Twin Lakes
STEM ACADEMY

# 504 HANDBOOK
## 2026-2027

**Mission:**

*Through a global-minded education, we empower and prepare all students with the empathy, knowledge, and skills to take risks and pursue goals that contribute meaningfully to their community.*

*All school policies mentioned in this handbook can be found on the school's website, www.twinlakesacademy.org*

**TWIN LAKES STEM ACADEMY, DISTRICT 4239**
**PROCEDURES FOR SECTION 504/ADA**
**GUIDELINES FOR IDENTIFICATION, EVALUATION, & EDUCATION IN THE SCHOOLS**

IDENTIFICATION, EVALUATION, AND EDUCATION OF STUDENTS WHO ARE QUALIFIED PERSONS WITH A DISABILITY WITHIN THE MEANING OF SECTION 504 OF THE REHABILITATION ACT OF 1973 AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT.

## A. POLICY

The purpose of this policy is to protect disabled students from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973, need special services, accommodations, or programs in order that such learners may receive a free appropriate public education.

Disabled students are protected from discrimination on the basis of a disability. It is the responsibility of Twin Lakes STEM Academy to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973, need special services, accommodations, or programs in order that such learners may receive a free appropriate public education.

For this policy, a learner who is protected under Section 504 is one who: (a) has a physical or mental impairment that substantially limits one or more major life activities, including learning; or (b) has a record of such impairment; or (c) is regarded as having such impairment.

Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

## B. IDENTIFICATION AND REFERRAL PROCEDURES

1. A student who is believed to be an eligible and qualified Section 504/ADA individual with a disability, may be referred by a teacher, other certified school employee, parent/guardian or community agency for evaluation to determine the student's eligibility under Section 504/ADA.

2. The referral team will be composed of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. The Section 504 Building Coordinator will monitor the composition of the team to ensure that qualified personnel participate.

3. The team will promptly consider the referral and, based upon a review of the student's existing records, make a decision as to whether an evaluation under this procedure is appropriate.

## C. EVALUATION

Evaluation of the student and formulation of a plan of services, if any, will be carried out by the building team according to the following procedure:

1. a. Prepare an evaluation or assessment plan to be submitted to the parent(s);
   b. If adequate evaluation data is available, schedule a Section 504/ADA eligibility meeting

2. The team will evaluate the nature of the student's disability and the impact of the disability upon the student's education.

3. No final determination of whether the student will or will not be identified as an individual with a disability within the meaning of Section 504/ADA will be made without first inviting the parent or guardian of the student to participate in a meeting concerning such determination.

4. A final decision will be made by the building team in writing and the parents or guardian of the student shall be notified of the Section 504/ADA procedural safeguards available to them.

## D. PLAN FOR SERVICES

1. For each student who has been identified as having a disability within the meaning of Section 504/ADA, the building team shall be responsible for determining what reasonable accommodations, adaptations, and/or special services, if any, are needed to ensure that the student receives a free, appropriate education

2. In making this determination, the building team shall consider relevant information in its possession, including any independent outside evaluations paid for by the parent, and draw upon a variety of sources including, but not limited to, assessments conducted by the District's professional staff.

3. The parent or guardian shall be invited to participate in the meetings where services for the student will be determined.

4. The team will develop a written plan describing the reasonable modification(s) needed, if any. The plan will specify how the regular or special education and related aids and services, if any, will be provided. As a matter of courtesy, this plan will be submitted to the parent for his or her signature.

5. The team may also determine that no special education or related services are appropriate. If so, the record of the building team proceedings will reflect the identification of the student as a person with a disability and state the basis for the decision that no special services are presently needed.

6. In all cases, a student with a disability requiring related aids and services shall be placed in the regular educational environment of the school unless the school demonstrates that such placement cannot be achieved satisfactorily. A student with a disability shall be educated with nondisabled students to the maximum extent appropriate to the individual needs of the student.

7. The building team shall notify the parents or guardian in writing of its final decision concerning the services, if any, to be provided.

**E. REVIEW OF STUDENT'S PROGRESS**

The Section 504 Coordinator will monitor the progress of each student with a disability and the effectiveness of the student's plan annually and will provide for periodic re-evaluations to determine whether the plan is appropriate. Prior to any subsequent significant change in the placement of a student with a disability, a re-evaluation of the student's needs will be conducted.

**F. PROCEDURAL SAFEGUARDS**

1. The parents or guardian of each student with a disability shall be notified in writing concerning school decisions on the identification, evaluation, or educational placement of the student made under this policy.

2. As to such school decisions, parents and guardians shall have right to file a grievance, without fear of reprisal, if they believe there has been a violation of Section 504/ADA. Any such grievance must be filed in writing within a reasonable period of time after the alleged violation occurred. The grievant must fully state the facts of the alleged violation and the remedy that is being sought.

Twin Lakes STEM Academy does not discriminate on the basis of disability with regard to admission, access to services, treatment, or employment in its program or activities. Any qualified individual who wishes to complain about alleged discriminatory treatment falling under Section 504 or Title II of the Americans Disabilities Act ("TITLE II") 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 ("ADA Twin Lakes STEM Academy strongly prohibits retaliation on the basis of any grievance filed under this Policy.

**Step 1: Informal Resolution**

If a person believes that he or she has a valid basis for making a grievance under Section 504 or Title II, he or she shall informally discuss the grievance with the school Director/ Twin Lakes STEM Academy's 504/Title II Compliance Coordinator.

A grievant must notify the compliance coordinator of his or her informal section 504/Title II Grievance within sixty (60) days of the occurrence. Unless the grievance can be resolved informally, the compliance coordinator will investigate and document the grievance (including dates of meetings, disposition, and dates of disposition). These rules contemplate informal but thorough and impartial investigations, affording all interested persons and their representations, if any, an opportunity to submit evidence relevant to a complaint.

A written determination as to the validity of the complaint and a description of the resolution, if any, shall be issued by the Compliance Coordinator and a copy forwarded to the complainant no later than ten (10) working days after its filing.

**Step 2: Formal Resolution**

If the grievance is not satisfactorily resolved by Step I, the grievant may file a formal, written grievance with the Compliance Coordinator within five (5) working days of receiving the Compliance Coordinator's disposition from Step I. The grievant shall include his or her name, address, a brief description of the alleged discriminatory action, the date of the occurrence, and the name(s) (if applicable) of the persons responsible.

Within five (5) working days of receiving the written grievance, Twin Lakes STEM Academy's 504/Title II Coordinator will appoint a hearing officer. The Hearing Officer will conduct an impartial hearing regarding the grievance within fifteen (15) working days of being appointed. The hearing shall give the grievant full and fair opportunity to present evidence relevant to the issues raised by the grievance. The grievant may, at his or her own expense, be assisted or represented by an individual of his or her choice, including legal counsel. The Hearing Officer will issue a written decision to Twin Lakes STEM Academy's 504/Title II Compliance Coordinator within ten (10) working days of the hearing.

