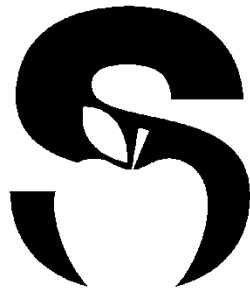


SEMINOLE COUNTY PUBLIC SCHOOLS

MANUAL FOR PROVIDING SERVICES TO STUDENTS UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973



Walt Griffin, Ed.D., SUPERINTENDENT

SCHOOL BOARD MEMBERS:

**Karen Almond
Tina Calderone, Ed.D.
Amy Lockhart
Abby Sanchez**

May 2018

Educational Equity

It is the policy of the School Board of Seminole County, Florida, that no employee, student, or applicant shall – on the basis of race, color, national origin, sex (gender), marital status, age, religion, disability (Section 504/ADA) or any other basis prohibited by law – be excluded from participating in, be denied the benefits of, or be subjected to discrimination and harassment under any educational programs, activities or in any employment conditions, policies, or practices conducted by the district. For any concerns regarding employees/applicants -- contact the Executive Director/Professional Standards at 407.320.0097; regarding students – contact the Executive Director/ Exceptional Student Support Services at 407.320.0216. Either Executive Director may be contacted at: Seminole County Public Schools, Educational Support Center, 400 E. Lake Mary Blvd., Sanford, FL 32773-7127.

TABLE OF CONTENTS

Introduction	1
General Purpose of Section 504	2
Who is Eligible?	2
Evaluation	3
Funding	3
Notice of Parent and Student Rights Under Section 504	3
Grievance Procedures	3
Due Process	5
Guidelines & Procedures Section	
• Referral	6
• Evaluation	7
• Determine Eligibility	9
• Out of District Transfer Students	10
• Accommodation Plan	11
• Re-Evaluation	11
• Discipline: Suspension and Expulsion	12
Section 504 Forms	13
Other Resources	31

INTRODUCTION

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against disabled persons by school districts receiving federal financial assistance. Included in Section 504 is the requirement that disabled students be provided with a Free Appropriate Public Education (FAPE). The regulations require identification, evaluation, provisions of appropriate services, and procedural safeguards in every public school in the United States.

Section 504 protects all students who have any physical or mental impairment and the student's impairment substantially limits one or more major life activities. The IDEA, on the other hand, defines as eligible only students who have specified types of disabilities and who, because of those conditions, need special education and related services. All individuals who are disabled under the **Individuals with Disabilities Education Act (IDEA)** are also considered to be disabled and therefore protected under Section 504. However, all individuals who have been determined to be disabled under Section 504 may not necessarily be disabled under IDEA. There are some students who are not eligible for IDEA services, but who nevertheless are eligible under Section 504, and to whom the district may therefore have responsibilities.

If school officials have reason to believe that because of a disability, as defined under Section 504, a student needs accommodations in the regular setting in order to participate in the school program, the School 504 Committee must evaluate the student. Section 504 eligibility and the need for a 504 plan are separate determinations. If the student is determined to have a disability that substantially limits a major life activity under Section 504, the School 504 Committee may develop a Section 504 plan if accommodations are needed. In cases where the 504 team determines that there is no need for an accommodation plan, the student will be protected under the discrimination prongs of the definition. In cases where an accommodation plan is needed, this plan is developed to ensure that each student who is disabled within the definition of Section 504 of the Rehabilitation Act of 1973, be provided a free appropriate public education, regardless of the nature or severity of the disability.

GENERAL PURPOSE OF SECTION 504

Section 504 of the Rehabilitation Act of 1973 is a broad civil rights law which protects the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education.

WHO IS ELIGIBLE?

All school-age children who meet the much broader definition of qualified with a disability person; i.e., (1) has a physical or mental impairment which substantially limits one or more major life activities. Major life activities are those such as walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, major bodily functions, reading, concentrating, thinking, communicating and performing manual tasks. The impairment need only substantially limit one major life activity in order for the student to be eligible. To substantiate a medical condition documentation is required. A person must have an impairment that substantially limits one or more major life activities.

There are two other prongs to the definition: (2) has a record of such an impairment or (3) is regarded as having such an impairment. These two prongs come into play only if a person is being discriminated against because there is an assumption that the person has an impairment. However, a student with a record of a past disability who does not have a current disability, or a student who is falsely believed to have a current disability, does not actually have a substantially limiting mental or physical impairment. Therefore, these two prongs of the definition cannot be used for eligibility purposes.

EVALUATION

A 504 evaluation should (1) document the presence of a 504 eligible disability and (2) if determined to be necessary, provide data that will assist in planning the accommodation(s) in the regular classroom setting. The determination of what services are needed must be made by a group of persons knowledgeable about the student and handicapping condition, the evaluation data, and placement options (e.g. multidisciplinary plan). The decision about 504 eligibility and services must be documented in the student's files and reviewed periodically. Once a student is identified as eligible under Section 504, periodic reevaluation is required.

FUNDING

Section 504 does not provide additional funds. IDEA funds may not be used for services to children found eligible only under Section 504.

NOTICE OF PARENT AND STUDENT RIGHTS UNDER SECTION 504

Section 504 requires notice to the parent or guardian with respect to identification, evaluation, and/or placement.

A copy of Section 504 Notice of Parent and Student Rights is included in this handbook. (See SCPS Form #1459)

SECTION 504 GRIEVANCE

If a parent¹ disagrees with a decision of 504 team regarding a student's evaluation, eligibility for services, services provided or other matters directly related to the students 504 Plan pursuant to § 504 of the Rehabilitation Act of 1973² and implementing regulations,³ the parent may file a grievance. The purpose of this procedure is to secure fair solutions to complaints that may arise from time to time at the lowest possible level or implementation of the 504 plan. The grievance shall be submitted on the form provided herein. The grievance shall be filed at step 1.

