

PORTLAND PUBLIC SCHOOLS DISTRICT

SECTION 504

MANUAL

**District 504 Compliance Officer
Jean Fischer**

**Revised
September 2001**

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INTRODUCTION

PORTLAND PUBLIC SCHOOLS

SECTION 504 HANDBOOK

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against students and/or employees with disabilities.

The purpose of this manual is to inform the user about Section 504 general information; review the District's legal obligations to comply with regulations governing Section 504 and the Americans with Disabilities Act of 1992; identify, evaluate, and provide a free appropriate public education (FAPE) to students with disabilities; and ensure that procedural safeguards are available to students and parents whenever a complaint resolution process is needed. The District expects employees to be knowledgeable about District procedures governing Section 504 activities, grievance procedures for resolving Section 504 complaints, and parent and student rights.

This manual has been reviewed and revised to reflect the District's commitment to serving ALL children in accordance with our Mission and Core Values.

Mission

The mission of Portland Public Schools is to support all students in achieving their very highest educational and personal potential, to inspire in them an enduring love for learning, and to prepare them to contribute as citizens of a diverse, multicultural, and international community.

Core Values

We believe that:

- Every human being has intrinsic value.
- Creating trusting relationships, working together, and building on the strengths of our diversity, are essential for a strong community.
- Everyone has the ability to learn.
- When individuals have equitable and just access to opportunities and satisfied basic needs, they can realize their full potential and contribute to the community.
- Involving stakeholders in decision-making leads to better outcomes.
- Adult behavior is a powerful teacher for young people.
- Assuming individual and collective responsibility for the choices we make is critical to creating the future we desire.

Jean Fischer
District 504 Coordinator

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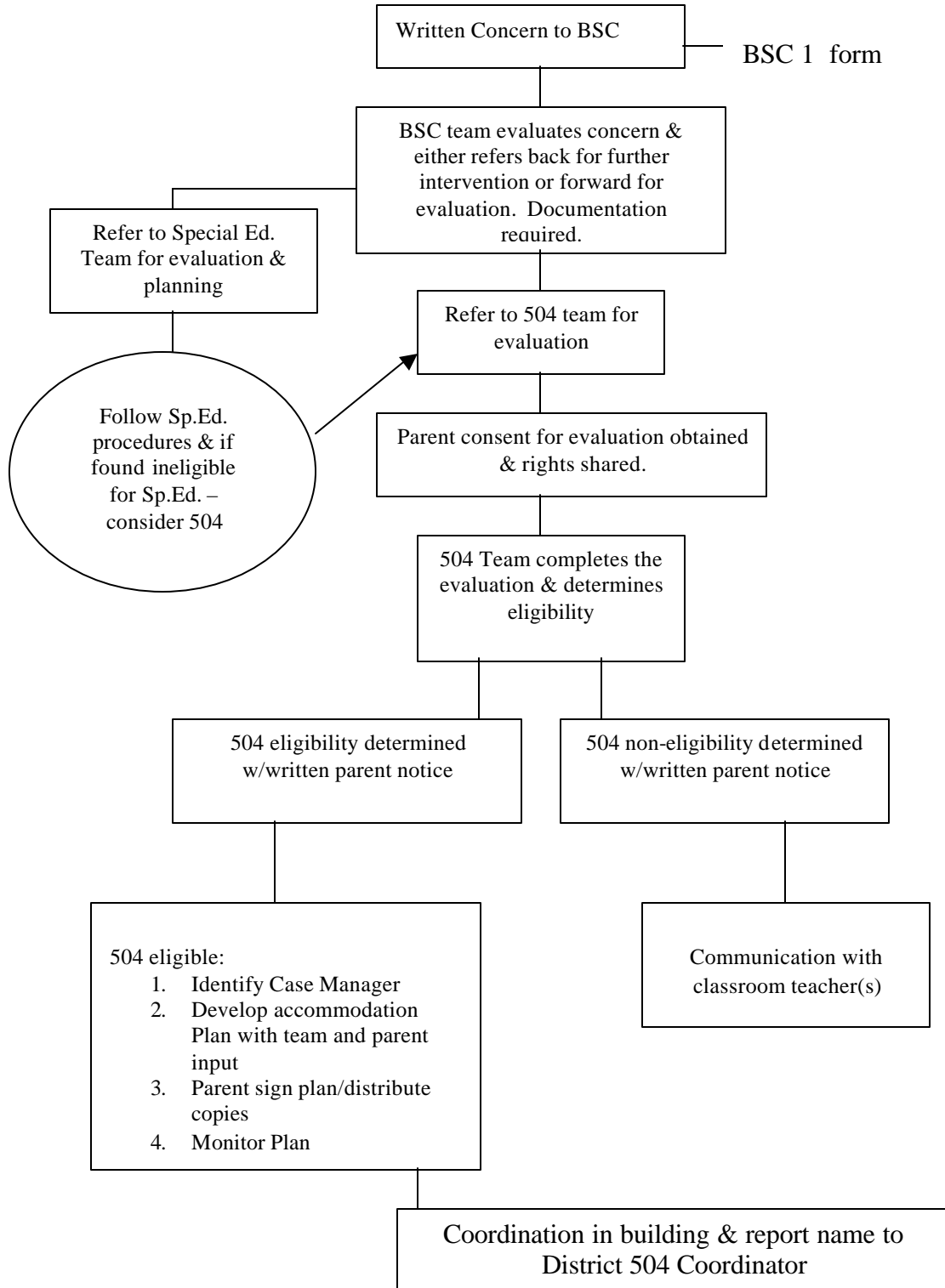
TAB A

