



# **SECTION 504 PLAN AND COMPLIANCE PROCEDURES**

**College Community School District  
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*It is the policy of the College Community School District to maintain a nondiscriminatory environment in every aspect of the operation of the District. The District shall provide equal educational and employment opportunities without regard to color, sex, race, national origin, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity, disability, or socioeconomic status (for programs) in its educational programs and activities or its employment and personnel policies.*

*Inquiries regarding compliance with these policies may be directed to the Director of Human Resources, College Community School District, 401-76<sup>th</sup> Avenue SW, Cedar Rapids, IA 52404; or to the Director of the Iowa Civil Rights Commission, Des Moines, IA; or to the Director of the Region VII Office of Civil Rights, Department of Education, Chicago, Illinois.*

*The College Community School District complaint procedure in its entirety is located in the Board of Directors' Policy Manual. Procedures for staff are outlined in Board policy 400.15. Procedures for parents, students and community members are referred to in Board policy 1002 and 1002.1*

[\*\*Link to Section 504 Website\*\*](#)

<b>Building</b>	<b>504 Coordinator</b>
<b>CCSD District Office</b>	<b>District 504 Coordinator</b>
<b>Crest</b>	<b>Counselor</b>
<b>Heights</b>	<b>Counselor</b>
<b>Hill</b>	<b>Counselor</b>
<b>Ridge</b>	<b>Counselor</b>
<b>View</b>	<b>Counselor</b>
<b>Creek</b>	<b>Counselor based on student grade level</b>
<b>Point</b>	<b>Counselor based on student last name</b>
<b>PHS</b>	<b>Counselor based on student last name</b>
<b>Edge</b>	<b>Building Principal</b>
<b>Delta</b>	<b>Building Principal</b>

**Section 504 Plan and Compliance Procedures Handbook**  
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**What is Section 504?**

Section 504 is part of the Rehabilitation Act of 1973 that applies to persons with disabilities. Section 504 is a civil rights act that protects the civil and constitutional rights of persons with disabilities.

Section 504 states that no person with a disability can be excluded from or denied benefits of any program receiving federal financial assistance.

Section 504 and special education are two separate services. All school districts should have a 504 Coordinator to answer your questions about Section 504.

**Purpose of Section 504 Procedure Manual**

The purpose of the College Community School District Section 504 Procedure Manual is to provide community members, parents, students and school staff with information regarding Section 504. The content of the procedure manual is intended to inform the reader of procedures and services.

**How Does Section 504 Define “appropriate education”?**

A free appropriate education is one provided by the public elementary or secondary school which includes general or special education and related aids and services that (1) are designed to meet the individual education needs of persons with a disability as adequately as the needs of the non-disabled persons are met, and (2) are based upon adherence to evaluation, placement and procedural safeguard requirements.

**What Are Some Differences Between Special Education and Section 504?**

	<b>Section 504</b>	<b>Special Education</b>
Type	A Civil Rights Act	An Education Act
Funding	Local	State-federal-Local
Administration	Section 504 Coordinator	Special Education Director
Provides	Accommodation Services	Specialized instruction A, accommodations and services
Disabilities	Physical or mental impairment	13 federal disabilities
Parents	Should be involved in all team meetings but may proceed, if absent	Must be involved in all team meetings
Procedural Safeguards	Notice to parents is required	Parent consent and notice required for initial evaluation and placement
Evaluation and Eligibility	Parental consent for evaluation is necessary before it can be determined if a child is eligible for Section 504	Disability suspect may precede evaluation. Student must qualify for services.

**A Comparison of Individual Health Plans/Section 504:**

<b>Individual Health Plan</b>	<b>Section 504</b>
Provides health services to reach “desired” student outcomes	Provides services, learning modifications or accommodations to students determined to be eligible
Under the auspices of Iowa law	Under auspices of federal civil rights law
Is a school nursing process	Is a whole school process
Plans reviewed at Least annually	Plans reviewed “regularly”
Criteria for eligibility is the presence of a condition that requires routine nursing services	Criteria for eligibility is the determination that the presence of disability has “substantial” impact on school success
Primary recipients both general education and special educations students	Primary recipients of 504 are general education students with mental or physical disabilities not included in special education
Services are derived from a written plan	Services are derived from a plan which has contractual status
Services provided through nursing services staff	All services and accommodations are unfunded

### **How Are Students with Disabilities Identified?**

Section 504 regulations cover a larger group of students with disabilities. The definition of disability under Section 504 includes students who have a physical or mental impairment that substantially limits one or more of life's major activities.

### **Does Section 504 Require Evaluations?**

Section 504 requires that a school evaluate "any person who, because of a disability, needs or is believed to need special education or related services." An evaluation is also required prior to any significant change in placement.

### **Eligibility**

If the school has reason to believe that, because of a disability as defined under Section 504, a student needs accommodations or services in the general education setting in order to participate in the school program, the district must evaluate the student. If it is determined that a student is disabled under Section 504, the district must develop and implement the delivery of all needed services and/or accommodations.

It must be understood that a medical condition in and of itself does not qualify a student for an accommodation plan or service; the condition must limit one or more major life activities. A physician's diagnosis does not automatically qualify a student for an accommodation plan or services.

### **Services**

The determination of what services and/or accommodations are needed must be made by a group of persons knowledgeable about the student. The parents should be included in the process whenever possible. This group must review the nature of the disability and how it affects one of life/s major functions: walking, speaking, hearing, seeing, learning, performing manual tasks, working and breathing. The decisions about Section 504 eligibility and services should be documented in the student's file and reviewed periodically.

