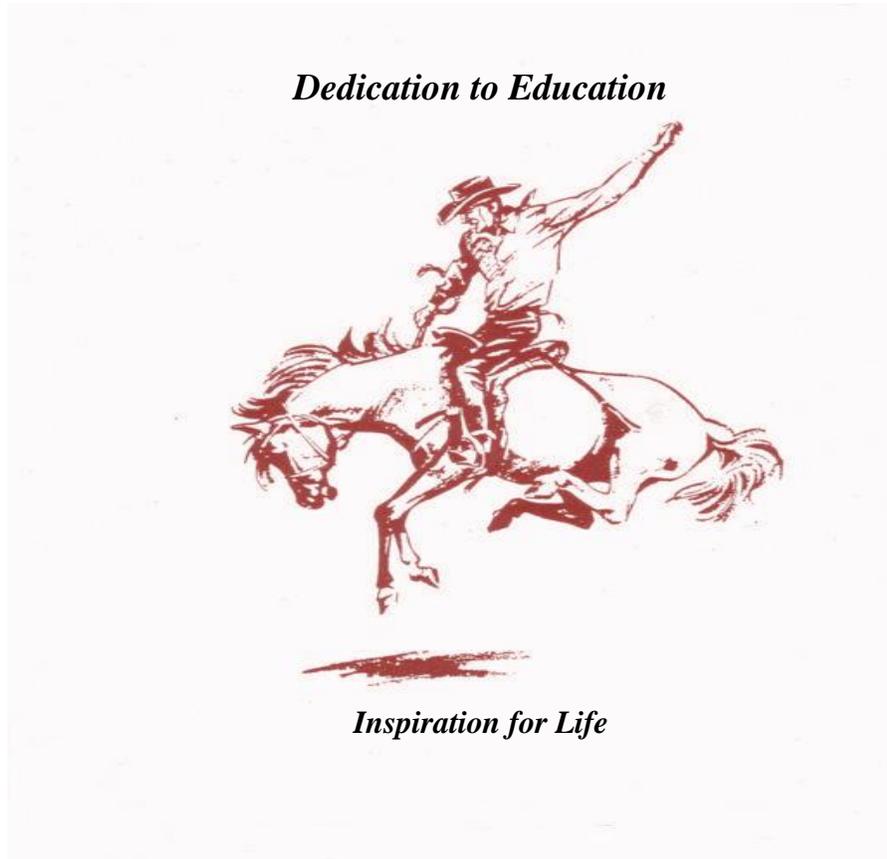


Conrad Public School District #10



Section 504 Procedures Manual

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Table of Contents

Purpose of Section 504	3
Identification and Evaluation Procedures	3
Referral	3
Intervention Assistance Team (IAT).....	4
Making Initial Qualification Decisions	5
Knowledgeable Committees and 504 Plans.....	6
Knowledgeable Committee Membership.....	6
Plan Development.....	7
Plan Review and Revision	8
Discipline Procedures	8
Transfers	9
Reevaluation	9
Records	10
CPS Operating Procedures for Section 504 Impartial Hearings	11
Requesting an Impartial Hearing	11
Appointment of Hearing Officer.....	12
Pre-Hearing Procedures	12
Hearing Procedures.....	12
Appendix A - Forms	14
Appendix B - IDEA and Section 504 Brief Overview of Differences.....	15
Appendix C - 504 Fact Sheet.....	17
Appendix D - Procedural Safeguards.....	19
Appendix E - Section 504 Questions and Answers	21
Appendix F - Resources.....	23
Appendix G - Section 504 Sample Accommodations and Modifications	24

Purpose of Section 504

Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, is designed to eliminate discrimination based on disability in any program or activity receiving federal financial assistance. Section 504 requires that no qualified student who demonstrates a physical or mental impairment that substantially limits one or more major life activities (i.e., self-care, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, operation of a major bodily function, and communicating) shall be excluded from participation in, be denied the benefit of, or be subject to discrimination in any program or activity offered by Conrad Public School District #10 (CPS). An impairment that is episodic or in remission is a disability if it substantially limits a major life activity when active.

The determination of impact to one or more major life activities must be made without regard to any ameliorative effects of mitigating measures (i.e., medication, medical supplies, equipment, low-vision devices, prosthetics, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies).

CPS shall offer a free appropriate public education (FAPE) to each qualified student with a disability. Services provided to qualified students are not required to produce identical results or level of achievement with nondisabled peers. Services must be designed to offer an equal opportunity to gain the same benefit within the most integrated setting appropriate.

A student who is not disabled, but has a record of, or is regarded as, being disabled is protected under Section 504 insofar as an alleged discriminatory action based on that history or perception. The fact that a student has a “record of” or is “regarded as” having an impairment is insufficient by itself to require accommodations.

Identification and Evaluation Procedures

Conrad Public Schools has a responsibility to identify and evaluate those students who are believed to qualify as disabled under Section 504.

Referral

When there is reason to suspect that a student has a disability and is in need of accommodations, modifications, and/or services within the general education classroom, a referral shall be made to the Intervention Assistance Team (IAT) for review.

Referrals can be made either orally or in writing; both types of referrals are documented on a

Section 504-Refferal form (CPS504-8). If parents make an oral referral, they should be asked if they want to complete CPS504-8 or have the principal or designee complete it on their behalf.

If parents make a referral to a teacher, the parent should be directed to the principal or designee selected to receive referrals. Whether provided orally or in writing, the date the referral is received must be noted on CPS504-8. Items 1A and 1B must be completed by the student's classroom teacher, or other appropriate school staff member if the student has more than one teacher.

Intervention Assistance Team (IAT)

The IAT must convene within ten business days following the receipt of a referral. The date the referral was received and the date on which the IAT convened are recorded on the *Section 504-Placement Checklist* (CPS504-2).

For all referrals, the IAT must consist of the following members, at a minimum:

- Principal or designee
- Special education teacher
- General education teacher
- Referral source, except if inclusion of the referral source would breach the confidentiality of the student

The parents must be invited to the IAT meeting orally, and in writing by way of a *Section 504-Meeting: Parent Invitation* form (CPS504-4). The parents must be notified of the meeting early enough to ensure they have an opportunity to participate; however, the meeting must be held within ten business days of the referral date. If parents cannot attend the meeting, school staff members should consider alternative ways for the parents to participate, i.e., conference call.

During the IAT meeting, the committee should review information from a variety of sources. The information reviewed should pertain to the student's functioning in the school environment and should include, as available: the referral; educational records such as aptitude and achievement tests, report cards, and/or teacher recommendations; oral or written observations; evaluations of adaptive behavior; social and cultural background; medical, psychological, and/or other specialty reports; and parent information. Following this review, the IAT may do the following:

- Determine that an evaluation for special education services under the Individuals with Disabilities Education Act (IDEA) is not warranted at this time.
- Refer the student to another resource such as child study team (CST), teacher assistance team (TAT), professional learning community response team (PLC-RT), etc.

- Determine if there is a need for an evaluation for special education services under IDEA.
- Determine if there is a need for an evaluation for qualification under Section 504.
- Determine whether the student qualifies as disabled under Section 504 of the Americans with Disabilities Act (ADA) Amendments Act of 2008.

Making Initial Qualification Decisions

If the IAT determines that individual assessments should be conducted in order to determine qualification under Section 504, the *Section 504-Eligibility Determination Report* (CPS504-5) will reflect that the IAT recommends individual assessments for the purpose of determining qualification under Section 504. The *Section 504-Eligibility or Evaluation: Parent Consent* form (CPS504-3) shall be completed and signed by the parent prior to the administration of any assessments. Upon completion of assessments, the IAT will reconvene and consider qualification under Section 504.

Evaluations should be completed within a reasonable timeframe. Generally, the 65-business day timeline that applies to evaluations for students being considered for eligibility under IDEA is considered reasonable.