SECTION 504

BUILDING/PROGRAM

IMPLEMENTATION

Program/Building Section 504 Process



*504 Team includes persons who are:

- 1) Knowledgeable about the child
- 2) Understand the meaning of the evaluation data
- 3) Knowledgeable about service options

PROCEDURES FOR SERVING STUDENTS WITH DISABILITIES UNDER SECTION 504, REHABILITATION ACT OF 1973

(This process is used after less formal interventions)

1.0 CONCERN

1.1 A referral requesting possible evaluation of a student for a disability is a written request initiated by a parent, teacher, counselor, or other school personnel when such a person has reason to believe that a student has a disability that significantly impairs that student's ability to function at school. In addition, a student, parent or outside agency, or any individual knowledgeable about a student may also refer the student for evaluation. All referrals must be in writing and must be submitted to the Building Screening Committee (BSC). (Assistance will be given to parents if they have difficulty reducing their concern to writing.)

2.0 CONSENT

2.1 BSC will conduct a conference to review the written referral request, along with any accompanying evaluations, reports, or other written materials. At the conclusion of the conference, if the BSC determines there is a significant possibility that the student in question would qualify as disabled under the IDEA, Section 504, or the ADA, the BSC will make a referral to the Special Education or 504 team for consideration of a formal evaluation.

3.0 EVALUATION AND ELIGIBILITY

3.1 If the 504 team (including the parent) makes the determination that formal evaluation is not appropriate, the 504 team will provide written notice to the referring party and parent, and will provide them with a copy of the Section 504 Notice of Parent/Student Rights in Identification, Evaluation, and Placement.

3.2 If the BSC makes the determination that formal evaluation is appropriate, the BSC will refer the case to the Special Education or Section 504 team* with all the documents it has collected. (NOTE: In cases where it is likely the student would qualify under one of the 12 IDEA categories, the student should be referred to the Special Education Evaluation Team.) If referred for consideration under Section 504, the Section 504 team will send a Prior Notice/Parent Consent to Evaluate (Form 2) to be forwarded to the parent or guardian.

* A Section 504 team should include: the parent; the student's teacher(s); when appropriate, the student; the building 504 coordinator; and/or other appropriate persons knowledgeable about the student's suspected disability and the meaning of the evaluation data and accommodation options. The team composition will vary according to the concern/needs of the student.

- 3.3 Upon receipt of a completed Prior Notice Parent Consent to Evaluate form from the student's parent or guardian, the Section 504 team will assume the responsibility of evaluating the student for eligibility under Section 504. Evaluation should include a review of the student's files, current teacher report of classroom performance and may include formalized testing.
- 3.4 Once the evaluation is completed, the Section 504 team completes the Section 504 Eligibility Determination Report (Form 3) which sets forth the Section 504 team decision.
- 3.5 The Section 504 team sends a notice to the parent/guardian (Form 4) which establishes a time and location to share the evaluation data and determine eligibility/non-eligibility. (NOTE: You must include a copy of the Section 504 Parent/Student Rights with the Notice of the Section 504 Eligibility Results Meeting.) Parents are provided with a copy of the Section 504 Eligibility Determination Report and the District's Section 504 Complaint Procedure.