**Step 3: Appeal to the School Board**

If the grievance is not satisfactorily resolved during Step 3, the grievant may file a written appeal with the School Board. Written appeals should be sent to the School Board Chair within thirty (30) days of the disposition at Step 2 and at least one week prior to the next scheduled School Board meeting.

Provided that the appeal is filed with the School Board Chair within one week's of the School Board's regularly scheduled meeting, the School Board will consider the appeal at its next meeting.

Within ten (10) working days of addressing the grievance, the School Board will issue a written decision to the grievant.

**Step 4: Appeal to the Department of Education**

If the grievance is not satisfactorily resolved during Step 3, the grievant may file an appeal with the United States Office of Civil Rights, Department of Education, Washington, D.C. 20201.

**EXTENSION OF TIME LIMITS:**
Any time limits set by these procedures may be extended by mutual consent of the parties involved.

| Section 504 Coordinator | Address, Phone Numbers |
|---|---|
| Jason Stockwell | 6201 Noble Ave N, Brooklyn Center, MN 55429<br>763-338-9373 |

This procedure provides written assurance that complaints may be made without fear of reprisal.

The grievant may file a complaint with community, state, or federal agencies. Organizations and agencies which the parent may contact to obtain assistance with evaluation/placement questions include, but are not limited to, the following:

**Federal:**
Chicago Office for Civil Rights
U.S. Department of Education
111 N. Canal Street, Suite 1053
Chicago, IL 60606-7204
Telephone: 312-886-8434
FAX: 312-353-4888;
TDD: 877-521-2172
Email: **OCR.Chicago@ed.gov**

**State:**
Minnesota Department of Education Compliance and Assistance
1500 Highway 36 West
Roseville, MN 55113
651-582-8200

**Organization:**
PACER Center, Inc.
8161 Normandale Blvd.
Minneapolis, MN 55437
Voice: (952) 838-9000, TTY: (952) 838-0190,
Toll-free in Greater Minnesota: (800) 537-2237
Fax: (952) 838-0199
**Website: pacer@pacer.org**, **www.pacer.org**

**SECTION 504/ADA**

**PARENT/STUDENT RIGHTS IN IDENTIFICATION, EVALUATION AND PLACEMENT**

*The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.*

You have the right to:

1. Have your child take part in, and receive benefits from public education programs without discrimination because of his/her disability;

2. Have the school district advise you of your rights under federal law;

3. Receive notice with respect to identification, evaluation, or placement of your child;

4. Have your child receive a free appropriate public education. This includes the right to be educated with nondisabled students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities;

5. Have your child educated in facilities and receive services comparable to those provided nondisabled students;

6. Have your child receive special education and related services if s/he is found to be eligible under the Individuals with Disabilities Improvement Act (PL 108-446) or Section 504 of the Rehabilitation Act;

7. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluation data, and placement options;

8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district;

9. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district;

10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement;

11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records;

12. A response from the school district to reasonable requests for explanations and interpretations of your child's records;

13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time, and advise you of the right to a hearing;

14. Request mediation or an impartial due process hearing related to decisions or reactions regarding your child's identification, evaluation, educational program or placement. You and your child may take part in the hearing and have an attorney represent you.
15. complaints may be made without fear of reprisal.

16. Ask for payment of reasonable attorney fees if you are successful on your claim;

17. File a local grievance. See the preceding Procedural Safeguards (Section F) for details.

**The person responsible for Section 504/ADA compliance is the school's Executive Director. The Executive Director may be contacted at Twin Lakes STEM Academy, 6201 Noble Ave N, Brooklyn Center, MN 55429**

## SECTION 504 NOTICE TO PARENT

| | |
|---|---|
| **Student's Full Name** | **ID Number** |
| **Date of Birth** | **Grade** |
| **School** | **Name of Person Completing Form / Date** |

**NOTICE TO PARENT OF REFERRAL TO 504 TEAM:**

☐ Your child, , has been referred to the 504 team at because of concern that he/she has a disability that may substantially limit a major life activity.

**Signature** **Date**

| Twin Lakes STEM Academy | **SECTION 504/ADA REFERRAL FORM** |
|---|---|

| | | | |
|---|---|---|---|
| School: | | Date: | |
| Student: | | D.O.B.: | |
| Parent: | | Phone(H): | |
| Address: | | Phone(W): | |
| Teacher: | | Grade: | |
| Referred By: | | | |

1. Reason for referral:

2. Accommodations and interventions attempted (attach appropriate documentation):

3. Has this Child been to SIT? ☐ Yes ☐ No

4. Has the student ever been referred, evaluated, and/or received services from special education?

☐ Yes ☐ No

If Yes, explain:

5. Referral action:

- ☐ Proceed with 504 evaluation
- ☐ Employ additional interventions
- ☐ Consider special education evaluation
- ☐ Other (please describe):

_____ _____

*Director/504 Coordinator/Designee Signature* *Date*

C: Student's File
Parent
504 Administrative Liaison

# NOTICE OF PROCEDURAL SAFEGUARDS

## SECTION 504/ADA
## NOTICE OF PARENT/STUDENT RIGHTS IN IDENTIFICATION, EVALUATION AND PLACEMENT OF INDIVIDUALS WITH DISABILITIES

In compliance with the procedural requirements of Section 504 of the Rehabilitation Act of 1973, hereinafter Section 504, the following Notice of Parent/Student rights in Identification, Evaluation, and Placement shall be utilized at Twin Lakes STEM Academy.

This document is provided to ensure that you are aware of the regulations regarding the identification, evaluation or placement under Section 504 that may pertain to your child. The person at the school who is responsible for Section 504/ADA compliance is the Director. The Section 504 Coordinator may be contacted at Twin Lakes STEM Academy or by phone at 651-341-5494. As the parents/guardians, you may also meet with the School Board Chair or a designee of the local school board to resolve any objections to the evaluation or educational placement of your child.

Section 504 is enforced by the U.S. Department of Education, Office for Civil Rights (OCR). If you need information about Section 504, the contact information is as follows:

Office for Civil Rights, Chicago Office (Region V)

U.S. Department of Education
500 W. Madison Street Suite 1475
Chicago, Illinois 60661
(312) 730-1560
FAX: (312) 730-1576
TDD: (312) 730-1609
Email: OCR.Chicago@ed.gov

*The following is a description of some of the rights granted by the federal law pertaining to students with disabilities who are subject to identification, evaluation, or placement under Section 504. (See 34 C.F.R. § 104 for a full compilation of regulations)*.

