

A Guide to
SECTION 504
of the
Rehabilitation Act of 1973



**Cedar Rapids
Community School District**

Every Learner: Future Ready

Our Mission:

*To ensure all learners experiences a
rigorous and personalized learning
experiences so they have a plan, a pathway
and a passion for their future*

A Guide to Section 504 is designed to give parents a short overview of Section 504 of the Rehabilitation Act of 1973 as it pertains to Cedar Rapids Community Schools. While Section 504 defines the equal access requirements for both students and employees, this publication will focus on students. This information has been organized around questions parents frequently ask when trying to understand this civil rights statute. Please note that when working with disabled students, Section 504 serves the same purpose as the ADA (Americans with Disabilities Act). Consequently, this publication focuses solely on Section 504.

What is Section 504?

Section 504 of the Rehabilitation Act of 1973 is Congress's directive to schools receiving any federal funding to eliminate discrimination based on disability from all aspects of school operation. Since the Cedar Rapids Community School district receives federal dollars, it is required to provide eligible disabled students with equal access to services, programs, and activities offered by the District. Section 504 is a civil rights statute and not a special education statute. Therefore, it is the responsibility of regular education staff and building administration to implement those practices and procedures necessary for a school to fulfill the requirements of this law. It is also important to understand that schools receive no additional funding to implement Section 504 accommodations. At each school, the responsibility for ensuring Section 504 compliance rests with the building principal or principal's designee.

What criteria are used to determine if a student is eligible for a Section 504 plan?

Like other students, those students with a disability, as defined by Section 504, are entitled to a free appropriate public education. An appropriate education for a Section 504 disabled student may require the provision of specific accommodations and related services in order to meet the needs of the student. Section 504 focuses on ensuring a level of access to educational services and the learning process for qualified disabled students that is equal to that given non-disabled students.

Students eligible for Section 504 accommodation plans must meet three criteria. The three criteria are (1) A **mental or physical impairment**, (2) **which substantially limits**, (3) **one or more major life activities**. It is important to understand that all three criteria **must be present** for a student to be eligible for a Section 504 accommodation plan. Equally important, this disability must be why the student cannot equally access or receive benefit from the school's programs and services. Here is additional information on each of the three criteria:

Mental or physical impairment: This includes any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more body systems. Additionally, this can include any mental or psychological disorder. This criterion does not limit eligibility to specific diseases or categories of medical conditions. The law was intentionally written this way to avoid limiting the range of diseases or medical conditions that might be considered for Section 504 eligibility.

Substantially limits: Section 504 does not specifically define the term “substantially limits.” The basis for evaluating this criterion is the impact a disability has on one or more of a student’s major life activities. It is vital to understand that for a student to qualify for Section 504, the impairment must impose a considerable limitation on one or more major life activities. The eligibility team will consider the nature and severity of the disability as well as how long the disability is expected to last. **Simply having a condition or disability does not automatically qualify a student for Section 504 protection. The condition must present a barrier to the student’s ability to access the same educational opportunities as a non-disabled student.**

Major life activities: Major life activities include such things as: seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, working, breathing, learning, reading, communicating, thinking, concentrating, caring for oneself, and performing manual tasks. The operation of major bodily functions (*e.g.*, the functions of the immune system, normal cell growth, and digestive, bowel, bladder, respiratory, circulatory, endocrine, neurological, brain, and reproductive functioning) count as major life activities. Please note that this list of major life activities is not exhaustive.

How is a Section 504 review request made?

A parent, guardian, teacher, building team, counselor, related service provider, other school staff, administrator, or community agency can initiate a referral for Section 504 eligibility to the building intervention team. This team looks different in each building, but usually involves administrators, counselors, and GWAEA staff. It is a good idea to discuss the appropriateness of a 504 Plan with your child’s teacher, counselor, building 504 coordinator or principal before making the referral, as there are numerous intervention strategies used with students. By discussing your concerns with one of these people, it can be determined if pursuing a 504 Plan will best support the student’s needs.

What process is used in determining if a student is eligible for a Section 504 plan?

Upon receipt of a 504 referral, the school-level building intervention team will determine whether or not an evaluation will occur. If an evaluation will occur, the Coordinator will arrange a meeting (or have a phone conference) with parents to review the referral and discuss the evaluation process. The Coordinator will also make arrangements for a 504 team meeting to review the referral and determine the evaluation data that should be collected, as well as set a date for an eligibility determination meeting.

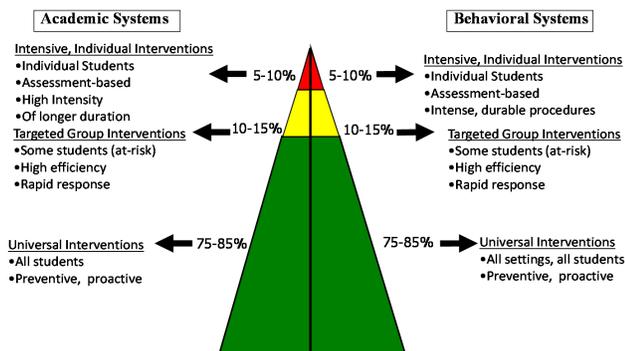
As mentioned above, a student is eligible for Section 504 protection when it is determined by the 504 team that he/she has a physical or mental impairment that substantially limits one or more of the major life activities, and the impairment is impacting access and student benefit from school programs and services. A properly convened eligibility team needs to include individuals who are knowledgeable about the needs of the student, the interpretation of the data being reviewed, and the accommodation/service options available. This team can include (but is not limited to) parents/guardians, teachers, counselors, related service providers, other school staff and administrators, and staff from community agencies. Parents/guardians should be included in this process.