4.0 DEVELOP ACCOMMODATION PLAN

- 4.1 If the Section 504 team determines that the student has a physical or mental impairment that substantially limits one or more major life activities, the student shall be found to be an eligible Section 504 disabled student. A Section 504 plan must be developed and signed, and copies must be distributed to appropriate team members, parents, and the student's cumulative file.

A Case Manager is determined who will coordinate and monitor the implementation of the plan and the progress of the student.

5.0 PERIODIC RE-EVALUATION

- 5.1 Each student's Section 504 Plan must be re-evaluated periodically and whenever there is a significant change in placement or circumstances, the following three issues should be addressed at the re-evaluation:
- (1) the need for additional evaluation information;
 - (2) the continued eligibility as a student with a disability under Section 504; and
 - (3) the content of the Section 504 Plan.

6.0 COORDINATION AND ARTICULATION

- 6.1 To ensure adequate coordination and articulation, the principal/program supervisor must identify a Section 504 Building Coordinator. The name of this person will be submitted to the District Section 504 Compliance Officer by the beginning of each school year. In the case of an individual student's Section 504 plan, the Section 504 Team will identify a Case Manager. Typical role of the Case Manager:
- (1) The Case Manager ensures that the Section 504 Plan is signed by the appropriate staff member(s) (e.g., parent, teacher, Section 504 Building Coordinator, principal, or designee), placed in the student CUM file with copies distributed to appropriately involved parties (e.g., counselor, nurse, CDS, teachers, other support staff, ESL, administrators);
 - (2) The Case Manager ensures that there is a periodic review/re-evaluation as stated in the plan.

TAB B

SECTION 504

OF

**THE REHABILITATION
ACT OF 1973**

GENERAL INFORMATION AND DEFINITIONS

Section 504

GENERAL INFORMATION AND DEFINITIONS

What is Section 504?

Section 504 of the Rehabilitation Act of 1973 provides that: "No otherwise qualified disabled individual in the United States...shall, solely by reason of his or her 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 or activity conducted by any Executive agency or by the United States Postal Service." 29 USC § 794.

Who is considered to be "otherwise qualified"?

- (1) All students with disabilities who are entitled to attend school under state law;
- (2) Parents with a disability;
- (3) An employee with a disability who can, with or without reasonable accommodations, meet the essential requirements of the job;
- (4) Under the new Americans with Disabilities Act (ADA), persons who are discriminated against because of their association with individuals with disabilities.

What is a "program or activity"?

The term includes all programs or activities of the Oregon Department of Education and all school districts receiving federal funds regardless of whether the specific program or activity involved is a direct recipient of federal funds (e.g., if a District contracts with an alternative education program, the alternative education program may not discriminate against persons with disabilities even though it may not receive any federal funds). 34 CFR § 104.3(f); Civil Rights Restoration Act of 1988 (PL 100-259).

Who is an "individual with a disability"?

For school districts, all school-age children (5 to 21). 34 CFR § 104.3(k).

There are three ways that a person may qualify as an individual with disabilities under the regulations. A person is considered disabled under Section 504 if s/he:

1. Has a physical or mental impairment/disability which substantially limits one or more major life activities (see the following list). The term does not cover children disadvantaged by cultural, environmental or economic factors.
2. Has a record or history of such an impairment. The term includes children who have been misclassified (e.g., a non-English speaking student who was mistakenly classified as having mental retardation).
3. Is regarded as having such an impairment. A person can be found eligible under this section if s/ he:
 - a. has a physical or mental impairment that does not substantially limit a major life activity but is treated by the District as having such a limitation (e.g., a student who has scarring, a student who walks with a limp);
 - b. has a physical or mental impairment that substantially limits a major life activity only as a result of the attitudes of others toward such impairment (e.g., a student who is obese); or
 - c. has no physical or mental impairment but is treated by the District as having such an impairment (e.g., a student who tests positive with the HIV virus but has no physical effects from it).