1. Your child is entitled to take part in, and receive benefits from public education programs without discrimination because of his/her disability. 34 C.F.R. § 104.21
2. Your child is entitled to receive a free appropriate public education regardless of the nature or severity of is or her disability. 34 C.F.R. § 104.33(a)
3. Your child is entitled to receive education and related aids that are designed to meet his or her individual needs as adequately as the needs of students without disabilities 34 C.F.R. § 104.33(b)
4. Your child is entitled to receive free educational services except for those fees that are imposed on students without disabilities or their parents. 34 C.F.R. § 104.33(c)

5. Your child is entitled to be educated with students without disabilities to the maximum extent appropriate to the needs of your child. 34 C.F.R. § 104.34(a)
6. Your child is entitled to be educated in facilities and receive services comparable to those provided to students without disabilities. 34 C.F.R. § 104.33(c)
7. Your child is entitled to an evaluation prior to an initial placement and any subsequent significant change in placement. 34 C.F.R. § 104.35(a)
8. Your child is entitled to be evaluated and tested with procedures in accordance with regulations pertaining to evaluation procedures. 34 C.F.R. § 104.34(b)
9. Your child is entitled to have evaluation data and placement decisions based upon a variety of information sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior. 34 C.F.R. § 104.35(c)(1)
10. Your child is entitled to have an interpretation of data and placement decisions based on evaluation procedures that ensure information is obtained from a variety of documented and carefully considered sources. 34 C.F.R. § 104.35(b)(c)(2)
11. Your child is entitled to have placement decisions made by persons knowledgeable about your child, the meaning of evaluation data, and placement options. 34 C.F.R. § 104.35(c)(3)
12. Your child is entitled to periodic evaluations. 34 C.F.R. § 104.35(d)
13. Your child is entitled to be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district. 34 C.F.R. § 104.37
14. You are entitled to notice prior to any action by the district with respect to identification, evaluation, or placement of your child. 34 C.F.R. § 104.36
15. You are entitled to examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement. 34 C.F.R. § 104.66
16. You have the right to file a local grievance, without fear of reprisal, if you believe there has been a violation of Section 504/ADA. Any such grievance must be filed in writing within a reasonable period of time after the alleged violation occurred. The grievant must fully state the facts of the alleged violation and the remedy that is being sought.
    a. STEP ONE: The grievance should be submitted to the 504 Coordinator, who will investigate the circumstances of the alleged violation. The 504 Coordinator will provide a written report of his/her findings of fact and conclusions within ten (10) school days to the grievant.
    b. STEP TWO: If the grievance has not been resolved in Step ONE to the satisfaction of the grievant, she/he may appeal to the School Board Chair within five (5) school days of receipt of the 504 Coordinator's report. The School Board Chair will conduct an investigation to review the alleged violation. S/he will affirm, reverse, or modify the report issued by the 504 Coordinator within fifteen (15) school days of receipt of the appeal.
    c. STEP THREE: If the grievance has not been resolved in Step TWO to the satisfaction of the grievant, and the action is in regard to the identification, evaluation, or educational placement of the student with a disability, s/he may request an impartial due process hearing officer and follow state and federal rules for due process hearings.

EXTENSION OF TIME LIMITS: Any time limits set by these procedures may be extended by mutual consent of the parties involved.

This procedure provides written assurance that complaints may be made without fear of reprisal. The grievant may file a complaint with community, state, or federal agencies. Organizations and agencies which the parent may contact to obtain assistance with evaluation/placement questions include, but are not limited to, the following:

**Federal**:
Chicago Office for Civil Rights
U.S. Department of Education
500 W. Madison Street Suite 1475
Chicago, Illinois 60661
Telephone: 312-730-1560
FAX: 312-730-1576
TDD: 312-730-1609
Email: OCR.Chicago@ed.gov

**State**:
Minnesota Department of Education
Compliance and Assistance
Roseville, MN 55113
1500 Highway 36 West
651-582-8200

**Organization**:
PACER Center, Inc.
8161 Normandale Blvd.
Minneapolis, MN 55437
Voice: (952) 838-9000, TTY: (952) 838-0190,
Toll-free in Greater Minnesota: (800) 537-2237
Fax: (952) 838-0199
Website: pacer@pacer.org, www.pacer.org

17. You are entitled to request an impartial hearing and appeal of any decisions or actions taken by Twin Lakes STEM Academy regarding your child's identification, evaluation, educational program or placement. Twin Lakes STEM Academy will bear the costs for these due process procedures. You and your child may take part in the hearing and have an attorney represent you. The following details the procedures:

    a. If you disagree with the identification, evaluation, educational placement, or with the provisions of a free appropriate public education for your child, you may make a request for a hearing of the School Board Chair or the Section 504 coordinator, indicating the specific reason(s) for the request. Upon receipt of the request, the School Board Chair shall appoint the hearing officer.

    b. Twin Lakes STEM Academy may initiate a hearing regarding the identification, evaluation, or educational placement of the student or the provision of a free appropriate public education to the student. Twin Lakes STEM Academy shall notify you of the specific reason(s) for the request.

c. Twin Lakes STEM Academy shall conduct hearings within twenty (20) instructional days after it receives the request, unless the hearing officer grants an extension, and at a time and place reasonably convenient to you.

18. You are entitled to request a review (appeal) of the hearing, should you not prevail. The following details the procedure:

    a. You or any party to the hearing may petition to review (appeal) the decision of the hearing officer. The request must specify the objections and be filed with the School Board Chair and the opposing party within twenty (20) instructional days of the date the hearing officer's decision is received. Twin Lakes STEM Academy must appoint an independent appeals officer to conduct and impartial review of the record as a whole. The officer may, at his/her election, conduct the review with or without oral argument. Such review shall be conducted within twenty (20) instructional days of the receipt of the petition to review, unless either party requests an extension of time.

    b. The appeals officer shall ensure that a transcript of the review is prepared and made available to any party upon request.

    c. Any party disagreeing with the decision of the appeals officer may appeal to a civil court with jurisdiction.

    d. A parent/guardian represented by legal counsel during the proceedings of a due process hearing, appeal, or civil action may be entitled to reimbursement of legal fees if the parent ultimately prevails.

This procedure does not deny the right of the grievant to file a formal complaint in federal court with the U.S. Department of Education. Changes in the law, including timelines for filing a complaint, may affect your rights.

The person at the school who is responsible for Section 504/ADA compliance is the school director. The 504 coordinator can be contacted at 651-341-5494 .

This document is not to be a substitute for legal advice. It contains portions of the Section 504 regulations. For a complete compilation of the law, see 34 C.F.R. § 104.

# FAQs

**What is Section 504?**
Section 504 is a part of the Rehabilitation Act of 1973 that prohibits discrimination based upon disability. Section 504 is an anti-discrimination, civil rights statute that requires the needs of students with disabilities to be met as adequately as the needs of the non-disabled are met.