- (a) Step 1 – Principal: If the parent does not agree that the problem has been resolved informally through discussion with the 504 team, the parent may submit a grievance to the Principal within three (3) school days following the 504 team discussion. The Principal will investigate and determine how to resolve the complaint(s). The Principal will reduce his or her decision in writing within five (5) school days after receiving the grievance and will provide a copy to the parent.
- (b) Step 2 – ESSS Executive Director: If the parent is not satisfied with the Principal's decision, the parent(s) may submit a written request that the Executive Director of Exception Student Support Services review the decision. The parent must request the review within five (5) school days after receiving the Principal's decision. The Executive Director will review the Principal's decision and determine whether to uphold or amend the Principal's decision. The Executive Director or designee will reduce the decision in writing within ten (10) school days after receiving the request for review and will provide it to the parent.
- (c) Step 3 – Voluntary Mediation: A parent and school, through the Executive Director of the ESSS Department, may agree to voluntary mediation regarding the issue(s) submitted for resolution at Step 2, if the grievance is not resolved at Step 2 and as a predicate to an impartial due process hearing. The mediator will be selected by the parent and the school/school district from a list of independent educational mediators provided the Florida Department of Education, The date, time, and location of the mediation will be mutually agreed upon by the parent(s). The School Board shall be responsible for payment of the mediator.
- (d) Step 4 – Impartial Due Process Hearing: Parents are entitled to request a due process hearing pursuant to §§120.567 and 120.57 of the Florida Administrative Procedure Act and Fla. Admin. Code R. Chapter 28-106, Uniform Rules of Procedure, if they disagree with decisions: (1) regarding their child's evaluation and identification as a child entitled to a free appropriate public education as a qualified handicapped person enrolled in a school or program maintained by the school board; (2) accommodations provided, (3) proposed accommodations, (4) educational program; or placement, or (5) nonacademic services as those terms are defined by 34 C.F.R. Part 104, Subpart D.104.31-104.37.

Steps 1 and 2 must be completed prior to the filing of a request for an administrative hearing. Step 3 is optional but recommended.

The due process hearing will be conducted by an administrative law judge assigned by the State of Florida, Division of Administrative Hearings or a local hearing officer appointed by the School Board.

The decision of the administrative law judge or the local hearing officer shall be final and shall be subject only to judicial review pursuant to § 120.68, Fla. Stat. The decision of the administrative law judge may not be modified by the School Board.

¹ "Parent" is either or both parents of a student, any guardian of a student, any person in a parental relationship to a student, or any person exercising supervisory authority over a student in place of a parent. § 1000.21(5), Fla. Stat.² 29 U.S.C. § 794 ³ 34 C.F.R. Part 104, Subpart D104.31-104.37

DUE PROCESS

Parents are entitled to request a due process hearing pursuant to §§120.567 and 120.57 of the Florida Administrative Procedure Act if they disagree with decisions or actions regarding their child's evaluation, identification as a child requiring accommodations, accommodations proposed, educational program, or placement. Attorney's fees may be available to successful litigants.

GUIDELINES & PROCEDURES SECTION

REFERRAL

Under the “Child Find” obligation, a school district is obligated to evaluate any child it suspects of having a disability that substantially limits a major life activity, such as learning. A parent, guardian, teacher or other member of the school staff may raise concern about a student.

A meeting will be scheduled with the school based 504 team and parents using SCPS Form #1277, Notice of Section 504 Determination Meeting. The purpose of the meeting will indicate a discussion of area of concern. Indicate whether the concern was brought by parent, teacher or other school staff. Notes of the meeting should be written on SCPS Form #1351(e) Section 504 Meeting Summary Sheet.

If it is decided that an evaluation for eligibility should be conducted, the team will plan on what sources of information will be needed and who will be responsible for each source identified. A Parent Consent for Section 504 Evaluation SCPS Form #1458 must be signed by the parent if it is determined by the team that formal assessments and observations will be conducted in addition to review of existing records. A date to reconvene for the Determination of Eligibility Meeting should be agreed upon.

In the event that a parent refuses to provide consent for an evaluation to be done, the parent must advise the school, in writing, of such refusal. If the parent refuses to provide consent and does not provide, in writing, notice of their refusal, the 504 Administrator must send a letter confirming the parent’s refusal of the evaluation to the address of record via U.S. mail. This confirmation letter will be kept in the student’s confidential file.

When a student is found ineligible for ESE, a referral may be made to the counselor of the student for consideration of whether the student’s difficulties are caused by a disability under Section 504. Students who do not meet the IDEA’s eligibility criteria may or may not meet the definition of Section 504 eligibility.

EVALUATION

(1) School staff must consider whether to evaluate for Section 504 eligibility when:

- (a) A parent requests a Section 504 eligibility evaluation, or Section 504 accommodation plan.
- (b) A parent provides medical or psychological documentation of a condition that may constitute a disability.

(2) School staff should consider whether to evaluate for Section 504 eligibility when:

- (a) A student is referred to the school intervention team and it is determined that an evaluation under IDEA is not appropriate.
- (b) Drug abuse has been documented, treatment has been received and the student is not currently using drugs. Students who are currently using drugs are not Section 504 eligible.
- (c) A disability of any kind is suspected, including temporary injuries.
- (d) A student's discipline history is characterized by a pattern of multiple suspensions, reassignments, or expulsion is being considered for any student.
- (e) A student shows a pattern of not benefiting from the instruction being provided.
- (f) A student is evaluated and is found not to qualify for Exceptional Education (ESE) services under the Individuals with Disabilities Education Act (IDEA).
- (g) A student is dismissed from ESE with continuing need for accommodations.

Evaluation must draw on information from a variety of sources in the area of concern. A medical diagnosis in and of itself does not mean a student is disabled under Section 504. The opinion of the doctor or parent need only be considered in the decision. *OCR Senior Staff Memorandum, 19 IDELR 894 (1992)*

Gather all available information. Data used for the evaluation may include, but is not limited to, medical records, school records, standardized test result, classroom observations, work sample review, anecdotal records, and interview(s) with the student, parent and school personnel.

