

JASPER PUBLIC SCHOOLS

ADMINISTRATIVE PROCEDURES POLICY

SECTION 504

The purpose of these procedures is to comply with Section 504 of the Rehabilitation Act of 1973

which:

- prohibits discrimination on the basis of disabilities
- requires assurance that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

Section 504 Eligibility

Any student who has, or has a record of having, or is regarded as having a physical or mental impairment which substantially limits one or more major life activities (e.g., walking, seeing, hearing, speaking, breathing, learning, caring for one's self, performing manual tasks, working) has a disability and is eligible for services under Section 504.

Section 504 requires that the handicapping condition "substantially limits a major life activity" for the student to be eligible.

The major life affected activity need not be related to learning to come under the protection of Section 504. In other words, the student's educational performance need not necessarily be adversely affected to be protected by Section 504.

Section 504 disabling conditions are broader than those listed in special education law (Individual With Disabilities Education Act--IDEA). Physical or mental impairment is defined as:

- 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; genitor-urinary; hemic and lymphatic; skin; and endocrine; or
- any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Note that in some cases the disability may be severe enough for the student to qualify for special

education.

Services Required by Section 504

Jasper School provides a free appropriate education to school-aged children who qualify under Section 504, Instruction is individually designed to meet these students' needs as adequately as the needs of non-disabled students.

Eligible students are entitled to related aids and services that ensure them access to the same or, in some cases, separate but equal instruction, services, activities, and physical facilities provided for non-disabled students.

Related aids and Services may include, but not be limited to providing a structured learning environment; simplifying instruction in class and for homework; modifying test construction and administration; multi-sensory teaching; modifying textbooks and workbooks, etc. Section 504 eligibility does not provide for exemption from group testing. Modifications regularly provided to a student can be used if allowed by the specific group test.

Implementation

1. The District Section 504 Coordinator will:

- annually identify and locate Section 504 qualified children
- assist in determining the appropriate action on student referrals,
- investigate parental complaints/grievances.

2. Each 504 committee will:

- be composed of persons knowledgeable about the student, the measuring of the evaluation data, and the placement options,
- be chaired by the 504 District Coordinator or appropriate administrator.

3. Each campus principal will:

- refer grievances and complaints regarding Section 504 issues to the District

Section 504 Coordinator,

- ensure campus implementation of student modification plans,

- designate a staff member to maintain Section 504 documentation in student's; cumulative folders.

Referral Process

1. Parents or guardians may make a referral to the child's principal, District Section

504 Coordinator or to the classroom teacher.

2. District staff members may make a referral for services by contacting the District Section 504

coordinator or school principal.

The 504 Coordinator and/or referring staff member will be responsible for

- providing the parent/guardian with the Notice of Parent and Student Rights

under Section 504;

- obtaining Receipt for Section 504 Rights;
- sending the Notice of Evaluation for Section 504 to the parent;
- completing the Student Referral Information (if deemed necessary for evaluation) including vision and hearing screening results, grades and achievement test results.
- completing the Health/Social History and Home Information (if deemed necessary for evaluation).

3. The District Section 504 Coordinator will work with district staff to determine if additional assessment information is required. If needed, the district will use evaluation materials that have been validated and are administered by trained personnel; that are tailored to assess education need and are not based solely on IQ scores; and that reflect aptitude or achievement or other elements the tests purport to measure and do not reflect the students' impaired sensory, manual, or speaking skills (unless the test is designed to measure these particular deficits)

4. Once the evaluation is completed, a 504 committee meeting will be scheduled by the 504 coordinator or appropriate principal.

5. The 504 Committee will:

- review evaluation information,

- determine the student's eligibility under Section 504 and develop an educational plan designed to meet the student's needs,
- consider placement options with non-disabled students without disabilities to the maximum extent appropriate and recommend placement; refer the student to special education if appropriate,
- complete the Section 504 Student Plan and other forms as appropriate,
- maintain all documents in the student's cumulative folder and give copy to 504 coordinator

Reevaluation

Reevaluation. will be conducted "periodically," i.e., a minimum of every three years. Section 504 also requires a reevaluation before any significant change in placement. The District 504 Coordinator will work with the school to determine the degree of assessment required.

Examples of significant changes in placement which require reevaluation:

- Removal to an Alternative Education Program (AEP)
- Expulsion
- A series of suspensions.

Discipline Procedures

1. Expulsion may occur only when the 504 Committee has determined that the student conduct is not related to the student's disability and the current education program is appropriate.
2. Where the student's conduct is not related to the disability and discipline action is recommended, the consequences must be equal in degree of restrictiveness or services to what is provide for non-handicapped students.

Grievance and Hearing Procedures

1. Requests by parents or guardians for a hearing regarding identification, evaluation,

or education placement will be resolved as follows:

- The complaining party will file a written Notice of Appeal (complaint) with the
 - District 504 Coordinator within 30 calendar days from the date parent/guardian received notice of the 504 Committee's actions.
 - The District 504 Coordinator will arrange an impartial hearing and notify

parties involved of the date, time and place of the hearing.

- The District 504 Coordinator will notify the complaining party of the right to representation by an attorney.

1. Requests by parent or guardian to challenge matters other than identification, evaluation or educational placement will be filed in writing with the District's 504 Coordinator 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.

Section 504 Coordinator

Any question regarding these procedures may be directed to the District Section 504 Coordinator. Michael Geren, Jasper Public Schools, P.O. box 446, Jasper, AR 72641 or phone 870-446-2394

Adopted 10-23-97