The IAT shall complete a *Section 504-Parent Notice: Eligibility or Non-Eligibility Determination* form (CPS504-6) for students being considered as disabled under Section 504. The information listed on this form must document the following:

- Concerns leading to the referral.
- Identification of the physical or mental impairment(s).
 - “Physical or mental impairment” means 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; genito-urinary; hemic and lymphatic; skin; and endocrine; or any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disability.
- The major life activity impacted by the impairment(s).
 - “Major life activity” includes, but is not limited to, caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and communicating.
 - A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

- An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability.
- Description of the impact of the student’s impairment on the identified major life activity.
 - An impairment that is episodic or in remission is a disability if it substantially limits a major life activity when active.
 - Individuals being considered for qualification under Section 504 should not be penalized because they manage their own adaptive strategies or receive accommodations (including informal or undocumented ones) that have lessened the deleterious impact of the disability. The determination of impact to one or more major life activities must be made without regard for any ameliorative effects of mitigating measures that include, but are not limited to, medication, medical supplies, equipment, low-vision devices*, prosthetics, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment and supplies, assistive technology, accommodations, auxiliary aids or services, or learned behavioral or adaptive neurological modifications.
- Information provided and considered by the IAT.
- The IAT’s determination of qualification.
- A list of the IAT members participating in the determination.

A copy of this form and the *Section 504-Parent Rights and Procedural Safeguards (CPS504-10)*, shall be provided to the parent.

* Note – Low-vision devices do not include ordinary eyeglasses or contact lenses. The ameliorative effects of ordinary eyeglasses or contact lenses may be considered in determining whether the impairment substantially limits a major life activity. Ordinary eyeglasses are those that are intended to fully correct visual acuity or eliminate refractive error, and low-vision devices are those that magnify, enhance, or otherwise augment a visual image.

Knowledgeable Committees and 504 Plans

Knowledgeable Committee Membership

If the student qualifies as disabled under Section 504, a committee of people knowledgeable about the child, the meaning of the evaluation data, and the placement options shall develop a 504 plan. Typically, the knowledgeable committee is made up of staff members who work directly with, or supervise, the student in the educational setting. The 504 plan is a statement of the required accommodations, modifications, and/or services that CPS will provide to a student.

The knowledgeable committee must include the following people:

- Principal or designee
- Teacher(s) who are, or will be, working with the student (Whenever possible, the committee should include those persons who will be responsible for implementing the proposed accommodations, modifications, and/or services.)

Other committee members such as the school psychologist, public health nurse, school social worker, or school counselor may be included as appropriate to the needs of the student.

Parents may be invited to the Section 504 meeting.

Plan Development

Use the *Section 504-Meeting: Parent Notification* form (CPS504-4) to invite the parent and/or guardian to the meeting.

The knowledgeable committee reviews the specific needs of the student in the educational setting and completes a *Section 504-Student Accommodation Plan* form (CPS504-1). The 504 plan includes accommodations, modifications, and/or services necessary to provide the student an equal opportunity to access programs and activities and to demonstrate achievement. The accommodations, modifications, and/or services shall do the following:

- Reflect the unique needs of the student.
- Relate directly to the area of impairment.
- Address only what is necessary to ensure that the student has the opportunity to access programs and activities provided by the school system.
- Be specific enough in description to clearly indicate when and where the accommodations, modifications, and/or services will be provided during the school day and during school-related and/or sponsored activities.

The focus is on what is **necessary for the student as a result of the impact their disability has on one or more major life activities.**

The knowledgeable committee shall determine whether the student who qualifies as disabled under Section 504 requires classroom testing accommodations and whether those accommodations or modifications should be provided for any state and/or district-wide assessments. These decisions shall be recorded on the appropriate *Section 504-Student Accommodation Plan* form (CPS504-1). Testing accommodations should be consistent with the classroom instruction accommodations that are already part of the student's 504 plan.

If the knowledgeable committee determines that there is currently no specific educational impact that requires accommodations, modifications, and/or services, this should be noted on CPS504-1. This decision should be reviewed if concerns are noted by either the parent or school staff members.

A copy of the 504 plan shall be provided to the parent following its completion. Parental consent is not required prior to the implementation of a 504 plan for a student.

The principal is responsible for adherence to the overall procedures and implementation of a 504 plan.

Each individual working with or supervising the student shall be provided access to the 504 plan and will comply with the applicable components.

The plan remains in effect as specified until either a new plan is developed at least annually or the knowledgeable committee determines through reevaluation that the student no longer qualifies as disabled under Section 504.

Plan Review and Revision

The principal or designee is responsible for ensuring that 504 plans are reviewed at least annually or more frequently as conditions warrant. The purpose of this review is to determine the appropriateness of the plan and to make any needed modifications. The participants in the annual meeting should be those individuals relevant to the discussion of the student's accommodations, modifications, and/or services. At minimum, the committee must consist of at least one of the student's teachers and a principal or designee. Use CPS504-4 to invite the parent and/or guardian to the meeting.

If the previous 504 plan remains appropriate, a new CPS504-1 does not need to be completed in its entirety. Demographic information, dates, and committee member signatures are required, along with a statement that the previous plan, dated XX/XX/XXXX, remains appropriate and should continue to be implemented as written.

If the committee determines that the existing plan requires modification, a new CPS504-1 must be completed.

Discipline Procedures

The knowledgeable committee shall convene to assess whether the behavior requiring disciplinary action was caused by a qualified student's disability when the following is true:

- A decision is made to remove a Section 504-qualified student from school for more than ten consecutive school days in a school year.
- The Section 504-qualified student is subjected to a series of removals during a school year that accumulates to more than ten school days.

Parents should be notified with sufficient time to allow them the opportunity to attend, participate, and provide input at the causal hearing. The school may use the *Section 504-Meeting: Parent Notification* form (CPS504-4) to notify the parent of the meeting. A copy of the *Section 504-Manifestation Determination* form shall be included with the meeting notification letter. The knowledgeable committee shall complete a *Section 504-Manifestation Determination* form (CPS504-7) and forward it to the Superintendent’s hearing officer when there is a recommendation for expulsion or exclusion:

- If a student is qualified under Section 504 and the disability caused the behavior resulting in disciplinary action, the committee shall determine whether the student’s educational program should be modified.
- If a student is qualified under Section 504 and the disability did not cause the behavior resulting in disciplinary action, the student may be disciplined in the same manner as a nondisabled student, including the cessation of services.
- If a student qualified under Section 504 is receiving disciplinary action based on the illegal use and/or possession of illegal drugs or alcohol, and the individual is currently engaging in the illegal use of drugs or alcohol, a committee of knowledgeable persons is not required to convene, reevaluate the student, or determine whether the behavior was caused by the disability.

Transfers

When a student transfers into a school and is qualified as disabled under Section 504, a knowledgeable committee in the receiving school shall review the existing 504 plan to determine the plan’s appropriateness to the current educational setting. The knowledgeable committee may decide to transfer the plan that was received onto CPS forms, write a new plan more appropriate to the current educational setting, or reevaluate the student in order to consider if the student no longer qualifies as disabled under Section 504.

Reevaluation

The knowledgeable committee shall conduct a reevaluation of each student’s qualification as disabled under Section 504:

- Every three years

- More frequently if conditions warrant

The date of the student's initial or most-recent reevaluation of qualification as disabled under Section 504 is documented on the 504 plan. The reevaluation date is then calculated by adding three years to the initial or most-recent reevaluation review date. Prior to the reevaluation review date, information should be collected from teachers and other school staff members who work with the student for review at the reevaluation meeting.

The knowledgeable committee shall convene a reevaluation meeting with the purpose of reviewing evaluation information and determining if the student continues to qualify as disabled under Section 504. If it is determined that additional individual assessments are needed in order to determine if the student continues to qualify, the *Section 504-Eligibility or Evaluation: Parent Consent* form (CPS504-3) shall be completed and signed by the parent prior to the administration of any assessments. Upon completion of assessments, the knowledgeable committee will reconvene and consider continued qualification under Section 504.