- A physician's medical diagnosis may be considered among other sources in evaluating a student with an impairment or believed to have an impairment which substantially limits a major life activity. The medical diagnosis in and of itself does not constitute an evaluation for the purposes of Section 504 eligibility. A medical diagnosis of an illness does not automatically mean a student can receive services under Section 504.
- If medical information is deemed necessary to determine whether the student is 504 eligible, then the district is responsible for providing the medical evaluation at no cost to the parent.

- Examine non-school factors. Conditions resulting from environmental, cultural, and economic disadvantages are not necessarily disabilities. However, information from all aspects of a student's life should be considered.
- Identify the actual physical or mental impairment.
- Identify the major life activity. What is/are the major life activity (ies) affected? There may be no substantial limitation in learning, but access to learning may be impaired by other limitations. What are the limitations? Learning does not have to be impacted for a student to have a disability in order to be eligible for 504 accommodations that are non-instructional in nature.

Decisions are made by a group knowledgeable about the student, evaluation data, and placement options.

DETERMINE ELIGIBILITY

Assemble the 504 team of persons knowledgeable about the student, evaluation data, and placement options. A minimum of three (3) members must be present, with at least one of the student's teachers, one student services professional who is familiar with the student and either the principal or Section 504 administrator at the school. (It is highly encouraged for an administrator to be present.) Invite the parent via SCPS Form #1277(e).

The 504 team must identify the actual physical or mental impairment. The team identifies the major life activity. Learning is not the only major life activity that is an area of concern. However, access to learning may be impaired by other limitations. The team should consider what are the limitations?

Learning does not have to be impacted for a student to have a disability in order to be eligible for 504 accommodations that are non-instructional in nature. The team must determine that the identified impairment substantially limits a major life activity.

Remember that comparisons to learning and accessibility are made to the average population.

The team must consider the student with or without mitigating factors. As of January 1, 2009, the school districts, in determining whether a student has a physical or mental impairment that substantially limits a major life activity must **NOT** consider the ameliorating effects of any mitigating measures that student is using. Examples of mitigating measures are: medication, medical supplies, equipment, prosthetics, or hearing aids. **NOTE:** *There is one exception to the mitigating measures analysis. The ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining if an impairment substantially limits a major life activity.*

The team will complete the Section 504 eligibility Worksheet, SCPS Form #1501. Identify and document all sources of information used in the evaluation. Document eligibility or ineligibility using SCPS Form 1280(e).

The *Eligibility Determination* (SCPS Form 1280) will be completed. If the student's Section 504 disabling condition substantially limits a major life activity, a school *Accommodation Plan*, SCPS Form #1276 may be developed. In cases where the 504 team determines that there is no need for an accommodation plan the student will be protected under 504 under the discrimination prongs of the definition. Where no plan is needed the student is eligible and receives manifestation determination, procedural safeguards, periodic reevaluation (as needed), as well as the nondiscrimination protectors of the Section 504. If the need for a 504 plan is determined, the Section 504

team would reconvene and develop an appropriate Section 504 Accommodation Plan at that time. The parent will be provided with a copy of the *Eligibility Determination* form, *Notice of Parent and Student Rights*, and if developed a copy of the *Accommodation Plan*.

Information will be entered into the Student Information System. All Section 504 information will be filed in the student's cumulative file.

OUT OF DISTRICT TRANSFER STUDENTS

If a student with a disability transfers from another school district with a Section 504 Plan, the school will implement the plan to the extent practicable. The Section 504 Committee must review the plan and supporting documentation within fifteen (15) school days of first date of attendance. The 504 Committee must include persons knowledgeable about the meaning of the evaluation data and knowledgeable about the placement options to determine whether the plan is appropriate. If the plan is determined to be appropriate, the school is required to document the plan utilizing SCPS Form #1450. If the 504 Committee determines that the plan is inappropriate, the district is to evaluate the student consistent with the Section 504 procedures outlined in this manual and determine which education program is appropriate for the student.

ACCOMMODATION PLAN

Once a student has been declared eligible under Section 504, the 504 team determines whether an Accommodation Plan is necessary. Use SCPS Form #1450 - Section 504 Accommodation Plan to document the accommodations. The question posed is what must school personnel do to provide equal access for this student. Services and accommodations must be based on information and data used in the evaluation and eligibility process.

All teachers and school personnel who would be responsible for the accommodations should have a copy of the Accommodation Plan. The original plan is placed in the student's confidential file.

The school 504 designee must keep a list of all Section 504 students. Best practice is to keep a file folder by grade level containing copies of students' Section 504 Accommodation Plans in alphabetical order.

The FTE Clerk must be notified of the date of Section 504 eligibility and a 1504 data form should be completed and entered into the student information system.

RE-EVALUATION

Section 504 requires periodic re-evaluations. The IDEA schedule of every 3 years may be used, but is not required.

A reasonable timeline for re-evaluation is as follows:

- Between 2nd & 3rd grade
- At the beginning of 6th grade
- At the beginning of 9th grade
- The Accommodation Plan may be reviewed/revise at the school or parent's requests.

Re-evaluation is required before a significant change in placement.

There is no provision for independent evaluations at district expense. The LEA should consider any such evaluations presented.

Utilize SCPS Form #1277e to invite parents to a meeting to discuss parent concerns, and to document parent information and medical assessments that parent brings.

DISCIPLINE: SUSPENSION AND EXPULSION

When an Accommodation Plan is developed, there is discussion about student behavior issues, if any, to determine if a Functional Behavior Assessment (FBA) and Behavioral Intervention Plan (BIP) is needed.

Suspension: Whenever a student protected by Section 504 is recommended for suspension, the building administrator should consider whether the behavior exhibited by the student is linked to the disability under Section 504. Schools are strongly encouraged to pursue alternatives to out-of-school suspension for behaviors that are linked to the disability under Section 504; however, out-of-school suspension may be used if the principal determines it is appropriate, up to ten days.

