

Revere Public Schools  
**Section 504 Accommodation Plan Manual**



# Revere Public Schools

## Section 504 Accommodation Plan Manual

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## SECTION 504 OVERVIEW

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### **Introduction to Section 504 of the Rehabilitation Act of 1973**

The Rehabilitation Act was passed in 1973 to prohibit entities receiving federal funds from allowing disability discrimination. Subpart C of Section 504 of that act requires school districts to make programs and activities accessible to and usable by all individuals with disabilities. It states: “*No otherwise qualified individual with a disability shall solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.*” In addition, it is the District’s responsibility to identify and evaluate students who, within the intent of Section 504 of the Rehabilitation Act of 1973, need specially designed instruction, accommodations, and/or or services so that those students may receive a free appropriate public education.

In compliance with the Rehabilitation Act, the district does not discriminate against any student on the basis of his or her disability or against anyone because he or she is associated with someone who is disabled. In addition, the district identifies and evaluates students as required by law and allows disabled individuals equal access to and participation in its programs and activities.

Section 504 also protects employees: “No qualified individual with a disability shall, on the basis of his or her disability, be subjected to discrimination in employment under any program or activity” receiving federal financial assistance.

At each school, the responsibility for insuring Section 504 compliance rests with the building Principal or Principal’s Designee. The Assistant Superintendent of Pupil and Personnel Services is the District Coordinator. The Assistant Superintendent of Pupil and Personnel Services coordinates the district’s compliance with Section 504. The Assistant Superintendent of Pupil and Personnel Services can be contacted at 101 School Street, Revere, MA 02151 or 781-286-8226.

Individuals who have complaints regarding the District’s compliance with Section 504 can bring suit in federal district court against the District or persons in their individual capacity. Parents and employees can also file complaints with the OCR regional office at 5 Post Office Square, 8th Floor, Boston, MA 02118. In regard to concerns related to the identification, evaluation, and placement of students with disabilities, parents or guardians can make a hearing request with the Massachusetts Bureau of Special Education Appeals at One Congress Street, 11th Floor, Boston, Massachusetts 02114. Employees can also file a complaint with the Equal Employment Opportunity Commission located at John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203.

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## LANGUAGE AND DEFINITIONS UNDER SECTION 504 (34 CFR Part 104.3)

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**Individuals with disabilities** “...any individual who (i) has a physical or mental impairment

which substantially limits one or more of such person's major life activities, (ii) has a record of such impairment, or (iii) is regarded as having such impairment,"

**Physical or Mental Impairment** "... (A) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory; including speech organs, cardiovascular; reproductive; digestive; geniti-urinary; hermic and lymphatic; skin; and endocrine; or (B) any mental or psychological disorder, such as developmental disabilities, organic brain syndrome, or emotional or mental illness, and specific learning disabilities."

**Major life activities** "... functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working."

**Has a record of such an impairment** "... has a history of, or has been classified as having, a mental or physical impairment that substantially limits one or more major life activities."

**Is regarded as having an impairment** "... (A) has a physical or mental impairment that does not substantially limit major life activities but is treated by a recipient as constituting such a limitation; (B) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or (C) have none of the impairments defined but is treated by a recipient as having such an impairment."

For additional information please review the American's with Disabilities Act as Amended (ADAA) 2008.

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## ADAAA 2008 REVISIONS

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### **American Disabilities Act Amendments Act of 2008**

The Revere Public Schools meets individual student needs in accordance with the American Disabilities Act Amendments Act of 2008 which prohibits the discriminatory assignment of students with disabilities to segregated classes or facilities based solely on the student's disability.

The Americans with Disabilities Act parallels Section 504 with regard to public schools. The law was amended in 2008 and has added additional language for which students may meet qualifications.

The law defines a major life activity to include, but not be limited to:

Caring for one self, performing manual tasks, seeing, hearing, eating, sleeping, waking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, working, and non-volitional bodily functions.

Additional amendments in the law prohibit the use of mitigating measures in evaluating whether a person has a disability.

ADAAA 2008 provides that major bodily functions include, but are not limited to functions of the

immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. This list is not exhaustive.

A temporary impairment does not constitute a disability for purposes of eligibility unless its severity is such that it results in substantial limitation of one or more major life activities for an extended period of time. An individual is not “regarded as” an individual with a disability if the impairment is transitory and minor. A transitory impairment is an impairment with an actual or expected duration of six (6) months or less. The issue of whether a temporary impairment is substantial enough to be a disability must be resolved on a case-by-case basis, taking into consideration both the duration (or expected duration) of the impairment and the extent to which it actually limits a major life activity of the affected individual.

An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

The Assistant Superintendent of Pupil and Personnel Services coordinates the district’s compliance with the ADA. The Assistant Superintendent of Pupil and Personnel Services can be contacted at 101 School Street, Revere, MA 02151 or 781-286-8226. For further information regarding these laws, contact your child’s principal or the Assistant Superintendent of Pupil and Personnel Services.

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## **PROVIDING NOTICE OF NONDISCRIMINATION UNDER SECTION 504**

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### **General Notice of Nondiscrimination Policy**

The Revere Public Schools is required to provide notice of Section 504 in the following ways:

- General Notice of Nondiscrimination Policy (34 C.F. R., Section 104.8)
- Notices of facilities and program accessibility (34 C.F. R., Section 14.22 (f))
- Child find and collective parental notice (34 C.F.R. Section 104.32)
- Individual Parent Notice

At the beginning of each school year the Superintendent or designee will send each school principal, as well as directors and central administration staff, a notice of the district’s non-discrimination policy. The notice will contain the name of the district’s 504/ADA Coordinator, Civil Rights Officers, and the rights of a parent or a student to file a complaint under Section 504, ADA or other Civil Rights Laws (e.g. Title IX).

It is critical that each school place this notice in a prominent place(s) in all school district facilities. All district publications such as student and faculty handbooks, job applications should also contain this notice. Each administrator who is responsible for his or her building as well as directors, central office as all other employees are expected to enforce this non- discrimination policy.