**Section 504 states that:** "No otherwise qualified individual with a disability in the United States, as defined in section 706(8) of this title, 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(a), 34 C.F.R. §104.4(a)].

**Who is covered under Section 504?**
To be covered under Section 504, a student must be "qualified " (which roughly equates to being between 3 and 22 years of age, depending on the program, as well as state and federal law, and must have a disability) [34 C.F.R. §104.3(k)(2)].

**Who is an "individual with a disability"?**
As defined by federal law: "An individual with a disability means any person who: (i) has a mental or physical impairment that substantially limits one or more major life activity; (ii) has a record of such an impairment; or (iii) is regarded as having such an impairment" [34 C.F.R. §104.3(j)(1)].

**What is an "impairment" as used under the Section 504 definition?**
An impairment as used in Section 504 may include any disability, long-term illness, or various disorder that "substantially" reduces or lessens a student's ability to access learning in the educational setting because of a learning-, behavior- or health-related condition. ["It should be emphasized that a physical or mental impairment does not constitute a disability for purposes of Section 504 unless its severity is such that it results in a substantial limitation of one or more major life activities" (Appendix A to Part 104, #3)].

Many students have conditions or disorders that are not readily apparent to others. They may include conditions such as specific learning disabilities, diabetes, epilepsy and allergies. Hidden disabilities such as low vision, poor hearing, heart disease or chronic illness may not be obvious, but if they substantially limit that child's ability to receive an appropriate education as defined by Section 504, they may be considered to have an "impairment" under Section 504 standards. As a result, these students, regardless of their intelligence, will be unable to fully demonstrate their ability or attain educational benefits equal to that of non-disabled students (The Civil Rights of Students with Hidden Disabilities under Section 504 of the Rehabilitation Act of 1973—Pamphlet). The definition does not set forth a list of specific diseases, conditions or disorders that constitute impairments because of the difficulty of ensuring the comprehensiveness of any such list. While the definition of a disabled person also includes specific limitations on what persons are classified as disabled under the regulations, it also specifies that only physical and mental impairments are included, thus

"environmental, cultural and economic disadvantage are not in themselves covered" (Appendix A to Part 104, #3).

**What is an appropriate evaluation under Section 504?**
Recipient school districts must establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need special education and/or related services because of disability. The Section 504 regulatory provision at 34 C.F.R. 104.35(b) requires school districts to individually evaluate a student before classifying the student as having a disability or providing the student with special education.

Tests used for this purpose must be selected and administered so as best to ensure that the test results accurately reflect the student's aptitude or achievement or other factor being measured rather than reflect the student's disability, except where those are the factors being measured. Section 504 also requires that tests and other evaluation materials include those tailored to evaluate the specific areas of educational need and not merely those designed to provide a single intelligence quotient. The tests and other evaluation materials must be validated for the specific purpose for which they are used and appropriately administered by trained personnel.

**How much is enough information to document that a student has a disability?**
At the elementary and secondary education level, the amount of information required is determined by the multi-disciplinary committee gathered to evaluate the student. The committee should include persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. The committee members must determine if they have enough information to make a knowledgeable decision as to whether or not the student has a disability. The Section 504 regulatory provision at 34 C.F.R. 104.35(c) requires that school districts draw from a variety of sources in the evaluation process so that the possibility of error is minimized. The information obtained from all such sources must be documented and all significant factors related to the student's learning process must be considered. These sources and factors may include aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, and adaptive behavior. In evaluating a student suspected of having a disability, it is unacceptable to rely on presumptions and stereotypes regarding persons with disabilities or classes of such persons. Compliance with the IDEA regarding the group of persons present when an evaluation or placement decision is made is satisfactory under Section 504.

**Are there any impairments which automatically mean that a student has a disability under Section 504?** No. An impairment in and of itself is not a disability. The impairment must substantially limit one or more major life activities in order to be considered a disability under Section 504.

**Can a medical diagnosis suffice as an evaluation for the purpose of providing FAPE?** No. A physician's medical diagnosis may be considered among other sources in evaluating a student with an impairment or believed to have an impairment which substantially limits a major life activity. Other sources to be considered, along with the medical diagnosis, include aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, and adaptive behavior. As noted in FAQ 22, the Section 504

regulations require school districts to draw upon a variety of sources in interpreting evaluation data and making placement decisions.

**Does a medical diagnosis of an illness automatically mean a student can receive services under Section 504?**
No. A medical diagnosis of an illness does not automatically mean a student can receive services under Section 504. The illness must cause a substantial limitation on the student's ability to learn or another major life activity. For example, a student who has a physical or mental impairment would not be considered a student in need of services under Section 504 if the impairment does not in any way limit the student's ability to learn or other major life activity, or only results in some minor limitation in that regard.

**Is a Section 504 re-evaluation similar to an IDEA re-evaluation? How often should it be done?**
Yes. Section 504 specifies that re-evaluations in accordance with the IDEA is one means of compliance with Section 504. The Section 504 regulations require that re-evaluations be conducted periodically. Section 504 also requires a school district to conduct a re-evaluation prior to a significant change of placement. OCR considers an exclusion from the educational program of more than 10 school days a significant change of placement. OCR would also consider transferring a student from one type of program to another or terminating or significantly reducing a related service a significant change in placement.