1. When a student with a disability under Section 504 reaches a cumulative total of ten (10) suspension days within one school year, a formal Section 504 Accommodation Review meeting is required:
 - a. The building administrator will schedule the Section 504 Accommodation Review meeting to be conducted within 10 days. The parent must be notified and invited to attend the meeting.
 - b. The minimum membership for a review meeting consists of:
 - The building administrator/ 504 contact
 - A teacher with knowledge of the student

Additionally:

- Representatives from student services if applicable (psychologist, social worker or certified school counselor) who were involved in the evaluation process or have sufficient knowledge regarding the student.
 - Parent participation is a practical and effective means of obtaining required information.
- c. The Section 504 Manifestation Determination Form (SCPS Form 1502) is completed.
 - d. If the offense is determined to be a manifestation of the student's disability, the committee will review the student's Section 504 Accommodation Plan and amend, where appropriate.

Expulsion: Section 504 Eligible Student. When a student with a disability under Section 504 is recommended for expulsion, the School Section 504 Committee for the student will conduct a Manifestation Determination. If the finding of that meeting is that the behavior is a manifestation of the student's disability under Section 504, the student will not be recommended for expulsion but may be considered for disciplinary reassignment by the Principal. If the behavior is not a manifestation then the normal

expulsion procedures apply. Students awaiting expulsion hearing may be offered educational services if the period out-of-school exceeds ten (10) days.

Statutory Authority: 1001.32(2), 1001.41, 1001.42, 1001.43 F.S.

Laws Implemented: 1001.42 (20), 1003.02 (4), 1013.43 F.S. History: New 6/17/

SECTION 504 FORMS

- **NOTICE OF 504 DETERMINATION MEETING**
SCPS Form #1277 (SCPS Form #1277s – Spanish Version)
- **PARENT PERMISSION FOR ASSESSMENT**
SCPS Form #1458
- **SECTION 504 ELIGIBILITY WORKSHEET**
SCPS Form #1501
- **SECTION 504 DETERMINATION**
SCPS Form #1280 (SCPS Form #1280s – Spanish Version)
- **SECTION 504 MEETING SUMMARY SHEET**
SCPS Form #1351
- **SECTION 504 ACCOMMODATION PLAN**
SCPS Form #1450
- **SECTION 504 RE-EVALUATION**
SCPS Form #1278
- **SECTION 504 MANIFESTATION DETERMINATION EVALUATION**
SCPS Form #1502
- **NOTICE OF PARENT AND STUDENT RIGHTS UNDER SECTION 504**
SCPS Form #1459
- **SECTION 504 GRIEVANCE FORM**
SCPS Form #1279 (SCPS Form #1279s – Spanish Version)



SEMINOLE COUNTY PUBLIC SCHOOLS, FLORIDA

EXCEPTIONAL STUDENT SUPPORT SERVICES

NOTICE OF SECTION 504 DETERMINATION MEETING

Student # _____ Student _____
Last First Middle

Date _____ DOB _____ School _____ Grade _____

Dear _____

You are invited to attend a conference at _____
Place

at _____ on _____
AM/PM Date

The purpose of this meeting is to:

- Discuss area of concern indicated by parent teacher other.
- Review your child's records and determine whether he/she is eligible for a 504 Accommodation Plan. If eligible, a 504 Accommodation Plan will be developed at this time.
- Reevaluate your child's 504 Accommodation Plan.
- Manifestation Determination Meeting.

The following persons may be invited to this conference:

_____	Section 504 Designee	_____	Parent
_____	Administrator	_____	Other
_____	Classroom Teacher	_____	Other
_____	Guidance Counselor	_____	Other

We look forward to having you participate in this meeting. Please call me at _____
if you have any questions about this conference. Phone

Sincerely,

Name and Position Date of Notification

(Attach Notice of Parent and Student Rights Under Section 504 – SCPS Form 1459)

Distribution: Guidance Parent Teacher
SCPS Form 1277(e) (Rev. 09/22/10) FED



SEMINOLE COUNTY PUBLIC SCHOOLS, FLORIDA
EXCEPTIONAL STUDENT SUPPORT SERVICES
SECTION 504
PARENT PERMISSION FOR ASSESSMENT

Please print or type

Student _____ Student No. _____
 School _____ Grade _____
 Parent/Guardian _____ DOB _____
 Address _____ Phone (Home) _____
 City _____ State _____ Zip _____ Phone (Work) _____

Parent's Email Address _____

Primary Language Spoken _____

An individual assessment is being recommended for your child to assist in appropriate educational planning.

The specific area of concern is: _____

Other factors considered: _____

The individual assessments may include any of the following:

- | | |
|-----------------------------------|-------------------------------------|
| Structured Classroom Observations | Behavior Rating Scales |
| Student Interview | Objective or Projective Assessments |
| Other: _____ | |

Committee members involved in the decision to request further assessment include:

Federal and State of Florida regulations require that you must give permission for any evaluation and further state that you have specific rights concerning the proposed evaluation. These rights are described in the "Notice of Parent Rights Under n the "Notice of Parent Rights Under Section 504."

Should you have any questions regarding this request for permission to evaluate, please contact:

School 504 Contact _____ Phone Number _____
 Additional School Contact _____ Phone Number _____

I have received Notice of Parent and Student Rights Under Section 504. (SCPS Form #1459) _____
 Parent initials

Please indicate your decision regarding this matter by checking the space provided; sign and date this form.

- Yes, I give my permission for assessment.
- No, I do not give my permission for assessment.

