

Wyoming Public Schools

Section 504 Manual

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Introduction

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

Under Section 504 a student is considered “disabled” if he or she demonstrates a physical or mental impairment that substantially limits one or more major life activities such as learning, walking, seeing, hearing, breathing, working, caring for oneself, eating, sleeping, standing, lifting, bending, speaking, reading, concentrating, thinking, communicating, 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.

The subsequent pages of the Wyoming Public Schools Section 504 Manual outline procedures the district will follow with regards to Section 504. Should there be additional questions please contact the Director of Student Services, who serves as the District 504 Coordinator.

Wyoming Public Schools Section 504 Procedures

I. IDENTIFICATION & SECTION 504 ACCOMMODATION PLANS

- A. “Child Find” activities are implemented both inside and outside of the school setting. These activities would include:
- Providing information to parents/guardians and to staff regarding Section 504 obligations, including examples of disabilities covered under Section 504
 - Examining files of incoming students to see if there are existing 504 plans
 - Examining files of incoming students/performance of existing students to see if there are red flags suggesting the possibility of a disability (e.g., cumulative days of suspension, repeated school retention, poor school performance/not benefitting from instruction or educational interventions, reports of chronic health problems or serious illness, medical treatments, including psychotropic medications that impact school performance, evaluations for/receipt of special education services where the student was subsequently determined ineligible or services were terminated).
- B. A situation is recognized that calls for consideration of a referral: a disability is suspected. This may result from screening the records of newly enrolled students, from IDEA activities, or from staff working with existing students who come to suspect that the students in question may have a disability under Section 504.
- C. A 504 Committee (must include Building 504 coordinator) meeting is scheduled to review the information and discuss the possible need to evaluate or reevaluate the student. The parent is invited to a 504 meeting and provided a copy of Notice of Rights and Procedural Safeguards. The Building 504 coordinator serves as the chair and assures that attendees will include staff knowledgeable about the student, evaluation data, and program/placement options.
- D. At the 504 Committee meeting the team discusses the referral and determines the need for evaluation. The team may decide that no additional information is required to make an eligibility decision or that additional information is required. If it is determined that further information is needed, a written evaluation plan is developed. The parent or legal guardian must provide informed, written consent to proceed with an evaluation.
- E. When the evaluation is completed (WPS standard is 30 school days) the evaluation report and meeting notice are provided to the parent.
- F. The 504 meeting must include persons knowledgeable about the student, evaluation results and program and service options. At the meeting an eligibility determination is completed to document the team’s decision. A copy of the eligibility determination report is given to the parent and placed in the student’s cumulative school file.
- G. If the student is determined to be ineligible under Section 504, no Section 504 Accommodation Plan (504 Plan) will be developed. However, the team should consider the development of a general education assistance plan. If the student is eligible under Section 504, a Section 504 Accommodation Plan is developed at the meeting. With parent consent, implementation begins

as promptly as possible. Completed and signed 504 Accommodation Plans are provided to the parent and placed in the student's cumulative school file.

II. RE-EVALUATION & DISCIPLINE

- A. The law requires that 504 Plans be reviewed periodically. Unless otherwise agreed upon by the 504 Committee and the parent, the 504 Committee will review the 504 Plan approximately annually and/or when significant educational transitions occur. Reviews may also occur at the request of a parent or other team member. The 504 Committee will review progress monitoring data and determine whether the plan continues to be appropriate as is, requires modification, or whether reevaluation is needed to make decisions regarding continuing disability status and/or 504 Plan content.
- B. A reevaluation is conducted periodically (typically not more than every three years, or whenever there is a question of continued eligibility or a significant change in placement). The 504 Committee, including the parent, formulate an evaluation plan. Upon completion of any necessary reevaluation, a 504 Committee meeting is convened and an updated eligibility determination is completed. If the 504 Committee determines continued eligibility, a new Section 504 Accommodation Plan is developed. A copy of those forms and a Notice of Rights and Procedural Safeguards are given to the parents. If the 504 Committee determines, as documented on an eligibility determination, that the student is no longer eligible, a copy of the Notice of Rights and Procedural Safeguards and other forms are given to the parent.
- C. If a student who has been determined to be a student with a disability under Section 504 engages in behavior that is a violation of the District's code of conduct and is subject to either a long term suspension, or a series of suspensions that constitutes a change of placement, the District must conduct a manifestation determination meeting. The district must also conduct a reevaluation. If the behavior for which the discipline was administered is found not to be a manifestation of the student's disability, the student may be disciplined in accordance with general education policy. If the behavior is a manifestation of the student's disability, absent an agreement between the District and the parent/guardian, the student must be returned to his/her current placement and the 504 Plan must be reviewed and revised as necessary. NOTE: If the student is eligible only under Section 504 (and not also eligible under IDEA) and is currently engaging in the illegal use of drugs or in the use of alcohol and commits a discipline code violation involving the use or possession of illegal drugs or alcohol, the student may be disciplined to the same extent as a similarly situated non-disabled students.