All employees will be trained on an annual basis on non-discrimination and civil rights policies.

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## **DISCRIMINATION UNDER SECTION 504 (SECTION 104.4(B))**

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*No qualified disabled person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives federal financial assistance.*

Discrimination under section 504 occurs when a recipient of federal funds:

- (i) Denies a disabled person the opportunity to participate in or benefit from an aid, benefit, or service which is afforded non-disabled students;
- (ii) Fails to afford disabled person an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;
- (iii) Fails to provide disabled person with an aid, benefit, or service that is not as effective as that provided to others;
- (iv) Fails to provide different or separate aid, benefits, or services to disabled persons or to any class of disabled persons unless such action is necessary to provide qualified disabled persons with aid, benefits, or services that are as effective as those provided to others;
- (v) Aids or perpetuates discrimination against disabled persons by providing significant assistance to an agency, organization, or person that discriminates on the basis of handicap in providing any aid, benefit, or service to beneficiaries of the recipients program or activity;
- (vi) Denies a person with disabilities the opportunity to participate as a member of planning or advisory boards; or
- (vii) Otherwise limits disabled person in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit, or service.

Should you wish to file a complaint alleging discrimination based on disability, you may contact the Assistant Superintendent of Pupil and Personnel Services, whose contact information is listed on page 1 of this manual or the building principal.

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## **SECTION 504 POLICY GUIDELINES FOR STUDENTS WITH DISABILITIES**

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It is the responsibility of the Revere Public Schools to locate and identify students who, because of a disability, need or are believed to need services under Section 504. Teacher observations, student behavior, student grades, are all factors to consider whether a student has a physical or mental impairment that substantially limits a major life activity.

When a parent or guardian states that a student has a medical diagnosis or physical or mental impairment, school personnel should request a copy of the documentation and consent to speak to the provider, and refer the student for a 504 evaluation. Evaluation under 504 is at the most basic level holding a Team meeting to determine eligibility. It does not mean formal evaluations like in the special education context. The Revere Public Schools will send out consent to conduct the 504 evaluation upon receipt of the referral.

To be eligible for a Section 504 plan, a student must have a mental or physical impairment that substantially limits a major life activity, and require accommodations or modifications in order to provide the student a FAPE. FAPE is when the student, because of his or her disability, needs accommodations, special education, or related services in order to meet his or her needs as adequately as the needs of non-disabled students.

Students may be eligible for services under the provisions of Section 504 even though they do not require services pursuant to IDEA. When a student is found ineligible under IDEA, the District should, where the Team has determined that the student has a disability, refer the student for a Section 504 evaluation. Students who are identified according to IDEA criteria, are not addressed under this policy. The needs of such students are provided for under IDEA.

### **Identification and Referral Process**

- Any student who needs or is believed to need special services or related services through existing programs in order to receive a free and appropriate public education (FAPE) may be referred by a parent, teacher, or other certificated employee to the counselor and/or administrator of his/her building for the identification and evaluation of the student's individual education needs.
- Typically, a teacher, parent, counselor and/or administrator will refer the student to the School's Section 504 Coordinator. The Section 504 Coordinator will coordinate the SECTION 504 TEAM, which will be composed of persons knowledgeable about the student, the student's school history, the student's individual needs, the meaning of evaluation data, and the placement or programmatic options. The Principal and/or designee will monitor the composition of the 504 Plan to ensure that qualified personnel participate.
- Evaluation of the student and formulation of a plan of services will be carried out by the SECTION 504 TEAM according to the following procedures:
  1. Section 504 requires the District to obtain parental permission for an initial evaluation. As stated earlier, evaluation at its most basic level is the Section 504 Team meeting to determine eligibility. The Revere Public Schools may not need to do formal assessments, depending on the information that it has.
  2. Any evaluation materials should be tailored to assess the areas of educational need, should be validated and used by trained personnel.
  3. The 504 evaluation process follows state special education timelines for conducting the evaluation. As a result, the Revere Public Schools has forty-five school days from receipt of the initial consent to conduct the evaluation.
  4. No final determination of whether the student will or will not be identified as an individual with a disability within the meaning of Section 504 will be made by the SECTION 504 TEAM without first inviting the parent and/or guardian of the student to participate in a meeting concerning such determination.

5. The Revere Public Schools will draw from a variety of sources in the evaluation process so that the possibility of error is minimized. The information obtained from all such sources must be documented and all significant factors related to the student's learning process must be considered.
  6. A final decision will be made by the SECTION 504 TEAM in writing and the parents or guardians of the student will be notified of the Section 504 procedural safeguards available to them, including the right to an impartial hearing and review.
- To be eligible for a Section 504 plan, a student must: (1) have a mental or physical impairment that substantially limits a major life activity; and (2) require accommodations, special education, or related services in order to meet his or her needs as adequately as the needs of non-disabled students. For the first prong, when determining whether a student has a physical or mental impairment that substantially limits a major life activity, the Team cannot consider mitigating measures, such as medication, equipment, assistive technology, learned strategies, etc. The Team can consider mitigating measures for the second prong in determining whether a student require accommodations, special education, or related services in order to meet his or her needs as adequately as the needs of non-disabled students.
    1. For example, a student on ADHD medication, may have a physical or mental impairment that substantially limits a major activity, but may not require a 504 Plan because while on the medication, the student does not require accommodations, special education, or related services in order to meet his or her needs as adequately as the needs of non-disabled students.
    2. In contrast, a student who has been diagnosed with depression may be substantially limited in her ability to concentrate while completing school assignments. In this case, the student spends far more time preparing for class than other students and earns good grades because of the student's intelligence and extreme efforts. The student would still be substantially limited in the major life activity and may require additional time to complete in-class tests or quizzes, even if that student earns mostly A's.
    3. Whether a physical or mental impairment "substantially limits" a major life activity is a case by case analysis. The Team should consider the student compared to the average student.
    4. The Section 504 Team is not required to make determinations of individual need based on a student's academic potential. The services or accommodations are designed to meet individual needs as adequately as students without disabilities when compared to the average student of the same age and grade as the student.
    5. Section 504 excludes from the definition of a student with a disability, and from Section 504 protection, any student who is currently engaging in the illegal use of drugs when a covered entity acts on the basis of such use. (There are exceptions for persons in rehabilitation programs who are no longer engaging in the illegal use of drugs).

