



SECTION 504 Accommodation Plan Compliance Procedures

College Community School District
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It is the policy of the College Community School District to maintain a nondiscriminatory environment in every aspect of the operation of the District. The District shall provide equal educational and employment opportunities without regard to color; sex, race, national origin, religion, creed, age (for employment), marital status (for programs), sexual orientation, gender identity, disability, or socioeconomic status (for programs) in its educational programs and activities or its employment and personnel policies.

Inquiries regarding compliance with these policies may be directed to the Director of Human Resources, College Community School District, 401-76th Avenue SW, Cedar Rapids, IA 52404; or to the Director of the Iowa Civil Rights Commission, Des Moines, IA; or to the Director of the Region VII Office of Civil Rights, Department of Education, Chicago, Illinois.

The College Community School District complaint procedure in its entirety is located in the Board of Directors' Policy Manual. Procedures for staff are outlined in Board policy 400.15. Procedures for parents, students and community members are referred to in Board policy 1002 and 1002.1

| Building | 504 Coordinator |
|----------------------|---|
| CCSD District Office | District 504 Coordinator |
| Crest | Counselor |
| Heights | Counselor |
| Hill | Counselor |
| Ridge | Counselor |
| View | Counselor |
| Creek | Counselor based on student grade level |
| Point | Counselor based on student last name |
| PHS | Counselor based on student last name |
| Edge | No 504-Eligible Students (Special School) |
| Delta | Counselor based on student last name |
| ECC/PK | ECC Director/Preschool Principal |



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Background Information

What is Section 504?

Section 504 is part of the Rehabilitation Act of 1973 that applies to persons with disabilities. Section 504 is a civil rights act that protects the civil and constitutional rights of persons with disabilities.

Section 504 states that no person with a disability can be excluded from or denied benefits of any program receiving federal financial assistance.

Section 504 and special education are two separate services. All school districts should have a 504 Coordinator to answer your questions about Section 504.

Purpose of Section 504 Procedure Manual

The purpose of the College Community School District Section 504 Procedure Manual is to provide community members, parents, students and school staff with information regarding Section 504. The content of the procedure manual is intended to inform the reader of procedures and services.

How Does Section 504 Define “appropriate education”?

A free appropriate education is one provided by the public elementary or secondary school which includes general or special education and related aids and services that (1) are designed to meet the individual education needs of persons with a disability as adequately as the needs of the non-disabled persons are met, and (2) are based upon adherence to evaluation, placement and procedural safeguard requirements.

How Are Students with Disabilities Identified?

Section 504 regulations cover a larger group of students with disabilities. The definition of disability under Section 504 includes students who have a physical or mental impairment that substantially limits one or more of life’s major activities.

Does Section 504 Require Evaluations?

Section 504 requires that a school evaluate “any person who, because of a disability, needs or is believed to need special education or related services.” An evaluation is also required prior to any significant change in placement.

Eligibility

If the school has reason to believe that, because of a disability as defined under Section 504, a student needs accommodations or services in the general education setting in order to participate in the school program, the district must evaluate the student. If it is determined that a student is disabled under Section 504, the district must develop and implement the delivery of all needed services and/or accommodations.

It must be understood that a medical condition in and of itself does not qualify a student for an accommodation plan or service; the condition must limit one or more major life activities. A physician’s diagnosis does not automatically qualify a student for an accommodation plan or services.

Services

The determination of what services and/or accommodations are needed must be made by a group of persons knowledgeable about the student. The parents should be included in the process whenever possible. This group must review the nature of the disability and how it affects one of life/s major functions: walking, speaking, hearing, seeing, learning, performing manual tasks, working and breathing. The decisions about Section 504 eligibility and services should be documented in the student’s file and reviewed periodically.

It is important to keep in mind that some students who have physical or mental conditions that limit their ability to access



and participate in the general education program are entitled to rights under Sections 504 even though they may not fall into an IDEA category and may not be covered by the special education law.

Section 504 Compliance

To be in compliance with Section 504, schools must:

1. Provide written assurance of nondiscrimination.
2. Designate a 504 Coordinator to manage the program.
3. Provide grievance procedures to resolve complaints.
4. Provide notice of nondiscrimination in admission or access to its program or activities. Notice must be included in a student/parent handbook.
5. Annually identify and locate all qualified children with disabilities who are not receiving a public education.
6. Annually notify persons with disabilities and their parents or guardians of the district's responsibilities under Section 504.
7. Provide parents or guardians with procedural safeguards.
8. Conduct a self-evaluation of school district policies, programs and practices to make sure discrimination is not occurring.