The knowledgeable committee shall complete the *Section 504-Eligibility Determination Report* form (CPS504-5) using all available information in order to determine if the student continues to qualify as disabled under Section 504.

Records

Forms documenting the referral, evaluation, qualification, and 504 plan of a student under Section 504 should be maintained in the student's scholastic record. These forms may include the following:

- CPS504-1 SECTION 504 - STUDENT ACCOMMODATION PLAN
- CPS504-2 SECTION 504 - PLACEMENT CHECKLIST
- CPS504-3 SECTION 504 - ELIGIBILITY OR EVALUATION - PARENT CONSENT
- CPS504-4 SECTION 504 - MEETING: PARENT INVITATION
- CPS504-5 SECTION 504 - ELIGIBILITY DETERMINATION REPORT
- CPS504-6 SECTION 504 - PARENT NOTICE: ELIGIBILITY OR NON-ELIGIBILITY DETERMINATION
- CPS504-7 SECTION 504 - MANIFESTATION DETERMINATION
- CPS504-8 SECTION 504 - REFERRAL
- CPS504-9 SECTION 504 - COMPLAINT FORM
- CPS504-10 SECTION 504 - PARENT RIGHTS & PROCEDURAL SAFEGUARDS

If a student transfers to another school within CPS, the student's educational file, including all Section 504 information, is to be forwarded to the new school in accordance with regulations.

The student's parent or guardian may examine his or her child's educational record upon request.

The principal or designee is responsible for keeping a record of those students for whom a 504 plan has been developed, along with the anticipated review date for each student's 504 plan, and the date of each student's reevaluation. The date of the 504 plan shall be entered in the student information system for each qualified student. This information shall be reviewed and updated at the beginning of each school year.

CPS Operating Procedures for Section 504 Impartial Hearings

CPS or the parent or guardian of a student (or an adult student) with a disability as defined by Section 504 may request an impartial hearing to resolve any disagreement regarding the identification; evaluation; accommodations, modifications, and/or services; provision of FAPE; or causality determination of the student with a disability. Requests for a hearing that raise issues pursuant to both Section 504 and IDEA may, at the discretion of the hearing officer, be heard together through the IDEA hearing procedures provided by federal and state law, regulations, and CPS policies.

Assistance will be provided to persons who may need it in order to comply with the requirements to file a written request for an impartial hearing.

Requesting an Impartial Hearing

Requests for an impartial hearing shall be made in writing and delivered to the Superintendent of Schools, 215 S. Maryland Street, Conrad, MT 59425. The request shall include the name of the student, the address of the residence of the student (or available contact information in the case of a homeless student), the name of the school the student is attending, a description of the nature of the problem with supporting facts, and a proposed resolution of the problem.

If the request does not include all of the required information, it may be returned to the parents within ten school days of receipt by the coordinator with a request to provide the missing information within five additional school days. The remaining procedures will not proceed until the additional information is received from the parents.

A hearing may only be requested within one year of the date the parents knew or should have known about the alleged actions or facts that form the basis of the complaint.

CPS will provide a written response to the request for hearing. The response will be delivered to both the parents and the hearing officer within 15 school days of receipt of a request for a

hearing that includes all of the required information. If CPS requests an impartial hearing, parents will have the same option to respond.

Appointment of Hearing Officer

An impartial hearing officer will be appointed by the Superintendent of Schools within five school days of receipt of a request for a hearing that includes all of the required information for filing a request for a hearing, and will follow up as necessary until a hearing officer is appointed.

Pre-Hearing Procedures

Prior to the hearing, the hearing officer shall do the following:

- Convene a prehearing conference with the parties, unless the hearing officer determines such a conference is unnecessary.
- Identify the specific issues to be addressed during the hearing based on the request for hearing and any response provided by the other party.
- Schedule a hearing date and location with input from the parties, and notify the parties in writing of such information.
- Ascertain whether the parties will be represented by counsel.
- Ascertain from the parents whether the hearing will be open or closed.
- Ensure that the hearing will be accurately recorded by a scribe, who is paid for his/her attendance by the school system.
- Have the authority to require that the student be evaluated.
- Require the parties to exchange a list of witnesses and any documents to be presented during the hearing at least five business days in advance of the hearing unless otherwise permitted by the hearing officer for good cause shown, with a copy provided to the hearing officer as well.

Hearing Procedures

The parties have the following rights in the hearing:

- To be represented by counsel with each party being responsible for their own attorneys' fees.
- To present evidence and cross-examine witnesses.
- To request that the hearing officer prohibit the introduction of evidence or the testimony of a witness that had not been disclosed five business days in advance of the hearing.
- To obtain, at their own expense, a copy of the transcript of the hearing.

The hearing officer shall ensure the following in connection with the hearing:

- An atmosphere conducive to impartiality and that fairness exists.
- The issues raised in the hearing are limited to those identified in the request for a hearing and any response filed, or to any subsequent amendment to the request or the response when allowing such amendment is mutually agreed to by the parties or as otherwise permitted by the hearing officer for good cause shown.
- The parties and their attorneys, advocates, or advisors comply with the special education hearing officer's rules, and with relevant laws and regulations, and are not permitted to pursue hostile or irrelevant pursuits in questioning.
- Actions are taken to move the case to conclusion, including dismissing the pending proceeding if either party refuses to comply in good faith with the special education hearing officer's orders.
- An accurate record of the proceedings is maintained.
- The party requesting the hearing has the burden of proof.
- The hearing is completed within 45 calendar days of receipt of the request for a hearing or of a subsequent agreed upon amendment, unless an extension is granted at the request of either party for good cause or by mutual agreement of the parties.

The hearing officer shall issue a decision:

A written decision shall be issued to all parties setting forth findings of fact and conclusions of law based on the evidence presented in the hearing. The decision shall be issued within 15 business days of the conclusion of the hearing. The decision is final and binding unless either party files a timely appeal in an appropriate court.

Any questions regarding these procedures should be directed to the Superintendent of Schools.

Appendix A - Forms

All forms related to Section 504 and cited in this document may be found in Appendix A.

<i>CPS504-1</i>	SECTION 504 - STUDENT ACCOMMODATION PLAN
<i>CPS504-2</i>	SECTION 504 - PLACEMENT CHECKLIST
<i>CPS504-3</i>	SECTION 504 - ELIGIBILITY OR EVALUATION - PARENT CONSENT
<i>CPS504-4</i>	SECTION 504 - MEETING: PARENT INVITATION
<i>CPS504-5</i>	SECTION 504 - ELIGIBILITY DETERMINATION REPORT
<i>CPS504-6</i>	SECTION 504 - PARENT NOTICE: ELIGIBILITY OR NON-ELIGIBILITY DETERMINATION
<i>CPS504-7</i>	SECTION 504 - MANIFESTATION DETERMINATION
<i>CPS504-8</i>	SECTION 504 - REFERRAL
<i>CPS504-9</i>	SECTION 504 - COMPLAINT FORM
<i>CPS504-10</i>	SECTION 504 - PARENT RIGHTS & PROCEDURAL SAFEGUARDS

Appendix B - IDEA and Section 504 Brief Overview of Differences

	IDEA	Section 504
Primary Focus	Educational <i>benefit</i>	Equal <i>access</i> for students with disabilities
Who is Covered	Handicapping conditions defined Those with impairments that adversely affect educational performance and require special education and related services	No eligibility categories Those with impairments that substantially limit a major life activity
Purpose of the Plan	Goals and objectives outlined for the <i>student</i> (what the <i>student</i> will do)	Accommodations, modifications, and/or services provided to the eligible student by the teacher(s) or relevant school staff members (what the teacher or staff member will do)
Consent	Parent consent is required for eligibility, initial services, and change in placement.	Parent consent is required for initial Section 504 evaluations. Parents may be invited to participate in the evaluation meeting and in the development of the plan.
Regulations	IDEA – many specifics	Office for Civil Rights (OCR) – few specifics
Parent Participation	Procedural rights to participate	Invite parent participation
Due Process	Due process rights	Right to an impartial hearing
Stay Put	Last agreed-upon placement	No stay-put provisions

IDEA

Section 504

Funding

All states receive funding.

