

Oak Park Elementary School District 97



2020-2021 Section 504 of the Rehabilitation Act of 1973 Parent Information

The purpose of this memorandum is to provide parents an overview of what Section 504 is and of the process and services in Oak Park Elementary School District 97. While attempting to establish and ensure compliance with the law, this document cannot, of course, answer every question or address every situation. You are encouraged to contact your child's Section 504 Coordinator at your school or Dr. Felicia Starks Turner (District Section 504 Administrator) if you have any questions or concerns.

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Section 504 Section Overview

Section 504 of the Rehabilitation Act of 1973 is a federal law which prohibits discrimination against persons with disabilities. The law states:

No otherwise qualifies 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...

29 U.S.C. § 794

Section 504 is based on the principle that students with disabilities shall not be denied access to educational facilities, programs and opportunities on the basis of their disability. Section 504 guarantees the right to full participation and access to a free and appropriate public education (FAPE). FAPE is documented on a Section 504 Plan identifying the services and/or accommodations that are necessary for the student to access instruction and participation in educational and school-sponsored extracurricular activities. A diagnosis of a physical or mental impairment does not, in and of itself, determine edibility under Section 504.

The purpose of a Section 504 Plan is to level the playing field between disabled and non-disabled students. A student may be found eligible under Section 504 to be regarded as having a disability but not be eligible for 504 services and/or accommodations because no services or accommodations are necessary for the student to receive FAPE. Therefore, if a student qualifies for services and/or accommodations, the accommodations and services should be provided to allow the student to access the educational programs in a similar manner to his/her non-disabled peers.

Section 504 covers individuals with a *disability** that *substantially limits a major life activity****. A student may be eligible under Section 504 even if the students' disability or condition is controlled or mitigated by medication, cochlear implants or hearing aids, prosthetic devices, wheelchairs, etc. (does not include eyeglasses or contacts).

**Disability:* Under Section 504, an individual with a disability is defined as a person who: (1) has a physical or mental impairment that substantially limits a major life activity; (2) has a record of such an impairment; or (3) is regarded as having such an impairment. The determination of whether a student has a physical or mental impairment that substantially limits a major life activity (and therefore has a disability) must be made on a case by case basis.

***Substantial Limitation:* This determination is made on a case by case basis

****Major Life Activity:* A major life activity includes: walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, and performing manual tasks; standing, lifting, bending, reading, concentrating, thinking, communicating and working.

504 vs. IDEA

Because of the different requirements between Section 504 and IDEA, some individuals who are not eligible for special education under IDEA may qualify under Section 504 as having a disability and require accommodations and/or services (a Section 504 Plan). There may also be students who have a disability according to both definitions but do not require special education accommodations or services.

In order for children with disabilities to receive services, they must be identified and then determined to be eligible for these services. IDEA requires school districts to actively identify and evaluate all students suspected of having a disability, and to develop, according to specific standards, an individualized education program ("IEP") for each eligible student with disabilities. Section 504 likewise requires school districts to provide a free, appropriate public education but does not contain detailed requirements regarding development and contents of Accommodation Plans under Section 504 as IDEA does for IEP's.

The Section 504 Process

The 504 process consists of four steps: (1) Referral; (2) Evaluation; (3) Eligibility Determination; and (4) the Section 504 Plan.

The referral to the school can be made from a parent or staff member by contacting the building's Section 504 Coordinator. Referral forms can be found online at Section 504 Handbook or from the building Section 504 Coordinator. The referral should be considered by the building level support team. If the team determines that an evaluation is not necessary, the parent will be advised and given the reasons for the decision not to conduct and evaluation within 14

school days of the parent's request for an evaluation. If the team determines that an evaluation is appropriate, the authorized administrator will complete the Parent/Guardian Consent for Section 504 Assessment and Procedural Safeguards and will provide it to the parents. Upon receipt of the Parent/Guardian Consent Form for Assessment by the Section 504 Coordinator, the School will complete an assessment to determine if the student is eligible under Section 504 and, if necessary, the development of a Section 504 Plan pursuant to Section 504 within 60 school days. As part of the evaluation, appropriate staff will be given the Teacher Input Form to complete. The Section 504 Team will review the students' existing school records, classroom observations, prior testing, grades, standardized test scores, medical reports, information provided by the parent/guardian, and other data. The student should have a diagnosis or opinion from some expert in the field indicating that he/she has a physical or mental impairment. Parents will then be sent the Parental Notice of Section 504 Conference Form.