III. GRADUATION

When a student with a current 504 Plan graduates, the student will be given a copy of Summary of Performance and a copy will be placed in the school file. (LAURIE – I’m NOT SURE WE NEED TO DO THIS?)

IV. SAFEGUARDS

- A. If a parent believes the District may have violated an express term of these 504 procedures, the parent is encouraged to share the concern(s) with the building principal and/or building level Section 504 coordinator. Should this informal process prove unsuccessful, the parent may submit a written complaint to the Director of Student Services, who serves as the District 504 Coordinator. The parent should be provided the Section 504 Grievance Form to help facilitate the process. The District 504 Coordinator must be notified of all grievance requests. (NOTE: If the Section 504 Coordinator is the subject of the complaint, the grievance should be submitted to the Superintendent who will appoint another administrator to conduct the investigation.) Upon receipt of a documented grievance, the District 504 Coordinator will investigate, affording all interested persons the opportunity to submit relevant evidence. The District 504 Coordinator will issue a written decision on the documented grievance no later than 10-school days after receiving the written complaint. The person filing the grievance may appeal the decision of the District 504 Coordinator to the District Superintendent within 15-school days of receiving the decision. The Superintendent will issue a written response to the appeal no later than 10-school days after its filing. The availability and use of this grievance procedure does not preclude a parent from requesting a due process hearing or filing a complaint of discrimination on the basis of disability with the Office of Civil Rights (OCR).

The District hereby provides assurance that strictly prohibits any form of retaliation against persons who utilize this Grievance Guideline.