It is important to keep in mind that some students who have physical or mental conditions that limit their ability to access and participate in the general education program are entitled to rights under Sections 504 even though they may not fall into an IDEA category and may not be covered by the special education law.

### **What Does Making Accommodations Mean?**

Accommodations are adjustments or adaptations made by the classroom teacher(s) and other school staff to help students to access or benefit from the education program.

<b>Examples of Common Accommodations</b>
--

- Adapt assignments and testing
- Provide an extra set of textbooks for home
- Adjust student seating
- Use study guides, organizing tools
- Provide a peer tutor/helper
- Have the student use an organizer-train in organizational skills
- Preferential seating
- Adapt recess/PE/transportation policies

Accommodations need to take into account both the functional limitations of the individual and the alternative methods of performing tasks or activities to participate without jeopardizing outcomes.

- Accommodations must be individualized
- The individual needs of the person with a disability should be met to the same extent as the needs of persons without disabilities
- Adaptations can be made to school and/or classroom programs
- Accommodations should provide the student with a disability an equal opportunity to participate

The following is an example of a student who is eligible for Section 504 services and possible accommodations provided by the school.

A student has been diagnosed with asthma. The doctor has advised the student not to participate in physical activity outdoors. The disability limits the major life function of breathing. The school is required to make accommodations in the education program.

Possible Accommodations:

- Allow to self-limit activity when experiencing shortness of breath
- Avoidance of allergens
- Allowed to carry own inhaler
- Medication administration by trained staff
- Policy adjustment for personal administration of medications
- Access to water, gum, etc.
- Curriculum considerations (fumes in science class, activity level in PE, etc.)
- Time of year-Bus transportation in winter
- Develop health care and emergency plan

The school would develop a written plan describing placement and services. Placement decisions must be based upon evaluation information and student needs. Placement decisions must be made by a group of persons knowledgeable about the child, the meaning of the evaluation data and about placement options.

#### **What Are the School District Responsibilities Under Section 504?**

There has been much confusion over the years regarding the relationship between Section 504 and special education laws and regulations. It must be emphasized that Section 504 falls under the management responsibility of the general education program. The school staff and parents need to work in collaboration to help guarantee that the student is provided with the necessary accommodations.

To be in compliance with Section 504, schools must:

1. Provide written assurance of nondiscrimination.
2. Designate a 504 Coordinator to manage the program.
3. Provide grievance procedures to resolve complaints.
4. Provide notice of nondiscrimination in admission or access to its program or activities. Notice must be included in a student/parent handbook.
5. Annually identify and locate all qualified children with disabilities who are not receiving a public education.
6. Annually notify persons with disabilities and their parents or guardians of the district's responsibilities under Section 504.
7. Provide parents or guardians with procedural safeguards.
8. Conduct a self-evaluation of school district policies, programs and practices to make sure discrimination is not occurring.

#### **Executive Director of Special Education Appointed by the School District as the District Level 504/ADA Coordinator Responsibilities**

- Recommends to the Superintendent and to the Board of Directors policies and procedures relative to complaints with 504 and ADA
- Oversees the implementation of a District Compliance Plan and Policy statement.
- Develops and continually revises consistent procedures to identify and locate students in the District who are disabled according to Section 504 and ADA.
- Develops and disseminates procedural safeguards regarding notice for Section 504 and the Americans with Disabilities Act (ADA).
  - Rights and Option
  - Impartial due process hearing and review
- Coordinates training and personnel development in procedures and practices related to Section 504 and ADA.
- Provides information to the community at large that explains, publicizes and promotes compliance with 504 and ADA.

- Maintains a list of names, addresses and telephone numbers of the district's building level 504/ADA Facilitators.
- Communicates and coordinates with building level 504/ADA Representatives.
- Communicates to principals that it is the responsibility of **ALL STAFF** within a building (teachers, associates, nurse, health associate, playground staff, lunchroom staff, etc.) to communicate possible 504 matters to the Building 504 representative
- Communicates with Superintendent and Board of Education regarding matters related to 504/ADA.

### **Building 504 Coordinator/Team Responsibilities**

- Coordinates implementation of consistent procedures to identify and locate students in the building who may be disabled according to Section 504 and ADA.
- In cooperation with the District Level 504/ADA Coordinator and administrators, continually monitors and provides for the reduction of architectural barriers at the building level for individuals with disabilities and informs the building administrators.
- Facilitates and/or attends 504 Accommodation Plan meetings at the request of the 504 Team, building administrator and/or the parent.
- Oversees (or assigns a designee that oversees) the development and implementation of a written plan that delineates the accommodations and services required by the 504/ADA eligible student. Holds yearly 504 Accommodation Plan meetings for each eligible student.
- Maintains confidentiality regarding case specific activities/actions.
- Informs all parties of the District's procedures related to the grievance process (parent/student due process rights).
- Engages the support and ongoing communication with staff involved in implementation of 504 Accommodation Plans.
- Oversees the appropriate procedures are implemented at the building level to meet compliance requirements for the collection and storage of 504/ADA data.
- Records include:
  - Referrals
  - 504 Accommodation Plans
  - Progress Monitoring records
  - Documentation of parent notification and involvement
  - Relevant academic, behavioral and health/medical records
- Provides documentation/communication and/or acts as liaison to parents on the status and effectiveness of the plan and encourages their participation
- Monitors the 504/ADA eligible student's progress and response to the accommodation plan.
- Oversees the transition of the student from one building to the next within the district.
- Oversees the reassessment, review and reevaluation at least annually of each 504/ADA eligible student.
- Communicates quarterly with the building administrator.
- Helps provide access to this data to appropriate school personnel.
- Develops and implements a specific and formalized process to:
  - Identify students in the building who may have a disability
  - Determine the eligibility of students for protection under 504/ADA
  - Provide information to and encourage participation of parents in the development and implementation of a 504 Accommodation Plan
- Enlists the assistance of the Building 504/ADA Coordinator and appropriate team members for the purpose of developing a written individual 504 Accommodation Plan
- Consults with AEA support personnel as needed when their respective expertise is essential in developing the 504 Accommodation Plan
- Maintains confidentiality regarding case specific activities/actions.