Documentation

The specification of physical or mental impairment requires an individual assessment using test(s) that are validated for the specific purpose for which they are used and the diagnosis must be made by a qualified professional with credentials appropriate to the disability. Assessments and diagnosis must ordinarily be current within a one year period of a referral for Section 504. The results of an outside independent evaluation may be one of many sources used to determine eligibility and/or establish an educational plan but does not, by itself, necessarily establish eligibility for a Section 504 Plan.

The 504 committee will use a variety of sources in the evaluation process. All significant factors related to the student's impairment and its impact on a major life activity must be considered. These sources and factors include aptitude and achievement tests, teacher input/recommendations, physical condition, social and cultural background, parent input/recommendations, student input, and adaptive behavior, among others. Information from all sources must be documented and considered by knowledgeable committee members. The weight of the information is determined by the committee given the student's individual circumstances. No single document or medical diagnosis is determinative of eligibility or any particular type or level of service.

The 504 team must fully and accurately complete the attached Section 504 Committee Report Form.

504 Committee

The 504 committee, which determines consists of the following:

- Section 504 Coordinator *(School Nurse, Assistant Principal, or Student Support Specialist)
- Classroom teacher (s)
- Parent(s)/Guardian(s)
- Principal (as necessary)
- School Nurse *(as necessary)
- Assistant Principal *(as necessary)
- Student Support Specialist *(as necessary)
 - Other school personnel (including Occupational Therapists, Speech Therapists, and Social Workers as necessary)
 - Non-school Professionals (evaluators, physicians, therapists, etc.) as requested by parents (if the parents plan to have their legal counsel attend any school meeting, sufficient notice should be given to the 504 Administrator in order to arrange for the attendance of the school's legal counsel. No meeting will occur with only the parent's legal counsel present.)

Eligibility Determination Meeting

The mere fact that a student has a "record of" or is "regarded as" disabled is insufficient, in itself, to trigger protection under Section 504. The central and most controlling consideration is whether the specified impairment substantially limits the specified major life activity within the school environment.

To be protected under Section 504, a student must be determined to 1) have a physical or mental impairment that substantially limits one or more major life activities, 2) have a record of such an impairment, or 3) be regarded as having such an impairment.

Access NOT Advantage: Section 504 is not designed to improve grades, raise test scores, or reduce homework responsibilities. A student can be eligible under Section 504 as having a disability but not be eligible for 504 services and/or accommodations because no services or accommodations are necessary for the student to receive FAPE. The student would still be entitled to the procedural protections arising from eligibility (i.e., manifestation determination, procedural safeguards, and periodic reevaluation). Additionally, should the need for a 504 be developed, the team would need to

reconvene and develop an appropriate 504 Plan.

If the student is found eligible under Section 504 and requires services and/or accommodations, a Section 504 Plan will be developed. The purpose of the services and/or accommodations is to level the playing field between disabled and non-disabled students and, therefore, the accommodations and services should be provided to allow the student to access the educational program in a similar manner to his/her non-disabled peers.

Section 504 Plan

Once a student is declared eligible by the Section 504 team and the team determines that accommodations and/or services are necessary, the 504 team will then decide what reasonable services and/or accommodations the school will provide the student. Accommodations address areas where the disability substantially limits the student's ability to function in the school setting. Possible accommodations may include but are not limited to:

- Extended time for classroom and/or standardized tests and quizzes
- Preferential seating in classroom, standardized testing situations, or school assemblies
- "Stop the Clock" during testing
- Breaks during testing or class
- Limited extension of due dates of homework and other assignments
- Modified homework assignments when possible
- Long-term assignments divided into smaller segments with staggered deadlines
- Snacks available during testing or class (diabetic students)
- Visual organizer
- Check for student understanding
- Alternative testing locations for classroom and/or standardized tests and quizzes

If a parent, student, or teacher thinks that the 504 Plan needs to be subsequently reviewed or modified, the Section 504 Coordinator should be contacted in order to request a 504 review meeting. This review may be requested at any time. The 504 Coordinator will then consider the request and determine whether to honor or deny the request. If the request is denied, reasons will be provided, in writing.