Parent Signature _____ Date _____

SCPS 1458(e) (Rev. 09/22/10) FED DISTRIBUTION: Student Services Guidance Parent

Discipline Information (Attach copies of any behavioral plan or contract)			
Identify the behaviors exhibited by the student (check all that apply)			
Poor attention and concentration	<input type="checkbox"/>	Shifts from one uncompleted task to another	<input type="checkbox"/>
Often loses things necessary for tasks	<input type="checkbox"/>	Interrupts or intrudes on others	<input type="checkbox"/>
Excessively high/low activity level	<input type="checkbox"/>	Difficulty working with peers	<input type="checkbox"/>
Difficulty following directions	<input type="checkbox"/>	Difficulty remaining seated	<input type="checkbox"/>
Fidgets, squirms or seems restless	<input type="checkbox"/>	Confrontational	<input type="checkbox"/>
Dress code violations	<input type="checkbox"/>	Leaves class without permission	<input type="checkbox"/>
Brings inappropriate items to school	<input type="checkbox"/>	Other	<input type="checkbox"/>
In response to these behaviors, what behavior management techniques have been attempted?			
Results of these techniques:			
Has this student been suspended, expelled or removed to an alternative placement during the previous or current school year?			<input type="checkbox"/> No <input type="checkbox"/> Yes (see below)
If yes, explain and attach copies of all disciplinary referrals (including those that resulted in discipline other than suspension, or expulsion). Report totaling removal days.			

Evaluation Data for State Assessment (FSA/EOC)								
FSA Latest Administration School Year:			FSA Previous School Year:			EOC School Year:		
Subject	Level	Scale Score	Subject	Level	Scale Score	Subject	Pass? (Y/N)	Level
Reading			Reading					
Mathematics			Mathematics					
Writing			Writing					
Science			Science					

Over time, this student's test scores: (check the appropriate box)						
have become better each year	<input type="checkbox"/>	have stayed about the same each year	<input type="checkbox"/>	have become worse each year	<input type="checkbox"/>	
dropped suddenly in ____ grade	<input type="checkbox"/>	data not available	<input type="checkbox"/>			
Compared to the mean of the district/school/classroom, this student's test scores: (circle comparison group and check the appropriate box)						
improved each year	<input type="checkbox"/>	stayed about the same each year	<input type="checkbox"/>	worsened each year	<input type="checkbox"/>	Other:

Health Information		Person conducting screening:	
Attach information relating to any doctor's order, diagnoses, or evaluation pertaining to disability (example, medical reports, psychological reports, ADD/ADHD diagnostic information, etc.)			
Does student exhibit any signs of health or medical problems?	<input type="checkbox"/> No	<input type="checkbox"/> Yes. If yes, attach observations	
Is student receiving any medications at school?	<input type="checkbox"/> No	<input type="checkbox"/> Yes, attach list of medications	
Does the student require adaptive equipment or facility adaptation?	<input type="checkbox"/> No	<input type="checkbox"/> Yes, attach list of needs	
Does the student have a physical or mental impairment that is episodic?	<input type="checkbox"/> No	<input type="checkbox"/> Yes	
If yes, please describe the condition, when and how often it is active, and its impact on the student when it is active.			
Does the student have a physical or mental impairment that is in remission?			<input type="checkbox"/> No <input type="checkbox"/> Yes

Health Information continued:

Vision	Type of screening:	Date of screening:
(Vision examination must have been administered within a year from the date of referral)		
Visual acuity before correction:	Right __ _____ Left __ _____	
Visual acuity with correction:	Right __ _____ Left __ _____	

Hearing	Date of most recent screening:	Type of screening:
Results:		
Interpretation of results:		
As a result of the screening, is there any indication of a need for further assessment or adjustment?	<input type="checkbox"/>	No
	<input type="checkbox"/>	Yes. If yes, explain



SEMINOLE COUNTY PUBLIC SCHOOLS, FLORIDA
EXCEPTIONAL STUDENT SUPPORT SERVICES

SECTION 504 ELIGIBILITY

Student _____ Student # _____
Last First Middle
Date _____ DOB _____ School _____ Grade _____

Yes No 1. Does the student have a physical or mental condition? If so, what?

Yes No 2. Does the condition substantially limit a major life activity?
If yes, list major life activity affected _____

The following documentation was used in the evaluation process:

- | | |
|--|--|
| <input type="checkbox"/> Medical Information | <input type="checkbox"/> Parent Conference |
| <input type="checkbox"/> Behavioral Checklist(s) | <input type="checkbox"/> Academic Tests |
| <input type="checkbox"/> Behavioral Observation(s) | <input type="checkbox"/> Current Grades |
| <input type="checkbox"/> Behavioral Management Records | <input type="checkbox"/> Other Factors |
| <input type="checkbox"/> Tests, Records, Reports | |

Specify type, date _____

Yes No This evaluation supports eligibility under Section 504.

If the answer to **either** question above is "No," the student is not covered under Section 504 and is deemed "ineligible." Record attendance of committee members below and give parents a copy of this form to indicate ineligibility and a copy of the "Parent Right." If the answer to **both** questions above is "Yes," the student is protected under Section 504 and may be in need of accommodations in the school environment or in school activities. If so, the committee will develop an accommodation plan to reflect appropriate accommodations and provide a copy of this document, the plan, and parent right to the parents.

Yes No This student is in need of a Section 504 Accommodation Plan.

The following were present at the meeting (as reflected by signature):

_____	_____
Section 504 Contact	Parent
_____	_____
School Administrator	Teacher
_____	_____
Other	Other
_____	_____
Other	Other

(Attach Notice of Parent and Student Rights Under Section 504 – SCPS Form 1459)

Distribution: Guidance Parent



SEMINOLE COUNTY PUBLIC SCHOOLS, FLORIDA
EXCEPTIONAL STUDENT SUPPORT SERVICES
**SECTION 504
ACCOMMODATION PLAN**

Student _____ Student# _____ Date of Birth _____

Date _____ School _____ Grade _____

Physical/Mental Condition That is a Disability: _____

The school-based Section 504 Committee has reviewed all relevant information regarding the above student and determined that the student is protected under Section 504 and is in need of accommodations in the school environment and/or in school activities. The following accommodations will be provided (Committee should list accommodations and other relevant considerations, such as specific activity/environment where needed, etc.):