### **Plan for Accommodations**

- For a student who has been identified as disabled within the meaning of Section 504 and in need of services or related aids, the SECTION 504 TEAM shall be responsible for

- determining what accommodations and/or special services are required.
- In making such a determination, the SECTION 504 TEAM shall consider all available relevant information drawing upon a variety of sources, including, but not limited to comprehensive assessments, conducted by the district's professional staff.
  - The parent or guardian shall be invited to participate in the SECTION 504 TEAM meeting(s) where accommodations and/or services for the student will be determined, and shall be given opportunity to examine all relevant records.
  - The SECTION 504 TEAM will develop a written plan describing the disability and accommodations, and/or services needed. The plan will specify how the aids and services will be provided and by whom.
  - The SECTION 504 TEAM may also determine that no accommodations or services are appropriate. If so, the record of the SECTION 504 TEAM proceedings will reflect the identification of the student as either a student with or without disabilities and will state the basis for the decision that no special services, accommodations or related services are presently needed.
  - A child with a disability shall be placed in the regular education environment of the district, with the use of supplementary aids and services, unless the district demonstrates that such a placement cannot be achieved satisfactorily. The student shall be educated with those who are not disabled to the maximum extent appropriate to the individual needs of the student.
  - A parent must consent to the initial 504 Plan. Consent is not required for subsequent 504 Plans.

### **Review of the Student's Progress**

- The SECTION 504 TEAM will monitor the progress of the student and the effectiveness of the student's 504 Accommodation Plan annually to determine whether the services, accommodations, and/or related services or aids are appropriate and necessary, and that the student's needs are being met as adequately as the needs of non-disabled students.
- The Section 504 Team may meet more frequently if the conditions warrant or there is a request from a parent.
- The Section 504 Team will conduct a reevaluation prior to any significant change in placement. A significant change in placement includes, but is not limited to, terminating services, disciplinary action, or a student that is absent for more than ten days due to a health condition.

### **Procedural Safeguards**

- The parents or guardian shall be notified in writing of all district decisions concerning the identification, evaluation, or educational placement of students made under this policy.
- The parents or guardians have a right to examine relevant records.
- The parent/guardian may examine or receive copies of relevant records within the context of the district's policy guidelines and appropriate state and federal regulations governing student records and confidentiality.
- As to such decisions by the district the parents or guardian shall have the right to an

impartial hearing with opportunity for the participation by the parents or guardian and their counsel. In the notification of any district decision concerning the identification, evaluation, or placement, the parents or guardian will be advised that, the request shall be made to:

Massachusetts Bureau of Special Education Appeals  
Division of Administrative Law Appeals  
One Congress Street, 11th Floor  
Boston, Massachusetts 02114  
(617) 626-7200

The Parents will be notified of their right to appeal the determination to Federal or State court.

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## **SECTION 504/ADA STAFF RESPONSIBILITIES**

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### **District Section 504/ADA Coordinator**

- Coordinates district efforts to comply with Section 504 and ADA regulations including training of appropriate staff.
- Assures publication of Child Find Notice and distributes copy of posting at all district sites.
- Facilitates the electronic storage of all Section 504 Accommodation Plans to be accessed by the Section 504 Plan Building Coordinators.
- Keeps an active Student Information System on all students who have Section 504 Accommodation Plans including identifying such students on the district's SIMS system.
- Investigates complaints of discrimination, not addressed on the building level.
- Reviews Section 504 Accommodation Plans and Evaluation Summaries if proposed accommodations require resources beyond the school level.
- Organizes district response to any complaint filed with the Office for Civil Rights.

### **Building Principal**

- Receives, reviews and signs all proposed Section 504 Accommodation Plans and sends and collects all signed plans from parents/guardians.
- Coordinates school efforts to comply with Section 504 regulations, including training of school staff as deemed appropriate.
- Assures posting of Child Find Notice annually.
- Accepts and reviews school 504 complaints, organizes and conducts investigations, and attempts to resolve any complaints/concerns.

## School Section 504 Building Coordinator

- Establishes School's Section 504 Team and serves as chairperson of Team(s).
- Guides 504 referral, evaluation, assessment and service delivery process.
- Consults with District 504 Coordinator as needed.
- Forwards a copy of each Section 504 Accommodation Plan to the Building Principal for signature.
- Maintains a master list of students in his/her building of those students with 504 Plans, including name, grade, major life activity area impacted, annual review date and projected reevaluation date.
- Designates other support staff in assisting and gathering documentation, scheduling appropriate meetings, and notifying appropriate staff regarding evaluations (assessments).

## Certified/Classified Staff

- Attends Section 504 trainings at the district or building level as required
- Completes a Referral for 504 evaluation as needed
- Serves as a 504 Team member when appropriate as determined by the School 504 Team Chairperson
- Implements Section 504 Accommodation Plan(s) as appropriate
- Notifies the School 504 Team Chairperson if the Section 504 Plan is not effective in meeting the student's needs

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## SECTION 504 PLACEMENT PROCESS

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The following process is intended to assist staff at both the building level and at Special Education determine a student's eligibility, accommodations and/or services under Section 504.

### 1.0 Referral

Similar to IDEA a student, parent, teacher, counselor, nurse, or administrator internal to the school district, or a physician, social worker, or another person involved with the student's life outside of school may refer a student for a possible 504 Accommodation Plan if they are observing **a student's substantially limited performance in one or more of the major life activities that is believed to be caused by a physical or mental impairment.**

### 2.0 Evaluation

The 504 Coordinator will send out a consent to evaluate. The 504 TEAM should refer the student for a special needs evaluation under IDEA if it feels that the child may be eligible for services under an IEP.