Annual meetings will be held every school year beginning with student's initial eligibility meeting to review the student's 504 plan, accommodations, modifications and services. Follow-up on whether such accommodations and/or services are successful, unsuccessful, or no longer necessary will be reviewed and necessary changes will be made to the Section 504 Plan. If you have any questions about when this will be, please contact the 504 Coordinator.

Parent's and Student's Rights

Parents/Guardians are entitled to the Procedural Safeguards set forth in the attached Procedural Safeguards Form.

Case Manager Responsibilities - Each student on a Section 504 Plan shall have a Case Manager assigned who has the following responsibilities:

- Inform teachers, and others as determined at the 504 meeting, of the contents of the 504 Plan
- Assist the student and teachers with implementation of the accommodations
- Distribute 504 Plan to all teachers as determined at the 504 meeting
- Notify 504 Coordinator if assistance is needed in implementation of 504 accommodations
- Notify 504 Coordinator if changes need to be made to 504 Plan

Teacher Responsibilities

- General education teachers implement the provisions of Section 504 educational plans when those plans govern the teachers' treatment of students for whom they are responsible.
- Provide input by completing Teacher Input forms as provided by the school or outside evaluators as requested by the parents.
- Keep student, parents, principal and staff informed of the student's classroom performance. The teacher should contact the Case Manager when he/she feels the educational plan needs to be reviewed and/or revised.

Parent Responsibilities

- Play an active role in your child's Section 504 Plan and understand the plan. Communicate any questions or concerns you may have about your child's progress or 504 Plan.
- Keep careful records. This should include any written documentation you have obtained, private evaluation

reports, communication between home and school, progress reports, etc. Keep these records well organized and in one place, they may be very useful.

- Provide acceptable documentation (as described in the **Documentation** section) for eligibility determination process.
- Inform case manager and nurse of any changes to the health of your child- including a change of medication.
- Understand your child's diagnosis of a medical condition, how it impacts her/his education and what can be done at home.
- Encourage your child every day and devise a system to help with homework and other school projects.
- Speak with your child's teachers. Teachers often have similar concerns as parents and welcome the opportunity to discuss them.

Student Responsibilities

- Inform the case manager and parents if the educational plan is not meeting his/her needs.
- Develop self-advocacy skills important for school success.
- Be familiar with 504 plan accommodations and his/her responsibilities as related to the plan.

Section 504 / ADA Grievance Procedure

Oak Park Elementary School District 97 does not discriminate on the basis of disability with regard to admission, access to services, treatment, or employment in its programs or activities. Any qualified individual who wishes to complain about alleged discriminatory treatment falling under Section 504 shall be addressed by the following grievance procedure.

This grievance procedure is established to meet the requirements of Section 504 of the *Rehabilitation Act* of 1973 and the *Americans with Disabilities Act* of 1990. The District prohibits retaliation on the basis of any grievance filed under this policy.

A "grievance" is any complaint under ADA/Section 504 by an individual with a disability who:

1. Meets the essential eligibility requirements for participation in or receipt of the benefits of a program, activity or service by the District, and
2. Believes he or she has been excluded from participation in or denied the benefits of any program, service or activity of the District or has been subject to discrimination by the District on the basis of his or her disability or handicap.

The District will endeavor to respond to and resolve grievances without the need to resort to the formal grievances procedure established by the District's Uniform Grievance Procedure. A person who wishes to avail himself or herself of the formal Uniform Grievance Procedure, however, may do so only by filing a written grievance within three hundred sixty- five (365) calendar days of the alleged discrimination.

Persons seeking to file a Grievance should also use the attached form and follow the procedures in the District's Uniform Grievance Procedure which is attached.

Grievances should be addressed to Dr. Felicia Starks Turner, Associate Superintendent of Education.