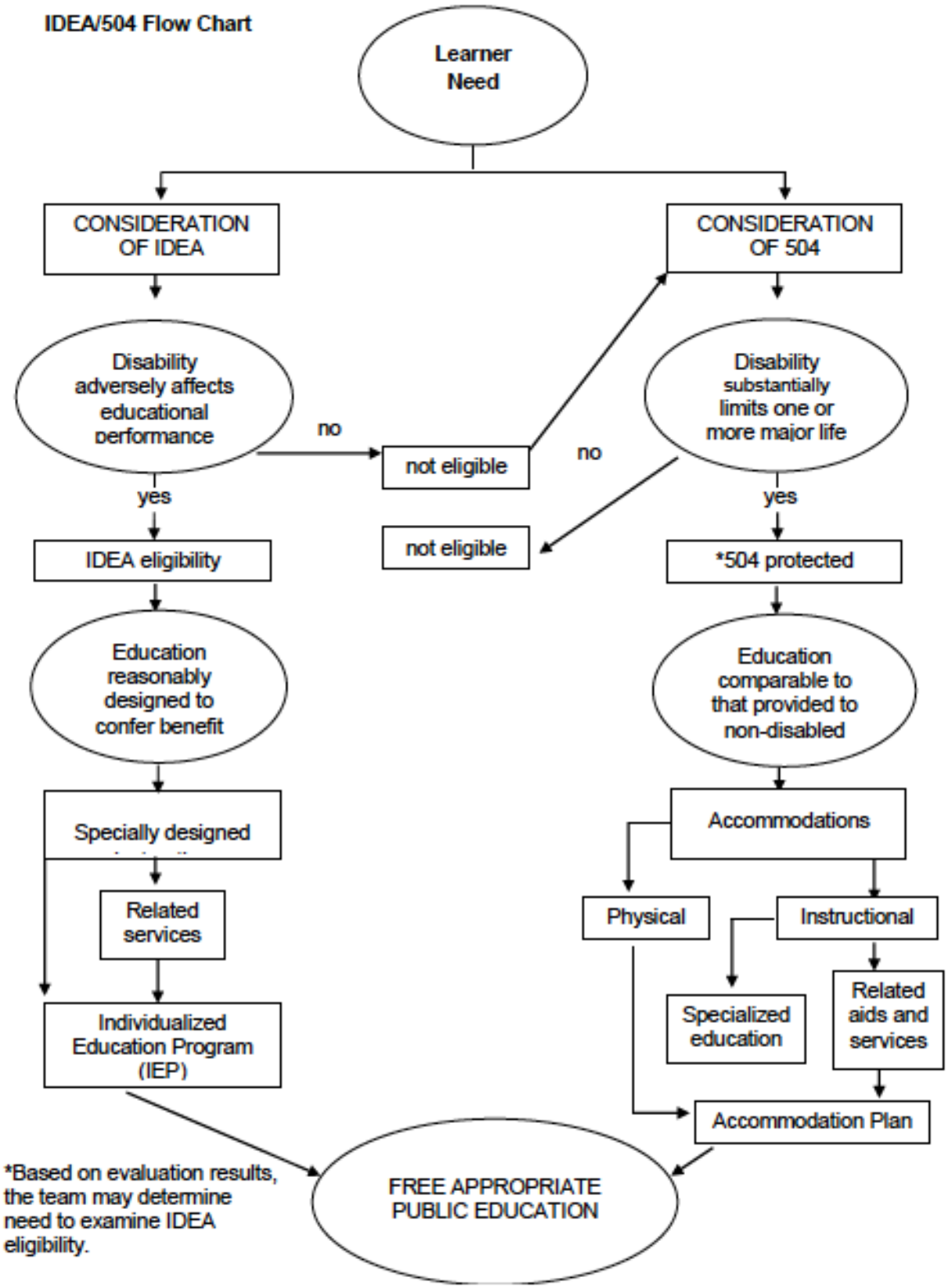
**What is reasonable justification for referring a student for evaluation for services under Section 504?** School districts may always use regular education intervention strategies to assist students with difficulties in school. Section 504 requires recipient school districts to refer a student for an evaluation for possible special education or related aids and services or modification to regular education if the student, because of disability, needs or is believed to need such services.

## Requirements Under Section 504

- ☐ Designate a Section 504 Coordinator.
- ☐ Adopt grievance procedures.
- ☐ Provide notice that the district does not discriminate.
- ☐ Provide programs and services accessible to persons with disabilities.
- ☐ Annually identify and locate every qualified student with a disability.
- ☐ Provide a free appropriate public education to each qualified child with a disability regardless of the severity of the disability so that regular or special education and related aids and services are designed to meet individual needs of students with disabilities as adequately as the needs of students without disabilities.
- ☐ Educate each qualified student with a disability in the "least restrictive environment."
- ☐ Conduct an evaluation of each child who because of a disability needs or is believed to need special education or related services in accordance with evaluation procedures.
- ☐ Draw on a variety of sources in making placement decisions.
- ☐ Establish and implement procedures for periodic reevaluations.
- ☐ Establish and implement procedural safeguards.
- ☐ Afford equal opportunity for participation by students with disabilities in nonacademic and extracurricular activities.

## Section 504 Coordinator Duties

- ☐ Manage and monitor Section 504 Plans as acting member of each Section 504 team.
- ☐ Ensure that all 504 Plans are reviewed periodically and that reevaluations are conducted every three years.
- ☐ Provide ongoing training and support to staff regarding the implementation of Section 504 regulations.
- ☐ Collect and maintain all Section 504 data (Section 504 Plans, list of eligible students, evaluations medical reports, discipline records, etc.).
- ☐ Continually monitor and address architectural barriers to accessibility for persons with qualifying disabilities in accordance with Section 504/ADA.
- ☐ Facilitate provision of reasonable accommodations for district employees with qualifying disabilities.
- ☐ Keep the school board and staff informed of Section 504/ADA compliance issues and legal requirements.
- ☐ Coordinate Section 504 grievances.
- ☐ Serve as the liaison between the district, parents, and outside agencies, including the Office for Civil Rights at the U.S. Department of Education with respect to inquiries, complaint resolution, corrective actions, etc.


IDEA/504 Flow Chart
Learner Need
CONSIDERATION OF IDEA
CONSIDERATION OF 504
Disability adversely affects educational performance
no
not eligible
no
Disability substantially limits one or more major life
yes
yes
not eligible
IDEA eligibility
*504 protected
Education reasonably designed to confer benefit
Education comparable to that provided to non-disabled
Specially designed
Accommodations
Related services
Physical
Instructional
Specialized education
Related aids and services
Individualized Education Program (IEP)
Accommodation Plan
*Based on evaluation results, the team may determine need to examine IDEA eligibility.
FREE APPROPRIATE PUBLIC EDUCATION

## FAQs for Parents

**The 504 plan protects students who have a disability that substantially limits one or more major life activity.**

- ☐ While the law (i.e., Section 504 of the Rehabilitation Act of 1973) does not specifically mention learning disabilities, however, "major life activities" can include learning, reading, thinking, writing and concentrating. Section 504 has much broader definitions of disability and so it pertains to many more people. Do not assume that your child is not eligible for protection if he or she doesn't meet the criteria for services under IDEA.

**The 504 plan outlines educational services to be provided to the student.**

- ☐ The 504 plan should specifically lay out all of the accommodations and educational services that will be provided to your child. This is the case regardless of whether your child is in general education classes or receives special education instruction. It should be reviewed at least annually so it outlines what your child needs for the upcoming school year.

**There is no standard 504 plan.**

- ☐ Every student is entitled to receive accommodations and special education services that best fit their needs. This can include: computer/other technology, extended time or privacy for test taking, verbal or non-verbal cues, note-takers or other help. Do not let the school provide your child with a "vanilla package," a set of accommodations the school says it gives to all students with a learning disability.