### 3.0 Eligibility

A Section 504 TEAM is recommended to be composed of one of the 504 Building Coordinator, student's teachers, a building administrator, counselor, parent, student (as deemed appropriate or if fourteen years of age or older), and any other individuals who may be knowledgeable about the student's disability, i.e. nurse, therapist, school psychologist. The Section 504 TEAM compositions may vary according to the needs of the student. All Section 504 TEAMS should consist of a teacher, building administrator and 504 coordinator. The Section 504 TEAM is responsible for reviewing all evaluation results and documentation and determining eligibility under Section 504. **The Section 504 TEAM is responsible for the disposition of all cases.**

### 4.0 Developing a Section 504 Accommodation Plan

Once eligibility under Section 504 has been determined, the Section 504 TEAM is responsible for developing a Section 504 Accommodation Plan. Please refer to the Section 504 Accommodation Plan. It is necessary to obtain parent permission in writing prior to implementation of the initial plan. Consent is not required for subsequent plans.

All Section 504 Accommodation Plans should be placed in the student's temporary student record file. **A copy of the plan should be uploaded into the district's 504 Plan electronic storage system as well as added into Powerschool for the appropriate teachers to access and review.**

### 5.0 Accommodations and Services under a Section 504 Accommodation Plan

The appropriate services and accommodations as outlined in the Section 504 Accommodation Plan should be implemented as soon as parent consent has been obtained for an initial plan or immediately for subsequent plans. All staff that has involvement with the student are required to read and be part of the implementation as noted in the plan. If there is any delay in implementation, the Section 504 Team should consider what other services or accommodations it can provide during the delay.

The plan is to be kept confidential and made available to only those staff members who need access to it. **The Building 504 Coordinator will serve as the case manager to monitor the implementation of the plan and progress of the student.** The case manager should be the point of contact for the parent/guardian regarding any and all aspects of the plan.

Staff members should implement the plan. There could be employment related consequences for failure to implement the 504 Plan and school employees may be sued personally for intentional, willful, or reckless violations of the 504 Plan.

### 6.0 Annual Review

**The Section 504 TEAM should review annually each student accommodation plan.** Three issues that should be addressed at the review are:

**1.0 The need for additional evaluation data as needed**

**2.0 The continued eligibility as a student with a disability under Section 504**

### 3.0 The contents of the plan

One difference between Section 504 and Special Education is that the Section 504 TEAM can review a student's Section 504 Accommodation Plan without the parents being present, as long as the parents have had an opportunity to provide input. This is not intended to not invite parents. It is intended to allow the Section 504 TEAM to make appropriate recommendations for changes if parents cannot or choose not to attend. It is necessary to notify parents of any changes that the Section 504 TEAM feels are necessary. **Documentation of changes requires a new Section 504 Plan.** If there are no changes, documentation that the Section 504 TEAM met and reviewed the plan are all that are necessary. (**Use Section 504 Accommodation Annual Review Notes for documentation purposes.**) Two copies of the notes should be made. One copy is to be placed in the student's permanent file and a second copy is to be sent to the parent.

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#### SECTION 504 PROCEDURES CHECKLIST

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- A student may be identified for a Section 504 referral by a parent, teacher, counselor, nurse, physician or anyone who is familiar with the child and suspects a disability may be interfering with the child's ability to access his/her education or may need accommodations to access a free and appropriate public education (FAPE). A student may be referred because of a Building Based Support Team (BBST) Meeting or because of an IDEA action. The individual making the referral should contact the Section 504 Building Coordinator.
- The parent of the child is notified of the referral through the **Parent Notice of Section 504 Referral** and a **Parent/Student Section 504 Accommodation Rights Brochure** is sent to the parent along with the notice. The parent of the child is asked to give consent (**Consent for Section 504 Evaluation**). The evaluation should be complete in 45 school working days from receipt of parental consent.
- The Section 504 Building Coordinator contacts the appropriate school staff, e.g. school counselor, classroom teacher(s), nurse to assist in the **Student Record Review**.
- A **Section 504 Accommodation Plan Notice of Conference** is sent to the parent by the Section 504 Building Coordinator.
- At the Section 504 Team meeting, the **Section 504 Eligibility Determination** form is completed to document the team decision. Parents/Student Rights are given and notes of the meeting are kept. If the student is determined to be ineligible for a Section 504 Accommodation Plan the parent is notified using a copy of the **Section 504 Eligibility Determination**. If the student is eligible under Section 504, the Section 504 Accommodation Plan is written at the meeting; implementation begins upon consent from the parent for the initial 504 Plan. ***Under Section 504, parent written consent to subsequent plans is not required, but it should always be considered best practice.*** The Section 504 Accommodation Plan and supporting documentation are sent to the Building Principal for his/her signature and sent to the parent/guardian for his/her written approval of the plan. Once the Section 504 Accommodation Plan is returned to the Building 504 Coordinator, he/she is responsible for identifying

and maintaining the student 504 status in the school district's computerized SIS.

A copy of the Section 504 Accommodation Plan should be placed in the student's Section 504 file, which is kept by the Section 504 Building Coordinator. The Section 504 Accommodation Plan is distributed to all appropriate staff and should be kept as a confidential record. The Section 504 Accommodation Plan is considered a temporary student record.

The Section 504 Accommodation Plan is reviewed at least annually; a Notice of Conference is sent to the parents. A new Section 504 Accommodation Plan is developed if appropriate. A copy of those forms and the Section 504 Parents/Student Rights Brochure is given to the parent/guardian and/or student. Consent is not required to implement changes to subsequent 504 Plan.

When a student with a current section 504 Accommodation Plan graduates or ages out, the emancipated student will be given a copy of their last plan and documentation. The file should be sent to the District 504 Coordinator.

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## **SECTION 504 DISCIPLINE**

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Students served under Section 504 are treated similar to students served under IDEA with regard to discipline. Specifically, students eligible for Section 504 can be disciplined pursuant to the code of conduct, but they do have some special protections.

Like students served under the IDEA, students eligible for Section 504 are entitled to a Manifestation Determination if the disciplinary consequence would result in a change of placement.