The following persons were in attendance:

Section 504 Designee

Parent

Administrator

Certified School Counselor

Classroom Teacher

Other

(Attach Notice of Parent and Student Rights Under Section 504 – SCPS Form 1459)
SCPS Form #1450(e) (Rev. 02/07/14) FED



SEMINOLE COUNTY PUBLIC SCHOOLS, FLORIDA
EXCEPTIONAL STUDENT SUPPORT SERVICES
SECTION 504 RE-EVALUATION FORM

Student # _____ Student _____
 Last First Middle
 Date _____ DOB _____ School _____ Grad _____
 e _____
 Teacher _____

reason(s) for Re-evaluation:

- End of year review
- Disciplinary review
- Program change (Special Ed, Alternative Ed, etc.)
- Articulation Middle/High School
- 3 year re-evaluation
- Other _____

Outcomes of existing accommodations:

Recommendation(s):

- Committee reviewed records including Section 504 Accommodation Plan.
- Continue accommodations on existing Section 504 Accommodation Plan.
- Modify existing Section 504 Accommodation Plan.
- Student meets IDEA eligibility criteria at this time.
- Student does not meet eligibility requirements for a Section 504 Accommodation Plan at this time.

Committee Signatures:

_____	_____
Section 504 Designee	Parent
_____	_____
Administrator	Psychologist
_____	_____
Classroom Teacher	Other
_____	_____
Certified School Counselor	Other

(Attach Notice of Parent and Student Rights Under Section 504 – SCPS Form 1459)

Distribution: Guidance Parent

Behavior subject to disciplinary action (The 504 Committee does not address whether or not the alleged behavior occurred):			
List each of the student's Section 504 qualifying physical or mental impairments:			
The Section 504 Committee reviewed and discussed the data listed above. Based on this review, the Committee has made the following determinations:			
Question #1: Was the conduct in question caused by, or directly and substantially related to the student's disabilities?	<input type="checkbox"/>	Ye s	<input type="checkbox"/> N o
Question #2: Was the conduct in question the direct result of the school's failure to implement the student's Section 504 plan, if there was any such failure?	<input type="checkbox"/>	Ye s	<input type="checkbox"/> N o
Results: If either of the questions are answered "yes", the behavior must be considered to be a manifestation of the student's disability. In that event, the student cannot be expelled or placed in the school's disciplinary alternative education setting for more than 10 school days.			

Committee Notes:



SEMINOLE COUNTY PUBLIC SCHOOLS, FLORIDA
EXCEPTIONAL STUDENT SUPPORT SERVICES
Notice of Rights for Disabled Students and their Parents
Under §504 of the Rehabilitation Act of 1973

The Rehabilitation Act of 1973, commonly known in the schools as “Section 504”, is a federal law passed by the United States Congress with the purpose of prohibiting discrimination against disabled persons who may participate in, or receive benefits from, programs receiving federal financial assistance. In the public schools specifically, §504 applies to ensure that eligible disabled students are provided with educational benefits and opportunities equal to those provided to non-disabled students.

Under §504, a student is considered “disabled” if he or she suffers from a physical or mental impairment that substantially limits one or more of their major life activities, such as learning, walking, seeing, hearing, breathing, working, and performing manual tasks. Section §504 also applies to students with a record of having a substantially-limiting impairment, or who are regarded as being disabled even if they are truly not disabled. Students can be considered disabled, and can receive services under §504, even if they do not qualify for, or receive, special education services.

The purpose of this Notice is to inform parents and students of the rights granted them under §504. The federal regulations that implement §504 are found at Title 34, Part 104 of the Code of Federal Regulations (CFR) and entitle eligible students and their parents, to the following rights:

1. You have the right to be informed about your rights under §504. [34 CFR 104.32] The School District must provide you with written notice of your rights under §504 (this document represents written notice of rights as required under §504). If you need further explanation or clarification of any of the rights described in this Notice, contact appropriate staff persons at the District’s §504 Office and they will assist you in understanding your rights.
2. Under §504, your child has the right to an appropriate education designed to meet his or her educational needs as adequately as the needs of non-disabled students are met. [34 CFR 104.33].
3. Your child has the right to free educational services, with the exception of certain costs normally also paid by the parents of non-disabled students. Insurance companies and other similar third parties are not relieved of any existing obligation to provide or pay for services to a student that becomes eligible for services under §504. [34 CFR 104.33]
4. To the maximum extent appropriate, your child has the right to be educated with children who are not disabled. Your child will be placed and educated in regular classes, unless the District demonstrates that his or her educational needs cannot be adequately met in the regular classroom, even with the use of supplementary aids and services. [34 CFR 104.34].
5. Your child has the right to services, facilities, and activities comparable to those provided to non-disabled students. [34 CFR 104.34].
6. The School District must undertake an evaluation of your child prior to determining his or her appropriate educational placement or program of services under §504, and also before every subsequent significant change in placement. [34 CFR 104.35].
7. If formal assessment instruments are used as part of an evaluation, procedures used to administer assessments and other instruments must comply with the requirements of §504 regarding test validity, proper method of administration, and appropriate test selection. [34 CFR 104.35]. The District will appropriately consider information from a variety of sources in making its determinations, including, for example: aptitude and achievement tests, teacher recommendations, reports of physical condition, social and cultural background, adaptive behavior, health records, report cards, progress notes, parent observations, and scores on TAKS tests, and mitigating measures, among others. [34 CFR 104.35]
8. Placement decisions regarding your child must be made by a group of persons (a §504 committee) knowledgeable about your child, the meaning of the evaluation data, possible placement options, and the requirement that to the maximum extent appropriate, disabled children should be educated with non-disabled children [34 CFR 104.35].

9. If your child is eligible for services under §504, he or she has a right to periodic evaluations to determine if there has been a change in educational need. Generally, an evaluation will take place at least every three years. [34 CFR 104.35].