Points to Remember

1. Students must be evaluated for 504 eligibility without regard to mitigating measures (i.e. without consideration of the effects of medications, assistive technology devices, health care plans, Rti, and prosthetics).
2. Schools can take into account mitigating measure in determining which accommodations are appropriate for a particular student based on that student's needs and whether any accommodations are needed.
3. If a student has a physical or mental impairment that substantially limits a major life activity, but does not require reasonable accommodations, there may not be a need for a Section 504 Plan, but the student is still entitled to Section 504 protections.
4. An accommodation is unreasonable if it "fundamentally alters" the nature of the service or places an "undue burden" on the school district.
5. The district is not obligated to provide students with "optimal" accommodations or accommodations of the student or parent's choosing, but rather the district must provide the student with meaningful access to its programs and services.

Phone:

Referral for Section 504 Evaluation

Section 504 of the Rehabilitation Act of 1973 is designed to eliminate discrimination on the basis of disability in any program or activity receiving Federal financial assistance. If you feel the student identified may require a Section 504 Plan to address a disability, please complete the following information.

Date: _____ **Student's Name:** _____ **Date of Birth:** _____ **Grade:** _____
Parent/Guardian(s): and _____
Home Phone: _____
Email: _____

Name of Person Submitting Referral: _____

Position/Relationship to Student: _____

Describe the student's need or area of concern (reason for referral):

The student is suspected of having a physical or mental impairment that may substantially limit one or more of the following major life activities when compared to the average student:

A review of the referral has determined that an evaluation is **not** appropriate at this time.

Explain reason:

A review of the referral has determined that an evaluation **is** appropriate at this time.

Referring Party's Signature

Date

Building 504 Coordinator Signature

Date

Phone:

Parent/Guardian Notification of Decision Regarding a Request for an Evaluation

Date: Student's Name: Date of Birth:

Dear /,

A request for a Section 504 evaluation was made for your child on by , Relationship , for the following reasons:

Request for

- A review of the request has determined that an is deemed necessary at this time.
- A review of the request has determined that an is not deemed necessary at this time.

The reasons and relevant factors for the above indicated decision include:

You have the right to legal representation, to review your child's records, and to request an impartial hearing if you disagree with the District's Identification, evaluation, provision of services, educational placement, or change or termination of services under Section 504 as summarized in your procedural rights enclosed with this Notice. If you desire a review of your child's records, have questions concerning your legal rights, or wish to initiate a hearing, please contact:

Name: Title: Phone:

Sincerely,

Name:
Title:

- Parent/Guardian provided a copy of the **Parent Rights in Brief**.

Phone:

PARENT/GUARDIAN CONSENT FOR EVALUATION

Student Name:

Date of Birth:

Name of Parent/Guardian:

Parent/Guardian:

Relationship:

Home Phone:

Email:

Address: , , ,

Parent/Guardian:

Relationship:

Home Phone:

Email:

Address: , , ,

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance. Students who are covered by 504 are those who:

- 1) have a physical or mental impairment, which substantially limits one or more major life activities
- 2) have a record of such impairment or
- 3) are regarded as having such impairment.

Please note that some students are eligible for the rights and protections provided under Section 504 but do not demonstrate a need for an accommodation plan. Only students who (a) are eligible under Section 504; and (b) demonstrate a need for reasonable accommodations to access the educational program similar to non-disabled peers will receive a Section 504 accommodation plan.

Step One: Explanation and Purpose of an Evaluation

Each school district shall ensure that a full and individual evaluation is conducted for each child being considered or reconsidered for 504 services and related services.

The purposes of an evaluation may be to determine:

- Whether the child has, or continues to have, a mental or physical impairment;
- Whether the mental or physical impairment substantially limits a major life activity;
- Whether the child needs, or continues to need, reasonable accommodations;
- Whether any additions or modifications to the child's 504 Student Plan are needed.