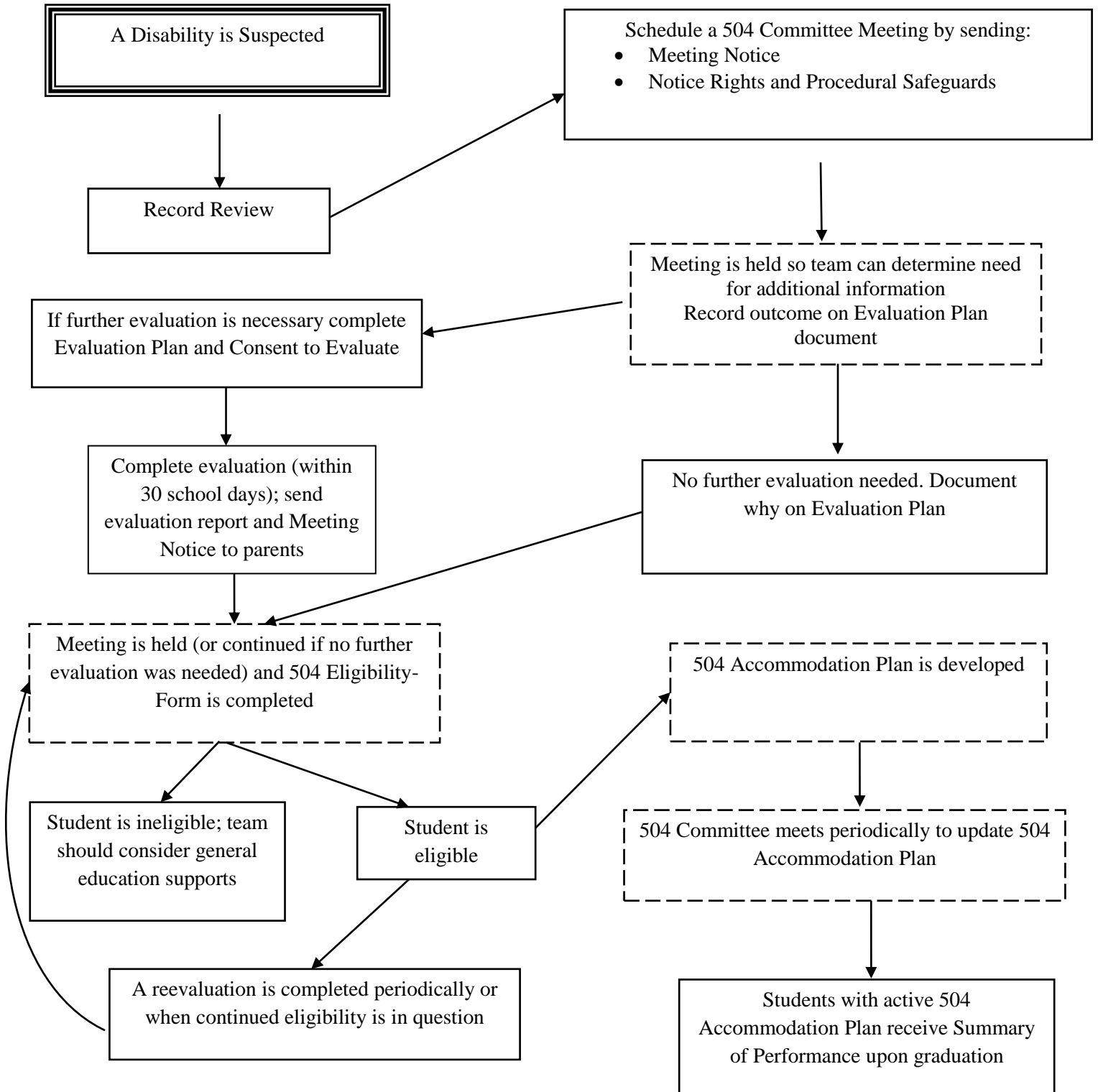
- B. If a parent disputes the 504 Plan (either at the time of its creation or after implementation), the parent may request in writing an impartial due process hearing. The request must be made in writing to the District 504 Coordinator (see address below). Section 504 Procedures and a copy of the Notice of Rights and Procedural Safeguards should be provided to any parent filing a written hearing request or seeking information on how to file a hearing request. An impartial hearing officer will be appointed and parents will be notified in writing of the hearing date, time and place. Until the due process judgment is rendered, “stay put” is triggered, meaning the student will stay in the status quo as of the time that the hearing was requested and during the pendency of the hearing. If a parent disagrees with decision of the hearing officer, the parent has the right to seek a review of the decision before a court of competent jurisdiction.

Director of Student Services
Wyoming Public Schools
3575 Gladiola, SW
Wyoming, MI 49519
Phone: (616) 530-7525

C. If a parent believes the District has discriminated on the basis of disability the parent has the right file a complaint with the Office of Civil Rights (OCR) of the U.S. Department of Education. The address of the OCR Regional office that covers Michigan is:

Office of Civil Rights Cleveland
U.S. Department of Education
600 Superior Avenue East, Suite 750
Cleveland, Ohio 44114

Section 504 Flowchart



Section 504 Grievance Form

| | |
|----------|-----------------|
| Student: | Date of Birth: |
| School: | Grade: |
| Parent: | Phone: |
| Email: | Date Completed: |
| Address: | |

Summary of Grievance – What is the problem? What are the facts?

How can the problem be solved?

Who have you spoken to or met with at the school to address the situation? What was the result of this contact?

Please attach any additional information or documentation you wish the district to consider. You also have the right to contact the U.S. Department of Education’s Office for Civil Rights (OCR) without going through the district grievance procedures.

Parent/Guardian Signature

Date

Section 504 District Coordinator Signature

Date