The team’s first responsibility is to review the nature of the impairment and determine how it affects the student’s access to educational programs and activities. Section 504 eligibility meetings are not intended to be as comprehensive as a special education evaluation. However, in every case, the eligibility team needs to investigate the specific concern that triggered the request. Information that might be considered includes (but is not limited to): grades, attendance reports, behavior plans, cumulative file information, psychological evaluations, medical information, observations, and standardized testing information. As needed, the eligibility team may administer and use other formal and informal measures that help them determine 504 eligibility. Parents will be asked to consent to obtain these measures.

Tiered Interventions

The Office of Civil Rights recognizes the value of intervention strategies to assist students. “School districts may always use regular education intervention strategies to assist students with difficulties in school.” (*Frequently Asked Questions about Section 504 and the education of Children with Disabilities* (March 27, 2009), Question #31). Student’s successful response to tier 2 interventions that remove barriers and increases the student’s access to and benefit from instruction can serve as a mitigating measure for students with a disability. When mitigating measures are successful, the student may not require any additional accommodations or related services. The Cedar Rapids Community School District utilizes a tiered system of supports to provide instructional interventions to address academic and behavioral needs. Interventions vary in their duration and frequency in order to help target individual needs. The figure to the right depicts the tiered system of support within the Cedar Rapids Community School District.

Tiered interventions or learning supports team procedures are NOT intended to impede any necessary referral for consideration of eligibility under the Individuals with Disabilities Education Act (IDEA) or Section 504. If a teacher, counselor, or administrator suspects that the student’s difficulties are attributable to a suspected disability, the student should be referred for an evaluation. If a parent/guardian requests an evaluation, the school district will either honor the request for an evaluation or notify the parent’/guardian of his/her due process rights as applicable.



How are 504 accommodations and related services documented and reviewed?

If the eligibility team determines that a student has a Section 504 disability, the team's second responsibility is to identify the specific accommodations or services that will support equal access. Documentation of these accommodations is done in a Section 504 Accommodation Plan. This plan provides a summary of the accommodations that a student needs to ensure equal access to the learning process and/or district programs, activities, and services. This document becomes part of the student's cumulative file.

504 eligibility teams review active Section 504 Accommodation Plans yearly with more frequent meetings occurring if needed. The purpose of a yearly review is to add, subtract and/or modify student accommodations as needed. If a student no longer needs a 504 Plan, the eligibility team terminates it at a review session.

What is meant by the word "accommodation"? Where will the accommodations occur?

Section 504 requires that a student with an eligible disability be educated with students who do not have disabilities to the maximum extent appropriate. This is referred to as educating the student in the least restrictive environment. Implementation of Section 504 Plans occurs in the regular classroom. Accommodations generally are those minor adjustments to things like seating arrangements, lesson presentation, assignments, and other facets of the learning environment that provide the student with equal access to learning opportunities. An example might be moving the student to a position in the room that best supports his/her ability to focus on schoolwork. Accommodations might involve the use of such things as special visual aids, large print, or using video recordings. Allowing a student additional time to complete a specific kind of task is also an accommodation.

There are countless accommodations that can support a student's equal access to educational opportunities. It is the job of the eligibility team to identify those specific accommodations that will support the needs of a given student resulting from the identified impairment. Please keep in mind that each school will include accommodations that it has the ability to accomplish based on what the school offers to all students and resources available to implement its programs and services. This means that accommodations will be designed differently at different schools and at different levels (elementary, middle, high school).

What rights do parents (and students) have under Section 504?

The following is a list of parent rights granted by federal law. The intent of the law is to keep parents fully informed concerning decisions made about their children and to inform them of their rights should disagreement occur over a 504 decision.

As a parent, you have the right to:

- Have your child take part in and receive benefit from public education programs without discrimination based on a disability.
- Have the district advise you as to your rights under the law.
- Receive notice with respect to the identification, evaluation, or placement of your child.

- 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 district make reasonable 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 students without disabilities.
- 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 made based upon a variety of information sources, and by individuals who know the student, the eligibility data, and placement options.
- Give your child an equal opportunity to participate in non-academic and extracurricular activities offered by the district through the provision of reasonable accommodations.
- Examine all relevant records relating to decisions regarding your child's 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 related to decisions regarding your child's identification, eligibility, and educational placement. You and your child may take part in the hearing and have an attorney present 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).

Whom should parents contact when they have a Section 504 complaint?

