining effort and accuracy over time.	<ul style="list-style-type: none"> - Prioritize assignments and activities. - Provide a model to help students. Post the model and refer to it after.
Difficulty completing assignments	<ul style="list-style-type: none"> - List and/or post (and say) all steps necessary to complete each assignment. - Reduce the assignment into manageable sections with specific due dates. - Make frequent checks for work/assignment completion. - Arrange for student to have a "study buddy" with phone number in each subject area.
Difficulty with any task that requires memory	<ul style="list-style-type: none"> - Combine seeing, saying, writing and doing, student may need to sub vocalize to remember. - Teach memory techniques as a study strategy (e.g., mnemonics, visualization, oral rehearsal, numerous repetition).
Difficulty with test taking	<ul style="list-style-type: none"> - Allow extra time for resting, teach test-taking skills and strategies, and allow student to be tested orally. - Use clear, readable and uncluttered test forms. Use test format that the student is most comfortable with. Allow ample space for student response. Consider having lined answer spaces for essays or short answer questions.
Confusion from non-verbal cues (misreads body language, etc.)	<ul style="list-style-type: none"> - Directly teach (tell the student) what non-verbal cues mean. Model and have student practice reading cues in a safe setting.
Confusion from written material (difficulty finding main idea from a paragraph, attributes greater importance to minor details).	<ul style="list-style-type: none"> - Provide student with copy of reading material with main ideas underlined/highlighted. - Provide an outline of important points from reading material. - Teach outlining, main idea/details concepts. - Provide tape of text/chapter.

Resources:

Anchorage School District - Attention Deficit Disorders, Suggested Classroom Accommodations for Specific Behaviors

EXPANDED LIST OF CLASSROOM AND FACILITY ACCOMMODATIONS

AREA OF CONCERN	ACCOMMODATIONS
Confusion from spoken material, lectures and audio-visual material (difficulty finding main idea from presentation, attributes greater importance to minor details).	<ul style="list-style-type: none"> - Provide student with a copy of presentation notes. - Allow peers to share notes from presentation (have student compare own notes with a copy of peer's notes). - Provide framed outlines of presentations (introducing visual and auditory cues to important information). - Encourage use of tape recorder. - Teach and emphasize key words (the followingthe most important point...etc.).
Difficulty sustaining attention to tasks or other activities (easily distracted by extraneous stimuli)	<ul style="list-style-type: none"> - Reward attention. Break up activities into small units. - Reward for timely accomplishments. - Use physical proximity and touch. Use earphones and/or study carrels, quiet place, or preferential seating.
Frequent messiness or sloppiness	<ul style="list-style-type: none"> - Teach organization skills. Be sure student has daily, weekly and/or monthly assignment sheets, list of materials needed daily, and consistent format for papers. - Have a consistent way for students to turn in and receive back papers, reduce distractions. - Give reward points for notebook checks and proper paper format. - Provide clear copies of worksheets and handouts and consistent format for worksheets. - Establish a daily routine, provide for what the student is to do. - Arrange for a peer who will help with organization. - Assist student to keep materials in a specific place (e.g., pencils and pens in pouch). - Be willing to repeat expectations.
Poor handwriting (often mixing cursive and manuscript and capital with lower case letters)	<ul style="list-style-type: none"> - Allow for a scribe and grade for content, not handwriting. Allow for use of a computer or typewriter. - Consider alternative methods for student response (e.g., tape recorder, oral reports, etc.) - Don't penalize student for mixing cursive and manuscript. - Accept any method of production.
Difficulty with fluency in handwriting (e.g., good letter/work production but very slow and laborious)	<ul style="list-style-type: none"> - Allow for shorter assignments (quality vs. quantity). - Allow alternate method of production (computer, scribe, oral presentation, etc.)
Poor self-monitoring (careless errors in spelling, arithmetic, reading).	<ul style="list-style-type: none"> - Teach specific methods of self-monitoring (e.g., Stop-Look-Listen). - Have student proofread work when it is cold.