Step Two: Describe the major life activities that may be affected:

- | | | | |
|-----------------------------------|---|----------------------------------|--|
| <input type="checkbox"/> Learning | <input type="checkbox"/> Speaking | <input type="checkbox"/> Walking | <input type="checkbox"/> Breathing |
| <input type="checkbox"/> Seeing | <input type="checkbox"/> Performing Manual Task | <input type="checkbox"/> Hearing | <input type="checkbox"/> Caring for self |
| <input type="checkbox"/> Reading | <input type="checkbox"/> Concentrating | <input type="checkbox"/> Eating | <input type="checkbox"/> Communicating |
| <input type="checkbox"/> Thinking | <input type="checkbox"/> Major Bodily Function | <input type="checkbox"/> Other | |

Step Three: Sources of Evaluation Information

- | | |
|--|---|
| <input type="checkbox"/> Current Classroom Functioning | <input type="checkbox"/> Parent, Teacher and/or Student Interview |
| <input type="checkbox"/> Educational History | <input type="checkbox"/> Health Record, History, and/or Update |
| <input type="checkbox"/> Discipline Record | <input type="checkbox"/> Assessment of Social/Emotional Needs |
| <input type="checkbox"/> Attendance Record | <input type="checkbox"/> Parent Input |
| <input type="checkbox"/> Local and State Wide Assessments | <input type="checkbox"/> Classroom Observations |
| <input type="checkbox"/> Prior Special Education Evaluations | <input type="checkbox"/> Other |

Step Four: Parental Agreement

I understand my rights as explained to me and contained in the Parents Rights in Brief which I have received and reviewed. In addition, I understand the nature and scope of the evaluation to be completed. Upon completion of my child's evaluation, a conference will be scheduled to discuss the findings and determine my child's eligibility under Section 504.

I consent

I do not consent

to an evaluation of my child

Signature of Parent/Guardian

Date

Phone:

SECTION 504 – MEETING NOTICE AND INVITATION

Student Name:

ID:

Date of Birth:

School:

Grade:

Invitation Date:

Purpose of Meeting:

Dear , and :

You are invited to attend a meeting to determine or review your child's eligibility for services under Section 504 of the Rehabilitation Act of 1973. If it is determined that your child *is* or *continues* to be eligible, a Section 504 Plan may be *developed (or reviewed and revised)* at this meeting.

You are invited to attend a Section 504 manifestation determination meeting to review whether your child's misconduct was a manifestation of **{his,her}** disability.

The meeting will be held on at .

The School District has invited the following persons to attend the meeting:

Conference Participants (Name and Title):

Name/Title	Name/Title
------------	------------

You are encouraged to attend this meeting and participate in the decision-making process. You have the right to bring other individuals, at your discretion, to this conference. If the meeting date or time is not convenient for you, please contact at at your earliest convenience and we will attempt to make other arrangements.

Enclosure: Parents Rights In Brief

Phone:

SECTION 504 - ELIGIBILITY

Student Name: ID: Date of Birth:
 Serving School: Grade:
 Parent/Guardian: Relationship:
 Home Phone: Email:
 Address: , , ,

Parent/Guardian: Relationship:
 Address: , , ,
 Home Phone: Email:

Section 504 Eligibility Meeting Date: Follow-up Eligibility Meeting Date:

Purpose of Meeting:

- To consider possible eligibility under Section 504 of the *Rehabilitation Act of 1973* and the need for services and/or accommodations.
- To review eligibility under Section 504 of the *Rehabilitation Act of 1973* and the need for services and/or accommodations.
- Other (Specify):

PARENT CONTACT

Method of Contact	By	Date
-------------------	----	------

- Parent/Guardian received a copy of the Section 504 *Parents' Rights in Brief*.

Meeting Participants

Team members should include persons knowledgeable about the student, the meaning of evaluation data, and placement options.

Name/Title	Name/Title
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Sources Of Evaluation Information

The team reviewed and carefully considered the following data gathered from a variety of sources. (Please check all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Current Classroom Functioning | <input type="checkbox"/> Parent, Teacher and/or Student Interview |
| <input type="checkbox"/> Educational History | <input type="checkbox"/> Health Record, History and/or Update |
| <input type="checkbox"/> Discipline Record | <input type="checkbox"/> Assessment of Social/Emotional Functioning or History |
| <input type="checkbox"/> Attendance Record | <input type="checkbox"/> Parent Input |
| <input type="checkbox"/> Local and State Wide Assessments | <input type="checkbox"/> Reports from Other Sources |
| <input type="checkbox"/> Prior Special Education Evaluations | <input type="checkbox"/> Other |
| <input type="checkbox"/> Classroom Observations | |

If information from a conversation or other data in unwritten form was considered, please document the oral data relied upon by attaching written notes summarizing the conversation or data.