No funding

Monitoring

Montana Office of Public Instruction (OPI) is required to develop regulations and to monitor the provision of special education.

US Department of Education (USDOE) oversees implementation.

OPI and OCR monitor and oversee the school district's implementation of 504 plans.

OCR oversees implementation.

Appendix C - 504 Fact Sheet

Section 504 is designed to eliminate discrimination against any student with a disability in any program offered by the school district.

Who Is Covered:

- Any student who has, has a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more of life's major activities.

What Is Required:

- Qualifying students must have an opportunity to access all activities and programs, and cannot be denied participation because of their disability.
- Qualifying students with a disability must be offered a free appropriate public education (FAPE). FAPE is the provision of accommodations, adaptations, modifications, and/or services that provides the student equal opportunity to participate.
- Each school must provide equal opportunities to students under Section 504 to obtain the same result, to gain the same benefits, or to reach the same level of achievement. However, this does not mean that the student WILL obtain the same result, gain the same benefit, or reach the same level of achievement.
- Transfers: If a student that is disabled under Section 504 transfers schools, a knowledgeable committee at the receiving school should convene and review the 504 plan to determine if it is appropriate for the current educational environment.

Qualifying Factors:

- The Intervention Assistance Team (IAT) determines initial Section 504 qualification.
- The IAT must identify the presence of a physical or mental impairment and the major life activity limited by the impairment.
- The knowledgeable committee conducts reevaluations of a student's Section 504 qualification, to occur at least once every three years or more frequently as circumstances warrant.
- Current illegal use of drugs or alcohol is not an impairment protected under Section 504.

The Plan:

- A knowledgeable committee composed minimally of the principal or designee and a teacher of the student develops the 504 plan for qualified students.
- The parent may be invited, but does not have to attend or approve of the plan.
- The 504 plan should reflect the unique needs of the student and relate directly to the impairment. Only the accommodations, modifications, and/or services necessary for the

student to have an equal opportunity to access programs and activities should be included.

- The knowledgeable committee must meet at least once a year to review the 504 plan.
- The knowledgeable committee determines if the student no longer qualifies as disabled under Section 504.

Disciplinary Protections:

- The knowledgeable committee must conduct a causal review following a decision to remove a student from school for more than ten days in a school year.
- If there is no causality, the student may be disciplined in the same manner as a nondisabled student, including cessation of educational services.
- Causality determination is not required if the student is engaging in the illegal use of drugs or alcohol, and is being disciplined for the use or possession of illegal drugs or alcohol.

Procedural Safeguards:

- Parents and qualified students are entitled to certain procedural safeguards.
- Inquiries may be directed to the Superintendent of Schools (406-278-5521).

Appendix D - Procedural Safeguards

SECTION 504 OF THE REHABILITATION ACT OF 1973 PROCEDURAL SAFEGUARDS

- No qualified student with a disability in Conrad Public Schools shall, on the basis of that disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity offered by the school division. In respect to actions regarding the identification, evaluation, and/or placement of students with disabilities under Section 504, the following procedural safeguards shall be provided:
- Notice shall be provided to a student's parent or guardian prior to evaluation, Child Find, identification, reevaluation, and/or placement.
- Decisions regarding the identification, evaluation, accommodations, modifications, and/or services for a student qualified under Section 504 shall be made by a committee of individuals who are knowledgeable about the student.
- The parent or guardian shall have the opportunity to examine the student's educational record.
- A recipient to which this subpart applies shall establish standards and procedures for the evaluation and placement of persons who, because of handicap, need, or are believed to need special education or related services, which ensure that:
 - 1) Tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer.
 - 2) Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
 - 3) Tests are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or 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 are factors that the test purports to measure).
- The student shall be reevaluated prior to reconsideration of qualification as a student with a disability under Section 504.
- For acts of misconduct, when a decision is made to remove a Section 504-qualified student from school for more than ten consecutive school days or when the Section 504-qualified student is subjected to a series of removals during a school year that constitute a pattern and accumulates more than ten school days, a knowledgeable committee shall convene to determine whether the student's conduct was caused by the student's disability.

- The student's parent or guardian shall have the opportunity to appeal decisions concerning the student's identification, evaluation, accommodations, modifications, services, or causality determination in a discipline case. The parent or guardian may request an administrative review, mediation, and/or impartial hearing. Administrative review and mediation are voluntary and do not need to be completed prior to a request for an impartial hearing. The impartial hearing consists of an opportunity for participation by the student's parent and/or guardian and representation by counsel and a review of the impartial hearing decision.

Compliance with Section 504 is coordinated by the Superintendent of Schools (406-278-5521).

Appendix E - Section 504 Questions and Answers

Q. What is Section 504?

In 1973 when the Rehabilitation Act was passed, the intent was to encourage participation and equal access to federally funded programs by the disabled. As applied to schools, the language of the Act broadly prohibits the denial of public education participation, or enjoyment of the benefits offered by public school programs because of a child's disability. The law was enacted to "level the playing field" for disabled students.

Q. Who is covered under Section 504?

A student "qualifies" if he or she has a mental or physical impairment that substantially limits one or more major life activities. The list of major life activities is not exhaustive, but includes functions such as seeing, hearing, learning, breathing, walking, speaking, ability to care for oneself, performing manual tasks, sleeping, standing, lifting, bending, speaking, reading, concentrating, thinking, communicating, and working. Major life activities also include the operation of a major bodily function including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Q. Does Section 504 qualification occur only after an evaluation?

Yes. However, "evaluation" does not necessarily mean a formal test or assessment. The evaluation is the process of gathering information from a variety of sources to help the team make a determination regarding qualification. If the team believes a formal test and/or assessment is required prior to making a determination, then parental consent must first be obtained.

Q. What team determines whether a child qualifies under Section 504?

In CPS, the IAT makes the initial determination of Section 504 qualification. Reevaluation of Section 504 qualification is determined by the knowledgeable committee.

Q. What happens if a child is qualified as disabled under Section 504?

A 504 plan is developed to document accommodations, modifications, and/or services that are necessary for the student.

Q. What team develops a 504 plan?

A 504 plan is developed for a student by a knowledgeable committee within the student's school. Minimally, this is a team composed of a principal or designee and at least one teacher of the student. The parent is not a required member of the team, but it is best practice for the parent to be involved in the discussion regarding 504 plan development.

Q. What goes into a 504 plan?

A 504 plan should include only those accommodations, modifications, and/or services that are required for the student to have equal access to the benefits of school programs and activities.

Q. How often should the 504 plan be reviewed?

The 504 plan must be reviewed at least annually.

Q. What happens if a student no longer requires accommodations, modifications, and/or services to access school-related programs and activities?

The knowledgeable committee can meet at any time and make a determination that accommodations, modifications, and/or services can be added, reduced, or eliminated altogether. However, a student can remain qualified as disabled under Section 504 and not require a 504 plan.

Q. In the discipline process, must a school conduct a causality hearing for a Section 504-qualified student who is being suspended for more than ten consecutive school days in a school year or a series of suspensions that total more than ten school days in a school year?

Yes. The knowledgeable committee must convene to conduct a causality determination. The one exception is if the student is a current user of illegal drugs or is currently using alcohol and is being disciplined for the use or possession of illegal drugs or alcohol. No causality determination is required in this case.

Q. Are there procedural safeguards?

Yes. Procedural safeguards are provided to parents at several points during the process. They are provided prior to initial evaluation, during reevaluation, with the 504 plan and during any disciplinary action that may require a causality meeting.