Examples of other potentially disabling conditions under Section 504 if they substantially limit a major life activity may include:

1. Communicable diseases: AIDS, AIDS related complex (ARC) or asymptomatic carriers of the AIDS virus (HIV); tuberculosis
2. Temporary disabilities: The factors to consider are the anticipated length of disability, the seriousness of the illness/injury and the needs of the student (e.g.: Students injured in accidents or suffering short-term illnesses.)
3. Attention Deficit Disorder (ADD)
4. Drug addicted or alcoholic students in recovery
5. Chronic asthma and severe allergies
6. Physical disabilities such as spina bifida, hemophilia and conditions requiring children to use crutches
7. Diabetes

Note that some of these conditions such as tuberculosis, diabetes and hemophilia may be severe enough to affect educational performance of manual tasks. The disabling condition need only substantially limit one major life activity in order for the student to be eligible.

If a student qualifies under Section 504, what are the school district's obligations?

The District must evaluate any student it knows or has reason to believe has a disabling condition and because of that condition, the student may need special education or related services. The District must make accommodations to the student's program to assure that s/he is given an appropriate education. (Appropriate education is one designed to provide the student an equal opportunity to participate when compared to other non-disabled students). No IEP is required but the District should document what accommodations, if any, it is making. The District is also obligated to provide notice to the parent whenever identification, evaluation or placement is at issue.

What are some examples of discrimination that occur?

(Remember 504 includes students eligible under IDEA)

1. Failing to provide transportation to a student with asthma who lives six blocks from a school;
2. Refusing to provide OT, PT or speech therapy to a Section 504 student who needs it for educational purposes solely because s/ he is not IDEA eligible;
3. Excluding all students with epilepsy from the swim team;
4. Only providing summer school or after school care for non-disabled students;
5. Requiring the parent of a student with a mobility impairment to provide transportation to extracurricular activities when transportation is provided to non-disabled students;
6. Failing to provide alternative transportation to a student who acts out on the bus as a result of his/ her disability;
7. Providing a shortened school day for students in a self-contained classroom because of transportation problems;
8. Segregating students with disabilities in basements, portable classrooms or separate wings;
9. Failing to provide an interpreter for a parent with a hearing impairment for school initiated activities;
10. Applying the District's general disciplinary policies to a student with a serious emotional disturbance;
11. A school district has an affirmative obligation to ensure that its students do not attend school in an environment that is hostile to individuals with disabilities. Thus, when a student alleges that s/he is being harassed because of disability or because s/he has a record of a disability or is regarded as having a disability, the District has a duty to investigate and take appropriate remedial action. Indeed, failure to investigate such complaints may result in monetary damages being assessed against the District.

What are the accessibility requirements of Section 504?

Facilities constructed prior to June 3, 1977 need not necessarily be made accessible so long as the program or activity, viewed in its entirety, is readily accessible to all persons with disabilities (including parents and the community). However, the student must be afforded an equal opportunity to enjoy the full range of services offered by the District if a District modifies one of these buildings, it must make the modification accessible, to the maximum extent feasible. Buildings constructed after June 3, 1977 and January 26, 1992 must meet the full accessibility regulations in existence at that time. Buildings which began construction on or after January 26, 1992 must meet the new ADA regulations for new construction.

Who enforces Section 504 and the ADA?

The US Department of Education's Office for Civil Rights (OCR) is responsible for enforcing the provisions of Section 504 and the ADA as applied to publicly funded educational institutions. If an individual files a complaint against a school District, OCR will investigate the complaint under both Section 504 and the ADA. An aggrieved party may also file a court action.

What is meant by IDEA?

Individuals with Disabilities Education Act; Renaming of EHA in September 1992.

What is meant by Team?

An IEP team includes the parent and two or more individuals, at least one of whom shall be knowledgeable and experienced in the education of students with the suggested disability whose purpose is to determine eligibility for special education services and recommends placement and related services. A 504 team includes the building 504 coordinator, a person knowledgeable and experienced in the education of students (generally a teacher), the parent and others as appropriate.

What is meant by ADA?

The American Disabilities Act expands Section 504 of the Rehabilitation Act of 1973 requirements to include employers with 15 or more employees.

What is meant by ADD?

Attention Deficit Disorder (ADD) is a term used to describe a chronic behavioral disorder in children who are inattentive, easily distracted, and impulsive. The kind of behavior is usually matched with certain other criteria, such as hyperactivity, before a child is diagnosed as having ADD. Symptoms of ADD may be manifested differently depending on the particular subtype of the disorder and its severity. For example, with Attention Deficit Hyperactive Disorder (ADHD), hyperactivity is the primary characteristic. In this fact sheet, the term ADD is being used to refer to any form of disorder.