Summary of Evaluation Information:

Is there a Health Care Plan for this Student? Yes No

Eligibility Determination:

In order to be eligible for the rights and protections provided under Section 504 of the Rehabilitation Act, a student must have a physical or mental impairment, which substantially limits one or more major life activity. In order to be eligible for a Section 504 plan, students must be eligible for the rights and protections provided under Section 504 and require reasonable accommodations to access the educational program in a manner similar to his/her non-disabled peers.

1. Is there documented evidence of a physical or mental impairment?

Yes No

Please explain:

2. Does the impairment substantially limit one or more life activities?

Yes No

Please explain:

If yes, please indicate the major life activity where the substantial limitation exists:

- | | | | |
|-----------------------------------|--|----------------------------------|--|
| <input type="checkbox"/> Learning | <input type="checkbox"/> Speaking | <input type="checkbox"/> Walking | <input type="checkbox"/> Breathing |
| <input type="checkbox"/> Seeing | <input type="checkbox"/> Perform Manual Tasks | <input type="checkbox"/> Hearing | <input type="checkbox"/> Caring for Self |
| <input type="checkbox"/> Reading | <input type="checkbox"/> Concentrating | <input type="checkbox"/> Eating | <input type="checkbox"/> Communicating |
| <input type="checkbox"/> Thinking | <input type="checkbox"/> Major Bodily Function | | |
| <input type="checkbox"/> Other | | | |

If the answers to questions 1 and 2 are "Yes", then the student is eligible for the rights and protections provided under Section 504, as outlined in the *Parents' Rights in Brief*.
If the answer to either question 1 or 2 is "No", then the student is not eligible.

Need for Accommodation Plan:

3. Does the student require reasonable accommodations to access the educational program in a manner similar to his/her nondisabled peers?

Yes No

(If the answer to Questions 3 is "Yes," the student is eligible for a 504 Plan and a Plan will be developed.)

Summary:

The Section 504 team has determined:

- Student is eligible under Section 504
- Student is not eligible under Section 504
- The student is eligible under 504, but does not require a Section 504 Plan at this time.

.
.
.
Other
.
.
.

The IAR assessment is not appropriate. (Specify) (Go to #2)

3. Illinois Science Assessment (ISA) (Grades 5, 8, High School (Biology))

- Does not participate at this grade .
- Participates with no accommodations.
- Participates with accommodations from IAR

PARENT/GUARDIAN CONSENT FOR INITIAL PROVISION OF SECTION 504 ACCOMMODATIONS

Please use this form for students who (a) are eligible for Section 504 rights and protections; AND (b) require educational accommodations to access the educational program.

Date: _____
Student's Name: _____ ID: _____ Date of Birth: _____
School: _____ Grade: _____

Dear , , , :

At a recent conference your child was recommended for the initial provision of Section 504 accommodations and a Section 504 plan was developed. Before a school district may provide the accommodations described in your child's Section 504 plan, your informed written consent is required. Your consent is voluntary and you may revoke your consent at any time. If you revoke consent, it does not negate any action that occurred after the consent was given and before it was revoked.

CHECK ONE:

I give consent For the initial provision of accommodations as included in my child's Section 504 plan. The proposed accommodations have been fully explained to me and are consistent with the Section 504 plan developed for my child.

I understand that my consent is voluntary. I understand that my consent is not required for continued Section 504 services and/or accommodations or for a change in the services and/or accommodations. At least annually, I will be given an opportunity to meet with my child's Section 504 team and provide input into my child's Section 504 plan.

I received a copy of the **Parents' Rights in Brief** which have been fully explained to me by school personnel, including the procedures for requesting an impartial hearing.

I do not give consent For the accommodations included in the Section 504 plan.