Appendix F - Resources

United States Department of Justice Civil Rights Division: Information and Technical Assistance on the Americans with Disabilities Act at <http://www.ada.gov/>

United States Department of Education: Frequently Asked Questions About Section 504 and the Education of Children with Disabilities at <http://www2.ed.gov/about/offices/list/ocr/504faq.html>

Council of Educators for Students with Disabilities: Section 504 Resources at http://www.504idea.org/Council_Of_Educators/Resources.html

LD Online: Understanding the Differences Between IDEA and Section 504 at <http://www.ldonline.org/article/6086>

Appendix G - Section 504 Sample Accommodations and Modifications

This Appendix contains examples of 504 accommodations and modifications. An accommodation is any technique that alters the academic setting or environment in some way, but does not change the content of required work. A modification is any technique that alters the work required in such a way that it differs in substance from the work required of other students in the same class. Teams must assess when modifications are implemented in a plan whether or not student grading must also be adjusted. Some intervention tools might be seen as either an accommodation or a modification, depending on the situation or on the implementation.

This is intended to be a staff document. The following examples are not offered as check lists and should not be considered as all-inclusive or mandatory listings. The examples are intended to serve as “starters” for 504 teams designing accommodation plans that meet a student’s specific need(s). The best 504 plans incorporate teacher expertise and available regular education resources. The Team process involves schools in identifying the resources they (and outside agencies) have to support various student needs. Obviously, the kinds of accommodations schools can provide will vary based on school configuration, age of student, etc. The 504 evaluation team decides the accommodations that will best support a particular student. The following examples are organized into two groups. The first group includes general environmental, organizational, behavioral, presentation, and assessment strategies. The second group includes possible examples of accommodations that might be valuable when dealing with specific disability profiles.

Examples of General Accommodations

- Environmental Strategies
- Organizational Strategies
- Behavioral Strategies
- Presentation Strategies
- Evaluation Methods

Examples of Accommodations for Specific Disabilities

Allergies, Cystic Fibrosis, Orthopedically Impaired, Arthritis, Diabetes, Student with health needs, Asthma, Drugs/alcohol, Tourette's Syndrome, ADD/ADHD, Emotionally Disturbed, Traumatic Brain Injury, Bipolar Encopresis/Enuresis, Tuberculosis, Cancer, Epilepsy, Visual Impairment, Cerebral Palsy, Hearing Impairment, Weight (obesity, anorexia, bulimia), AIDS, Learning Disability, Leukemia

Examples of General Accommodations

General program accommodations/adjustments or services are always made on a case-by-case

basis and individualized. Accommodations are to be reasonable and are intended to provide persons with disabilities compensation for their functional limitation(s) due to a mental or physical impairment. Where Section 504 is concerned, accommodations are made to bring a student with a disability to the same starting point as a non-disabled student.

Consequently, the accommodations defined in a Section 504 plan are those interventions that are not typically available to all students.

Environmental Strategies

- Provide a structured learning environment.
- Make separate "space" for different types of tasks.
- Possible adapting of non-academic times such as lunch, recess, and physical education.
- Change student seating.
- Use a study carrel.
- Alter location or personal or classroom supplies for easier access or to minimize distraction.
- Provide sensory breaks.
- Provide a written or picture schedule.

Organizational Strategies

- Model and reinforce organizational systems (i.e., color-coding).
- Write out homework assignments, check student's recording of assignments.
- Tailor homework assignments toward student strengths.
- Set time expectations for assignments.
- Provide clues such as clock faces indicating beginning and ending times.
- Teach study/organizational skills.
- Schedule before or after school tutoring/homework assistance.

Behavioral Strategies

Use behavioral management techniques consistently within a classroom and across classes.

- Implement behavioral/academic contracts.
- Use positive verbal and/or nonverbal reinforcements.
- Use logical consequences.
- Confer with the student's parents (and student as appropriate).
- Establish a home/school communication system for behavior monitoring.
- Post rules and consequences for classroom behavior.
- Put student on daily/weekly progress report/contract.
- Reinforce self-monitoring and self-recording of behaviors.

Presentation Strategies

- Tape lessons so the student can listen to them again; allow students to tape lessons.
- Use computer-aided instruction and other audiovisual equipment.
- Select alternative textbooks, workbooks, or provide books on tape.
- Highlight main ideas and supporting details in the book.
- Provide copied material for extra practice (i.e., outlines, study guides).
- Prioritize drill and practice activities for relevance.
- Vary the method of lesson presentation using multi-sensory techniques:
 - lecture plus overhead/board demonstration support
 - small groups required to produce a written product
 - large groups required to demonstrate a process
 - computer-assisted instruction
 - peer tutors or cross-age tutors
 - demonstrations, simulations
 - experiments
 - games
- Ask student to repeat/paraphrase context to check understanding.
- Arrange for a mentor to work with student in his or her interest area or area of greatest strength.
- Provide peer tutoring.
- Simplify and repeat instructions about in-class and homework assignments.
- Vary instructional pace.
- Reinforce the use of compensatory strategies, i.e., pencil grip, mnemonic devices, “spell check.”
- Vary kind of instructional materials used.
- Assess whether student has the necessary prerequisite skills. Determine whether materials are appropriate to the student's current functioning levels.
- Reinforce study skill strategies (survey, read, recite, review).
- Introduce definition of new terms/vocabulary and review to check for understanding.
- Be aware of student's preferred learning style and provide matching instruction materials.
- Pre-teach and/or re-teach important concepts.
- Prepare advanced organizers/study guides for new material.

Assignments

- Modify the amount of homework.
- Use written directions to supplement oral directions.
- Reduce paper and pencil tasks.
- Allow for assignments to be word processed.

- Lower reading level of assignments.
- Break assignments into a series of smaller assignments.
- Use highlighted texts.

Evaluation Methods

- Limit amount of material presented on a single page.
- Provide a sample or practice test.
- Provide for oral testing.
- Provide tests in segments so that student hands in one segment before receiving the next part.
- Provide personal copy of test tools and allow for color-coding/highlighting.
- Adjust time for completion.
- Modify weights of tests when grading.

Examples of Accommodations for Specific Disabilities

What follows are some examples of accommodations and services that might be considered for specific disability profiles. Please keep in mind that these examples are not intended to be all-inclusive or mandatory. Do not use these examples as a “checklist” as accommodations are to be made on a case-by-case basis specific to individual need. Also remember that the mere presence of these conditions does not automatically qualify a student for a Section 504 plan. The disability must significantly limit one or more life functions before a 504 plan is to be considered. Additionally, this disability must impact the student so that he or she is not afforded access and benefit of programs and services equal to that of non-disabled students.

Allergies

EXAMPLE: The student has severe allergic reactions to certain pollens and foods. For purposes of this example the condition substantially limits the major life activity of breathing and may interfere with the student's ability to get to school or participate once there.

Possible Accommodations and Services:

- Avoid allergy-causing substances: soap, weeds, pollen, food.
- In-service necessary persons: dietary people, peers, coaches, laundry service people, etc.
- Allow time for shots/clinic appointments.
- Use air purifiers.
- Adapt physical education curriculum during high pollen time.
- Improve room ventilation (i.e., when remodeling has occurred and materials may cause an allergy).
- Develop health care and/or emergency plans.

- Address pets/animals in the classroom.
- Involve school health consultant in school related health issues.
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.

Arthritis

EXAMPLE: A student with severe arthritis may have persistent pain, tenderness or swelling in one or more joints. A student experiencing arthritic pain may require a modified physical education program. For purposes of this example, the condition substantially limits the major life activity of performing manual tasks.

Possible Accommodations and Services:

- Provide a rest period during the day.
- Accommodate for absences for doctors' appointments.
- Provide assistive devices for writing (e.g., pencil grips, non-skid surface, typewriter/computer, etc.).
- Adapt physical education curriculum.
- Administer medication following medication administration protocols.
- Train student for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.
- Arrange for assistance with carrying books, lunch tray, etc.
- Provide book caddie.
- Implement movement plan to avoid stiffness.
- Provide seating accommodations.
- Allow extra time between classes.
- Provide locker assistance.
- Provide modified eating utensils.
- Develop health care plan and emergency plan.
- Provide for accommodations for writing tasks; a note taker, a computer or tape recorder for note-taking.
- Make available access to wheelchair/ramps and school van for transportation.
- Provide more time for massage or exercises.
- Adjust recess time.
- Provide peer support groups.
- Arrange for instructional aide support.
- Install handle style door knobs (openers).
- Record lectures/presentations.
- Have teachers provide outlines of presentations.