### **Student Records**

Student and patient records are confidential. School districts and health providers must obtain a written release from parents (guardians) before sharing information.

Releases must be very specific in requesting only what is actually related to diagnosis or might contribute to a better understanding of the student's needs in the school setting. All personally identifiable information about students is confidential, except information designated by the District as directory information in its student records policy, and protected by federal law. In order for school districts to release information from student records, parental consent or a subpoena is generally necessary. Health professionals wanting information from school records should ask the parents to release that information. A copy of the release should then be forwarded to the school district.

### Procedural Safeguards

In complying with Section 504, it is important to remember that parents and students have specific rights, and the school district must be careful not to deprive parents or students of those rights or infringe upon those rights.

- The parents have a right to be notified in writing of any decisions made by the school district concerning the identification, evaluations or educational placement of students pursuant to Section 504. While parental **consent is** not mentioned in Section 504, it is preferable to seek parental support for the evaluation of the student as well as for implementation of the accommodation plan.
- The parents have a right to examine, copy, and request amendments to the student's educational records.
- The parents have a right to an impartial hearing regarding school district decisions. However, parents are encouraged to first attempt to resolve any disputes or conflicts utilizing the Resolution Facilitation process. This statewide mediation process is available through each of Iowa's AEAs. The person acting as the mediator is called the Resolution Facilitator. Parents and guardians can request a Resolution Facilitator from the local AEA or from a non-local AEA. The AEA reserves discretion in providing a Resolution Facilitator.
- The parents have a right to further review the impartial hearing officer's decision and a right to file a formal complaint with the office of Civil Rights.
- Students who have been evaluated and determined to not need special education services under an Individual Education Program (IEP) should be notified of their potential right to related services and aids under Section 504.



### 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 disabling conditions.
  2. Have the school district advise you of your rights under federal law.
  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 right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
  5. Have your child educated in facilities and receive services comparable to those provided non-disabled students.
  6. Have your child receive special education and related services if s/he is found to be eligible under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.
  7. Have evaluation, educational, and placement decisions based upon a variety of information sources, and by persons who know the student, the evaluation data, and placement and accommodation/intervention options.
  8. Have transportation provided to and from an 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.
  9. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district.
  10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement.
  11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
  12. A response from the school district to reasonable requests for explanations and interpretations of your child's records.
  13. 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 rights 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.
  14. Request mediation or 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 \_\_\_\_\_.
  15. Ask for payment of reasonable attorney fees if you are successful on your claim.
- File a local grievance (Ask Section 504/Equity coordinator for various options.).

## COLLEGE COMMUNITY SCHOOLS' 504 PROCEDURES

- I) Notice: Written notice of the district's plan will be published in appropriate circulars in order to provide notification to all district patrons about the plan.
- II) Uniform procedures: The following steps will be followed by all schools in the CCSD as we implement 504 procedures.
- A. **A Referral Form is completed and filed with an administrator at the school.** This referral becomes a part of the student's 504 File and may be completed by the guardian(s)/parents(s), the student herself/himself, teacher(s), counselor, school nurse, or administrator. Any documentation of the disabling conditions, i.e., doctor's referral, notes, reasons for the referral, etc., will help expedite the process.
- 1. The building 504 Representative notifies the parents/guardians when the school has reason to believe a disabling condition may exist and obtains signed parental consent .** Parents are informed that the school would like to initiate an evaluation to determine 504 eligibility.
- B. Once consent is signed, contact will be made with the student's parents/guardian inviting them to attend the Initial 504 Meeting after the evaluation is complete. A 504 Parent Guide is included with the communication.
- C. At the 504 Meeting a "Section 504 Eligibility Determination" Form MUST be completed and a copy must be retained as a part of the students' 504 File. This Eligibility Determination form is the Teams' guide to determining if a 504 Plan should be written.
- D. At the 504 meeting three potential decisions (or combinations of the three) can be made, based upon the documentation and information presented:
1. The student does not qualify for any special services or accommodations.
  2. The student qualifies for a Section 504 Plan and a plan, including appropriate accommodations, will be written and implemented.
  3. The 504 team determines there is a need to proceed with the disability suspect process. This process is initiated through a collaborative effort of AEA and LEA staff.
  4. The student is eligible for 504 protections but, at this time, is not in need of a 504 plan. The building staff will continue to monitor the situation.
- E. A review of each student's 504 Plan will be conducted at least annually. Reviews may occur more often at the discretion of staff and parents. This communication will be sent by a building administrator. At the 504 review meeting, four potential decisions may be made, based upon the documentation and information presented:
1. The 504 team may continue the 504 Plan as written if the team determines the student still qualifies for a Plan and the student is realizing success with the current plan.
  2. The 504 team may, based upon changes in the student's circumstances or in the school environment (change in buildings or classrooms), determine that the 504 Plan must be modified. Modifications will be made by writing a new Plan
  3. The team may determine that specialized instruction is needed and proceed to a disability suspected meeting and evaluation for special education.
  4. The 504 team may determine that the student no longer qualifies for a 504 plan. In this case, a "Termination of 504 Status" form will be completed and this form will become a part of the student's 504 file.
- F. **It is imperative that there is continuity of services for students with 504 Plans as they move on to a new grade level and/or a new attendance center/building. To ensure this smooth transition, the building 504 Representative must be sure that information is passed along to appropriate staff.**
- III. Evaluation Procedures/Determining 504 eligibility:
- A. When interpreting evaluation data and making 504 decisions, the following is required:
1. Information from a variety of sources will be used. The Building Level 504 Team will compile relevant information about the student and may include school history, the student's individual needs, reports from physicians, observations from parents, teachers, school personnel, results of standardized tests, etc.
  2. All information must be documented (in writing) and all documented information must be considered, including information supplied by the parent from outside sources.
  3. Eligibility: the eligibility decision will be made by a group of persons including those who are knowledgeable about the child, the meaning of evaluation data and placement options.