I understand that the District will not be in violation of its obligation to make available a free appropriate public education available for my child if I refuse to give consent.

- I have received
- Copy of the Section 504 Eligibility Summary
 - Copy of the Section 504 Plan
 - Copy of the Parents' Rights in Brief

Date: _____ Parent/Guardian Signature: _____

If you have any questions concerning this process or require additional information regarding your and your child's rights, please contact:

Name: _____ Title: _____ Phone: _____

Sincerely,

(Signature)

Name:

Title:

Phone:

Section 504 TEACHER INPUT FORM

The information requested will help determine appropriate services and/or accommodations for this student in a 504 plan. This information will be shared with parents during the 504 eligibility meeting.

Please return the completed form to before .

Date: _____ **Student's Name:** _____ **ID#:** _____ **Date of Birth:** _____
Grade: _____ **School:** _____

Please check all responses that apply.

Energy level

- Overactive Appropriate
 Very Enthusiastic Lethargic

Comments:

Class Participation

- Dominant Adequate
 Enthusiastic Passive

Comments:

Classroom Behavior

- Very Good Immature
 Normal Give & Take Belligerent

Comments:

Attention Span

- Appropriate and sustained Easily distracted

Comments:

School Work Habits

- Works independently Requires supervision
 Brings materials to class Does not bring materials to class
 Prepares for tests and quizzes Does not prepare for tests and quizzes
 Shows good organizational skills Is disorganized
 Turns in quality work Turns in sloppy and hurriedly work
 Asks and uses help appropriately Does not ask for help

Comments:

- How often does the student complete in-class assignments? 100-85% 85-50% Less than 50%
- How often does the student complete homework on time? 100-85% 85-50% Less than 50%
- How often does the student need extra time on a test or quiz? 100-85% 85-50% Less than 50%
- What is the student's current test and quiz average? EX PR AP NP
- What is the student's current overall grade? EX PR AP NP

Processing Skills

- Is an auditory learner Is a visual learner

Comments:

Writing Skills

Appropriate for Grade

Needs improvement

Expressive

Comments:

Reading Skills

Appropriate for Grade

Has difficulty comprehending material

Has difficulty summarizing material

Comments:

Relationship w/Peers

Accepted

Seems to choose appropriate

A leader

Handles negative peer pressure well

Does not relate to others very well

Seems to be isolated

A follower

Succumbs to negative peer pressure often

Comments:

Relationship w/Adults

Relates appropriately

Takes correction & direction well

Seems comfortable around adults

Seems trustworthy

seeks attention inappropriately

Takes correction & direction poorly

Has difficulty with authority figures

Seems untrustworthy

Comments:

6. Review of the behavior intervention plan as part of the student's 504 plan related to this incident.

(if no, the building team will initiate a meeting to consider conducting a Functional Behavioral Assessment (FBA, with parent consent) and, when the FBA is complete, will convene a Section 504 meeting to develop a Behavior Intervention Plan to address the behavior, if appropriate.)

Manifestation Determination:

In determining if the misconduct was a manifestation of {his,her} disability, the Section 504 team must determine the following:

1. Was the conduct in question caused by or did it have a direct and substantial relationship to the student's disability? Yes No
2. Was the conduct a direct result of the School District's failure to implement the Section 504 plan? Yes No

The Section 504 team has determined that the behavior subject to discipline:

- Is not a manifestation of the student's disability (school personnel may apply relevant disciplinary procedures applicable to all students)
- Is a manifestation of the student's disability

If the team determines that the misconduct was a manifestation of the child's disability:

- (a) The team must consider an FBA and implement a BIP if this has not already been done prior to the current misconduct;
- (b) If a BIP has already been developed, review and modify it, as necessary, to address the misconduct in question; and
- (c) The team must review the student's current Section 504 plan and educational placement to determine if they remain appropriate. If the team believes that a significant change in placement may be necessary, the team must initiate a reevaluation of the student.

Signature of Section 504 Coordinator or Designee

Date

PARENT/GUARDIAN SIGNATURE

- I agree with the determination above.
- I disagree with the determination above and understand that I have the right to request an impartial due process hearing by filing a written request for a hearing with the Section 504 Coordinator.