- Issue Velcro fasteners for bags.
- Obtain padded chairs.
- Provide a more comfortable style of desk.
- Adjust attendance policy, if needed.
- Provide a shorter school day.
- Furnish a warmer room and sit student close to the heat.
- Adapt curriculum for lab classes.
- Supply an extra set of books for home use and keep a set at school.
- Let student give reports orally rather than in writing.
- Provide an awareness program for staff and students.
- Monitor any special dietary considerations.
- Involve school health consultants in school health related issues.
- Provide post-secondary or vocational transition planning.

Asthma

EXAMPLE: A student has been diagnosed as having severe asthma. The doctor has advised the student not to participate in physical activity outdoors. For purposes of this example, the disability limits the major life activity of breathing.

Possible Accommodations and Services:

- Adapt activity level for recess, physical education, etc.
- Provide inhalant therapy assistance.
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.
- Remove allergens (e.g., hair spray, lotions, perfumes, paint, latex).
- Make field trips that might aggravate the condition non-mandatory and supplement with videos, audiotapes, movies, etc.
- Accommodate medical absence by providing makeup work, etc.
- Adjust for administration of medications.
- Provide access to water, gum, etc.
- Adapt curriculum expectations when needed (i.e., science class, physical education, etc.).
- Develop health care and emergency plans.
- Have peers available to carry materials to and from classes (e.g., lunch tray, books).
- Provide rest periods.
- Make health care needs known to appropriate staff.
- Provide indoor space for before and after school activities.
- Have a locker location which is centralized and free of atmosphere changes.
- Adapt attendance policies or school day length if needed.

- Place student in most easily controlled environment.

Attention Deficit Disorder (ADD) and Attention Deficit Hyperactive Disorder (ADHD)

EXAMPLE: The student does not meet eligibility requirements under IDEA as emotionally disturbed, learning disabled or other health impaired. A doctor regards the student as having ADD, and for purposes of this example, the disability limits the major life activity of learning. The student, because of his disability, is unable to participate in the school's programs to the same degree as students without disabilities and therefore is substantially limited by the disability.

Possible Accommodations and Services:

- Seat the student away from distractions and in close proximity to the teacher.
- State classroom rules, post in an obvious location and enforce consistently.
- Use simple, concise instructions with concrete steps.
- Provide seating options.
- Tolerate (understand the need) excessive movement.
- Provide a peer tutor/helper.
- Teach compensatory strategies.
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.
- Monitor for stress and fatigue; adjust activities.
- Adjust assignments to match attention span, etc.
- Provide supervision during transitions, disruptions, field trips.
- Model the use of study guides, organizing tools.
- Accommodate testing procedures; lengthy tests might be broken down into several shorter administrations.
- Provide prompt feedback on both successes and areas needing improvement.
- Initiate frequent parent communication.
- Establish a school/home behavior management program.
- Provide training for staff.
- Have the student use an organizer; train in organizational skills.
- Establish a nonverbal cue between teacher and student for behavior monitoring.
- Assign chores/duties around room/school.
- Adapt environment to avoid distractions.
- Reinforce appropriate behavior.
- Have child work alone or in a study carrel during high stress times.
- Highlight required or important information/directions.
- Provide a checklist for student, parents, and/or teacher to record assignments of completed tasks.

- Use a timer to assist student to focus on given task or number of problems in time allotted. Stress that problems need to be correctly done.
- Have student restate or write directions/instructions.
- Allow student to respond in variety of different modes (i.e., may place answers for tests on tape instead of paper).
- Give student opportunity to stand/move while working.
- Provide additional supervision to and from school.
- Adapt student's work area to help screen out distracting stimuli.
- Grade for content integrity, and not just neatness/presentation.
- Schedule subjects which require greater concentration early in the day.
- Supply small rewards to promote behavior change.
- Avoid withholding physical activity as a negative reinforcement.
- Allow for periodic, frequent physical activity, exercise, etc.
- Determine trigger points and prevent action leading to trigger points.
- Provide for socialization opportunities, such as circle of friends.

Bipolar Disorder

EXAMPLE: The student was diagnosed as having a bipolar disorder. The severity (frequency, intensity, duration considerations) of the condition/behaviors did not qualify the student for IDEA. A properly convened 504 committee determined that the condition did significantly impair the major life activity of learning and developed a 504 plan for the student. Here are some possible accommodations for this scenario.

Possible Accommodations and Services:

- Break down assignments into manageable parts with clear and simple directions, given one at a time.
- Plan advanced preparation for transitions.
- Monitor clarity of understanding and alertness.
- Allow most difficult subjects at times when student is most alert.
- Provide extra time on tests, class work, and homework if needed.
- Strategies in place for unpredictable mood swings.
- Provide appropriate staff with training on bipolar disorder.
- Create awareness by staff of potential victimization from other students.
- Implement a crisis intervention plan for extreme cases where student gets out of control and may do something impulsive or dangerous.
- Provide positive praise and redirection.
- Report any suicidal comments to counselor/psychologist immediately.
- Consider home instruction for times when the student's mood disorder makes it impossible for him to attend school for an extended period.

Cancer

EXAMPLE: A student with a long-term medical problem may require special accommodations. Such a condition as cancer may substantially limit the major life activities of learning and caring for oneself. For example, a student with cancer may need a class schedule that allows for rest and recuperation following chemotherapy.

Possible Accommodations and Services:

- Adjust attendance policies.
- Limit numbers of classes taken; accommodate scheduling needs (breaks, etc.).
- Send teacher/tutor to hospital, as appropriate.
- Take whatever steps are necessary to accommodate student's involvement in extra-curricular activities if they are otherwise qualified.
- Adjust activity level and expectations in classes based on physical limitations; don't require activities that are too physically taxing.
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.
- Provide appropriate assistive technology.
- Provide dietary accommodations.
- Provide a private area in which to rest.
- Shorten school day.
- Arrange for home tutoring following treatment.
- Send additional set of texts and assignments to hospital schools.
- Tape lessons. Accept the fact that the lessons and content-area tests may not be appropriate; the student is learning many life lessons through this experience.
- Adjust schedule to include rest breaks.
- Provide counseling; establish peer group support.
- Adapt physical education.
- Provide access to school health services.
- Provide awareness training to appropriate staff and students.
- Develop health care emergency plan to deal with getting sick at school.
- Furnish a peer tutor.
- Provide student with a student buddy for participation in sports.
- Initiate a free pass system from the classroom.
- Provide lessons using mastery learning techniques.
- Provide individual school counseling.
- Begin friendship groups for the student.
- Provide teachers with counseling, emphasizing positive attitudes.
- Plan ongoing communication about school events.

- Notify parents of communicable diseases in school.
- Designate a person in school to function as liaison with parents as a means of updating changing health status.

Cerebral Palsy

EXAMPLE: The student has serious difficulties with fine and gross motor skills. A wheelchair is used for mobility. For purposes of this example, the condition substantially limits the major life activity of walking. Cognitive skills are intact.

Possible Accommodations and Services:

- Provide assistive technology devices.
- Arrange for use of ramps and elevators.
- Allow for extra time between classes.
- Assist with carrying books, lunch trays, etc.
- Adapt physical education curriculum.
- Provide for physical therapy as appropriate. Such therapy needs to relate directly to "life skills."
- Train for proper dispensing of medications; monitor and/or distributed medications; monitor for side effects.
- Adapt eating utensils.
- Initiate a health care plan that also addresses emergency situations.
- Train paraprofessionals in the case of this student (i.e., feeding, diapering, transporting to and from the wheelchair).
- Adapt assignments.
- Educate peers/staff with parent/student permission.
- Ensure that programs conducted in the basement or on second or third floor levels are accessible.
- Ensure that bathroom facilities, sinks and water fountains are readily accessible.
- Provide post-secondary or vocational transition planning.