Resources:

Anchorage School District - Attention Deficit Disorders, Suggested Classroom Accommodations for Specific Behaviors

EXPANDED LIST OF CLASSROOM AND FACILITY ACCOMMODATIONS

AREA OF CONCERN	ACCOMMODATIONS
Low fluency or production of written material (takes hours on a 10-minute assignment).	<ul style="list-style-type: none"> - Allow for alternative method for completing assignment (oral presentation, taped report, visual presentation, graphs, maps, pictures, etc.) with reduced written requirement. - Allow for alternative method of writing (e.g., typewriter, computer, cursive or printing, or a scribe).
Apparent inattention (under-active, daydreaming, not there)	<ul style="list-style-type: none"> - Get student's attention before giving directions, tell student how to pay attention. (Look at me while I talk; watch my eyes while I speak). Ask student to repeat directions. - Attempt to actively involve student in lesson (e.g., cooperative learning).
Difficulty participating in class without being interruptive, difficulty working quietly.	<ul style="list-style-type: none"> - Seat student in close proximity to the teacher. - Reward appropriate behavior. (Catch student "being good"). - Use study carrel, if appropriate.
Inappropriate seeking of attention (clowns around, exhibits loud excessive or exaggerated movement as attention-seeking behavior, interrupts, butts into other children's activities, needles others).	<ul style="list-style-type: none"> - Show student (model) how to gain other's attention appropriately. - Catch the student when being appropriate and reinforce.
Frequent excessive talking	<ul style="list-style-type: none"> - Teach student hand signals and use to tell student when and when not to talk. - Make sure student is called upon when it is appropriate and reinforce listening.
Difficulty making transitions (from activity to activity or class to class); takes an excessive amount of time to "find pencil", gives up, refuses to leave previous task, appears agitated during change.	<ul style="list-style-type: none"> - Program student for transitions. Give advance warning of when a transition is going to take place. (Now we are completing the worksheet; next we will) and the expectations for the transition (and you will need). - Specifically say and display lists of materials needed until a routine is possible. - List steps necessary to complete each assignment. - Have specific locations for all materials (pencil pouches, tabs in notebooks, etc.) - Arrange for an organized helper (peer).
Difficulty remaining seated or in a particular position when required	<ul style="list-style-type: none"> - Give student frequent opportunities to get up and move around. Allow space for movement.
Squirming in seat.	<ul style="list-style-type: none"> - Break tasks down to small increments and give frequent positive reinforcement for accomplishments (this type of behavior is often due to frustration). - Allow alternative movement when possible.

Resources:

Anchorage School District - Attention Deficit Disorders, Suggested Classroom Accommodations for Specific Behaviors

EXPANDED LIST OF CLASSROOM AND FACILITY ACCOMMODATIONS

AREA OF CONCERN	ACCOMMODATIONS
Inappropriate responses in class often blurted out; answers given to questions before they have been completed.	<ul style="list-style-type: none"> - Set student in close proximity to teacher so that visual and physical monitoring of student behavior can be done by the teacher. - State behavior that you do want (tell the student how you expect him to behave).
Agitation under pressure and competition (athletic or academic)	<ul style="list-style-type: none"> - Stress effort and enjoyment for self, rather than competition with others. - Minimize timed activities; structure class for team effort and cooperation.
Inappropriate behaviors in a team or large group sport or athletic activity (difficulty waiting turn in games or group situations).	<ul style="list-style-type: none"> - Give the student a responsible job (e.g., team captain, care and distribution of the balls, scorekeeping, etc.); consider leadership role. - Have student in close proximity to teacher.
Frequent involvement in physically dangerous activities without considering possible consequences.	<ul style="list-style-type: none"> - Anticipate dangerous situations and plan for in advance. - Stress Stop-Look-Listen - Pair with responsible peer. (Rotate responsible students so that they don't wear out!)
Poor adult interactions Defies authority Sucks up Hangs on	<ul style="list-style-type: none"> - Provide positive attention - Talk with student individually about the inappropriate behavior (What you are doing is....A better way of getting what you need or want is....).
Frequent self-put-downs, poor personal care and posture, negative comments about self and others, low self-esteem.	<ul style="list-style-type: none"> - Structure for success. - Train student for self-monitoring, reinforce improvement, teach self-questioning strategies (What am I doing? How is that going to affect others?). - Allow opportunities for the student to show his/her strength. - Give positive recognition.