Comparisons of Special Education, 504s, and Individualized Health Plans

Section 504 and Special Education

| | Section 504 | Special Education |
|----------------------------|---|---|
| Type | A Civil Rights Act | An Education Act |
| Funding | Local | State-federal-Local |
| Administration | Section 504 Coordinator | Special Education Director |
| Provides | Accommodation Services | Specialized instruction A, accommodations and services |
| Disabilities | Physical or mental impairment | 13 federal disabilities |
| Parents | Should be involved in all team meetings but may proceed, if absent | Must be involved in all team meetings |
| Procedural Safeguards | Notice to parents is required | Parent consent and notice required for initial evaluation and placement |
| Evaluation and Eligibility | Parental consent for evaluation is necessary before it can be determined if a child is eligible for Section 504 | Disability suspect may precede evaluation. Student must qualify for services. |

A Comparison of Individual Health Plans and Section 504

| Section 504 | Individual Health Plan |
|---|--|
| Provides services, learning modifications or accommodations to students determined to be eligible | Provides health services to reach “desired” student outcomes |
| Under auspices of federal civil rights law | Under the auspices of Iowa law |
| Is a whole school process | Is a school nursing process |
| Plans reviewed “regularly” | Plans reviewed at least annually |
| Criteria for eligibility is the determination that the presence of disability has “substantial” impact on school success | Criteria for eligibility is the presence of a condition that requires routine nursing services |
| Primary recipients of 504 are general education students with mental or physical disabilities not included in special education | Primary recipients both general education and special education students |
| Services are derived from a plan which has contractual status | Services are derived from a written plan |
| All services and accommodations are unfunded | Services provided through nursing services staff |



Educational Accommodations

Accommodations are adjustments or adaptations made by the classroom teacher(s) and other school staff to help students to access or benefit from the education program.

Examples of Common Accommodations

- Adapt assignments and testing
- Provide an extra set of textbooks for home
- Use study guides, organizing tools
- Provide a peer tutor/helper
- Have the student use an organizer-train in organizational skills
- Preferential seating
- Adapt recess/PE/transportation policies
- Medication monitoring
- Assistance getting to classes
- Late passes
- Shortened school day
- Flexible bathroom privileges
- Field trip accommodations

Accommodations need to take into account both the functional limitations of the individual and the alternative methods of performing tasks or activities to participate without jeopardizing outcomes.

- Accommodations must be individualized
- The individual needs of the person with a disability should be met to the same extent as the needs of persons without disabilities
- Adaptations can be made to school and/or classroom programs
- Accommodations should provide the student with a disability an equal opportunity to participate

Roles and Responsibilities

504 District Coordinator

- Recommends to the Superintendent and to the Board of Directors policies and procedures relative to complaints with 504 and ADA
- Oversees the implementation of the 504 policies and procedures.
- Develops and continually revises consistent procedures to identify and locate students in the District who are disabled according to Section 504 and ADA.
- Develops and disseminates procedural safeguards regarding notice for Section 504 and the Americans with Disabilities Act (ADA).
 - Rights and Option
 - Impartial due process hearing and review
- Coordinates training and personnel development in procedures and practices related to Section 504 and ADA.
- Provides information to the community at large that explains, publicizes and promotes compliance with 504 and ADA.
- Maintains a list of names, addresses and telephone numbers of the district's building level 504/ADA Facilitators.
- Communicates and coordinates with building level 504/ADA Representatives.
- Communicates to principals that it is the responsibility of **ALL STAFF** within a building (teachers, associates, nurse, health associate, playground staff, lunchroom staff, etc.) to communicate possible 504 matters to the Building 504 representative
- Communicates with Superintendent and Board of Education regarding matters related to 504/ADA.