Chronic Infectious Diseases: Acquired Immune Deficiency Syndrome (AIDS)

EXAMPLE: The student frequently misses school and does not have the strength to attend a full day. For purposes of this example, the student has a record of a disability, which substantially limits the major life activities of thinking, learning and working. Please review applicable District policies.

Possible Accommodations and Services:

- In-service staff and students about the disease, how it is transmitted and how it is treated

(Consult appropriate District policies).

- Apply universal precautions.
- Administer medications following medication administration protocols, train for proper dispensing of medications; monitor and/or distribute medications; monitor for side-effects.
- Adjust attendance policies.
- Adjust schedule or shorten day.
- Provide rest periods.
- Adapt physical education curriculum.
- Establish routine communication with health professionals, area nurse, and home.
- Develop health-care and emergency plan.
- Consult with doctor, parents, teachers, area nurse and administrators.
- Train appropriate teachers on medical/emergency procedures.
- Provide link between home and classroom via computer, etc.
- Arrange for an adult tutor at school or home.
- Adapt assignments and tests.
- Provide an extra set of textbooks for home.
- Provide staff training on confidentiality.
- Provide education and support for peers regarding issues of death and dying.
- Provide transportation to and from school if needed as a related service.
- Tape books or provide a personal reader.
- Arrange to communicate with a home computer with e-mail.
- Notify parents of communicable disease in the classroom.
- Arrange for participation in a support group.
- Provide for post-secondary employment transitions for secondary students.
- Develop and promote a nondiscriminatory classroom climate and supportive student attitudes.
- Promote the most supportive, least restrictive educational program.
- Videotape classroom teaching.
- Provide a peer support group to encourage communication.
- Involve school health consultant in school-related health issues.

Cystic Fibrosis

EXAMPLE: This student is a new enrollee at your school and has an extensive medical history. He has significant difficulty breathing and will often be absent due to respiratory infection. While medical needs can be easily documented on a health plan, his educational needs also need to be accommodated. For purposes of this example, learning is the major life activity that is substantially impaired.

Possible Accommodations and Services:

- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.
- Create a health care plan for management of acute and chronic phases.
- Promote good communication between parents, hospital, home and school on school assignments.
- Shorten the school day.
- Adapt physical education activities.
- Apply universal precautions, correct disposal of fluids.
- Recognize need for privacy for “good coughing.”
- Educate staff and peers.

Diabetes

EXAMPLE: A sixth grader with juvenile diabetes requires accommodation to maintain optimal blood sugar. His mom provides the crackers and juice to be used at "break" time and before physical education class. She asks that teachers remind him to eat at a certain time of the morning if he does not pay attention to the beeper on his watch. The youngster is very self-sufficient; while he is able to monitor his own blood sugar now, he prefers to do this privately. Therefore, mom asks that the equipment and a notebook/log be stored in a nearby file cabinet and the youngster be allowed to go into the hall with the equipment to check his blood sugar twice a day. She also asks that his teacher allow him to use the bathroom as needed.

Possible Accommodations and Services:

- Health care plan for management of condition in the school setting and in emergencies.
- Educate staff to signs/symptoms of insulin reaction/hypoglycemia: hunger, shakiness, sweatiness, change in face color, disorientation, drowsiness.
- Never leave the child alone if he/she is feeling poorly; walk to the office or clinic with the student.
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects; communicate systematically and frequently with parents.
- Adapt physical education activities.
- Store equipment and documentation in a readily accessible location for student, parent and area nurse or clinic aid.
- Accommodate food access/meal schedules.
- Allow access to bathroom facilities.

Drugs and Alcohol

EXAMPLE: The student has used drugs and alcohol for many years. This problem has affected

the major life activities of learning, concentrating and caring for oneself. The student is presently not using drugs or alcohol and is in a rehabilitation program. If the student is not using drugs or alcohol, he or she may qualify for accommodations or services under Section 504.

Possible Accommodations and Services:

- Provide copies of texts and assignments to treatment facility.
- Arrange for periodic home-school contacts.
- Establish daily/weekly assignments monitoring system.
- Communicate with treatment facility; pursue transition services available through the treatment facility.
- Establish peer support group.
- Dismiss from school for treatment.
- Ensure strong link with school counselor.
- Integrate a student assistance program into the classroom.
- In-service faculty/staff with parent/student permission.
- Provide post-secondary or vocational transition planning.
- Provide ongoing support around chemical dependency in conjunction with other agencies.
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.

Emotionally Disturbed

EXAMPLE: An emotionally disturbed student may need an adjusted class schedule to allow time for regular counseling or therapy. For purposes of this example, the condition substantially limits the individual's major life activity of learning.

Possible Accommodations and Services:

- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.
- Maintain weekly/daily journals for self-recording of behavior.
- Establish home-school communication system.
- Schedule periodic meetings with home and treatment specialists.
- Provide carry-over of treatment plans into school environment.
- Assist with inter-agency referrals.
- Use behavior management programs.
- Develop contracts for student behavior.
- Post rules for classroom behaviors; teach expectations.
- Provide counseling, social skills instruction.

- Reinforce replacement behaviors.
- Educate other students/staff/school personnel.
- Foster carryover of treatment plans to home environment.
- Reinforce positive behavior.
- Schedule shorter study/work periods according to attention span capabilities.
- Be consistent in setting expectations and following up on reinforcements/consequences.
- Provide post-secondary or vocational transition planning.

Encopresis/Enuresis

EXAMPLE: A student who will urinate or defecate in clothes. Not to be confused with physical incontinence, but only to a needed behavior change (i.e., toilet training, bowel/bladder retraining).

Possible Accommodations:

- Maintain low key responses.
- Have a change of clothes available at school in the clinic or alternative location.
- Plan a consistent response to events; send student to clinic or alternative location for clean-up and change of clothes; while wearing latex/rubber gloves, place soiled clothes in a plastic bag; call parent and make arrangements for soiled items to be returned home.
- Observe for consistent trigger events.
- Support bowel/bladder retraining program that is recommended by the physician.

Epilepsy

EXAMPLE: The student is on medication for seizure activity, but experiences several petit mal seizures each month. This condition substantially limits the major life activity of learning.

Possible Accommodations and Services:

- Call parent and document the characteristics of each seizure.
- Assess breathing after seizure.
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.
- Train staff and students and prepare an emergency plan.
- Anticipate recovery process should a seizure occur. Move seating/clear space during seizure. Do not insert objects into the student's mouth during seizure; administer no fluids if student is unconscious. Turn the unconscious student on his or her side to avoid aspiration of vomit. Provide rest time and return to academic considerations following seizure. Arrange a buddy system, especially for field trips.
- Avoid portable chalk boards or furniture that would topple over easily.

- Provide an alternative recess, adapt activities such as climbing and/or swimming.
- Plan for academic make-up work.
- Alter door openings to allow access from the outside (i.e., bathroom stall doors that swing both ways).
- Observe for consistent triggers (e.g., smells, bright light, perfume, hair spray).
- Provide post-secondary or vocational transition planning.

Hearing Impairment

EXAMPLE: A parent is hearing impaired and requests, access to school sponsored activities. The District makes accommodations by providing interpreter services for the parent to participate effectively in school-sponsored events or meetings about the student.

Possible Accommodations and Services:

- Provide an interpreter for those school events where accommodations may be necessary/are requested.
- Make alternative arrangements for home-school contacts/communication.
- Assist with locating peer or support groups.
- Use written notes for communication.
- Arrange with phone company for assistive devices on public phones.
- Provide information on assistive technology; acquire assistive equipment for school use.
- Provide in-house TDD or relay services to receive/communicate efficiently.
- Provide post-secondary or vocational transition planning.