10. You have the right to be notified by the District prior to any action regarding the identification, evaluation, or placement of your child. [34 CFR 104.36]

11. You have the right to examine relevant documents and records regarding your child (generally documents relating to identification, evaluation, and placement of your child under §504). [34 CFR 104.36]

12. You have a right to present a grievance or complaint to the District's §504 Coordinator (or designee), who will investigate the situation, take into account the nature of the complaint and all necessary factors, and respond appropriately to you within a reasonable time. See page 4 for SCPS Section 504 Grievance Procedure.

13. If you disagree with the decision of the 504 Coordinator you may request an impartial due process hearing with regard to your child's identification, evaluation, or placement under §504. [34 CFR 104.36]. You have the right to participate personally at the hearing, and to be represented by an attorney, or a qualified representative, if you wish to hire one.

14. If you wish to contest an action taken by the §504 Committee by means of an impartial due process hearing, you must submit a Notice of Appeal or a Request for Hearing to the District's §504 Coordinator at:

IDEA Compliance Administrator, 400 E. Lake Mary Blvd., Sanford, FL 32773

A date will be set for the hearing and an impartial hearing officer will be appointed. You will then be notified in writing of the hearing date, time, and place.

15. If you disagree with the decision of the hearing officer, you have a right to seek a review of that decision before a court of competent jurisdiction (normally, your closest federal district court).

16. You also have a right to file a complaint to the Office for Civil Rights (OCR) of the Department of Education. The address of the OCR Regional Office that covers this school district is:

Director, Office of Civil Rights
61 Forsyth St. S.W., Suite 19T70, Atlanta, GA 30303-8927, Tel. 404-974-9406



SEMINOLE COUNTY PUBLIC SCHOOLS, FLORIDA
EXCEPTIONAL STUDENT SUPPORT SERVICES
Aviso a Padres de Estudiantes Incapacitados de sus Derechos Legales
bajo la Sección 504 del Decreto de Rehabilitación de 1973

El Decreto de Rehabilitación de 1973, conocido generalmente como la “Sección 504” es una ley federal legislada por el Congreso de los Estados Unidos. El propósito de esta ley es prohibir discriminación contra estudiantes incapacitados y asegurar que tengan oportunidades y beneficios educativos tan adecuados como los de estudiantes sin incapacidades.

Bajo la Sección 504, un estudiante es considerado incapacitado si padece de un impedimento o condición física o mental que limita sustancialmente una de sus actividades vitales, como la de aprender, caminar, ver, oír, hablar, respirar, trabajar y desempeñar tareas manuales. La ley también protege a estudiantes que han tenido un impedimento o condición física o mental substancial en el pasado, o que son considerados incapacitados aunque realmente no lo son. Estudiantes pueden ser considerados incapacitados bajo la Sección 504 y pueden recibir asistencia educativa bajo esa ley aunque no reciban educación especial.

El propósito de este Aviso es de explicarle los derechos legales garantizados bajo la Sección 504 a estudiantes incapacitados y a sus padres. Los reglamentos federales que dan efecto a la Sección 504 (los cuales se encuentran en el Título 34, Parte 104 del Código Federal de Reglamentos, o CFR) otorgan a los padres de familia y a estudiantes incapacitados los siguientes derechos:

1. Usted tiene derecho a ser informado de sus derechos bajo la Sección 504 [34 CFR 104.32]. El distrito escolar debe darle información escrita sobre sus derechos (este Aviso precisamente sirve para informarle de sus derechos). Si necesita que le expliquen o clarifiquen cualquier de los derechos, los dirigentes apropiados del distrito escolar le ayudarán a resolver sus preguntas.
2. Bajo la Sección 504, su hijo/a tiene derecho a una educación apropiada diseñada para satisfacer sus necesidades educativas individuales tan adecuadamente como las de estudiantes sin incapacidades. [34 CFR 104.33]
3. Su hijo/a tiene derecho a servicios educativos gratuitos, con la excepción de gastos que normalmente se les cobran también a estudiantes sin incapacidades (o a sus padres). Compañías de seguros, y otras terceras personas similares, no son libres de sus obligaciones normales para proporcionar o pagar por servicios para un estudiante considerado incapacitado bajo la Sección 504 no disminuye su derecho a recibir otra asistencia pública o privada de cualquier tipo.
4. Su hijo/a tiene derecho a ser colocado en el ambiente que permita máximo contacto y relaciones con estudiantes sin incapacidades. [34 CFR 104.34]. A menos que sus necesidades educativas no puedan ser satisfechas ahí, su hijo/a será colocado en clases regulares.
5. Su hijo/a tiene derecho a equipo, clases, edificios, servicios y actividades comparables a las que son proporcionadas a estudiantes sin incapacidades. [34 CFR 104.34].
6. Su hijo/a tiene derecho a una evaluación antes de determinar una colocación educativa o programa de asistencia bajo la Sección 504, y también antes de cualquier cambio importante en colocación subsecuente. [34 CFR 104.35].
7. Procedimientos utilizados para administrar pruebas y otras evaluaciones educativas deben cumplir con los requisitos de la Sección 504 en cuanto a la validez de las pruebas, su forma de administración, y las áreas necesarias de evaluación. [34 CFR 104.35]. El distrito considerará apropiadamente información de diversas Fuentes y orígenes, incluyendo, por ejemplo; pruebas de aptitudes y aprovechamiento. Recomendaciones de maestros, reportes de condición física, antecedentes sociales y culturales, análisis de comportamiento adaptado, reportes médicos, calificaciones, reportes de progreso, observaciones de los padres, anécdotas de maestros, calificaciones en los exámenes estatales, y medidas alivianes, entre otras.[34 CFR 104.35]