### Guiding Questions:

- Does the impairment result in the student's not achieving near expected levels?
- Does the impairment substantially impact a major life activity?

- Will the impairment be of such short duration as to not cause significant problems?
- Will the impairment cease impacting on the student without any intervention?
- Will the impairment be of short or long duration?
- If the condition is long term, will the impact negatively affect the child’s status, academically, socially emotionally or behaviorally?

**Eligibility** is determined by viewing the student’s performance against the “substantially limits a major life activity” standard. The actual presence of a disability is not sufficient, in and of itself, to qualify a student as eligible. The suggested guidance is to compare the student to the average student of approximately the same age.

IV. Outcome of 504 Meeting

- Once the meeting has ended and the team has determined that a child is eligible, parents will be given a final copy of the 504 plan.
- Once the student has been evaluated and determined to be ineligible for a Section 504 accommodation plan, the parents will be notified in writing of this decision.

V. Graduation Procedures: for students who have an active Section 504 Accommodation Plan during high school and plan to attend a junior or 4 year college, the plan facilitator will partner with the student to complete the Student Accommodation Request form.

VI. Grievance Procedure: an internal grievance procedure to resolve complaints/grievances regarding Section 504 Plan processes or placements is available. The College Community School District has established the following complaint/grievance procedures for the Section 504 Plan processes or placements. See Appendix

# APPENDIX

[Link to IDOE Section 504 Website](#)

[Link to Office for Civil Rights](#)

[Link to Parent Guide to Section 504](#)

## Section 504 Compliance Document Checklist

<b>Student:</b>			<b>Date:</b>
✓	<b>Form</b>	<b>When to Use</b>	<b>Completed Copy To</b>
	Section 504 Referral Form	When parent or school staff is interested in beginning the 504 process for a student.	504 District Coordinator, Cum, 504 Building Coordinator, Building Administrator
	Section 504 Consent Form	After determining that the evaluation should be pursued to gain consent for evaluation / <i>send with parental rights.</i>	Parent, Cum File, 504 District Coordinator, Building Administrator
	Section 504 Notice of Parent/Student Rights One Page Summary	Can be used as talking points by 504 Coordinator to families on their rights. Can also be sent with families along with the Parent Guide to Section 504.	Parents
	A Parent Guide to Section 504	Send with consent for evaluation and offer a new copy at each 504 meeting for the student.	Parents
	504 Eligibility Data – Collection Form	During the evaluation process when determining 504 eligibility.	Parent, Cum File, 504 Coordinator,
	Section 504/ADA Student Eligibility Form	At the eligibility determination meeting and each reevaluation to determine continued eligibility.	Parent, Cum File, 504 Coordinator,
	Section 504 Accommodation Plan	When writing the initial plan, at annual reviews, and to document dismissal from 504.	Parent, Cum File, 504 Coordinator,
	Section 504 Annual Review	Must be completed yearly after initial Section 504 Accommodation Plan is written	Parent, Student Cum File, District 504 Coordinator
	Receipt of 504 Accommodation Plan	When the plan is distributed to teachers to inform them and ensure agreement in carrying out the plan.	504 Building Coordinator
	Section 504 Termination Status	When a plan is no longer deemed to be necessary by the 504 team and/or parent.	Parent, Student Cum, District 504 Coordinator, Building 504 Coordinator



## Section 504 Referral Form

Student Name: _____	Grade: _____	Date: _____
Student ID #: _____	Birth Date: _____	
Address: _____	City/State/Zip: _____	
Parent(s)/Guardian Name(s): _____		
Home Phone: _____	Work Phone: _____	
Building 504 Coordinator: _____	Phone: _____	

Section 504 of the Rehabilitation Act of 1973 is designed to prohibit discrimination based on disability in any program or activity receiving federal funding. This statute obligates public schools to provide equal access and equal opportunity to qualified persons with disabilities. For a student to be eligible for a 504 plan, the student must meet all three of the following criteria and, because of his/her disability, must need accommodations to gain equal access to and/or benefit from school programs and services.

- A physical or mental impairment
- That **substantially** limits
- One or more major life activities

The publication, *A Guide to Section 504 Of the Rehabilitation Act of 1973*, is a resource available to parents through their school.

If you believe that a student may be eligible for Section 504 support, please complete and sign the following section and submit it to your school's 504 coordinator.