A change of placement, as it relates to discipline, is a removal from school for more than 10 consecutive school days, or a series of shorter removals that total more than 10 days, if they create a pattern - 1. because the series of removals total more than 10 school days in a school year; 2. because the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; and 3. because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another. Whether a pattern of removals constitutes a change in placement is determined on a case by case basis.

At a manifestation determination meeting, the school, the parent, and relevant members of the student's Team (as determined by the school and the parent) must review all relevant information in the student's file to determine if the conduct that led to the disciplinary consequence was caused by, or had a direct or substantial relationship to, the disability identified in the student's 504 plan, or if the conduct in question was the direct result of the school's failure to implement the Section 504 plan. Relevant people should include those with knowledge of the student and the information that will be reviewed. Relevant information should include the 504 plan, any teacher observations and any relevant information provided by the parents. It may also include, but is not limited to, attendance records, evaluations, and disciplinary records.

A Manifestation Determination meeting must be held within 10 school days of any decision to change the placement of a child with a disability.

If the manifestation determination team finds that the conduct that led to the disciplinary consequence was caused by, or had a direct or substantial relationship to, the disability identified in the student's 504 plan or that the conduct was the direct result of the school's failure to implement the 504 plan, the student must be returned to the placement from which the student was removed, unless the parent and the school agree to a change of placement. If the manifestation determination team found that the Section 504 plan was not properly implemented, the school must take immediate steps to remedy those deficiencies.

If the behavior was not a manifestation, the student may be disciplined in accordance with the code of conduct and the student will not be entitled to receive a free appropriate public education during the period of removal from school.

Section 504 allows schools to take disciplinary action against students with disabilities using drugs or alcohol to the same extent as students without disabilities.

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### **CONSIDERATIONS FOR A SECTION 504 REFERRAL**

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School staff or parents should consider the potential of a disability and a possible Section 504 Referral under the following conditions:

- When a long term suspension or exclusion is being considered for any student
- When retention is being considered for any student
- When a student demonstrates a pattern of not benefiting from the instruction being provided that is not connected to the curriculum or teaching style
- When a student returns to school after a serious illness or injury
- When a student is known to have a chronic health condition, illness or disease that may inhibit the student's ability to learn
- When a student is referred for an evaluation under IDEA, but is found to not qualify for services
- When a student is identified as "at risk" or exhibits the potential for dropping out of school
- When substance abuse is an issue
- When a disability of any kind is suspected
- When a student lacks access to the same educational opportunities or co-curricular activities due to a potential disability

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## **POTENTIAL CONDITIONS FOR CONSIDERATION OF A SECTION 504 ACCOMMODATION PLAN**

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School staff or parents should consider the potential of a disability and a possible Section 504 Referral under the following conditions:

- AIDS
- Allergies
- Asthma
- ADD/ADHD
- Recovering Chemical Dependency
- Congenital Defects
- Cystic Fibrosis
- Diabetes
- Formerly Disabled
- Hepatitis B
- Hemophilia
- Obesity
- Pregnancy with Medical Problems
- Psychological Disorders
- Retinitis-Pigmentosa
- Tourette Syndrome
- Tuberculosis
- Dwarfism
- Epilepsy
- Communicable Diseases
- Hearing Impaired
- Visual Impaired
- Orthopedic Impairment'
- Speech Impairment
- Head Injury

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## PARENT/STUDENT RIGHTS UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973

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The following is a description of the rights granted by federal law (**SECTION 504 of the REHABILITATION ACT of 1973**) to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have a right to:

1. Have your child take part in, and receive benefits from public education programs without discrimination because of his/her disability.
2. Have the school district advise you of your rights under federal law (The Purpose of this notice form is to advise you of those rights).
3. Receive notice with respect to identification, evaluation, or placement of your child;
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided non-disabled students;
6. Your child has the right to free educational services except for those fees that are imposed on non-disabled students or their parents.
7. Have your child receive special education and related services if s/he is found to be eligible under the Individual with Disabilities Education Act (IDEA) or **Section 504 of the Rehabilitation Act**;
8. Your child has a right to an evaluation prior to an Initial Section 504 placement and any subsequent significant change in placement;
9. Testing and other evaluation procedures must conform with the requirements of 34 CFR 104.35 as to validation, administration, areas of evaluation, etc. The district shall consider, as appropriate, information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, adaptive behavior, physical or medical reports, student grades, progress reports, parent observations, anecdotal reports, and other sources.
10. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluation data, and placement options and least requirements for least restrictive environment and comparable facilities;
11. Have transportation provided to and from an alternate placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
12. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district;
13. Examine all relevant records relating to decisions regarding your child's identification, evaluation, education program, and placement;
14. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records;

15. A response from the school district to reasonable requests for explanations and interpretations of your child's records;
16. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time, and advise you of a right to a hearing;
17. If eligible under Section 504, your child has a right to a periodic formal or informal re-evaluations, generally every three years;
18. On Section 504 matters you have a right to file a complaint with the district's Section 504 Coordinator (or designee), who will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution;
19. Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. You and the student may take part in the hearing and have an attorney represent you. Hearing requests must be made to:

Division of Administrative Law Appeals  
Bureau of Special Education Appeals  
One Congress Street, 11<sup>th</sup> Floor  
Boston, MA 02114  
T: (617) 626-7250  
F: (617) 626-7270

20. If you disagree with the decision of the impartial hearing officer, you have a right to a review of that decision by a court of competent jurisdiction;
21. You also have a right to file a complaint with the Office for Civil Rights. The address of the Regional Office which covers Massachusetts is:

Office for Civil Rights, Region 1  
U.S. Department of Education  
5 Post Office Square, Suite 900, 8<sup>th</sup> Floor  
Boston, MA 02109-3921  
Telephone: (617) 289-0111  
Fax: (617) 289-0150

# REVERE PUBLIC SCHOOLS

101 School St, Revere, MA 02151

## REFERRAL FOR SECTION 504 ACCOMMODATION PLAN

**Directions:** Complete and submit to building principal.

Student Name: \_\_\_\_\_ SASID: \_\_\_\_\_

D.O.B.: \_\_\_\_\_ School: \_\_\_\_\_ Grade: \_\_\_\_\_

Parents'/Guardian's Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Other Telephone: \_\_\_\_\_

### 1.0 Statement of Suspected Section 504 Disability:

Please check any statements that may apply.