What is meant by Procedural Safeguards?

- a. Notice of their rights.
- b. An opportunity to review relevant records.
- c. An impartial hearing. The Department of Education has an administrative rule for regulating due process hearings under Section 504 (see OAR 581-15-109). It is important that parents or guardians be notified of their right to request a hearing regarding the identification, evaluation, or educational placement of persons with handicapping conditions.

SECTION 504/ADA POLICY

DEFINITIONS

Otherwise qualified disabled student: This term means a student who would qualify for a particular benefit or program in all respects except for the fact that he or she is a “disabled student” under Section 504/ADA.

Disabled student: This term under Section 504/ADA means a student who:

- (i) has a physical or mental impairment that substantially limits one or more major life activities,
- (ii) has a record of having an impairment that substantially limits one or more major life activities, or
- (iii) is regarded as having an impairment that substantially limits one or more major life activity.

Impairment: (i) from law

Note: Section 504/ADA specifically exclude the following physical and/or mental impairments from qualifying a student as disabled: homosexuality, bisexuality, transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, other sexual disorders, compulsive gambling, kleptomania, pyromania or psychoactive substance abuse disorders resulting from illegal use of drugs.

Substantially Limits: The term “substantially limits” means “unable to perform a major life activity that the average person in the general population can perform.” 29CFR § 1630.2(j).

Major life activities: This term means life functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Note: As applied to students, it is important to determine which major life activity is at issue when determining if the life activity is substantially limited by the impairment at issue. If the impairment is mental, as opposed to physical, the likely major life activity at issue is "learning". Therefore, a student diagnosed with ADHD or other behavior disorder would most appropriately be evaluated for whether the disorder constitutes a substantial limitation on the student’s ability to learn.

Record of impairment: This term means having a history of, or being classified as, having a mental or physical impairment that substantially limits one or more major life activity.

Note: The leading case regarding “record of impairment” involved a person with tuberculosis in remission, School Board of Nassau County v. Arline (772 F.2d759, 1986).

Regarded as having an impairment: This term refers to persons who do not have any substantial limitations on any major life activities, but are nevertheless perceived or treated as if they had such limitations.

Example: *A classic example of someone who might be “regarded as having an impairment” is a person with epilepsy, who is in complete control while medicated. Section 504/ADA would prevent this person from being denied benefits or services due to perceptions, unsupported by medical diagnosis, that the epileptic is somehow dangerous or unstable because of the epilepsy.*

In Portland Public Schools, students who meet one of the Disabilities Categories identified under the Individuals with Disabilities Act (IDEA), are provided services through an Individual Education Program. If a student does not qualify under IDEA but has a disability that interferes with a major life activity, they can be provided services with a 504 Accommodation Plan.

DISABILITY DEFINED

"Person with disability" means an individual who: (A) has a physical or mental impairment that substantially limits one or more major life activities; (B) has a record of such an impairment or; (C) is regarded as having such an impairment

Physical or Mental Impairment

Physiological disorder, contagious disease, cosmetic disfigurement or anatomical loss in one or more system:

- Neurological
- Musculoskeletal
- Respiratory
- Cardiovascular
- Reproductive
- Digestive
- Genito-urinary
- Hemic
- Lymphatic
- Skin
- Endocrine

Mental or psychological disorder including

- Mental Retardation
- Organic Brain Syndrome
- Emotional or Mental Illness
- Specific Learning Disabilities

Major-Life Activities

Major life activities include:

- Self-Care
- Manual Tasks
- Walking
- Seeing
- Hearing
- Speaking
- Breathing
- Learning
- Working

Record of Impairment

The individual has:

- A history of impairment
- Or
- A record of having been misclassified as having an impairment