**A 504 plan may be a good option for your child, if your child is ineligible for services under IDEA.**

- ☐ The IDEA law requires that your child must meet two prongs of the law in order to be served by special education: 1) The child must have one (or more) of the 13 disabilities listed in IDEA which includes learning disabilities and attention disorders; and, 2) as a result of the disability, the child needs special education to make progress in school in order to benefit from the general education program. This legal requirement essentially says that some kids with LD or attention disorders may not meet the state or district requirements of the second prong. These students however, because they have an LD or ADHD, may meet the requirement to have a 504 plan if their disability "substantially limits them in performing one or more major life activity."

**A 504 plan is a good way to formalize accommodations if your child is already receiving them on an informal basis.**

- ☐ Sometimes teachers will provide informal or "undocumented" accommodations, support or services to students as a way to shore up their daily learning. While their efforts may be genuine and may also be helpful to the child in the short-term, it is inappropriate for such informal accommodations to be provided for any length of time especially if the teacher or school suspects the child has a learning disability or

attention disorder. You have the right to request an evaluation (in writing) and/or to discuss whether your child is eligible for services under IDEA and/or Section 504.

| Twin Lakes STEM Academy | SECTION 504/ADA<br>STUDENT ACCOMMODATION PLAN |
|---|---|

Name: Birthdate: School: Grade:

Date of Meeting: Review Date: 504 Plan Manager:

Disabling Condition:

| Area of Difficulty | Accommodations | Person(s) Responsible | Outcomes (Anticipated/Observed) | Date Reviewed |
|---|---|---|---|---|
| | | | | |
| | | | | |
| | | | | |
| | | | | |
| | | | | |

**504 Team:**

| Name | Title |
|---|---|
| | |
| | |
| | |
| | |
| | |
| | |

I have participated in the development of this plan, agree with its contents, and I have received a copy of Parent and Student Rights Under Section 504, The Rehabilitation Act of 1973.

Parent Signature _____ Date _____

ENCLOSED: SECTION 504/ADA PARENT/STUDENT RIGHTS IN IDENTIFICATION, EVALUATION AND PLACEMENT OF INDIVIDUALS WITH DISABILITIES

C: Student's File
Parent
504 Coordinator

# SECTION 504 PLAN CHECKLIST

Student Name: _____ Date of Birth: _____

Teacher: _____ Grade: _____

Referral Source: _____ Date of Referral: _____

Parents/Guardian: _____

Address: _____

E-mail Address: _____

Phone Numbers: Work: _____

Home: _____

Cell: _____

# SECTION 504 PLAN CHECKLIST

## I. Eligibility Analysis

### A. Does the student have a physical or mental impairment? If so, what is it?

The Americans with Disabilities Act Amendments Act of 2008 (ADAAA) provides that the definition of disability must be construed in favor of "broad coverage of individuals . . . to the maximum extent permitted" by the law. Examples of physical or mental impairments that may be covered under Section 504 include: epilepsy, AIDS, allergies, vision impairment, broken limbs, cancer, diabetes, asthma, temporary condition due to accidents or illness, ADD/ADHD, learning disabilities, autism, depression, intellectual disability, traumatic brain injury, and post-traumatic stress disorder. A temporary impairment does not constitute a disability unless it results in a substantial limitation of one or more major life activities for an extended period of time. Temporary impairments must be reviewed on a case-by-case basis, taking into consideration the duration of the impairment and the extent to which it actually limits a major life activity. If the impairment is episodic or in remission and would substantially limit a major life activity when active, it would qualify as a disability.

---

### B. Does the student have a record of such impairment or is the student regarded as having such impairment?

Even if a student does not have an impairment, students may be eligible under Section 504 if they have a record of having an impairment. In addition, a student who does not have an impairment may be regarded as disabled if the district believes that the student has a physical or mental impairment, whether or not it substantially limits a major life activity.

---

### C. Is a major life activity impacted by the student's impairment? If so, what is the major life activity? (e.g.; the student's attention deficit disorder impacts the major life activity of learning, concentrating, and thinking).

School Districts must consider the effect of the disability on any life activity, not just learning. The Americans with Disabilities Act of 1990 (ADAAA), provides that the definition of a major life activity includes caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, standing, lifting, reading, concentrating, thinking and communicating. The ADAAA, however, expanded the definition of disability by adding activities such as standing, bending and sleeping as well as major bodily functions, such as immune system function, normal cell growth, digestive and bowel functions, neurological and brain functions. An impairment need only limit one major life activity. If the impairment is episodic or in remission, it would be considered a disability if it would substantially limit a major life activity when active.

---

**D. Is the major life activity substantially limited by the impairment?**

An impairment need not prevent or severely or significantly restrict a major life activity to be considered substantially limiting. In the ADAAA, Congress directed that the definition of disability shall be construed broadly and that the determination of disability should not demand extensive analysis. Therefore, the term "substantially limits" is to be construed broadly in favor of expansive coverage.

**E. Were mitigating measures considered in determining whether the student has a disability?**

A decision regarding whether an impairment substantially limits a major life activity must be made without consideration of measures which lessen the effect of the disability; i.e. medication, medical supplies, equipment or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment and supplies, use of assistive technology, reasonable accommodations or auxiliary aids or services and learned behavioral or adaptive neurological modifications. The effects of ordinary eyeglasses or contact lenses may be considered in determining whether an impairment substantially limits a major life activity.

## II. Section 504 Committee

List the committee members who are from a variety of sources and are knowledgeable about the student, meaning of evaluation data, and placement options in accordance with 34 C.F.R. Section 104.35(c)(3).

Name Title

## III. Evaluation and Placement

A student should not be placed on a Section 504 Plan without determining if the student has a qualifying disability. This is determined by conducting an appropriate evaluation, in which a group of individuals looks at information from a variety of sources.

A Section 504 evaluation should be considered when:

- A disability (physical or mental impairment) is suspected.
- A student exhibits a chronic health condition.
- A parent requests an evaluation.
- A student is referred for evaluation under IDEA but it is determined that an IDEA evaluation is not needed.
- A student is evaluated under IDEA and found not to qualify for IDEA services.
- A student shows a pattern of not benefiting from the instruction being provided.
- Suspension or expulsion is being considered for a student, or when retention is being considered.
- When a student is identified as "at risk" or exhibits the potential for dropping out of school.
- When substance abuse is an issue.

A district is obligated to conduct an evaluation of a student, including a medical assessment, if necessary, at no cost to the parents if the district suspects that the student has a disability that would result in Section 504 eligibility. A district must look at more than the student's grades, and should not rely on the unilateral assessment of a principal that, because of passing grades, a student is not in need of a Section 504 evaluation. The fact that a student is performing at grade level, getting good grades, taking honors classes, or meeting behavioral standards does not necessarily mean that a student is not eligible for Section 504.

A. What is the nature of the referral?

   Initial _____

   Ongoing _____

   Reevaluation _____

B. The committee must draw on a variety of sources such as those indicated below in interpreting evaluation data and in making placement decisions in accordance with 34 C.F.R. Section 104.35 (c)(1). OCR decision guidance provides that the committee,

given the student's individual circumstances, decides the weight and content of the information needed to make a determination of eligibility.