The student may have physical or mental impairment which substantially limits one or more major life activities such as, but not limited to: walking, seeing, hearing, speaking, breathing, learning, caring for one's self, and/ or performing manual tasks.

The student has been evaluated by a special education team and does not qualify for services under the IDEA, but is suspected to have a disability.

### 2.0 Nature of the Concern:

State the physical or mental impairment, which may be substantially limiting a major life activity.

Indicate which major life activity (s) is being limited.

Indicate how the major life activity(s) is being limited.

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Signature of the person making the referral: \_\_\_\_\_

Position: \_\_\_\_\_ Date of Referral: \_\_\_\_\_

The signature of the principal receiving this referral also documents that the *Referral for Section 504 Accommodation Plan* and *Parent/Student Rights Under Section 504* have been given or sent to the parent/guardian.

Date Received: \_\_\_\_\_ Principal's Signature: \_\_\_\_\_

# REVERE PUBLIC SCHOOLS

101 School St, Revere, MA 02151

## SECTION 504 STUDENT RECORD REVIEW

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_  
School Name: \_\_\_\_\_ Grade: \_\_\_\_\_  
Meeting Date/Time: \_\_\_\_\_

Please check all that apply:

- District Curriculum Accommodation Plan (DCAP)
- Individualized Education Plan (IEP)
- Section 504 Plan
- Title 1 Services School
- Health Plan
- Other (please specify): \_\_\_\_\_

Current concerns (please check all that apply):

- Excessive absence
- Pattern of suspensions from school
- Consideration for expulsion
- Physical injury
- Chronic health condition
- Substance abuse
- Pattern of not benefitting from instruction
- Consideration for retention
- At risk for dropping out
- Other (please specify): \_\_\_\_\_

Attendance: Identify number of days absent at each grade level:

PK \_\_\_ K \_\_\_ 1 \_\_\_ 2 \_\_\_ 3 \_\_\_ 4 \_\_\_ 5 \_\_\_ 6 \_\_\_ 7 \_\_\_ 8 \_\_\_ 9 \_\_\_ 10 \_\_\_ 11 \_\_\_ 12 \_\_\_

Grade(s) Repeated: \_\_\_\_\_

Attach copies of district-wide or state test results for past three year. Describe any significant changes in scores over time. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REVERE PUBLIC SCHOOLS**

101 School St, Revere, MA 02151

Attach current and prior year's grades. Discuss any patterns of evident problems.

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Are there any comprehensive educational/psychological evaluations?  Yes  No

If YES, were services recommended?  Yes  No

Describe any services provided:

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Attach disciplinary actions for current year. Describe any patterns:

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Number of days of suspension: current year: \_\_\_\_\_ last year: \_\_\_\_\_

Discuss student involvement with courts, other agencies, counseling, etc.

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Have any health factors been identified which may contribute to school difficulties?

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Are there references to substance abuse, explain:

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List and give dates of any past modifications in instruction or behavior management (e.g. tutoring, Title 1, IEP, other):

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Person conducting review: \_\_\_\_\_

Title: \_\_\_\_\_

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

# REVERE PUBLIC SCHOOLS

101 School St, Revere, MA 02151

## CONSENT FOR SECTION 504 ACCOMMODATION PLAN EVALUATION

Student Name: \_\_\_\_\_ SASID: \_\_\_\_\_

D.O.B.: \_\_\_\_\_ School: \_\_\_\_\_ Grade: \_\_\_\_\_

Parents'/Guardian's Name(s): \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Other Telephone: \_\_\_\_\_

Home Language: \_\_\_\_\_ Language of Student: \_\_\_\_\_

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Dear: \_\_\_\_\_

Revere Public Schools proposes to conduct a Section 504 evaluation for your child. The specific reasons for the evaluation(s) are as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Your child's evaluation will consist of the follow assessments:

**Recommended Assessments and Evaluator:**

**Parent Approval:**

_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**Check One:**

- I give consent to a Section 504 evaluation that will consist of the assessments that I have checked as approved.
- I waive my rights to a 504 evaluation. My child has recently been evaluated through Chapter 766.
- I do not consent to the 504 evaluation proposed by Revere Public Schools. I have reviewed the Section 504 Parent's Rights, which was provided with this consent form. I understand my parental rights and action proposed by the Revere Public Schools.

\_\_\_\_\_  
**Signature of Parent/Guardian**

\_\_\_\_\_  
**Date**

Please return this consent form to the building 504 Coordinator. Also enclosed please find the Section 504 Parent/Student Rights.

# REVERE PUBLIC SCHOOLS

101 School St, Revere, MA 02151

## SECTION 504 MEETING INVITATION

Dear Parent/Guardians:

This letter is to make you aware of the need to review your child's educational program and/or to meet to consider the existence of a disability based on the definition in Section 504 of the Rehabilitation Act of 1973 and the eligibility for a Section 504 Plan. We are planning a conference as follows:

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Grade: \_\_\_\_\_  
Address: \_\_\_\_\_ School Name: \_\_\_\_\_  
Parent Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Meeting Date/Time: \_\_\_\_\_

The purpose of this conference will be:

- to review and discuss your child's present educational status
- to discuss a referral on your child for possible Section 504 eligibility to discuss/evaluate/re-evaluate your child
- to discuss educational/instructional options for your child
- to discuss at your request: \_\_\_\_\_
- other: \_\_\_\_\_

The following persons have been invited to attend this meeting:

Name	Role
_____	_____
_____	_____
_____	_____
_____	_____

Name of Section 504 Building Coordinator: \_\_\_\_\_

Signature: \_\_\_\_\_

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

Please complete the following and return to me by: \_\_\_\_\_

- I will attend the Section 504 Team Meeting and acknowledge receipt of the parent/guardian rights
- I will not attend the Section 504 Team Meeting and acknowledge receipt of the parent/guardian rights
- The student will attend the Section 504 Team Meeting