Building 504 Coordinator

- Coordinates implementation of consistent procedures to identify and locate students in the building who may be disabled according to Section 504 and ADA.
- In cooperation with the District Level 504/ADA Coordinator and administrators, continually monitors and provides for the reduction of architectural barriers at the building level for individuals with disabilities and informs the building administrators.
- Facilitates 504 Accommodation Plan meetings
- Oversees (or assigns a designee that oversees) the development and implementation of a written plan that delineates the accommodations and services required by the 504/ADA eligible student.
- Oversees the reassessment, review and reevaluation at least annually of each 504/ADA eligible student.
- Maintains confidentiality regarding case specific activities/actions.
- Informs all parties of the District's procedures related to the grievance process (parent/student due process rights).
- Engages the support and ongoing communication with staff involved in implementation of 504 Accommodation Plans.
- Oversees the appropriate procedures are implemented at the building level to meet compliance requirements for the collection and storage of 504/ADA data.
- Maintains confidentiality of student and patient records.
- Obtain a written release from parents / guardians before sharing information.
- Records include:
 - Referrals
 - 504 Accommodation Plans

- Progress Monitoring records
- Documentation of parent notification and involvement
- Relevant academic, behavioral and health/medical records
- Releases
 - Releases must be very specific in requesting only what is actually related to diagnosis or might contribute to a better understanding of the student's needs in the school setting. All personally identifiable information about students is confidential, except information designated by the District as directory information in its student records policy, and protected by federal law. In order for school districts to release information from student records, parental consent or a subpoena is generally necessary. Health professionals wanting information from school records should ask the parents to release that information. A copy of the release should then be forwarded to the school district.
- Provides documentation/communication and/or acts as liaison to parents on the status and effectiveness of the plan and encourages their participation
- Monitors the 504/ADA eligible student's progress and response to the accommodation plan.
- Oversees the transition of the student from one building to the next within the district.
- Develops and implements a specific and formalized process to:
 - Identify students in the building who may have a disability
 - Determine the eligibility of students for protection under 504/ADA
 - Provide information to and encourage participation of parents in the development and implementation of a 504 Accommodation Plan
- Consults with AEA support personnel as needed when their respective expertise is essential in developing the 504 Accommodation Plan

School Nurse

- Determine eligibility for 504 Protections by evaluating the student's health record, conduct an in-depth health history, and obtain medical reports as needed.
- Determine:
 - The major life activity that is affected and whether the limitation is considered mild, moderate, or severe and why.
 - The known or anticipated duration of the limitation.
- Articulate to the team how the disability or medical diagnosis interferes with one or more life functions and how the disability or medical diagnosis affects the student's functioning.
- For students who qualify for 504 Accommodations
 - Recommend health-related accommodations or supports so that the eligible student has equal access to education.
- Address health needs in another format if it is determined that the student does not qualify for a 504 Accommodation Plan (such as an IHP)

Other School Staff

- As part of the eligibility determination or annual review process, provide accurate feedback regarding a student's performance in the classroom.
- Provide accommodations as outlined in a student's 504 Accommodation Plan.
- Communicate any 504-related concerns or questions to the Building 504 Coordinator.



Procedural Safeguards

In complying with Section 504, it is important to remember that parents and students have specific rights, and the school district must be careful not to deprive parents or students of those rights or infringe upon those rights. See Appendix for additional information.

- The parents have a right to be notified in writing of any decisions made by the school district concerning the identification, evaluations or educational placement of students pursuant to Section 504. While parental **consent** is not mentioned in Section 504, it is preferable to seek parental support for the evaluation of the student as well as for implementation of the accommodation plan.
- The parents have a right to examine, copy, and request amendments to the student's educational records.
- The parents have a right to an impartial hearing regarding school district decisions. However, parents are encouraged to first attempt to resolve any disputes or conflicts utilizing the Resolution Facilitation process. This statewide mediation process is available through each of Iowa's AEAs. The person acting as the mediator is called the Resolution Facilitator. Parents and guardians can request a Resolution Facilitator from the local AEA or from a non-local AEA. The AEA reserves discretion in providing a Resolution Facilitator.
- The parents have a right to further review the impartial hearing officer's decision and a right to file a formal complaint with the office of Civil Rights.
- Students who have been evaluated and determined to not need special education services under an Individual Education Program (IEP) should be notified of their potential right to related services and aids under Section 504.



College Community School District's 504 Procedures

Evaluating the Eligibility for 504 Protections

Eligibility for protections under 504 is determined by viewing the student's needs against the "substantially limits a major life activity" standard. The actual presence of a disability is not sufficient, in and of itself, to qualify a student as eligible.