The best solutions to parent and student concerns occur at the school level. Therefore, the first step in resolving a complaint involves the parent or guardian contacting the building principal and discussing the issue with the principal and other appropriate building staff. If the issue is not resolved through these discussions, the parent or guardian can file a Section 504 Complaint Form with the school principal. A sample Complaint form is included in this handout. The form is also available at your local school.

If the issue is not resolved at the building level, the parent or guardian can continue the complaint process by forwarding a copy of the complaint to the district's Section 504 Coordinator. The Section 504 Coordinator will work with the Section 504 Compliance Officer in reviewing and responding to the parent concern. If the concern is still not resolved, the Superintendent or designee will review the decision to determine if all district and 504 policies have been followed. Information on how to contact Section 504 Coordinators and the Section 504 Compliance Officer is provided on the last page of this document.

As noted above, you also have the right to request an impartial hearing related to any decisions regarding your child's identification, eligibility, and educational placement. Request for hearings shall be submitted to the District 504 Compliance Officer. Upon receiving a written request for a hearing, the District 504 Compliance Officer will contact a Resolution Facilitator from Grant Wood Area Education Agency who hears cases pursuant to the Individuals with Disabilities Education Act and who has been trained regarding Section 504. The hearing officer will schedule a due process hearing to occur as soon as reasonably possible for the parent/legal guardian and district. The parent/legal guardian and district may be represented by legal counsel at the hearing, may examine relevant records, and participate in the hearing. Within ten (10) school days after the conclusion of the hearing, the hearing officer will render a written decision. The written decision shall include applicable findings of fact and conclusions of law. The hearing officer shall submit the written decision to the parent/legal guardian and to the Board of Education. The decision of the hearing officer shall constitute the final administrative decision on the Section 504 matter.

Finally, note that the Office for Civil Rights (OCR) is the federal agency responsible for enforcing Section 504 compliance. While we believe that the best resolutions occur at the school level, parents/guardians always have the right to initiate a complaint with the OCR.

Cedar Rapids Community Schools 504 Contacts

Please contact your school's 504 Coordinator for additional details on Section 504. If your questions are not answered at that level and/or you wish to file a complaint, please use the appropriate contact information listed below.

District 504 Coordinator:

Paul Hayes
Future Ready Learning Lead
(319) 558-3183
phayes@cr.k12.ia.us

District 504 Compliance Officer:

Rod Dooley
Executive Director of Equity
(319) 558-3094
rdooley@cr.k12.ia.us

Executive Administrators:

Elementary School (PK-5)

Val Dolezal
Executive Administrator
(319) 558-2962
vdolezal@cr.k12.ia.us

Middle School (6-8)

Carlos Grant
Executive Administrator
(319) 558-3563
cgrant@cr.k12.ia.us

High School (9-12)

Noreen Bush
Assoc. Superintendent
(319) 558-1981
nbush@cr.k12.ia.us

Non-Discrimination Policy

It is the policy of the Cedar Rapids Community School District not to illegally discriminate on the basis of race, color, national origin, sex, disability, religion, creed, age (employment only), marital

status, sexual orientation, gender identity, and socioeconomic status (students/program only) in its educational programs and its employment practices.

There is a grievance procedure for processing complaints of discrimination.

Section 504 Referral Form

Student Name: Click here to enter text.	Grade: Click here to enter text.
School: Click here to enter text.	Date of Birth: Click here to enter text.
Parent(s) / Guardian(s) Name(s): Click here to enter text.	
Address: Click here to enter text.	City / State / Zip: Click here to enter text.
Home Phone: Click here to enter text.	Work Phone: Click here to enter text.
Interpreter needed for parents? <input type="checkbox"/> Yes <input type="checkbox"/> No Language Spoken _____	

Referred by:

Staff recommendation Learning Supports Team Parent Other _____

Reason for referral:

There is reasonable cause to suspect that this student might have a physical or mental impairment which might be substantially limiting one or more of the following major life activities:

- Learning Communication Motor/Movement Health Reading
 Self-Care Vision Hearing Other (s)

Please describe the presenting concern and how it matches the above criteria. Click here to enter text.

Referred by (print): _____ Relationship to student: _____
 Signature: _____ Date: _____

Building 504 Coordinator: Click here to enter text.	Phone: Click here to enter text.
Date Received: Click here to enter a date.	

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.

NOTICE TO PARENT OF 504 REFERRAL AND EVALUATION

Your child _____ has been referred to the building intervention team at _____ School because of a concern that he/she may have a physical or mental disability that substantially limits a major life activity - possibly making him/her eligible for protection under Section 504.

Like other students, those students with a disability, as defined by Section 504, are entitled to a free appropriate public education. An appropriate education for a Section 504 disabled student may require the provision of specific accommodations and related services in order to meet the needs of the student. Section 504 focuses on ensuring a level of access to educational services and the learning process for qualified disabled students that is equal to that given non-disabled students.