8. Las decisiones de colocación educativa deben realizarse por un grupo de personas (llamado el comité 504) que conocen la situación de su hijo/a, el significado de los resultados de las evaluaciones, las opciones de colocación, y la obligación legal de asegurar el ambiente educativo que permita el máximo contacto con estudiantes no incapacitados. [34 CFR 104.35]
9. Si es considerado incapacitado bajo la Sección 504, su hijo/a tendrá derecho a que se le den nuevas pruebas y evaluaciones a ciertos tiempos, para determinar si sus necesidades educativas han cambiado. Generalmente evaluaciones educativas se pondrán al corriente para cada niño incapacitado por lo menos cada tres años. [34 CFR 104.35.]
10. Usted tiene derecho a que el distrito escolar le avise antes de tomar cualquier acción en relación a la identificación, evaluación o colocación educativa de su hijo/a. [34 CFR 104.36].
11. Usted tiene derecho a examinar archivos y documentos relacionados a la educación de su hijo/a (normalmente archivos y documentos con relación a la identificación, evaluación o colocación educativa de su hijo/a). [34 CFR 104.36].
12. Tiene el derecho de presentar una queja local al Coordinador de §504 del Distrito Escolar (o su dirigente), quien investigara la situación, considerara los temas de la queja y todo factor necesario, y responderá apropiadamente a usted en un plazo de tiempo razonable. Vea la página 4 para la Sección 504 de SCPS para el procedimiento de queja.
13. Si usted no está de acuerdo con la decisión del Coordinador 504 usted puede pedir una audiencia imparcial en relación a la identificación, evaluación, o colocación educativa de su hijo(a) bajo 504. [34 CFR 104.36] Usted tiene el derecho participar personalmente en tal audiencia y de ser representada por un abogado o un representante cualificado, si desea contratarlo.
14. Si desea protestar o disputar las acciones del Comité 504 del distrito a través de una audiencia imparcial, debe presentar un Aviso de Apelación escrito ante el Coordinador 504 del distrito, en la siguiente dirección.

IDEA Compliance Administrator, 400 E. Lake Mary Blvd., Sanford, FL 32773

Se fijará una fecha para una audiencia ante un oficial imparcial, y serán notificados por escrito de la fecha, hora, y lugar de la audiencia.

15. Si usted está en desacuerdo con la decisión final del oficial imparcial de audiencia, tiene derecho a apelar esa decisión a una corte de jurisdicción adecuada; normalmente, la corte federal local. [34 CFR 104.36].
16. Usted también tiene el derecho a presentar una queja ante la Oficina de Derechos Civiles del Departamento de Educación de los Estados Unidos. La dirección de la Oficina Regional a la cual pertenece a este distrito es: Director, Office for Civil Rights

61 Forsythe St. S.W., Suite 19T70, Atlanta, GA 30303-8927, Tel. 404-974-9406



SEMINOLE COUNTY PUBLIC SCHOOLS, FLORIDA
EXCEPTIONAL STUDENT SUPPORT SERVICES

504 GRIEVANCE FORM

If you have a complaint regarding your child and Section 504 of the Rehabilitation Act, please complete this form and return it to:

Dr. Michelle Walsh
Executive Director, Exceptional Student Support Services
Seminole County Public Schools
400 E. Lake Mary Blvd.
Sanford, Florida 32773
407-320-0216

Parent's Name: _____

Phone: (Home): _____ (Work): _____

Student's Name: _____

Address: _____

Age: _____ Grade: _____ School: _____

Student's Disability: _____

Nature of Complaint (please be specific): _____



ESCUELAS PÚBLICAS DEL CONDADO SEMINOLE, FLORIDA
SERVICIOS DE APOYO PARA ESTUDIANTE EXCEPCIONALES
FORMULARIO DE QUEJA 504

Si usted tiene una queja con respecto a su hijo y la sección 504 del Acta de rehabilitación, por favor complete este formulario y devolverlo a:

Dr. Michelle Walsh
Directora Ejecutiva, Servicios de Apoyo para Estudiante Excepcionales
Escuelas Públicas del Condado Seminole
400 E. Lake Mary Blvd.
Sanford, Florida 32773
407-320-0216

Nombre de los Padres: _____
Teléfono: (Hogar): _____ (Trabajo): _____
Nombre del Estudiante: _____
Dirección: _____
Edad: _____ Grado: _____ Escuela: _____
Discapacidad del Estudiante: _____
Razón de queja (por favor especificar): _____

OTHER RESOURCES

- *District Guide for Meeting the Needs of Students* (publication #ESE 7671)
<http://www.fldoe.org/ese/pdf/sect504.pdf>
The focus of this document is on the ways in which Section 504 impacts the education of Florida's students with disabilities. It contains sample forms, including *Notice of Parental Rights under Section 504 of Rehabilitation Act of 1973 and Section 504 Grievance Procedure Checklist*.
- *A Parent and Teacher Guide to Section 504: Frequently Asked Questions* (publication #ESE 11780)
<http://www.fldoe.org/ese/pdf/504bro.pdf>
This pamphlet addresses ten frequently asked questions regarding implementation of Section 504 in public school settings.
- *Protecting Students With Disabilities: Frequently Asked Questions About Section 504 and the Education of Children with Disabilities*
<http://www.ed.gov/about/offices/list/ocr/504faq.html>
This document is a revised version of a document originally developed by the Chicago office of the Office for Civil Rights (OCR) in the U.S. Department of Education (ED) to clarify the requirements of Section 504 in the area of public elementary and secondary education. The revisions incorporate information about the Americans with Disabilities Act Amendments Act of 2008 (Amendments Act), effective January 1, 2009, which amended the Americans with Disabilities Act of 1990 (ADA) and included a conforming amendment to the Rehabilitation Act of 1973 that affects the meaning of disability in Section 504.
- Norlin, John, (2008) (3rd edition). *What Do I Do When... The Answer Book on Section 504*, LRP Publications, Horsham, Pennsylvania.
This book, written in a question and answer format, incorporates recent judicial decisions and OCR Letters of Finding in providing clarification on what Section 504 mandates. This edition also includes and analysis of the regulations implementing the Individuals with Disabilities Education Act and how they compare to Section 504.