Regarded Impaired

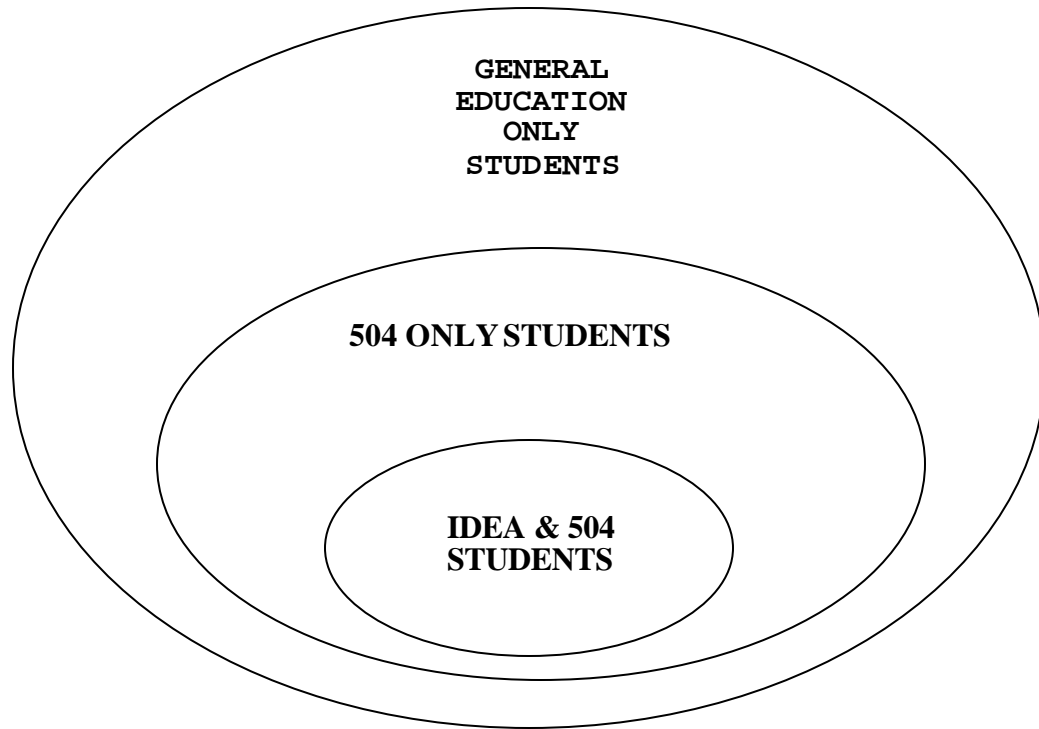
The individual has:

- An impairment not limiting a major life activity, but treated as disabled by the school District.
- Or
- No impairment, but treated as disabled by the school District

Substance abuse*

*Does not include current, illegal drug abusers.

STUDENT POPULATION



IDEA/504 STUDENTS

Students are qualified under one or more of twelve (12) **IDEA** disabling conditions*. Specially designed individual education programs are planned for each student by IEP Teams.

*

Mentally Retarded
Hard of Hearing
Deaf
Vision Impaired
Blind
Deaf/Blind
Communication Disorder
Orthopedically Impaired
Traumatic Brain Injured
Health Impaired
Autistic
Learning Disabled

SECTION 504 STUDENTS ONLY

Due to substantial mental or physical impairments that limit one or more of the students major life activities, special accommodations to the student's program are required. A Section 504 accommodation plan is designed for each student according to individual need.

Examples of potential 504 disabilities not typically covered and cannot stand alone under **IDEA** are:

- communicable diseases- HIV , Tuberculosis
- medical conditions -asthma, allergies, diabetes, heart disease
- temporary medical conditions due to illness or accident
- Attention Deficit Disorder (ADD, ADHA)
- drug/alcohol addiction