Students eligible for Section 504 accommodation plans must meet three criteria. The three criteria are (1) **A mental or physical impairment**, (2) **which substantially limits**, (3) **one or more major life activities**. It is important to understand that **all three criteria must be present** for a student to be eligible for a Section 504 accommodation plan. Equally important, this disability must be why the student cannot equally access or receive benefit from the school's programs and services

In order for your son/daughter to be eligible for 504 services, a team of school personnel must conduct an evaluation. This will involve acquiring information from a variety of sources. Sources of information may include, but are not limited to: your child's student file, discipline reports, teacher information, observation data, parent information, and information from medical and/or mental health professionals.

PARENT PERMISSION FOR EVALUATION:

The school asks your permission to conduct an evaluation in order to determine eligibility for Section 504 accommodations:

I hereby (please check one):

GRANT permission to the Cedar Rapids Community School District to evaluate my child for Section 504 eligibility.

DENY permission to the Cedar Rapids Community School District to evaluate my child for Section 504 eligibility.

I have received a copy of the *Parent's Notice of Section 504 Rights*.

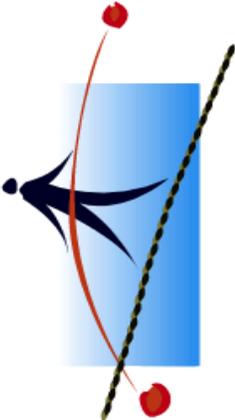
Signature of Parent/Guardian

____/____/_____
Date

Copies: Parent, Section 504 Folder,

[Parent / Student Rights Brochure](#)

Section 504 Notice of Parent/ Student Rights



Cedar Rapids Community Schools

Section 504 of the Rehabilitation Act of 1973 as it relates to Students

2nd Notice

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 ... 29 U.S.C. Section 794(a) (1998).

To comply with Section 504 the Cedar Rapids Community 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) Insure 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



Cedar Rapids Community School District
Educational Services Center
2500 Edgewood Rd NW
Cedar Rapids, Iowa 52405

504 Parent/ Student Rights

504 is a description of the rights provided by federal law to students with disabilities. The intent of 504 is to keep you fully informed of your rights and to inform you of your rights in a way that is easy to understand.

Parents and students have the right to:

- Participate in decisions that affect their child's education.
- Receive a free and appropriate public education (FAPE) for their child in the least restrictive environment (LRE) with children who are not disabled.
- Receive appropriate accommodations, modifications, and auxiliary aids to ensure that their child can participate in and benefit from the general education program.
- Receive a copy of their child's educational records.
- Request that their child's educational records be amended if they are inaccurate, misleading, or otherwise in violation of the privacy rights of their child.
- Request that their child's educational records be destroyed if the information contained therein is no longer needed for educational purposes.

Students have the right to:

- Receive a free and appropriate public education (FAPE) for their child in the least restrictive environment (LRE) with children who are not disabled.
- Receive appropriate accommodations, modifications, and auxiliary aids to ensure that they can participate in and benefit from the general education program.
- Receive a copy of their educational records.
- Request that their educational records be amended if they are inaccurate, misleading, or otherwise in violation of their privacy rights.
- Request that their educational records be destroyed if the information contained therein is no longer needed for educational purposes.

decision developed by a team of persons who are knowledgeable of the student, the assessment data and any 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, evaluation, and educational program.
- Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
- 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 your right to an impartial hearing.
- Request mediation or file a grievance in accordance with the school district's Section 504 mediation, grievance, and hearing procedures.
- Request an impartial hearing regarding the Section 504 identification, evaluation, or placement of your child. You and the student may take part in the

hearing and have an attorney represent you.

If you have questions about your student and Section 504 or would like information about the grievance procedure please contact your building principal.

If you have general questions about Section 504 please contact your building principal or contact:

**District 504 Facilitator
Tracie Guenther-Yoke
558-3954
Tguenther-y@cr.k12.ia.us**

**District 504 Compliance Officer
Paul Hayes
558-3183
phayes@cr.k12.ia.us**

**Student Equity
Ken Morris Jr.
558-1504
k.morris@cr.k12.ia.us**

Cedar Rapids Community School District

Section 504 – Classroom Teacher Observation Form

(To be completed as part of evaluation for a Section 504 Plan and support planning)

Student: _____

Teacher: _____

Grade: _____

Subject: _____

Period: _____

Reason for referral: There is reasonable cause to suspect that this student might have a physical or mental impairment which might be substantially limiting one or more of the following major life activities:

- Learning
 Communication
 Motor/Movement
 Health
 Reading
 Self-Care
 Vision
 Hearing
 Other (s)

Directions: Please respond to each item, indicating your observations of this student over time. The information will be utilized in support planning for this student. Your feedback may be shared directly with students and parents.

Please use the following scale to complete the rating scale.

1=yes, consistently

2=yes, most of the time

3=some difficulty, remedied by differentiation or accommodations readily available to all students

4=substantially inconsistent and/or only with use of extended (tier 3) accommodations or differentiation

5=extremely difficult or incapable even with extended (tier 3) accommodations or differentiation

Classroom Performance Skills	1	2	3	4	5
1-Student sustains attention and concentration to auditory instruction	<input type="checkbox"/>				
2-Student sustains attention and concentration on independent work	<input type="checkbox"/>				
3-Student sustains attention and concentration on project-based work	<input type="checkbox"/>				
Are any of these ratings with the use of accommodations? <input type="checkbox"/> N / <input type="checkbox"/> Y If so, please specify the type and frequency of accommodation (s): Are there particular activities that are more difficult to sustain attention and, if so, to what extent?					