**Please describe the student concern and how it matches the above criteria.**

\_\_\_\_\_  
Signature of person requesting Section 504 review

\_\_\_\_\_  
Date

Copies: Student Cum, District 504 Coordinator, Building 504 Coordinator, Administrator



**SECTION 504 CONSENT FORM**

The College Community School District does not discriminate in its educational programs and activities on the basis of a student’s disability. We have reason to suspect that your child may have a physical or mental impairment that substantially limits a major life activity. We will be convening a team of individuals to determine whether accommodations may need to be made to meet his or her individual needs as adequately as the needs of other students. We want to include people on the team who know your child, and would especially value your input.

Once the information has been reviewed, we will be meeting with you to discuss plans to meet your child’s needs. Please feel free to contact:

\_\_\_\_\_ at  
Section 504 Building Representative  
  
\_\_\_\_\_  
School

Parents and students have specific rights under Section 504 of the Rehabilitation Act of 1973. **These rights are summarized on the back of this form.**

Please provide your consent for us to accomplish this evaluation, by indicating your decision and providing your signature (below) and returning the bottom half of this form to:

-----

\_\_\_\_\_  
Building 504 Representative

\_\_\_\_\_  
Student Name

Date \_\_\_\_\_

\_\_\_\_\_ Yes, I consent to the proposed screening/evaluation  
\_\_\_\_\_ No, I do not consent to the proposed screening/evaluation.

Comments:

\_\_\_\_\_  
Parent Signature

## Section 504 Notice of Parent/Student Rights One Page Summary

### What is Section 504?

Section 504 of the Rehabilitation Act of 1973 is a broad civil rights law regulated by the Office of Civil Rights. It provides that “No otherwise qualified individual with a disability in the United States ...shall, solely by reason of his or her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance ...29U.S.C. Section 794(a) (1998).

#### To comply with Section 504 the school district will:

- 1) Provide a free appropriate education to students with disabilities
- 2) Seek out, identify, and evaluate students who may have a disability under Section 504
- 3) Provide special accommodations and services to students identified under Section 504 as defined in their written individual accommodation plan
- 4) Discipline students in accordance with the law
- 5) Ensure that extracurricular activities are accessible to students identified under Section 504
- 6) Provide notice to parents/guardians regarding evaluation, identification, reevaluation, and due process rights 7) Provide all staff access to information regarding Section 504

### Section 504 Parent/Student Rights

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:

- Have your child take part in and receive benefits from public education programs without discrimination because of her/his disabling condition.
- Have the school district advise you of your rights under federal law in your native language.
- Receive notice with respect to Section 504 identification, evaluation, and/or placement of your child.
- Have your child receive a free appropriate public education. This includes the right to be educated with nondisabled students to the maximum extent appropriate. It also includes the right to have the school district make necessary accommodations to allow your child an equal opportunity to participate in school and school-related activities.
- Have your child educated in facilities and receive services comparable to those provided to nondisabled students.
- Have your child receive special education and related services if she / he is found to be eligible under the Individuals with Disabilities Education Act (IDEA) or to receive reasonable accommodations under Section 504 of the Rehabilitation Act.
- Have eligibility and educational placement decisions based upon a variety of information sources, and by individuals who know the student, the eligibility data, and placement options.
- Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities.
- Examine all relevant records relating to decisions regarding your child’s Section 504 identification, eligibility, evaluation, educational program, and placement.
- Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
- Receive a response from the district to reasonable requests for explanations and interpretations of your child’s records.
- Request amendment of your child’s educational records if there is a reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your child.
- File a complaint with the district when you believe your child’s rights have been violated.
- Request an impartial hearing regarding the Section 504 identification, evaluation, or educational placement of your child. You and the student may take part in the hearing and have an attorney represent you at your own cost.
- File a formal complaint with the Iowa Department of Education or the U.S. Department of Education Office for Civil Rights (Region VII).

### Section 504 Coordinators / Compliance Officers

If you have general questions about your student and Section 504 or would like information about the grievance procedure please contact your principal, building 504 coordinator, or district-level support personnel.





### 504 Eligibility Data – Classroom Teacher Feedback

The student named below has been referred for a possible 504 Plan based on the specified impairment. Please provide the requested information based on your knowledge of the student’s performance in your classroom. Please bring this documentation with you to the Section 504 eligibility meeting scheduled for \_\_\_\_\_.

**Student** \_\_\_\_\_ **Impairment** \_\_\_\_\_

**Academic Characteristics:** Indicate by placing an “X” in front of the areas in which the student has difficulty:

- Oral reading
- Reading Comprehension
- Basic reading skills
- Written expression
- Other: \_\_\_\_\_
- Spelling
- Math calculations
- Math reasoning
- Legible writing

**Modifications or Adjustments:** Indicate by placing an “X” in front of the modifications or adjustments that have been made for this student:

- Modified instructional methods
  - Modified instructional materials
  - Parent conferences
  - Modified instructional pacing
  - Behavioral planning or contracting
  - Environmental modifications
- Other: \_\_\_\_\_

**Teacher Observation:** Based on your knowledge and observations of this student, please rate 1-5 his/her performance in the following areas: (1 = satisfactory, 5 = unsatisfactory). Please use the back of the page to explain your ratings if necessary.

- 1 Classroom work
  - 1 Tests/quizzes
  - 1 Following written directions
  - 1 Organizational skills
  - 1 Homework completion
  - 1 Following verbal directions
  - 1 Attention span
  - 1 Peer relations
- Other: \_\_\_\_\_

Place an “X” on the scale below to indicate the extent to which you think the specified impairment limits this student’s ability to learn:

- \_\_\_\_\_
- Negligibly
  - Mildly
  - Moderately
  - Substantially
  - Extremely

Person(s) completing this form: \_\_\_\_\_ Date: \_\_\_\_\_





## Optional Medical Professional's Evaluation/Consideration of Student Accommodation Plan

Student	DOB
Address	Grade:
Parent/Guardian:	Phone:
School:	

1. List symptoms you identified that led to your diagnosis.
  
2. Is medication being recommended? \_\_\_\_ Yes \_\_\_\_ No
  - a. What is the recommendation:
  
  - b. If medication is used, please summarize the effectiveness.
  