Indicate sources used:

( ) Achievement tests
( ) Teacher recommendations
( ) Medical diagnosis*
( ) Adaptive behavior
( ) Observations
( ) Physical condition
( ) Social and cultural background
( ) Independent evaluation
( ) Assessments
( )Other _____

*(*Note that a district cannot require a parent to provide a medical diagnosis or obtain an outside medical evaluation as a condition of proceeding with the evaluation)*.

C. Have procedures been established and followed to ensure that information obtained from all such sources is documented and carefully considered in accordance with C.F.R. Section 104.35 (c)(2)? If procedures have not been established and/or followed, do so prior to proceeding.

( ) Yes ( ) No

D. Was the IDEA process used to evaluate the student instead of Section 504? If so, are the relevant documents attached?

( ) Yes ( ) No

E. If the student was evaluated in accordance with Section 504:

1. Was an evaluation performed prior to taking any action with respect to the initial placement of the student in regular or special education and any subsequent significant change in placement as required by 34 C.F.R. Section 104.35(a)?

   ( ) Yes ( ) No

2. Did the evaluation consider all significant factors related to the learning process for the student, including adaptive behavior and cultural and language background? This may include, but is not limited to, classroom and playground observation, performance-based testing, academic assessment information, social, emotional and psychological evaluations, and data offered by the student's teachers, medical providers, school nurse, and parent/guardian.

   ( ) Yes ( ) No

3. Were the tests and other evaluation materials validated for the specific purpose for which they are used and appropriately administered by trained personnel in conformance with the instructions by their producer as required by 34 C.F.R. Section 104.35(b)(1)?

   ( ) Yes ( ) No

4. Did the tests/evaluation materials include those tailored to assess the specific area of the student's educational need and not merely those designed to provide a single general intelligence quotient as is required by 34 C.F.R. Section 104.35(b)(2)?

   ( ) Yes ( ) No

5. Were the tests selected and administered so as to best ensure that when a test was administered to a student with impaired sensory, manual or speaking skills, the test results accurately reflected the student's aptitude/achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual or speaking skills (except where those skills were the factors the test purported to measure) as required by 34 C.F.R. Section 104.35(b)(3)?

   ( ) Yes ( ) No

6. Was the evaluation completed in a reasonable period of time? OCR decision guidance provides that unreasonable delay is discrimination against a student with a disability because it denies the student meaningful access to educational services provided to non-disabled students. Section 504 regulations do not provide timeframes for completing evaluation of students. OCR uses state guidelines to determine if evaluations have been done in a timely manner which is typically 30 school days.

   ( ) Yes ( ) No

7. Was the student determined to be a qualified individual with a disability under Section 504?

   ( ) Yes ( ) No

8. Was the evaluation sufficient for the Section 504 team to completely and accurately describe:

   a) the nature and extent of the Student's disabilities,

   b) the student's individual needs, and

   c) the regular or special education and/or related aids and services necessary to ensure that the student receives a free appropriate public education?

   ( ) Yes ( ) No

9. Are all materials used to evaluate the student attached?

   ( ) Yes ( ) No

## IV. Educational Setting

OCR policy and decision guidance provides that while there is a presumption in favor of inclusion in regular education, it may be necessary to educate students with disabilities in the least restrictive environment by placing them in a structured, supportive environment.

Students who are blind or visually impaired might be better served directly among their own disability population in specialized institutions designed to serve this population, given their unique communication needs. Significant behavioral issues, severe behavioral disorders, severe emotional disturbances, threat to safety of self or other students, special education for low-incident disabilities which is not available in the district are factors that may make it permissible to not educate the student with a disability in regular education and must be determined on a case-by-case basis.

1. Is the intended placement of the student with nondisabled students to the maximum extent appropriate to the needs of the student with a disability, in accordance with 34 C.F.R. Section 104.34(a)?

   a) Will the student be educated in regular education?

   ( ) Yes ( ) No

   b) If not, where will the student be educated?

   _____

   c) If not, how has it been demonstrated that educating the student in the regular educational environment with the use of supplementary aids and services cannot be achieved satisfactorily in accordance with 34 C.F.R. Section 104.34(a)?

   _____

   _____

   _____

   d) If not, was the proximity of the alternate setting to the student's home taken into account in accordance with 34 C.F.R. Section 104.34(a)?

   ( ) Yes ( ) No

   e) If not, has the district ensured that the student participates or will participate with nondisabled students to the maximum extent appropriate to the needs of the student with a disability in activities and services including meals, recess periods, and nonacademic services which may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the district, referrals to agencies which provide assistance to disabled students, and employment of students, including both employment by the district and assistance in making available outside employment in accordance with 34 C.F.R. Section 104.34(b) and 104.37(a)(2)? OCR decision guidance provides that placement of a student with a disability that will cause him or her to miss any educational opportunities enjoyed by nondisabled peers may not be acceptable, e.g. an activity involving a food to which a student with a disability is allergic causing the student to be a excluded from the activity; a placement that excludes the student with a disability student from music, PE and

lunch; the obligation to educate students with disabilities in the least restrictive environment encompasses all aspects of the child's program, including nonacademic activities.

( ) Yes ( ) No

Explain:

_____

_____

2. If the student's placement is in a facility operated by the district in accordance with 34 C.F.R. Section 104.34(a) and which is identifiable as being for persons with disabilities, can the district ensure that the facility and services are comparable to the other facilities, services and activities of the district in accordance with 34 C.F.R. Section 104.34(c)? Comparable facilities, supplementary aids, services and a continuum of special education services, e.g. classroom consultants, counseling and smaller classes, full day instruction to those for nondisabled students are some of the factors that may not make it permissible to mainstream a student. Comparable facilities include age-appropriate restrooms, gymnasiums, locker rooms, classrooms comparable in quality to those of nondisabled students with respect to location, instructional appropriateness, accessibility, size, lighting and ventilation.

( ) Yes ( ) No

3. Is the placement such that the program or activity when viewed in its entirety is readily accessible to persons with disabilities so they are not denied the benefits of or excluded from participation in, or otherwise subjected to discrimination under any program or activity in accordance with 34 C.F.R. Section 104.22 and 104.21? The degree of accessibility of the building is contingent upon the regulations in affect at the time of the building's construction/alteration (e.g. relocating programs may be acceptable to provide access to a student with a disability if the building is an "existing facility" – built or altered beginning June 3, 1977 or earlier). However, if the building's date of construction was after January 26, 1992, all classrooms must be accessible. Note that carrying a qualified student with a disability may be acceptable only in extraordinary or rare and exigent circumstances.