4-Student demonstrates organizational skills	<input type="checkbox"/>				
Is this rating with the use of accommodations? <input type="checkbox"/> N / <input type="checkbox"/> Y If so, please specify the type and frequency of accommodation (s):					
5-Student completes assignments within a reasonable time	<input type="checkbox"/>				
Is this rating with the use of accommodations? <input type="checkbox"/> N / <input type="checkbox"/> Y If so, please specify the type and frequency of accommodation (s):					
If accommodations are provided, what is the nature of the assignments for which the student requires them (written, mathematical, abstract thinking and reasoning, verbal)?					
6-Student follows written directions	<input type="checkbox"/>				
7-Student follows oral direction	<input type="checkbox"/>				
Is this rating with the use of accommodations? <input type="checkbox"/> N / <input type="checkbox"/> Y If so, please specify the type and frequency of accommodation (s):					
8-Student keeps up with the instructional pace	<input type="checkbox"/>				
9-Student takes adequate notes during direct instruction / lecture	<input type="checkbox"/>				
Is this rating with the use of accommodations? <input type="checkbox"/> N / <input type="checkbox"/> Y If so, please specify the type and frequency of accommodation (s):					
10-Student completes homework	<input type="checkbox"/>				
Is this rating with the use of accommodations? <input type="checkbox"/> N / <input type="checkbox"/> Y If so, please specify the type and frequency of accommodation (s):					
11-Student completes long-term assignments	<input type="checkbox"/>				
Is this rating with the use of accommodations? <input type="checkbox"/> N / <input type="checkbox"/> Y If so, please specify the type and frequency of accommodation (s):					
12-Student finishes quizzes and tests in allotted time	<input type="checkbox"/>				
Is this rating with the use of accommodations? <input type="checkbox"/> N / <input type="checkbox"/> Y If so, please specify the type and frequency of accommodation (s):					
If the student has difficulty completing quizzes or tests in allotted time, is there a pattern regarding type of test (essay vs multiple choice), or subject matter (comprehension, mathematical, scientific)?					
13-Student expresses ideas verbally	<input type="checkbox"/>				
Is this rating with the use of accommodations? <input type="checkbox"/> N / <input type="checkbox"/> Y If so, please specify the type and frequency of accommodation (s):					
14-Student expresses ideas in writing	<input type="checkbox"/>				
Is this rating with the use of accommodations? <input type="checkbox"/> N / <input type="checkbox"/> Y If so, please specify the type and frequency of accommodation (s):					

15-Student has positive relationships with peers	<input type="checkbox"/>				
Is this rating with the use of accommodations? <input type="checkbox"/> N / <input type="checkbox"/> Y					
If so, please specify the type and frequency of accommodation (s):					

Academic Skills Identify how students are performing on classroom assessments; if an area is not assessed in your room, please leave it blank. Please record multiple scores to reflect the student's typical performance pattern.	1	2	3	4	5
Reading: comprehension overall performance	<input type="checkbox"/>				
Scores:					
Please check whether with accommodations <input type="checkbox"/> No or <input type="checkbox"/> Yes					
Reading: literacy skills (decoding, vocabulary and oral comprehension) overall	<input type="checkbox"/>				
Scores:					
Please check whether with accommodations <input type="checkbox"/> No or <input type="checkbox"/> Yes					
Writing: grammar, mechanics, spelling overall performance	<input type="checkbox"/>				
Scores:					
Please check whether with accommodations <input type="checkbox"/> No or <input type="checkbox"/> Yes					
Writing: content and quality overall performance	<input type="checkbox"/>				
Scores:					
Please check whether with accommodations <input type="checkbox"/> No or <input type="checkbox"/> Yes					
Math: reasoning and word problems performance	<input type="checkbox"/>				
Scores:					
Please check whether with accommodations <input type="checkbox"/> No or <input type="checkbox"/> Yes					
Math: calculations and operations overall performance	<input type="checkbox"/>				
Scores:					
Please check whether with accommodations <input type="checkbox"/> No or <input type="checkbox"/> Yes					

Overall:

- 1- List additional strengths that this student has that are not covered on the checklist?

2- List any concern (s) or challenges are not covered on this checklist?

3- Have this student's needs exceeded the naturally occurring differentiation and multi-tiered system of supports within your classroom? N / Y

- If yes, please indicate the interventions, strategies or modifications that you have used, the skill they are targeting and the duration. (please note: you do not need to restate any of the accommodations listed above unless you feel the information is necessary in providing a comprehensive plan for the student)

Based on your responses above, place an "X" on the box below to indicate the extent to which you think this student is limited in the designated major life activity as compared to most non-disabled, same-age peers within the Cedar Rapids Community School District?