3. Do you have any recommendations for consideration at an upcoming conference on educational programming?
  
4. Please include a written diagnostic statement and copies of any/all reports to help the team make a decision for appropriate programming.

Please forward this copy to: \_\_\_\_\_  
Name/Address

By: \_\_\_\_\_  
Date

Thank you.

\_\_\_\_\_  
Physician's Signature

Cc: Parent/Guardian, Building Principal, Building 504 Coordinator (place in student 504 file)



# SECTION 504 STUDENT ELIGIBILITY FORM

Student: \_\_\_\_\_

DOB: \_\_\_\_/\_\_\_\_/\_\_\_\_

School: \_\_\_\_\_

Grade: \_\_\_\_\_

Date: \_\_\_\_\_

**Evaluation Information: (check all that apply)**

- Psychological Evaluation
- Physician Report
- Achievement Tests
- Teacher Reports
- Observation Data

- Classroom Performance Data
- Discipline History
- Parent Information
- Curriculum Based Assessments
- Other (specify): \_\_\_\_\_

1. Does the student have a mental or physical *impairment* (as recognized in DSM-IV or other respected source if not excluded under 504/ADA, e.g., illegal drug use)?  No (if no, go to eligibility determination section)  Yes (if yes, identify the impairment and supporting data)

**Impairment:** \_\_\_\_\_

**Supporting Data:** \_\_\_\_\_

2. Describe how the impairment limits a Major Life Activity (MLA) or Major Bodily Function (MBF)

3. Place an "X" on the following scale to indicate the specific degree that the impairment (in #1) limits the major life activity (in #2):

- Make an educated estimate **without the effects of mitigating measures**, such as medication; low-vision devices (except eyeglasses or contact lenses); hearing aids and cochlear implants, mobility devices, prosthetics, assistive technology; learned behavioral or adaptive neurological modifications; and reasonable accommodations or auxiliary aids/services.
- Similarly, for impairments that are episodic or in remission, make the determination for the time they are active.
- Use the average student in the general population as the frame of reference.
- Interpret close calls in favor of broad coverage (i.e., construing Items 1-3 to maximum extent that they permit). Thus, for an "X" at 4.0 or below, fill in specific information evaluated by the team that justifies the rating:

5	Extremely	<input type="checkbox"/>	_____
4	Substantially	<input type="checkbox"/>	_____
3	Moderately	<input type="checkbox"/>	_____
2	Mildly	<input type="checkbox"/>	_____
1	Negligibly	<input type="checkbox"/>	_____

4. If the team's determination for #3 was less than "4", provide notice to the parents of their procedural rights, including an impartial hearing. If the team's determination was a "4" or above, the team should determine and list on the 504/ADA Plan the specific accommodations that are necessary for the child to have an opportunity commensurate with non-disabled students (of the same age).

\*Adapted with permission from Perry A. Zirkel, author of *Section 504, the ADA and the Schools*.

**Copies:** Parent, Teachers, Section 504 Folder, Section 504 Coordinator



## SECTION 504 ELIGIBILITY DETERMINATION FORM (P.2)

**Based on the analysis of the evaluation data, does the student have a disability that substantially limits a major life activity?**

*Please check one of the following:*

- No**, the student is not Section 504 eligible.
- Yes**, the student is Section 504 eligible, but does not require a plan because (1) of the corrective effects of mitigating measures or (2) the impairment is episodic or in remission. The 504 team will be re-convened as necessary to review the status of the student's disability.
- Yes**, the student is Section 504 eligible but does not currently require accommodations other than those provided through the attached Individual Health Plan or Emergency Health Protocol.
- Yes**, the student is 504 eligible and requires an accommodation plan.

**Team Signatures**

**Date**

**Position**

_____	___/___/___	Administrator / Designee
_____	___/___/___	Teacher
_____	___/___/___	_____
_____	___/___/___	_____
_____	___/___/___	_____
_____	___/___/___	_____

**Parental Notice**

**I have participated in the Section 504 Eligibility process and have received copies of this notice and the Parent's Notice of Section 504 Rights.**

\_\_\_\_\_      \_\_\_/\_\_\_/\_\_\_  
**Parent / Guardian Signature**                      **Date**

*Adapted with permission from Perry A. Zirkel, author of <i>Section 504, the ADA and the Schools</i> .
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## SECTION 504 ACCOMMODATION PLAN

Student: \_\_\_\_\_

DOB: \_\_\_\_/\_\_\_\_/\_\_\_\_

School: \_\_\_\_\_

Grade: \_\_\_\_\_

Conference Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Review Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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**This student has been found to be Section 504 eligible and requires the following accommodations based on evaluation information from a variety of sources that is documented on the Notice of Eligibility.**

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**Area of Concern:**

**Accommodation:**

**Modifications:**

\_\_\_\_/\_\_\_\_/\_\_\_\_

**Area of Concern:**

**Accommodation:**

**Modifications:**

\_\_\_\_/\_\_\_\_/\_\_\_\_

**Area of Concern:**

**Accommodation:**

**Modifications:**

\_\_\_\_/\_\_\_\_/\_\_\_\_



**SECTION 504 ACCOMMODATION PLAN (P. 2)**

**Student name:** \_\_\_\_\_ **School:** \_\_\_\_\_

<b>Team Signatures</b>	<b>Date</b>	<b>Position</b>
_____	___/___/___	_____
_____	___/___/___	_____
_____	___/___/___	_____
_____	___/___/___	_____
_____	___/___/___	_____
_____	___/___/___	_____
_____	___/___/___	_____