( ) Yes ( ) No

4. Does the plan provide the student a free appropriate education (FAPE) regardless of the nature or severity of the student's disability in accordance with 34 C.F.R. Section 104.33? OCR decision guidance provides that the denial of FAPE may include the following if not provided as adequately to students with disabilities as compared to what is provided for students without disabilities: excessive class sizes/caseloads, lack of certified personnel, inadequate special education evaluation procedures, disparity in transportation, facilities and classrooms, failure to provide an aide to a student with a disability due to inadequate funding; early release from class due to safety concerns

resulting in loss of valuable class time, use of a series of unqualified substitute teachers, an inadequate range of equipment and material; policies that have the effect of discriminating against students with disabilities by not providing equal opportunity (e.g. lack of access to particular classes, grading).

( ) Yes ( ) No

5. Are the related aids and services designed to meet the needs of the student with a disability as adequately as the needs of the nondisabled student with respect to educational setting, evaluation and placement in accordance with 34 C.F.R. Section 104.34 and 104.35? OCR guidance provides that if a student with a disability requires related aids and services to participate in a regular education class or program, then a school cannot deny that student the needed related aids and services in an accelerated class or program.

   ( ) Yes ( ) No

6. If the district has placed a student in a facility or referred the student for aid, benefits or services not operated by the district, what district staff member is responsible for ensuring that FAPE is provided in accordance with 34 C.F.R. Section 104.33?

   _____

7. If the district has placed a student in a facility or referred the student for aid, benefits or services not operated by the district, is adequate transportation to and from provided at no greater cost than would be incurred by the student or his or her parents or guardian if the student was placed in the aid, benefits or services operated by the district in accordance with 34 C.F.R. Section 104.33(c)(2) ?

   ( ) Yes ( ) No

8. If the student is placed in a residential placement, including non-medical care and room and board, is it at no cost to the student or his or her parents or guardian in accordance with 34 C.F.R. Section 104.33(c)(3) ?

   ( ) Yes ( ) No

## V. Reevaluation

Section 504 requires that students must be reevaluated prior to any significant change in placement as well as periodically. OCR decision guidance provides that reevaluations are considered just as important as the pre-placement evaluation in the overall scheme of the evaluation process; student's special education needs may change frequently throughout the course of his or her educational career and the reevaluation requirement exists to assess evolving needs.

1. What are the district's procedures with regard to "periodically" reevaluating the student who has been provided special education and related services in accordance with 34 C.F.R. Section 104.35(d)? OCR guidance provides that one means of complying with Section 504's requirement for periodic reevaluations is to do follow IDEA regulations which require reevaluations every three years. Many districts

review the Section 504 Plan annually, but these reviews may not be sufficient to meet the reevaluation requirement.

_____

_____

2. Has the student been reevaluated in accordance with the above procedures?

   ( ) Yes ( ) No

3. Is there going to be a significant change in placement for which the student should be reevaluated in accordance with the requirement that students must be evaluated prior to a change in placement 34 C.F.R. Section 104.35(a)? OCR guidance and case law, provide that it considers an exclusion from the educational program of more than 10 school days, transferring a student from one type of program to another (e.g. moving a student from elementary to middle school where some aspects of a student's Section 504 Plan will not be appropriate given that there will be multiple subject-specific teachers in middle school instead of a primary teacher) or terminating or significantly reducing a related service to be significant changes in placement; the determination of whether or not a pattern of exclusions constitutes a significant change in placement requiring a reevaluation, must be made on a case-by-case basis.

   ( ) Yes ( ) No

   If yes, explain:

   _____

   _____

4. Have any changes occurred in the student that might trigger a reevaluation? OCR decision guidance provides examples of changes that may trigger reevaluations such as information about the possibility of a suspected disability, significant behavior problems, depression, transfer to a new school or dramatic change in grades.

   ( ) Yes ( ) No

   If yes, explain:

   _____

   _____

**VI. Consent**

OCR guidance provides that informed parental consent for initial evaluations is required. Affirmative parental consent is not required prior to a re-evaluation.

1. Have the parents/guardians provided written consent prior to the initial evaluation? Is the signed form attached?

( ) Yes (Attach signed consent form to this form.) ( ) No

**VII. Procedural Safeguards**

Have parents/guardians been sent the Notice of Procedural Safeguards? Is the signed Acknowledgement of Receipt of Notice of Procedural Safeguards form attached?

( ) Yes, see attached form ( ) No ( ) Not applicable

Explain: _____

VIII. 504 Plan

An individualized 504 plan must be developed and implemented for students who require regular or special education and related aids and services in order to receive an equal opportunity to access their education. The 504 plan is based on the student's individual needs, and is not limited to "accommodations." A 504 plan includes "regular or special education and related aids and services" which can include, for example: physical modifications, provision of health-related services during the school day, instructional supports, modified curriculum, homebound instruction, tutoring, a one-to-one aide, specialized instruction, a behavior intervention plan, specialized transportation, or a modified attendance policy.

1. Based on the results of the evaluation, does the student require regular or special education and related aids and services in order to receive an equal opportunity to access his or her education?

(a) If yes, has a 504 plan been developed, based on the results of the evaluation?

( ) Yes, see attached form ( ) No ( ) Not applicable

Explain: _____

(b) If no, has the School considered whether other steps are necessary to protect the student from discrimination on the basis of disability? For example: modifying district policies, addressing peer harassment on the basis of disability, providing equal opportunity to nonacademic and extracurricular activities, including athletics?

( ) Yes ( ) No ( ) Not applicable

Explain: _____

2. If a 504 plan has been developed, does the 504 plan address the following five components?

(1) The nature of the student's disability and the major life activity it limits.
(2) The basis for determining the disability
(3) The educational impact of the disability
(4) The regular or special education and related aids, services and accommodations needed to meet the student's needs.
(5) Placement in the least restrictive environment.

( ) Yes ( ) No

3. Does the 504 plan, as written, reflect an agreed upon set of implementable services and provide clear guidance as to how the required services would be implemented?

( ) Yes ( ) No

4. Does the 504 plan, as written, provide the student with a free appropriate public education, meaning the provision of regular or special education and related aids and services that are designed to meet the individual educational needs of the student with a disability as adequately as the needs of nondisabled persons are met?

( ) Yes ( ) No

5. Does the 504 plan include services or modifications to be provided in non-academic and extracurricular activities, including field trips and athletics?

( ) Yes ( ) No ( ) Not applicable

Explain: _____

See "Appendix: Tools to Use" from The Minnesota Manual of Accommodations for Students with Disabilities in Instruction and Assessment. A Guide to Selecting, Administering, and Evaluating the Use of Accommodations.
(http://www.cehd.umn.edu/nceo/OnlinePubs/MNmanuals/MNmanual.pdf)