Negligibly	Mildly	Moderately	Substantially	Extremely
<input type="checkbox"/>				

Additional comments:

Date completed and turned into building 504 coordinator:

Section 504 Eligibility Determination Coordinator Data

Student _____

504 Data Review Purpose:

The Section 504 regulatory provision at 34 C.F.R. 104.35(c) requires that school districts draw from a variety of sources in the evaluation process to make a knowledgeable decision as to whether a student has a physical or mental impairment that is substantially limiting access to, participation in and/or benefit from educational programming.

1) Student academic performance

Prior referrals: _____ Learning Supports Team (attach supporting documents)

_____ IEP / FIE (attach supporting documents)

Use the following chart to document state assessment information (or attach a copy of student's state assessment graph) and classroom/district assessment data from teacher feedback forms.

	State Assessments		District Assessment & Classroom Data Overview
	Date	Score	
Reading			
Math			
Social Studies			

Science			

Is the student making expected growth on state, district or classroom assessments?

Student grades (please print and attach student report card or transcript)

Overview of grades (identify any trends, concerns, strengths):

Please note that according to OCR regulations, grades, alone, are not sufficient basis to determine a disability or substantiality. For example, if a student is receiving passing grades, that is only one consideration and does not provide information on how much effort, accommodations, differentiation or outside resources are required for the student to achieve those grades. Conversely, failing or low grades are not sufficient basis for determining eligibility either. Section 504 is designed for access not advantage and many factors can contribute to low or failing grades. Grades are one piece of data in a comprehensive evaluation process.

2) Attendance information: Identify the number of days absent at each grade level

___ KDG. ___ 1st ___ 2nd ___ 3rd ___ 4th ___ 5th ___ 6th ___ 7th ___ 8th ___ 9th ___ 10th ___ 11th
 ___ 12th

Grades repeated:

Factors affecting school attendance:

3) Disciplinary actions:

4) Outside support or resources:

5) Parent/guardian feedback and observations on:

- a) goals for student

- b) accommodations or interventions to address challenge (s)
- c) general observations and feedback

6) Other data sources (may include, but not limited to: health, ELL services, social or cultural background)

SECTION 504 STUDENT ELIGIBILITY FORM*

Student:	DOB: / /
School:	Grade:
Date:	Circle One: Initial 3-Year Re-Eval

Evaluation Information: (check all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Psychological Evaluation
<input type="checkbox"/> Physician Report
<input type="checkbox"/> Achievement Tests
<input type="checkbox"/> Teacher Reports
<input type="checkbox"/> Observation Data | <input type="checkbox"/> Classroom Performance Data
<input type="checkbox"/> Discipline History
<input type="checkbox"/> Parent Information
<input type="checkbox"/> Curriculum Based Assessments
<input type="checkbox"/> Other (specify): _____ |
|---|---|

- 1. Does the student have a mental or physical impairment** **No** (if no, go to eligibility determination section)
 Yes (recognized in DSM-IV TR or other respected source) **Yes** (identified through exhaustive RTI process and AEA involvement – no diagnosis)

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 _____

- 4 Substantially _____
- 3 Moderately _____
- 2 Mildly _____
- 1 Negligibly _____

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*.

ELIGIBILITY DETERMINATION

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 504 eligible and the required accommodation plan is included in the attached Individual Health Plan or Emergency Health Plan.
- Yes**, the student is 504 eligible and requires an accommodation plan.

Team Signatures	Date	Position
_____	___/___/___	Administrator or Designee
_____	___/___/___	504 Coordinator
_____	___/___/___	_____
_____	___/___/___	_____
_____	___/___/___	_____
_____	___/___/___	_____
_____	___/___/___	_____

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

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

*Adapted with permission from James McKethan, author of *Implementing Section 504 as Amended by the ADAAA08*

SECTION 504 ACCOMMODATION PLAN

Student: _____

Parent / Guardian: _____

School: _____

Grade: _____

DOB: ____/____/____

Last evaluation: ____/____/____

Today' Date: ____/____/____

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.

Area of Concern:

Accommodation (s):

Area of Concern:

Accommodation (s) :

Area of Concern:

Accommodation (s) :

Student name: _____

School: _____

Team Signatures	Date	Position
_____	____/____/____	Administrator / Designee
_____	____/____/____	504 Coordinator
_____	____/____/____	_____
_____	____/____/____	_____
_____	____/____/____	_____
_____	____/____/____	_____
_____	____/____/____	_____

Parent Notice

I have participated in the accommodation planning process and have received a copy of the *Parent's Notice of Section 504 Rights*.

_____ /____/____
Parent / Guardian Signature **Date**

SECTION 504 ANNUAL REVIEW COVER PAGE

Student name: _____

School: _____

Review Date: ____/____/____

Last Evaluation Date: ____/____/____

- 1. No modifications needed – continue with plan as written.
- 2. Modifications 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.
 - c. Other: _____

Team Signatures	Date	Position
_____	____/____/____	504 Coordinator
<input type="checkbox"/> _____	____/____/____	Teacher
<input type="checkbox"/> _____	____/____/____	_____
<input type="checkbox"/> _____	____/____/____	_____
<input type="checkbox"/> _____	____/____/____	_____

Checked-box indicates that teacher was consulted, but did not attend team meeting (no signature required)

I have participated in the review process and have received a copy of the *Parent's Notice of*

Section 504 Rights.