5/1/11

Resources:

Anchorage School District - Attention Deficit Disorders, Suggested Classroom Accommodations for Specific Behaviors

Comparison: Section 504, ADA and IDEA

	Section 504/ADA	IDEA
Type of statute Purpose	Civil Rights Broad civil rights laws that protect the rights of individuals with disabilities in programs that receive federal financial assistance (Section 504) or without regard to federal financial assistance (ADA).	Education (Funding) To assist states in meeting the special education needs of students with disabilities.
Federal administering agency	Office for Civil Rights (OCR)	Office of Special Education Programs (OSEP)
Federal funding	None	Partial
State funding	None	Twice basic up to cap (plus), partial high cost reimbursement
District-wide Requirements	<ul style="list-style-type: none"> <input type="checkbox"/> Notice <input type="checkbox"/> Self-evaluation <input type="checkbox"/> Child find <input type="checkbox"/> Requires districts with more than 15 employees to designate an employee to be responsible for assuring district compliance with Section 504 and provide a grievance procedure for parents, students, and employees. 	<ul style="list-style-type: none"> <input type="checkbox"/> Policies and procedures <input type="checkbox"/> SPR & I <input type="checkbox"/> Dissemination of public reporting <input type="checkbox"/> Child find
Evaluation	<ul style="list-style-type: none"> <input type="checkbox"/> Evaluation draws on information from a variety of sources in the area of concern; decisions made by a group knowledgeable about the student, evaluation data, and placement options <input type="checkbox"/> Require periodic reevaluations <input type="checkbox"/> Reevaluation is required before a significant change in placement. (504 only) 	<ul style="list-style-type: none"> <input type="checkbox"/> Requires a full comprehensive evaluation assessing all areas related to the suspected disability. <input type="checkbox"/> Requires evaluation by a knowledgeable team. Requires informed consent before an evaluation is conducted. <input type="checkbox"/> Requires reevaluations to be conducted at least every three years unless parent and district agree not needed.
Eligibility	Noncategorical (physical or mental impairment that substantially limits one or more basic life activities)	Categorical - state criteria for each category - requires adverse impact on educational performance & need for special education services
Notice	Requires notice to the parent or guardian with respect to identification, evaluation, and placement. (504 only)	Requires prior written notice to the parent or guardian with respect to identification, evaluation, placement, and provision of FAPE.
FAPE standard	Requires the provision of a free appropriate education. "Appropriate" means an education comparable to the education provided to non-disabled students. (504 only)	Requires the provision of a free appropriate education. "Appropriate" means a program designed to provide meaningful educational benefit.

	Section 504/ADA	IDEA
FAPE document & process	Unspecified but typically called a 504 plan or accommodation plan developed by a knowledgeable team; review when necessary, implicit parent participation (504 only)	IEP with detailed content requirements & detailed team participant requirements; review at least annually, explicit parent participation
Services required	Special education or related services or accommodations/modifications or any combination of these (504 only)	Must include special education services and any necessary related services, modifications and accommodations
Accessibility	Has regulations regarding building and program accessibility	Requires that modifications must be made if necessary to provide access to a free appropriate education
Least restrictive environment (LRE)	Required (504 only)	Required
Discipline protections	Implied discipline protections (as component of nondiscrimination)	Detailed discipline protections
Complaint procedure	Two options: <input type="checkbox"/> Local district complaint with appeal to ODE <input type="checkbox"/> OCR complaint	Two options: <input type="checkbox"/> Local district complaint <input type="checkbox"/> ODE complaint
Hearing procedure	Hearing available if FAPE issue: ODE state-level hearing (504 only)	Hearing available if disagreement re-eligibility, evaluation, placement or provision of FAPE: ODE state-level hearing

DAVID DOUGLAS SCHOOL DISTRICT

Student Services Department

District Section 504 Forms: Explanations and Uses

Form Name	Purpose of Form	Use	When to Complete
Section 504 Parent/Student Rights in Identification, Evaluation and Placement	Informs parent of Section 504 Rights	Required	Initial, renewal, and exit
Prior Notice/Parent Consent to Evaluate	Obtain parent consent to evaluate	Required	Initial
Section 504 Parent Notice of Educational Planning Meeting	Informs parents of a formal Section 504 meeting	Required	Before a Section 504 meeting
Request for Medical Information for Section 504 Evaluation	Use to obtain medical information from physician	Optional	For obtaining outside medical information regarding 504 diagnosis
Section 504 Accommodation Plan	Formalizes the specific accommodations/modifications to be provided by the district in order to assure appropriate public education	Required	Initial and annual review
Teacher Documentation/Record of 504 Implementation	To enable team to get feedback on implementation of plan	Optional	Before 504 meeting or upon request
Section 504 Grievance Procedure	To inform parent of procedure if they feel they have been subject of discrimination	Required, upon parent request	Provide to parent upon request
Meeting Notes	To document discussion and decisions of 504 meeting	Optional	Initial, renewal, exit