IDEA (Individuals with Disabilities Education Act) and SECTION 504: A COMPARISON

COMPONENT	IDEA	SECTION 504
General Purpose	Is a Federal funding statute whose purpose is to provide financial aid to States in their efforts to ensure adequate and appropriate services for children with disabilities.	Is a broad civil rights law which protects the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education.
Who is Protected?	Identifies all school-aged children who fall within one or more specific categories of qualifying conditions.	Identifies all school-age children as disabled who meet the definition of a qualified disabled person: i.e. (1) has a physical or mental impairment which substantially limits a major life activity; or (2) is regarded as disabled by others. Major life activities include walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, and performing manual tasks. The disabling condition need only limit one major life activity in order for the student to be eligible.
Responsibility to Provide A Free and Appropriate Public Education (FAPE)	<i>Both laws require the provision of a free appropriate public education to eligible students covered under them including individually designed instruction. The Individual Education Program (IEP) of IDEA will suffice for Section 504 written plan.</i>	
	Requires a written IEP document with specific content and a required number of specific participants at the IEP meeting. "Appropriate education" means a program designed to provide "educational benefit". Related services are provided if required for the student to benefit from specially designed instruction.	Does not require a written IEP document, but does require a plan. It is recommended that the District document that a group of persons knowledgeable about the student convene and specify the agreed upon services. " Appropriate" means an education comparable to the education provided to non-disabled students, requiring that reasonable accommodations be made. Related services, independent of any special education services as defined under IDEA, may be the reasonable accommodation.
Special Education vs. Regular Education	A student is only eligible to receive IDEA services if the IEP team determines that the student is disabled under one or more of the specific qualifying conditions and requires specially designed instruction to benefit from education.	A student is eligible so long as he/she meets the definition of a qualified disabled person; i.e., (1) has a physical or mental impairment which substantially limits a major life activity; or (2) is regarded as disabled by others. It is not required that the disability adversely affect educational performance, or that the student need special education in order to be protected.
Funding	Provides additional funding for eligible students.	Does not provide additional funds. IDEA funds may not be used to serve children found eligible only under Section 504.

IDEA (Individuals w/ Disabilities Education Act) and SECTION 504: A COMPARISON

COMPONENT

IDEA

SECTION 504

Accessibility	Requires that modifications must be made if necessary to provide access to a free appropriate education.	Has regulations regarding building and program accessibility, requiring that reasonable accommodations be made.
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PROCEDURAL SAFEGUARDS

Both require notice to the parent or guardian with respect to identification, evaluation, and/or placement. IDEA procedures will suffice for Section 504 implementation.

	<p>Requires written notice.</p> <p>Delineates required components of written notice.</p> <p>Requires written notice prior to any change in placement.</p>	<p>Does not require written notice, but a District would be wise to do so.</p> <p>Written notice not required, but indicated by good professional practice.</p> <p>Requires notice only before a "significant change" in placement.</p>
Evaluations	<p>A full comprehensive evaluation is required, assessing all areas related to the suspected disability. The child is evaluated by a multi-disciplinary team or group.</p> <p>Requires informed consent before an initial evaluation is conducted.</p> <p>A reevaluation is required before a significant change in placement. A review of current evaluation data, including progress monitoring, is strongly recommended.</p> <p>Provides for independent educational evaluation, at District expense if parent disagrees with evaluation obtained by school and hearing officer concurs.</p>	<p>Evaluation draws on information from a variety of sources in the area of concern; decisions made by a group knowledgeable about the student, evaluation data, and placement options.</p> <p>Does not require consent, only notice. However, good professional practice indicates informed consent.</p> <p>Reevaluation is required before a significant change in placement.</p> <p>No provision for independent evaluations at District expense. District should consider any such evaluations presented.</p>

PLACEMENT PROCEDURES

When interpreting evaluation data and making placement decisions, both laws require Districts to:

- a. Draw upon information from a variety of sources.*
- b. Assure that all information is documented and considered.*
- c. Ensure that the eligibility decision is made by a group of persons including those who are knowledgeable about the child, the meaning of the evaluation data, and placement options.*
- d. Ensure that the student is educated with his/her non-disabled peers to the maximum extent appropriate (least restrictive environment).*

	An IEP review meeting is required before any change in placement.	A meeting is not required for any change in placement.
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IDEA (Individuals with Disabilities Education Act) and SECTION 504: A COMPARISON

COMPONENT

IDEA

SECTION 504

Grievance Procedure	<p>Does not require a grievance procedure nor a compliance coordinator.</p> <p>There are state complaint procedures as well as due process hearings to ensure District Compliance.</p>	<p>Requires Districts with more than 15 employees to (1) designate an employee to be responsible for assuring District compliance with Section 504 and (2) provide a grievance procedure for parents, students and employees.</p>
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DUE PROCESS HEARING

Both statutes require Districts to provide impartial hearings for parents or guardians who disagree with the identification, evaluation or placement of a student.

