

At the preschool, elementary, and secondary school levels, determining whether a child is a qualified disabled student under Section 504 begins with the evaluation process. Section 504 requires the use of evaluation procedures that ensure children are not misclassified, unnecessarily labeled as having a disability, or incorrectly placed, based on inappropriate selection, administration, or interpretation of evaluation materials (1). Procedures for Section 504 evaluation specific to ISD 15 are described below.

Initial Evaluation

Section 504 regulatory provision 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. A request for a Section 504 evaluation can be made by a parent, classroom teacher, school nurse, the school student intervention team, or the special education team (including the parent) when a student does not qualify for special education and related services. Parents can request a referral either verbally or through the use of the Parent Referral for Section 504 Evaluation form. Verbal requests and referral forms can be submitted to your child's building Section 504 coordinator. If the request is school-initiated, the parent will be contacted by the building Section 504 coordinator to discuss the referral and potential next steps. Additionally, the building Section 504 coordinator will provide the parent with access to Section 504 resources (web links) and a copy of the Parent and Student Rights document (procedural safeguards).

Please note that an Initial Section 504 evaluation will not take place without parental consent in writing, even if the original request was made by the parent. (1)

Evaluation Period

The school district will have 45 school days to complete a Section 504 evaluation from the date that parent consent is provided in writing (for initial only).

Evaluation Team

The evaluation team, selected by the building Section 504 coordinator, will be multidisciplinary and include persons knowledgeable about the student, the meaning of the evaluation data, and the placement options.

Evaluation Process

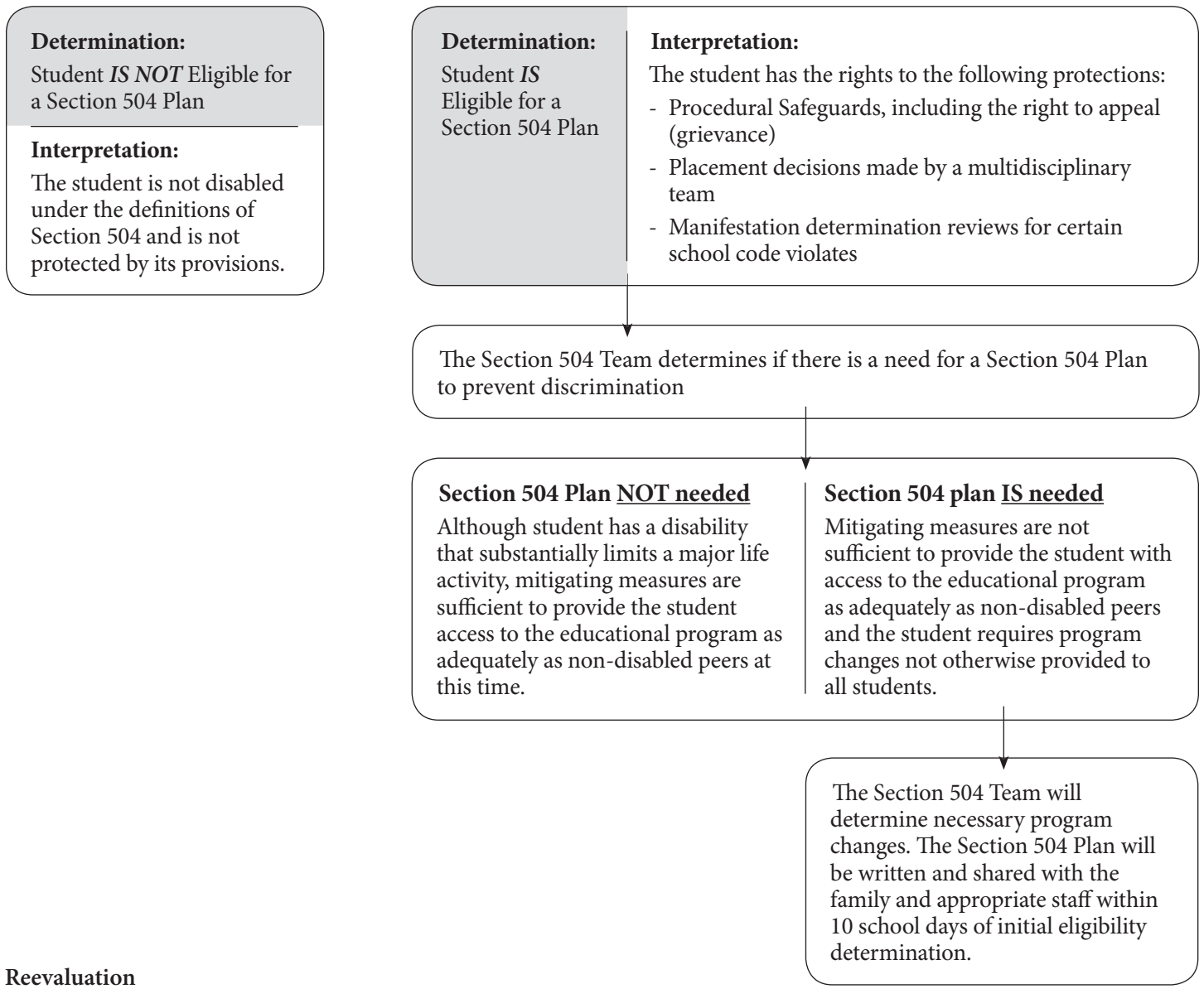
Section 504 regulatory provision 34 C.F.R. 104.35(c) requires that school districts draw from a variety of sources in the evaluation process so that the possibility of error is minimized. The evaluation team will gather and review information from the following sources when applicable:

- Classroom teacher input
- Parent input
- Past Intervention(s) or Special Education Evaluation
- Cumulative file/Academic Record
- Attendance Records
- Outside medical evaluations or other evaluations
- Other assessments determined appropriate by the multidisciplinary team

Eligibility Determination

Upon completion of the Section 504 evaluation, determination of eligibility will be made by the Section 504 multidisciplinary team that conducted the evaluation. The Section 504 regulatory provision at 34 C.F.R.104.35 (c) (3) requires school districts to ensure that the determination that a student is eligible for a Section 504 plan be made by a group of persons, including persons knowledgeable about the meaning of the evaluation data and knowledgeable about the placement options. Our multidisciplinary team meets the requirements of this group makeup. If a parent disagrees with the determination, he or she may complete a Section 504 Grievance Filing form or request a Due Process Hearing.

Potential Eligibility Outcomes



Reevaluation

Reevaluation for continued eligibility for a Section 504 plan is required periodically by the Office of Civil Rights. Reevaluations will be conducted in the same format as evaluations described in the above sections: Evaluation Period, Evaluation Team, and Evaluation Process. ISD 15 will reevaluate a student in the following circumstances:

- A Section 504 reevaluation is requested by the parent
- Prior to a significant change of placement (including exclusion from school via suspension for more than 10 school days)
- Prior to significantly reducing related services
- New information is obtained by the team (outside evaluation) that could impact the accommodation plan
- No less than once every 5 years

Please note that the school is not obligated to obtain parental consent in writing prior to conducting a Section 504 reevaluation. The building Section 504 coordinator will inform parents by phone or email prior to the start of a reevaluation.

Resources References in this Document

https://www2.ed.gov/about/offices/list/ocr/Section_504faq.html