

INSTRUCTION

Education of students with disabilities under Section 504 of the Rehabilitation Act of 1973

A. Section 504 Referral, Evaluation, Planning, Implementation and Review Procedures

<u>STEP</u>	<u>DESCRIPTION OF ACTIVITY</u>
1. Concern	Student, parent, teacher, counselor, or administrator believe they are observing in a student substantially limited performance in one or more major life activities that is believed to be caused by a physical or mental impairment such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working .
2. Referral	The concerned individual should complete the Referral Form and give it to the designated building coordinator.
3. Screening	The building Student Success Team reviews the referral, reviews the student's files, and consults with teachers, parents/guardians, professionals, and/or student.

Decision to be made by the Student Success Team: Does this student appear to have a disability under section 504?

If yes:

- Decide on components to be included in the school evaluation.
- Provide the parent/guardian with a copy of the Section 504 rights.
- Provide notice to parents for school evaluation and obtain their consent in writing on the Permission to Evaluate Form. Also obtain written consent for a mutual exchange of information from parent/guardian as appropriate.

If no:

- Provide screening results to source of referral with accompanying recommendations.
- Provide written notice to parents that student does not qualify.

4. Evaluation	Conduct a school evaluation appropriate to the disability. This could include evaluation of available academic assessment results, student report card/transcript, administration of additional academic assessments (e.g. classroom tests in reading or math), review of outside medical and mental health evaluations.
---------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<u>STEP</u>	<u>DESCRIPTION OF ACTIVITY</u>
5. Eligibility	<p>The Student Success Team convenes to review all evaluation results, determine eligibility as a student with a disability under Section 504, and document the meeting in writing. The team composition may vary according to the needs of the student. The parent/guardian will always be invited.</p> <p>If no:</p> <ul style="list-style-type: none">- Consider other referral sources or options for the student and/or school. Provide written notice to parents that student doesn't qualify. <p>If yes: The Second Decision To Be Made</p> <p>Does the student also seem to have a disability under one of the IDEA conditions that may qualify the student for special education services?</p> <ul style="list-style-type: none">A. If yes: Refer to School Psychologist for appropriate dispositionB. If no: Proceed to step 6. <p>NOTE: Whatever the disposition of the case at step 5, the Student Success Team should complete a written Section 504 Evaluation Form. One copy is given to the parent, the original is kept in the school Section 504 folder, and one copy is sent to the District 504 Coordinator.</p>
6. Develop Accommodation Plan	<p>Once eligibility under Section 504 has been determined, the process moves to the development of an Accommodation Plan. This plan is to be developed by a professional team that may or may not be the same individuals who were involved at the ELIGIBILITY step 5, but should include the counselor/learning specialist, at least one of the student's teachers, the parent/guardian, and other persons as deemed appropriate.</p>
7. Parent Permission	<p>Get parent signature on the Accommodation Plan and provide them with a copy prior to initiating the plan. The Accommodation Plan must also be signed by the District 504 Coordinator.</p>
8. Educational Services	<p>The educational services are implemented as outlined in the student Section 504 Accommodation Plan. One individual should be designated as the case manager to monitor the implementation of the plan and the progress of the student.</p>

<u>STEP</u>	<u>DESCRIPTION OF ACTIVITY</u>
9. Periodic Review	Each student Accommodation Plan must be reviewed by the team annually or any time there is a change in school or teacher(s). Re-evaluation must occur at least every three years. Three issues which should be addressed at the review are as follows: (1) the need for additional evaluation information, (2) the continued eligibility as a student with a disability under Section 504, and (3) the contents of the plan and service provider. When a re-evaluation is done, a new Evaluation Form is completed along with a new Accommodation Plan. If the student no longer qualifies for Section 504 accommodations, a Plan Termination form is completed.

B. Section 504 Parent Concern and Complaint Procedures

The best solutions to parent concerns often occur at the school level. Therefore, the District encourages parents to attempt to resolve concerns by working with the building principal and other appropriate staff to reach a joint resolution of the issue.

If a parent is unable to resolve the issue at the building level, a parent may file a formal complaint, with respect to actions regarding the identification, evaluation, or educational placement of persons who, because of disability, are believed to be eligible under Section 504, through the following process:

The District 504 Coordinator will conduct an investigation of the allegation(s) and attempt to resolve the complaint at the building level.



If the District 504 Coordinator is not able to resolve or is a party to the complaint, the parent may request an impartial hearing of their complaint. The District will appoint an impartial hearing officer to hear the complaint, pursuant to the Section 504 Impartial Hearing Procedures below. The hearing shall be held within 20 calendar days of the receipt of the request. The hearing officer will issue to the school and parent, within 10 calendar days of the hearing, a written decision of his/her findings and conclusions.



If the parent is not satisfied with the hearing officer's resolution of his/her complaint, the parent may request in writing a review of the hearing officer's decision by the Superintendent. The Superintendent will respond to the parents' request for review within 10 calendar days of receiving the request.



If the parent is still dissatisfied after the Superintendent's review, or at any time during the District's complaint resolution process, the parent may file a complaint in writing with:
U.S. Department of Education, Office of Civil Rights, 915 Second Avenue, Room 3310, Seattle, WA 98174-1099
Telephone: 206-607-1600
FAX: 206-607-1601; TDD: 206-607-1647
Email: OCR.Seattle@ed.gov

Section 504 Impartial Hearing Procedure

1. The parent requests an impartial hearing by filing a written request with the District 504 Coordinator. The District 504 Coordinator is:
*Christina Wyatt, Student Services Director,
9210 Silverdale Way N.W., P.O. Box 8
Silverdale, Washington 98383-0008*
2. The District 504 Coordinator/District arranges for an impartial hearing officer. A hearing will be scheduled within 20 days of the receipt of the written request.
3. Either the 504 Coordinator or the hearing officer give notice of the time and place of the hearing at least 3 calendar days before the hearing. Either party may request in writing that the hearing be rescheduled.
4. Prior to the hearing, the parent has the opportunity to request and examine relevant education records.
5. The parties will provide a copy of any document or other evidence and a list of witnesses they plan to present at the hearing to the other party and the hearing officer prior to the hearing.
6. Both parties have the right to be accompanied and advised by counsel or other representative.
7. The parties will not communicate with the hearing officer about any issue of fact or law unless the other party has notice and opportunity to participate in the communication.
8. The parents present their arguments and evidence first, followed by the school district.
9. The hearing will be recorded by mechanical device or by certified court reporters, as determined by the hearing officer. The parties have the right to request a verbatim record of the hearing.
10. The hearing officer will issue a decision to the school and parent within 10 calendar days a written decision of his/her findings and conclusions.