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

Students whose disability is transitory do not qualify for 504 protections. A transitory impairment is an impairment with an actual or expected duration of 6 months or less.

Evaluating Eligibility for a 504 Accommodation Plan

1. The Building 504 Coordinator notifies the parents/guardians when the school has reason to believe that their child's disabling condition is having a detrimental educational impact. A school staff member may complete an optional 504 referral form to notify the Building 504 Coordinator of the concern. The Building 504 Coordinator obtains signed parental consent for an evaluation to determine eligibility for a 504 Accommodation Plan. A Notice of Parent Rights is included with the consent form.
2. To determine the student's eligibility for a 504 Accommodation Plan, a team consisting of at least three individuals who are knowledgeable about both the student and the data convene to review available data (examples include, but are not limited to: assessment data, teacher and parent observations and feedback, medical information, grades, discipline, attendance).

All information must be documented and all documented information must be considered, including information supplied by the parent and from outside sources. Legal guardian/parent participation in this meeting is strongly recommended, but not required. Other recommended attendees are the Building 504 Coordinator, teacher, school nurse, and student. At the eligibility determination team meeting, a "Section 504 Eligibility Determination" Form must be completed and a copy must be retained as a part of the students' 504 File. This Eligibility Determination form is the guide to determining if a 504 Accommodation Plan should be written.

The suggested guidance is to compare the student to the average student of approximately the same age and the need for accommodations that fall outside of the scope of what is typically provided universally for all students.

3. At the eligibility determination team meeting, three potential decisions (or a combination) can be made, based upon the documentation and information presented:
 - a. The student qualifies for a Section 504 Accommodation Plan and appropriate accommodations will be written and implemented. Parents/guardians receive a copy of the final 504 Accommodation Plan.
 - b. The student is eligible for 504 protections but, at this time, is not in need of a 504 Accommodation Plan. The building staff will continue to monitor the situation.
 - c. The eligibility determination team decides there is a need to proceed with the disability suspect process. This process is initiated through a collaborative effort of AEA and LEA staff.

Monitoring Established 504 Accommodation Plans

A review of each student's 504 Accommodation Plan will be conducted at least annually. Reviews may occur at any time at the discretion of staff and parents/guardians.



At the 504 review meeting, three potential decisions may be made, based upon the documentation and information presented:

- The 504 team may continue the 504 Accommodation Plan as written if the team determines the student still qualifies for a Plan and the student is successful with the current plan.
- The 504 team may, based upon changes in the student's circumstances or in the school environment (change in buildings or classrooms), determine that the 504 Accommodation Plan must be modified.
- The team may discontinue the plan because:
 - The student no longer needs accommodations that are beyond what is available to all students. Health needs, if applicable, can be provided through an Individualized Health Plan.
 - The student is evaluated and determined eligible for special education and the necessary accommodations will be evaluated by the IEP team and included in the student's IEP.
 - The student no longer qualifies for protections under Section 504.

It is imperative that there is continuity of services for students with 504 Accommodation Plans as they move on to a new grade level and/or a new attendance center/building. To ensure this smooth transition, the Building 504 Coordinator must be sure that information is communicated to appropriate staff.

It is the responsibility of the Building 504 Coordinator to inform appropriate staff of the accommodations identified in the student's 504 Accommodation Plan.

For students who have an active 504 Accommodation Plan upon graduation and plan to attend a 2- or 4-year college, the Building 504 Coordinator will partner with the student to complete the Student Accommodation Request form.



Additional Resources

Additional Resources

[Link to IDOE Section 504 Website](#)

[Link to Office for Civil Rights](#)

[Link to Parent Guide to Section 504](#)

Forms

[504 Required Document Checklist](#)

[Optional 504 Referral Form](#)

[Required 504 Accommodation Evaluation Consent Form](#)

[Notice of Parent/Student Rights](#)

[504 Eligibility Data, Optional Teacher Feedback](#)

[504 Eligibility Data, Optional Parent Feedback](#)

[504 Eligibility Data, Optional Medical Professional Feedback](#)

[504 Accommodation Plan Required Eligibility, Determination Form](#)

[504 Required Accommodation Plan](#)

[504 Accommodation Plan Required Annual Review](#)

[Grievance Procedure](#)

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