Signature of Parent/Guardian

Date

**Oak Park Elementary School District 97
DISCRIMINATION BASED ON DISABILITY**

GRIEVANCE FORM

It is the policy of Oak Park School District 97 to provide assistance in filling out this form. If assistance is needed, please ask Dr. Felicia Starks Turner, Associate Superintendent of Education.

Name: _____

Address: _____

City, State and Zip Code: _____

Telephone No.: _____

Program, Service, or Activity to which Access was Denied or in which Alleged Discrimination occurred:

Date of Alleged Discrimination: _____

Nature of Alleged Discrimination: _____

(Attach additional sheets if necessary. If the grievance is based on a denial of requested reasonable modification or accommodation, please fill out the second page of this form.)

I certify that I am qualified or otherwise eligible to participate in the program, service or activity, and the above statements are true to the best of my knowledge and belief.

The right of a person to a prompt and equitable resolution of this complaint shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA or Section 504 complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies and use of this grievance procedure does not extend any filing deadlines related to the pursuit of other remedies.

Signature

Date

Please give to the Senior Director of Student and Administrative Services at the address listed above.

For Office Use Only

Date Received: _____ By: _____

Please fill out this page only if this grievance is based upon the denial of a requested reasonable modification. A reasonable modification will be made to make programs, services, and activities accessible. Reasonable modifications could include such things as providing auxiliary aids and devices or changing some policies, requirements or program locations to allow an individual with a disability to participate. This portion of the form should be filled in to the extent you know the answers. The form may be submitted even if this portion is incomplete.

Reasonable modification requested:

The person to whom the request was made:

The reason for denial:

Why is the requested modification necessary to use or participate in the program, service or activity?

Any other information you believe will aid in a fair resolution of this grievance:

Phone:

PARENTS' RIGHTS IN BRIEF

Section 504 of the Rehabilitation Act of 1973

It is the policy of the Board of Education to provide a free and appropriate public education to and reasonable modification of policies, practices or procedures for each eligible student with a disability under Section 504. It is the intent of the District to ensure that students who are or may be eligible for accommodations, aids and services, and/or reasonable modification of policies, practices, or procedures under Section 504 are identified, evaluated, and if eligible, provided with appropriate accommodations, aids and services, and/or reasonable modifications of policies, practices, or procedures.

Parents (or students, if age 18 or older) have the following rights under Section 504:

1. Right for your child to take part in and receive benefits from the District and its programs and activities, including nonacademic and extracurricular programs and activities, without discrimination on the basis of his/her disability;
2. Right to be informed, in your native language and mode of communication, of any proposed actions related to identification, evaluation, or educational placement of your child;
3. Right to examine all relevant records of your child;
4. Right to have an evaluation of your child that draws on information from a variety of sources in order to determine his/her eligibility for Section 504 services and/or accommodations;
5. Right to have periodic reevaluations of your child, including reevaluation before any significant change in your child's placement;
6. Right for your child to receive appropriate accommodations, aids and services, and/or accommodations in the least restrictive environment that is appropriate to meet his/her needs if he/she is found eligible under Section 504, and right to provide your input before Section 504 program/placement decisions are finalized;
7. Right to a manifestation determination review before any disciplinary removal of your child that constitutes a significant change in placement, in order to determine if your child's misconduct was related to his/her disability;
8. Right to request an impartial due process hearing under the District's Section 504 Procedures And Procedural Safeguards to address issues about the identification, evaluation, educational placement of, or provision of a free appropriate public education to your child, to participate in and be represented by legal counsel at the hearing, and to appeal the hearing decision through the District's review procedure;
9. Right to file a grievance under the District's Uniform Grievance Procedure to address any claim of discrimination on the basis of disability, and to appeal the grievance decision; and
10. Right to forego or terminate the District's impartial due process hearing and/or grievance procedures described above and file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR").

NOTE: Copies of the District's Section 504 Procedures And Procedural Safeguards and the District's Uniform Grievance Procedure, as well as contact information for OCR, are available at <http://www.op97.org>.

Felicia Starks Turner, Associate Superintendent of Education