**Parent Notice**

**I participated in the development of this 504 Plan and have received a copy of the *Parent's Notice of Section 504 Rights*.**

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
**Parent Signature**                      **Date**

**Copies:** Parent, Teachers, Section 504 Folder, Section 504 Coordinator



SECTION 504 ANNUAL REVIEW

Student name: \_\_\_\_\_ School: \_\_\_\_\_

Review Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

- 1. No modifications needed - continue with plans as written.
2. Adjustments needed. See Accommodations page for modifications.
3. New plan to be written.
4. Plan discontinued because:
a. Student is no longer substantially limited.
b. Student meets IDEA eligibility requirements and will have an IEP.

Team Agreement:

\_\_\_\_/\_\_\_\_ \_\_\_\_/\_\_\_\_ \_\_\_\_/\_\_\_\_ \_\_\_\_/\_\_\_\_ \_\_\_\_/\_\_\_\_ \_\_\_\_/\_\_\_\_
Initial/date Initial/date Initial/date Initial/date Initial/date Parents
Initial/date\*\*

Review Date: \_\_\_\_/\_\_\_\_/\_\_\_\_
1. No modifications needed - continue with plan as written.
2. Adjustments needed. See Accommodations page for modifications.
3. New plan to be written
4. Plan discontinued because:
a. Student is no longer substantially limited.
b. Student meets IDEA eligibility requirements and will have an IEP.
Team Agreement:
\_\_\_\_/\_\_\_\_ \_\_\_\_/\_\_\_\_ \_\_\_\_/\_\_\_\_ \_\_\_\_/\_\_\_\_ \_\_\_\_/\_\_\_\_ \_\_\_\_/\_\_\_\_
Initial/date Initial/date Initial/date Initial/date Initial/date Parents
Initial/date\*\*

\*\*I participated in the development of this plan and have received a copy of the Parent's Notice of Section 504 Rights

Copies: Parent, Teachers, Section 504 Folder, Section 504 Coordinator





## Receipt of 504 Accommodation Plan

Dear Educator,

Attached you will find classroom modifications to be implemented as a result of the Section 504 meeting for \_\_\_\_\_. It is important that these accommodations be implemented in every classroom so that we are in compliance with Section 504, a federal law which protects the rights of students with disabilities.

Failure to comply with the law regarding classroom accommodations can result in an investigation and ruling by the U.S. Office of Civil Rights. Such a ruling can result in loss of federal funds as well as civil rights suits against employees who fail to comply with the law.

Confidentiality and sensitivity dictate the disability and the accommodations are discussed and implemented without making others in the classroom aware of either the disability or the accommodations. In some instances, it will be impossible to avoid others in the room being aware of certain accommodations. However, please handle as discretely as possible to protect the student's right to confidentiality.

Please sign below to indicate that you have received documentation related to this student and return this to me to be included in the student's 504 folder.

Thank you,

504 Coordinator

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I, \_\_\_\_\_, verify that I have received and reviewed the 504  
Accommodation Plan for \_\_\_\_\_.

\_\_\_\_\_  
Teacher's Signature

\_\_\_\_\_  
Date

Please return bottom portion to Building 504 Coordinator



## **Section 504 Termination of 504 Status**

Student Name:

DOB:

School:

Grade:

Gender:

Parent/Guardian:

This agreement is the result of agreement by the College Community School District official currently supervising the plan and the student and/or parent or guardian representation.

Date of Plan Termination:

Signatures:

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CCSD School Representative

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For the Student and/or Parent/Guardian

Copies to: Student Cum File, Parent/Guardian, 504 District Coordinator

# **MODEL GRIEVANCE PROCEDURE**

A Model Grievance Procedure  
For Schools, Area Education  
Agencies and Community Colleges

A model to assist educational agencies  
process complaints of discrimination on  
the basis of gender, race, national origin, religion,  
sexual orientation, gender identity,  
disability, marital status and age

Iowa Department of Education  
Teaching and Learning Services

2008

State of Iowa  
**DEPARTMENT OF EDUCATION**  
Grimes State Office Building  
Des Moines, Iowa 50319-0146

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### **Division of PK-12 Education**

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Cynthia Knight, Consultant, Teaching and Learning Services

It is the policy of the Iowa Department of Education not to discriminate on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, gender, disability, religion, age, political party affiliation, or actual or potential parental, family or marital status in its programs, activities, or employment practices as required by the Iowa Code sections 216.9 and 256.10(2), Titles VI and VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000d and 2000e), the Equal Pay Act of 1973 (29 U.S.C. § 206, *et seq.*), Title IX (Educational Amendments, **20 U.S.C. §§ 1681 – 1688**), Section 504 (Rehabilitation Act of 1973, 29 U.S.C. § 794), and the Americans with Disabilities Act (42 U.S.C. § 12101, *et seq.*).

If you have questions or grievances related to compliance with this policy by the Iowa Department of Education, please contact the legal counsel for the Iowa Department of Education, Grimes State Office Building, Des Moines, IA 50319-0146, telephone number 515/281-5295, or the Director of the Office for Civil Rights, U.S. Department of Education, 111 N. Canal Street, Suite 1053, Chicago, IL 60606-7204. 281-5295, or the Director of the Office for Civil Rights, U.S. Department of Education, 111 N. Canal Street, Suite 1053, Chicago, IL 60606-7204.