*You are welcome to bring any information, including formal or informal test results, work samples, medical or psychological documentation by an appropriately certified licensed professional, to the meeting. Please write the names of additional persons you would like to attend the meeting or any additional persons you would like to bring to the meeting.*

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

# REVERE PUBLIC SCHOOLS

101 School St, Revere, MA 02151

## SECTION 504 ELIGIBILITY DETERMINATION REPORT

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Grade: \_\_\_\_\_  
 Address: \_\_\_\_\_ School Name: \_\_\_\_\_  
 Parent Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Meeting Date/Time: \_\_\_\_\_

1. **Summary of Evaluation Information Considered – Attach any reports.** (*Informed inventories, testing, teacher reports, student work samples, parent data, medical records, physician reports, student health records, student observations, cumulative file records.*)
2. **Documentation of whether the student has a disability (Team cannot consider the impact of mitigating measures, except eyeglasses).**

**Student Qualifies**

Has a physical or mental impairment: 1) Physiological disorder, condition, cosmetic disfigurement or anatomical loss affecting various body systems. 2) Any mental or psychological disorder.

Identify Impairment: \_\_\_\_\_

Identify major life activities affected by disabilities (see below)

Identify the level of limitation (see below – must be a “4” or above in one or more major life activities to be eligible.)

IMPACT OF FUNCTION ON MAJOR LIFE ACTIVITIES						
	Ineligible for 504				Eligible for 504	
	0 None	1 Negligible	2 Mild	3 Moderate	4 Substantial	5 Extreme
Breathing						
Seeing						
Hearing						
Speaking						
Walking						
Mobility						
Learning						
Behavior						
Social/Emotional						
Working						
Eating						
Sleeping						
Standing						
Lifting						
Thinking						
Communicating						
Concentrating						
Reading						
Bending						
Other						

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**Student Does Not Qualifies** - Student **DOES NOT** have a physical or mental disability which substantially limits one or more major life activities does not have a record of such an impairment, or is regard as having such an impairment.

Health Care Plan Needed

Health Care Plan Written

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

**Consider further evaluation pursuant to IDEA** - Student has a physical or mental disability for which an accommodation plan will be written. The TEAM, however, recommends further evaluation pursuant to IDEA due to concern accommodation plan may not meet all of student's needs.

**3. Related Aides and Services Necessary to provide a free and appropriate public education (FAPE) (when determining what services are necessary to provide a FAPE (as opposed to determining eligibility for services, above), the school district can and should consider the impact of mitigating measures such as medication).**

Does the student require accommodations, special education, and/or related aids and services under Section 504 necessary to meet his or her individual education needs as adequately as the needs of students without disabilities?

Yes. The student is eligible for a 504 Plan.

No. No accommodations, related aids or services are necessary to provide the student a FAPE.

**4. Eligibility Determination TEAM Members**

Group of persons knowledgeable about: 1) the student, 2) the disability, 3) interpretation of the evaluation data, and 4) someone who can commit school district resources for accommodations required.

The following persons, as indicated by their signatures, have participated in the determination of eligibility:

Signature	Role	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**REVERE PUBLIC SCHOOLS**

101 School St, Revere, MA 02151

**Section 504 Team Meeting Summary**

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Grade: \_\_\_\_\_  
Address: \_\_\_\_\_ School Name: \_\_\_\_\_  
Parent Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Meeting Date/Time: \_\_\_\_\_

**Participants** (Staff knowledgeable about the child, disability, and the results of the evaluation data):

Name	Role
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**Summary of Evaluation Data** (Information from a variety of sources including, as relevant, aptitude and achievement tests, teacher and other staff recommendation, physical condition, social or cultural background, and adaptive behavior): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Meeting Notes:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REVERE PUBLIC SCHOOLS**

101 School St, Revere, MA 02151

**Section 504 Review of Services**

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Grade: \_\_\_\_\_  
Address: \_\_\_\_\_ School Name: \_\_\_\_\_  
Parent Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Meeting Date/Time: \_\_\_\_\_

**Purpose of Meeting:** It is necessary to periodically review the child’s progress under Section 504 services and make recommendations to continue, modify, or terminate the program(s). **504 plan should be reviewed once a year.**

**Discussion of Progress:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Recommendations:**

- Continue present services with no changes.
- Modify the present program (see attached 504 Accommodation Plan).
- Exit from program based on the following evaluation results.

**Discussion of Recommendations:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following members of the Section 504 Team participated in the meeting.

Signature	Role	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

# REVERE PUBLIC SCHOOLS

101 School St, Revere, MA 02151

## Section 504 Complaint Form

The Revere Public Schools pledges that the District complies with Section 504 regulations and that no discrimination based on disability is permitted in the programs or activities that the District operates. If you believe that discrimination has occurred against a student because of a disability, complete, sign, and forward this form to the school's principal or the District 504 Coordinator.

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

On behalf of: \_\_\_\_\_

Complainant is:  Student: \_\_\_\_\_

Student's Parent(s): \_\_\_\_\_

Other: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

(1) Describe the alleged violation of Section 504 in specific terms. Include 1) the specific incident or activity that is viewed as discrimination; 2) the individuals involved; 3) dates, times, locations involved; and 4) the disability that forms the basis of the complaint (attach additional pages if needed).

(2) Describe any communication that has already occurred, with whom and when, to address the issue.

(3) Please describe your proposal to resolve the issue.

***Return this form to your school's principal.***

# REVERE PUBLIC SCHOOLS

101 School St, Revere, MA 02151

## Section 504 Plan Termination Form

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Grade: \_\_\_\_\_  
Address: \_\_\_\_\_ School Name: \_\_\_\_\_  
Parent Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Meeting Date/Time: \_\_\_\_\_

Briefly describe the reason for terminating the student's Section 504 Plan referencing the four qualifying criteria below.

- A physical or mental impairment
- That **substantially** limits
- One or more major life activities.
- Student requires accommodations, special education, or related aids and services to receive a free and appropriate public education.