Learning Disabilities

Individual profiles of learning strengths and weaknesses will vary. THE EXAMPLE: The student has a learning disability that impacts her ability to read. She has more difficulty with word decoding and spelling than reading comprehension. Thus, completing reading tasks is difficult and slow. She is currently not eligible to receive special education under IDEA.

Possible Accommodations and Services:

- Provide lower-readability materials covering course context.
- Provide extended time on tests.
- Allow access to spell checkers and/or word processing.
- Provide information on accommodations for college-entrance/qualifying exams (i.e., PSAT).
- Clearly sequenced instruction.
- Provide lecture notes/overheads.
- Visual graphs/charts/diagrams to support instruction.

- Provision of computer access.
- Seating toward the instructor.
- Support/suggestions relative to post-secondary/career options.
- Support in the use of organizational/time-management strategies.
- Support in the use of strategies to assist memory and problem-solving.
- Provide post-secondary or vocational transition planning.
- Provide training in self-advocacy.

Leukemia

EXAMPLE: The student has recently been diagnosed with leukemia and requires frequent hospitalization. The condition substantially limits the major life activity of learning and caring for oneself.

Possible Accommodations and Services:

- Involve school nurse in assessing current limitations and development of health plan.
- Provide homebound instruction if needed.
- Provide the student with an adjusted school day.
- Make needed accommodations during physical education/recess.
- Provide rest periods.
- Have medical services and medication available at school. Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.
- Support the proper diet as per physical recommendation.
- With parent/student permission, have area nurse to educate teachers/staff/peers.
- Notify parents of existing communicable diseases at school (i.e., chicken pox, flu, strep throat, etc.).
- Consult with medical staff about individual needs and/or concomitant factors.

Orthopedically Impaired

EXAMPLE: The student has limited mobility and uses a wheelchair. This condition substantially limits the major life activity of walking.

Possible Accommodations and Services:

- Develop a health care and emergency plan.
- Implement an adaptive physical education program.
- Provide physical therapy at school.
- Correct problems with physical accessibility of facilities/pathways between buildings.
- Provide extra time to get to class.
- Provide bathroom assistance.

- Supply a set of textbooks for home.
- Provide a copy of class notes from a peer.
- Practice emergency exit from school building.
- Ensure that access to programs held in the basement or on upper floors is handicapped accessible.
- Ensure that bathroom facilities, water fountains, sinks, etc., are readily accessible.
- Provide post-secondary or vocational transition planning.

Student with Special Health Care Needs

EXAMPLE: The student has a special health care problem and requires clean intermittent catheterization twice each day. This procedure empties the bladder and helps prevent urinary tract infections and possible wetting. The school is required to provide trained personnel to perform the procedure or to provide the student a private location to perform the procedure. The condition is substantially limiting in the major life activity of caring for oneself.

Possible Accommodations and Services:

- Apply universal precautions.
- Provide trained personnel to perform special medical procedures. Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.
- Provide student with private location and time to perform procedures.
- Involve area nurse, parents, teachers, and staff in periodic review.
- Allow preferential seating as indicated by need.
- Adapt recess, physical education, and transportation.
- Adjust classroom environment.
- Develop health care and emergency plan.
- If necessary, adapt attendance policy.
- Establish health alert system whereby every staff member involved with this student is aware of the health problem and of proper procedures.
- Provide a beeper/paging system for trained personnel.
- Make available homebound services/instruction if needed.
- Arrange for in-service to other students and staff with parent/student permission.
- Provide post-secondary or vocational transition planning.

Tourette's Syndrome

EXAMPLE: The student exhibits inappropriate gestures and sounds in the classroom and hallways. The condition is substantially limiting in the major life activities of learning and caring for oneself.

Possible Accommodations and Services:

- Provide student with a means of catching up on missed lessons.
- Pair with a fellow student for study if indicated.
- Educate other students about associated outbursts/gestures/tics.
- Arrange for frequent parental interaction if indicated.
- Monitor administration/side effects of medication.
- Implement a behavior management program if indicated; cue student about inappropriate behaviors.
- Provide supervision for transition activities, during periods of "acting out."
- Provide alternative/larger work-space or appropriate space for the child to act out if indicated.
- Teach compensatory strategies.
- Adapt assignments if indicated.
- Provide peer/teacher in-service with parent/student permission.
- Provide post-secondary or vocational transition planning.

Traumatic Brain Injury

EXAMPLE: The student sustained a brain injury in an automobile accident. Many academic and motor skills have been lost from the injury, but the prognosis is for full recovery with rehabilitation supports. The student does not qualify for special education under IDEA. The condition is substantially limiting to the major life activities of learning, thinking, concentrating and performing manual tasks.

Possible Accommodations and Services:

- Provide extended school year/time.
- Furnish memory/organizational aids.
- Provide alternative testing.
- Initiate tutoring program if medically unable to attend school.
- Arrange an emergency plan.
- Monitor for seizure activity.
- In-service staff and peers with student/parent permission.
- Monitor fatigue/mental exhaustion.
- Provide frequent short breaks during periods of intense concentration.
- Shorten the instructional day if indicated.
- Provide strategies for organizing/sequencing tasks.
- Provide post-secondary or vocational transition planning.

Tuberculosis

EXAMPLE: The student is suspected of having active tuberculosis and must stay home until diagnostic tests are completed. The disease is no longer infectious, but the student is still weak. The condition is substantially limiting to the major life activity of learning.

Possible Accommodations and Services:

- Provide home tutor, as necessary.
- In-service staff on the need for confidentiality to limit the stigmatization of him or her.
- Have the medical evaluator provide feedback to staff.
- Train for proper dispensing of medications; monitor and/or distribute medications; monitor for side effects.
- In-service staff and students about the disease, how it is transmitted and how it is treated.
- Work with community agency or health department to provide medication and health education materials.
- Work with community agency or health department to test students and staff for exposure and/or infection and to determine when the student can return to school.
- Provide therapy and dispense medications if student is diagnosed with active TB; observed for side effects; arrange for parents to give medication on holidays and weekends.

Visual Impairment

EXAMPLE: A student has a progressive medical disorder, which results in increasing loss of visual acuity. He now requires both enhanced lighting and enlarged print materials in order to read.

Possible Accommodations and Services:

- Preferential seating.
- Adaptations to the physical environment (i.e., consistent room arrangement, removal of obstacles to path of entry).
- Copies of text/reading materials for adaptation.
- Modified writing tools (i.e., dark felt tip pens).
- Dark lined writing paper.
- Lighting aids.
- Low vision devices including magnifiers, monocular glass, closed-circuit TV.
- Desktop slant-board.
- Enlarged print materials; textbooks, workbooks, worksheets.
- Books on tape.
- Audiotape recorder, tapes and organizational location (headphones if needed).

- Oral instead of written tests.
- Standardized tests (i.e., CAT, SAT) in large print or Braille.
- Tactile maps.
- Computer with enlarged print screen/adaptations.

Weight: Diagnosis of Obesity, Anorexia, and Bulimia

EXAMPLE: A student has an extreme eating disorder that may require special accommodations. Obesity may be considered a disability under Section 504 where it substantially impairs a major life activity such as walking.

Possible Accommodations and Services:

- Provide special seating modifications or furniture.
- Make dietary modifications per physician recommendation.
- Adapt physical education program per physician recommendation.
- Allow extra time to get to classes.
- Educate peers.
- Adapt rest rooms.
- Provide opportunities for socialization and peer counseling/interaction.
- Ensure privacy for self-care.
- Provide counseling involving the area nurse.
- Provide for elevator privileges per physician's recommendation.
- Arrange for counselor/area nurse to supervise peer counseling to deal with esteem issues, peer attitudes, teasing, etc.
- Address busing concerns to ensure room on buses for seating.
- Arrange to provide opportunities for the individual to participate in intramural and extra-curricular events.
- Make any class location changes that may be needed.