

# Administrative Procedure

December 2003  
July 17, 2009

Adopted  
Revised

## 402 Section 504 School Implementation Procedure

### I. Purpose

Section 504 is Federal civil rights legislation for persons with disabilities that impacts entities that receive federal funding. 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.”

A student should be able to achieve as well as the average student in the general population. The school must afford students with handicaps equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as students without disabilities. The school must not discriminate against employees with disabilities, or parents with disabilities, who are patrons of the district. Section 504 focuses on employment; program accessibility; preschool, elementary, and secondary education; postsecondary education; and health, welfare, and social services.

### II. Eligibility for Services

A person is eligible for 504 if that person:

1. Has a physical or mental impairment which substantially limits one or more of such person's major life activities: A) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one of more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory (including speech organs); cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine, or B) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.
2. Student's impairment substantially limits a major life activity, such as but not limited to: caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, other (e.g. stooping, bending, reaching, etc.)

A substantial limitation is defined as:

1. Person is unable to perform a major life activity that the average person in the general population can perform, or
2. Person is significantly restricted as to the condition, manner or duration under which an individual can perform a particular major life activity as compared to the condition, manner, or duration under which the average person in the general population can perform that same major life activity.

### **III. School Procedure**

1. A required meeting should be facilitated to discuss appropriate classroom interventions with parents, teachers, administrator, and student prior to a new referral.
2. New Referrals - A Referral form is to be filled out by referring person. Referral forms are available in the building. The completed Referral form is given to the building 504 Coordinator.
3. A meeting with the student's teachers, student contact team leader and/or 504 coordinator, and parents will be set up to determine eligibility and, depending on eligibility, an accommodation plan will be written. Students in Middle School and Elementary School would be encouraged to attend. Secondary students should attend this meeting. The Evaluation/Eligibility form will include area of concern, medical information, major life activity that is being affected, evaluation method (observation, testing, etc.), and findings. Parents will sign the Evaluation/Eligibility Form, be given the Parent's/Student's Rights information sheet, and be informed when a review/reevaluation will take place. This process should be followed for new referrals and for reviews/reevaluations of students/staff already on a 504 plan.
4. The Accommodation Plan will be distributed by the building coordinator to all new staff involved the first week of every quarter.
5. The District Superintendent is responsible for assuring that the District complies with Section 504. The telephone number is 763-972-3365, Ext. 2115.

### **Representatives**

Elementary Building Coordinator/Student Contact Team Leader: Darren Schuler, Principal;  
Middle School Building Coordinator/Student Contact Team Leader: Renee Klinkner, Principal;  
High School Student Contact Team Leader: Matthew Schoen, Principal; High School Building  
Coordinator: Matthew Schoen.  
District Coordinator - All Schools: Dr. John Sweet, Superintendent.

### ***Section 504 Rights***

Section 504 of the Rehabilitation Act provides services for students identified as having a disability as defined by the act, which substantially limits a major life activity. You have the following rights:

1. The right to be informed of your rights under Section 504 of the Rehabilitation Act.
2. The right for your child to have equal opportunities to participate in academic, nonacademic, and extra-curricular activities in your school.
3. The right to be modified about referral, evaluation, and programs for your child.
4. The right for your child to be evaluated fairly.
5. The right, if eligible for services under section 504, for your child to receive accommodations, modifications, and related services that will meet his/her needs as well as the needs of nondisabled students are met.
6. The right for your child to be educated with nondisabled peers as much as possible.
7. The right to an impartial hearing if you disagree with the school regarding your child's education program.
8. The right to review and obtain copies of your child's school records.
9. The right to request changes in the educational program of your child.
10. The right to request attorney fees related to securing your rights under Section 504 if you are successful in your appeal.

## **Section 504 Information Sheet DELANO PUBLIC SCHOOLS**

### Overview and Purpose of 504 Policy

Section 504 is Federal civil rights legislation for persons with disabilities that impacts entities that receive federal funding. 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.”

A student should be able to achieve as well as the average student in the general population. The school must afford students with handicaps equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as students without disabilities. The school must not discriminate against employees with disabilities, or parents with disabilities, who are patrons of the district. Section 504 focuses on employment; program accessibility; preschool, elementary, and secondary education; postsecondary education; and health, welfare, and social services.

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1. The right to be informed of your rights under Section 504 of the Rehabilitation Act.
2. The right for your child to have equal opportunities to participate in academic, nonacademic, and extra-curricular activities in your school.
3. The right to be notified about referral, evaluation, and programs for your child.
4. The right for your child to be evaluated fairly.
5. The right, if eligible for services under 504, for your child to receive accommodations, modifications and related services that will meet his/her needs as well as the needs of nondisabled students are met.
6. The right for your child to be educated with nondisabled peers as much as possible.
7. The right to an impartial hearing if you disagree with the school regarding your child's education program.
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The District Superintendent is responsible for assuring that the District complies with Section 504. The telephone number is 763-972-3365, Ext. 2115.

The Delano Public Schools Section 504 School Policy is on file in the District Office.

**DELANO PUBLIC SCHOOLS**  
**Section 504**  
**Referral Form**

**Student:** \_\_\_\_\_ **Referral Date:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_ **Grade:** \_\_\_\_\_ **School:** \_\_\_\_\_

**Parent(s):** \_\_\_\_\_ **Phone (Home):** \_\_\_\_\_ **Phone (Work):** \_\_\_\_\_

**Address:** \_\_\_\_\_ **City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Reason(s) for Referral:**

**Pre-referral Actions to Address Concerns:**

**Signature of Person Making Referral:** \_\_\_\_\_

Parental Notification is required if someone other than the parent is making the referral.

**Date:** \_\_\_\_\_ **Parent Notified:** \_\_\_\_\_

**Please return to Building Principal.**

**DELANO PUBLIC SCHOOLS**  
**Section 504**  
**Evaluation and Eligibility Determination Form**

Student Name: \_\_\_\_\_ Date of Report: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_ Birth date: \_\_\_\_\_

Reason for Meeting: \_\_\_\_\_ *Initial Evaluation*    *Periodic Reevaluation*

Area of Concern:

**Medical Evaluation:**

Dr.: \_\_\_\_\_ Clinic: \_\_\_\_\_ Date: \_\_\_\_\_

Diagnosis and Treatment:

***Evaluation of Major Life Activity***

Major life activities include: a) caring for oneself; b) performing manual tasks; c) walking; d) seeing; e) hearing; f) speaking; g) breathing; h) learning; i) working; j) other (e.g. bending, stooping, reaching, etc.).

Area: \_\_\_\_\_ Evaluation Method: \_\_\_\_\_

Evaluator: \_\_\_\_\_

Findings:

Area: \_\_\_\_\_ Evaluation Method: \_\_\_\_\_

Evaluator: \_\_\_\_\_

Findings:

**Eligibility Criteria and Determination**

- |                              |                             |   |
|------------------------------|-----------------------------|---|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 1. Student has a mental or physical impairment.                     |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 2. Student's impairment substantially limits a major life activity. |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | 3. Student meets 504 team eligibility criteria.                     |

Parent(s) provided written notice of rights \_\_\_\_\_.  
(Date)

Parent Signature: \_\_\_\_\_ Date of Review/Reevaluation: \_\_\_\_\_

**Team Members:**

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Cc: Parents, Student Contact Team Leader, 504 Coordinator, Cum File