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The following eligibility team has determined that the Section 504 Accommodation Plan currently in place for the above named student is no longer needed. (Please have the Building 504 Coordinator or designee sign off on each Section 504 Plan Termination Form.)

Signature	Role	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

(I understand that, if I disagree with the content of this termination form, I have the right to ask for a Section 504 review meeting by filing a written request with the School Principal, Building 504 Coordinator, or Designee.)

**REVERE PUBLIC SCHOOLS**

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**Section 504 Manifestation Determination**

Student: \_\_\_\_\_ School: \_\_\_\_\_ Date: \_\_\_\_\_

Identified Disability (ies): \_\_\_\_\_

\_\_\_\_\_

Describe Offending Behavior: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Relevant Information Summary (including cumulative file review, 504 Plan, observations and parent input):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Is the present 504 Accommodation Plan fully implemented?

\_\_\_\_\_

\_\_\_\_\_

\*If the present 504 Plan is not fully implemented, was the behavior a direct result of the failure to implement the 504 accommodations?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*Was the behavior caused by the disability, or does the behavior have a direct and substantial relationship to the disability?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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\*\*Does the Team feel the behavior is a manifestation of the student's disability? (If the Team answered "yes" to any of the above questions denoted with a (\*), then the Team has determined that the behavior is a manifestation of the student's disability.)

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- If the Team determines that the behavior is NOT a manifestation of the student's disability, the student may be suspended/expelled/excluded consistent with school policy.
- If the Team determines that the behavior IS a manifestation of the student's disability, then the student will not be suspended, except in cases of possession of a controlled substance, possession of a dangerous weapon, or serious bodily injury. In all other cases the Team will review the 504 Plan and placement and make any necessary changes.

The following participated in the manifestation determination decision:

*(Signatures only indicate participation. A final copy of the manifestation determination will be placed in the student's file following the meeting.)*

Signature	Role	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**REVERE PUBLIC SCHOOLS**

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**Section 504 Accommodation Plan**

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Grade: \_\_\_\_\_

Address: \_\_\_\_\_ School Name: \_\_\_\_\_

Parent Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Meeting Date/Time: \_\_\_\_\_

**Meeting Date(s):** \_\_\_\_\_

**Participants in Meeting:**

Name	Role
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**Date(s) of any evaluation(s):** \_\_\_\_\_

\_\_\_\_\_

**Evaluative data considered at meeting:** \_\_\_\_\_

\_\_\_\_\_

**Student's Physical or Mental Impairment:** \_\_\_\_\_

\_\_\_\_\_

**How does the physical or mental impairment substantially limit a major life activity?** \_\_\_\_\_

\_\_\_\_\_

**Parent(s)/guardian(s) and/or student concerns?** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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## Accommodations to be provided with responsible personnel noted and implementation date for accommodation:

A. Physical Accommodations (if any):

B. Instructional Accommodations (if any):

1. Related aids and services (if any):

2. Specialized education (if any):

The District provided me with a copy of the Section 504 Accommodation Plan and the Notice of Parents'/Guardians' and Students' Rights Under Section 504. I have read, had the opportunity to ask questions about, and understand the Notice of Parents'/Guardians' and Students' Rights Under Section 504, and consent to the implementation of the Plan.

\_\_\_\_\_  
Signature of Parent, Guardian, or  
Student (if 18 years or older)

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

\_\_\_\_\_  
Signature of School Building Principal

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

# REVERE PUBLIC SCHOOLS

101 School St, Revere, MA 02151

## PARENT/STUDENT RIGHTS UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973

The following is a description of the rights granted by federal law (**SECTION 504 of the REHABILITATION ACT of 1973**) to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have a right to:

1. Have your child take part in, and receive benefits from public education programs without discrimination because of his/her disability.
2. Have the school district advise you of your rights under federal law (The Purpose of this notice form is to advise you of those rights).
3. Receive notice with respect to identification, evaluation, or placement of your child;
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided non-disabled students;
6. Your child has the right to free educational services except for those fees that are imposed on non-disabled students or their parents.
7. Have your child receive special education and related services if s/he is found to be eligible under the Individual with Disabilities Education Act (IDEA) or **Section 504 of the Rehabilitation Act**;
8. Your child has a right to an evaluation prior to an Initial Section 504 placement and any subsequent significant change in placement;
9. Testing and other evaluation procedures must conform with the requirements of 34 CFR 104.35 as to validation, administration, areas of evaluation, etc. The district shall consider, as appropriate, information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, adaptive behavior, physical or medical reports, student grades, progress reports, parent observations, anecdotal reports, and other sources.
10. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluation data, and placement options and least requirements for least restrictive environment and comparable facilities;
11. Have transportation provided to and from an alternate placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
12. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district;
13. Examine all relevant records relating to decisions regarding your child's identification, evaluation, education program, and placement;
14. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records;
15. A response from the school district to reasonable requests for explanations and interpretations of your child's records;
16. Request amendment of your child's educational records if there is reasonable cause to believe

## REVERE PUBLIC SCHOOLS

101 School St, Revere, MA 02151

that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time, and advise you of a right to a hearing;

17. If eligible under Section 504, your child has a right to a periodic formal or informal re-evaluations, generally every three years;
18. On Section 504 matters you have a right to file a complaint with the district's Section 504 Coordinator (or designee), who will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution;
19. Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. You and the student may take part in the hearing and have an attorney represent you. Hearing requests must be made to:

Division of Administrative Law Appeals  
Bureau of Special Education Appeals  
One Congress Street, 11<sup>th</sup> Floor  
Boston, MA 02114  
T: (617) 626-7250  
F: (617) 626-7270

20. If you disagree with the decision of the impartial hearing officer, you have a right to a review of that decision by a court of competent jurisdiction;
21. You also have a right to file a complaint with the Office for Civil Rights. The address of the Regional Office which covers Massachusetts is:

Office for Civil Rights, Region 1  
U.S. Department of Education  
5 Post Office Square, Suite 900, 8<sup>th</sup> Floor  
Boston, MA 02109-3921  
Telephone: (617) 289-0111  
Fax: (617) 289-0150