_____ / ____ / ____
Parent / Guardian Signature **Date**

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

Receipt of 504 Accommodation Plan

Dear Educator,

Attached you will find classroom accommodations 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 be 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 for to me to be included in the student's 504 folder.

Thank you,

504 Coordinator



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

Teacher's Signature

Date

Receipt of 504 Accommodation Plan

Dear Educator,

Attached you will find classroom accommodations to be implemented for students on a Section 504 plan. It is important that these accommodations be implemented in every classroom to meet the individual needs of each student as related to his/her disability and to guarantee 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 be 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 (s) and return this form to be included in the student's 504 folder.

Thank you,

504 Coordinator

Teachers, please check the box for each student upon reviewing his/her 504 accommodations. By signing below, you are indicating that you have reviewed the student's plan and understand the necessary accommodations.

Students receiving 504 Accommodation Plan (s):

- 1) _____ 2) _____
3) _____ 4) _____

5) _____

6) _____

Teacher's Signature

Date: [Click to select a date.]

Please return this portion to the Building 504 Coordinator

Homebound Services Eligibility Procedures

I. Determining Homebound Eligibility for 504 Students

1. When a student has a documented disability that is preventing him/her from attending school on a full-time or part-time basis, the Section 504 Team, parent or physician may initiate consideration of homebound services. Homebound services is not intended to replace school services and is, by design, temporary.
2. The determination as to whether homebound services is warranted is a decision that is made by the Section 504 Team. In making this determination, full consideration will be given to any written recommendation received from the treating physician. However, a recommendation for homebound services by a treating physician does not guarantee homebound services. In order for homebound services to be considered, a written recommendation for homebound services from the student's treating physician should be submitted and include the following:
 - 1) A diagnosis of the medical condition
 - 2) An explanation detailing the reasons why the treating physician is of the opinion that the medical condition prevents the student from physically attending school
 - 3) If applicable, a statement regarding any medical barriers that the student may face with completing assignments at home
 - 4) An opinion as to the estimated amount of time the student will be unable to physically attend school.
4. In the event that the student Section 504 Team determines additional information is needed from the treating physician in order to make a decision regarding the request for homebound services, school team members may ask for *Parental Consent for Release of Confidential Information*. This will permit them to contact the treating physician to obtain the physician's recommendations and strategies that could be utilized to successfully maintain the student in a school environment, design accommodations for homebound services or to help facilitate the student's reentry to school.
5. Based on the obtained information, the Section 504 Team must determine whether the homebound setting is the appropriate accommodation and the student's least restrictive environment. The Section 504 Team will notify the District 504 Coordinator and include him/her in the determination process. The team will complete a review of all available data and document its review on the *Homebound Services*

Form. At the meeting, the guardian must be presented with a copy of the *Parent-Student Rights & Procedure Safeguards*.

If the Section 504 Team's decision is that the student is eligible for homebound placement:

1. The team reviews any existing Section 504 plans to determine which accommodations are necessary to ensure equitable access and benefit from instruction while receiving temporary services at home. The Section 504 Team determines the amount of services to be provided to the student based on the best available data. Generally, direct services at home average 2-4 hours per week.
2. Section 504 Team develops a new or revised Section 504 Accommodation Plan. The accommodation plan should consider: 1) the approximate amount of time and number of sessions needed to meet the student's needs, 2) arrangements for meeting with the homebound tutor, 3) arrangements for accessing materials from classroom teachers, 4) a communication plan between home and school, 5) if appropriate, a plan for related services and provisions.
3. Upon completion of writing the accommodation plan for temporary homebound services, the Section 504 Team will notify the District 504 Coordinator to initiate the hiring process for a homebound tutor.
4. A meeting of the Section 504 Team may be called at any time to review the student's progress and to reassess the student's need for the accommodation. However, the homebound services shall be reviewed, at a minimum, at the end of each quarter by the Section 504 Team to determine its continued appropriateness.
5. Cedar Rapids Community School District reserves the right to obtain updated medical statements when necessary. This information may be needed to determine whether homebound services need to be extended beyond the initially approved length of time or to ensure that the student can safely return to the school setting.

If the Section 504 Team's decision is that the student is not eligible for homebound services:

1. The Section 504 Team will document its decision on the *Homebound Services Form* and provide the guardian with a copy of *Parent-Student Rights & Procedural Safeguards*.
2. Regular school attendance rules apply.
3. Any existing Section 504 Plan for the student may be revised by the team to accommodate the student in the school setting. Additional information from the student's physician may be requested to help identify recommendations or strategies for accommodating the student within the school setting.

Structure of Homebound Services

1. The homebound tutor's role may include, but not be limited to: communicating with the classroom teachers, proctoring exams, and supplementing instruction.
2. All necessary materials such as textbooks and assignments will be provided by the school.

3. Assignments should be returned to the school for grading and credit.
4. If the tutor is meeting with the student in the home, there needs to be a designated adult present during the sessions, regardless of the student's age.