## **Grievance Procedures: Major Issues**

An internal grievance procedure is a convenient vehicle for dealing with small problems before they become big ones. Title IX of the Education Amendments of 1972 (Gender Equity), Section 504 of the Vocational Rehabilitation Act of 1973 (Disability Equity) and Chapter 19B.11 of the Iowa Code (Equal Employment Opportunity/Affirmative Action) all require educational agencies to have a procedure for processing complaints of discrimination.

The grievance procedure must be available to students, employees, applicants for employment and parents of students in elementary/secondary schools. The procedure should cover grievances claiming discrimination on the basis of gender, race, national origin, religion, age, marital status, sexual orientation, gender identify and disability.

Although grievance procedures may take varying forms, they should clearly specify the format and procedures for filing grievances. They should clearly specify any applicable time limits in the process. The grievance procedure should clearly identify the institutional/agency staff that has responsibility for the receipt of grievance and the facilitation of the grievance process (usually the local educational equity/affirmative action coordinator). Specific forms for filing and documenting grievances should be available.

Grievance procedures get used only when people know they exist. The laws require that information about the grievance procedure be disseminated to students, employees, parents of students, and applicants for employment on an annual or on-going basis. Information about the grievance procedure must be included in the major annual publications or formal communications targeted at these groups.

The master employee contract grievance procedure may be used as the non-discrimination grievance procedure for employees, but only if two conditions are met. The first is that there be a non-discrimination clause in the master contract. The second condition is that employees be notified annually or in an on-going fashion in employee handbooks that the master employee contract grievance procedure will serve as the non-discrimination grievance procedure for employees.

There may be a need to make modifications in this model to fit the context of a community college, area education agency, or school district.

# **Model Grievance Procedures**

Students, parents of students, employees, and applicants for employment in the College Community School District shall have the right to file a formal complaint alleging discrimination under federal or state regulations requiring non-discrimination in programs and employment.

## **Level One – Principal, Immediate Supervisor or Personnel Contact Person (Informal and Optional – may be by passed by the grievant)**

Employees with a complaint of discrimination based upon their gender, race, national origin, religion, age, marital status, sexual orientation, gender identity, or disability are encouraged to first discuss it with their principal, dean, or immediate supervisor, with the objective of resolving the matter informally. A student, a parent of a student or an applicant for employment with a complaint of discrimination based upon their gender, race, national origin, religion, age, marital status, sexual orientation, gender identity, or disability are encouraged to discuss it with the instructor, counselor, supervisor, building administrator, program administrator, or personnel contact person directly involved.

## **Level Two – The Equity Coordinator**

If the grievance is not resolved at level one and the grievant wishes to pursue the grievance, they may formalize it by filing a complaint in writing on a Grievance filing form, which may be obtained from the Educational Equity Coordinator. The complaint shall state the nature of the grievance and the remedy requested. The filing of the formal, written complaint at level two must be within fifteen (15) working days from the date of the event giving rise to the grievance, or from the date the grievant could reasonably become aware of such occurrence. The grievant may request that a meeting concerning the complaint be held with the Educational Equity Coordinator. A minor student may be accompanied at that meeting by a parent or guardian. The Equity Coordinator shall investigate the complaint and attempt to resolve it. A written report from the Equity Coordinator regarding action taken will be sent to the involved parties within fifteen (15) working days after receipt of the complaint.

## **Level Three – The Grievance Committee**

If the grievance is not resolved at level two, the grievant may appeal it at level three by presenting a written appeal to the Grievance Committee within ten (10) working days after the grievant receive the report from the Equity Coordinator. The Grievance Committee shall include five persons including one administrator, one instructor/teacher/consultant, one classified/non-certificated employee, one student and one parent/community representative. At least two members of the Grievance Committee shall be selected from the current Educational Equity Advisory Committee (Multicultural, Non-sexist Education/Affirmative Action Advisory Committee(s)). The Grievance Committee shall include both men and women and reflect racial/ethnic diversity and persons with disabilities when possible. The grievant may request a meeting with the Grievance Committee to discuss the appeal and the Grievance Committee may request a meeting with the grievant. A decision will be rendered by the Grievance Committee within ten (10) working days after receipt of the written appeal.

### **Level Four – Superintendent/Administrator**

If the complaint is not resolved at level three, the grievant may appeal it to level four by presenting a written appeal to the Superintendent/Administrator within ten (10) working days after the grievant receives the report from the Grievance Committee. The grievant may request a meeting with the Superintendent/Administrator or his/her designee. The Superintendent/Administrator may request a meeting with the grievant to discuss the appeal. A decision will be rendered by the Superintendent/Administrator or his/her designee within ten (10) working days after the receipt of the written appeal.

This procedure in no way denies the right of the grievant to file formal complaints with the Iowa Civil Rights Commission, the federal Office of Civil Rights, Equal Employment Opportunity Commission, the Iowa Department of Education for mediation or rectification of civil rights grievances, or to seek private counsel for complaints alleging discrimination.

#### **The Educational Equity Coordinator is:**

**Name:** \_\_\_\_\_

**Office Address:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**Office Hours:** \_\_\_\_\_





**Grievance Documentation**  
**Name of Individual Alleging Discrimination or Non-Compliance**

Name: \_\_\_\_\_

Grievance Date: \_\_\_\_\_

State the nature of the complaint and the remedy requested.

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Indicate principal or supervisor response or action to above complaint.

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Signature of Principal or Supervisor