Homebound Services Documentation

Determining Homebound Services Eligibility (Please use the homebound services eligibility form to guide the team).

- 1) Is the student currently Section 504 eligible?
 - a. Does the student currently require accommodations?
- 2) Please review the written recommendation from a physician (attach any supporting paperwork);
 - a. What is the diagnosis?
 - b. Briefly review the reason(s) the treating physician is of the opinion that that the medical condition prevents the student from physically attending school
 - c. Are there additional barriers that the student may face completing work at home?
 - d. What is the approximate amount of time that the student will be unable to physically attend school?
 - e. Are there recommendations or strategies that could be used within the school setting as a less restrictive environment?
- 3) Is additional information needed from a physician or care provider?
 - a. Does a *Parental Consent for Release of Confidential Information* need to be completed?
- 4) Team recommendation (include administration and the District 504 Coordinator in determination)
 - a. Yes – the homebound setting is an appropriate accommodation and least restrictive environment to ensure equitable access and benefit from FAPE
 - b. No- the school setting is the least restrictive environment and is able to provide accommodations to ensure equitable access and benefit from FAPE

If the Section 504 Team determines that the homebound setting is appropriate accommodation:

- 1) Review any existing accommodations and determine which, if any, additional accommodations will be needed in the homebound setting.

- 2) Section 504 Team develops a new or revised Section 504 Accommodation Plan. The accommodation plan should consider: 1) the approximate amount of time and number of sessions needed to meet the student's needs, 2) arrangements for meeting with the homebound tutor, 3) arrangements for accessing materials from classroom teachers, 4) a communication plan between home and school, 5) if appropriate, a plan for related services and provisions. (attach any supporting paperwork)

If the Section 504 Team determines that the student is not eligible for homebound services, please identify supporting reasons:

- Insufficient information from a physician
- Section 504 Team and physician recommendations and/or strategies can be accommodated within the school setting
- Student / Guardian chose to withdraw to an alternative setting (homeschool, on-line, CPI)
- Other (please explain)

Provide guardian (s) with a copy of the *Parental Consent for Release of Confidential Information* and place this documentation in the student's 504 folder in the cumulative file.

Section 504 Due-Process Procedure

The best solutions to parent and student concerns occur at the school level. Therefore, the first step in resolving a complaint involves the parent or guardian contacting the building principal and discussing the issue with the principal and other appropriate building staff. If the issue is not resolved through these discussions, the parent or guardian can file a Section 504 Complaint Form with the school principal. A sample Complaint form is included in this handout. The form is also available at your local school.

If the issue is not resolved at the building level, the parent or guardian can continue the complaint process by forwarding a copy of the complaint to the district's Section 504 Coordinator. The Section 504 Coordinator will work with the Section 504 Compliance Officer in reviewing and responding to the parent concern. If the concern is still not resolved, the Superintendent or designee will review the decision to determine if all district and 504 policies have been followed. Information on how to contact Section 504 Coordinators and the Section 504 Compliance Officer is provided on the last page of this document.

As noted above, you also have the right to request an impartial hearing related to any decisions regarding your child's identification, eligibility, and educational placement. Request for hearings shall be submitted to the District 504 Compliance Officer. Upon receiving a written request for a hearing, the District 504 Compliance Officer will contact a Resolution Facilitator from Grant Wood Area Education Agency who hears cases pursuant to the Individuals with Disabilities Education Act and who has been trained regarding Section 504. The hearing officer will schedule a due process hearing to occur as soon as reasonably possible for the parent/legal guardian and district. The parent/legal guardian and district may be represented by legal counsel at the hearing, may examine relevant records, and participate in the hearing. Within ten (10) school days after the conclusion of the hearing, the hearing officer will render a written decision. The written decision shall include applicable findings of fact and conclusions of law. The hearing officer shall submit the written decision to the parent/legal guardian and to the Board of Education. The decision of the hearing officer shall constitute the final administrative decision on the Section 504 matter.

Finally, note that the Office for Civil Rights (OCR) is the federal agency responsible for enforcing Section 504 compliance. While we believe that the best resolutions occur at the school level, parents/guardians always have the right to initiate a complaint with the OCR.

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 listed below:

District 504 Coordinator
Paul Hayes
558-3183
phayes@cr.k12.ia.us

Health Plans or Emergency Protocol Procedure

Section 504 of the Rehabilitation Act of 1973

In accordance with Section 504, if a student, based on the totality of circumstances, may have a physical or mental impairment that may be substantially limiting one or more major life activities, the student should be evaluated in accordance with Section 504 regulations.

Student Name: _____

Based on the totality of this student's circumstances:

- Yes, this student may have a physical or mental impairment which may substantially limit one or more major life activities and should be evaluated under Section 504 by the school team.
- Student is currently protected under the Individuals with Disabilities Education Act and necessary accommodations are outlined in the student's Individual Education Plan (IEP)

Referral made to School Counselor/Building 504 Contact

Date: _____

Nurse's Name: _____

Place one copy in student's health file

Give one copy to School Counselor/Building 504 Contact

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

Section 504 Flow Chart