	<p>Delineates Specific requirements.</p>	<p>Requires that the parent have an opportunity to participate and be represented by counsel. See OAR 581-015-0109 for other specific requirements.</p>
Exhaustion	<p>Requires the parent or guardian to pursue administrative hearing before seeking redress in the courts.</p>	<p>Administrative hearing not required prior to OCR involvement or court action; compensatory damages possible.</p>
Enforcement	<p>Enforced by the U.S. Office of Special Education Programs. Compliance is monitored by the State Department of Education and the Office of Special Education Programs.</p>	<p>Enforced by the U.S. Office for Civil Rights.</p>

TAB C

SECTION 504

FORMS

PPS

BSC 1 Form Link to Web Site

<http://www.pps.k12.or.us/District/depts/speced/forms.shtml>

**SECTION 504 OF THE REHABILITATION ACT OF 1973
PARENT/STUDENT RIGHTS IN IDENTIFICATION,
EVALUATION AND PLACEMENT**

Please Keep This Explanation for Future Reference

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 for 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 non-disabled 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 non-disabled students;
6. Have your child receive special education and related services if she/he is found to be eligible under the Individuals With Disabilities Act 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 group;
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 actions regarding your child's identification, evaluation, educational program or placement. You and the student may take part in the hearing, and have an attorney represent you. Hearing requests must be made to the State Superintendent of Public Instruction, Oregon Department of Education, 255 Capitol St. NE, Salem, OR 97310-0203, pursuant to OAR 581-15-109;
15. Ask for payment of reasonable attorney fees if you are successful on your claim; and
16. File a local grievance.

_____	Section 504 Coordinator is	_____	_____
(School Building/Program)		(Name)	(Phone Number)
Portland Public Schools	Section 504 Compliance Officer	Jean Fischer	916-6540
(District)		(Name)	(Phone Number)

PORTLAND PUBLIC SCHOOLS
SECTION 504 FORM 3
SECTION 504 ELIGIBILITY DETERMINATION REPORT

STUDENT NAME _____ BD _____ PPS ID# _____

ATTENDING SCHOOL _____ HOME SCHOOL _____

GRADE _____ SECTION 504 TEAM DETERMINATION DATE: _____

EDUCATIONAL HISTORY AND PRESENT EDUCATIONAL PLACEMENT STATUS

EDUCATIONAL PERFORMANCE STATUS

PRESENT LEARNING AND EDUCATION PERFORMANCE DESCRIPTION:

1. Current Classes and Grades:

2. School Attendance (describe):

3. Does the student have a disability under Section 504?

If yes, describe:

Check:

____ Yes ____ No

4. Does the student have a disability which substantially limits one or more major life activities such as learning, caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working?

If yes, describe how the activity(ies) is substantially limited:

Check:

____ Yes ____ No

TEAM DETERMINATION:

Based on the review of the above information, the multidisciplinary team has determined the student is:

Check: Eligible *Not Eligible

to accommodation services under Section 504 within the educational setting.

Comments/Explanation:

This two page document constitutes the District's notice to parents regarding the child's eligibility or non-eligibility under Section 504.

* In the event that **Not Eligible** is checked, the parent may appeal that decision through the District's grievance procedure by contacting the District Section 504 Compliance Officer at 503-916-6540.

SECTION 504 MULTIDISCIPLINARY TEAM MEMBERS

Name	Position
_____	_____
_____	_____
_____	_____
_____	_____

Building/Program Section 504 Coordinator

C: Parent
Student Cumulative File
Section 504: Form 3 (Revised 8/01)

**PORTLAND PUBLIC SCHOOLS
SECTION 504 FORM 3
SECTION 504 ELIGIBILITY DETERMINATION REPORT**

STUDENT NAME Samantha Example BD 9/6/85 PPS ID# 012345678

ATTENDING SCHOOL Example Middle School HOME SCHOOL Example Home School

GRADE 6 SECTION 504 TEAM DETERMINATION DATE: 2/26/96

EDUCATIONAL HISTORY AND PRESENT EDUCATIONAL PLACEMENT STATUS

Samantha attended Happy Oak School, grades PK-3; the Joyous Elementary in Grades 4-5; she now attends Example Middle School. Her educational placement is general education. Evaluation to determine eligibility for special education under IDEA was completed and Samantha was found ineligible under IDEA.

EDUCATIONAL PERFORMANCE STATUS

PRESENT LEARNING AND EDUCATION PERFORMANCE DESCRIPTION:

1. Current Classes and Grades:

*Does not complete work.
Is easily distracted.
Tests slightly below her cognitive level.
Is disruptive in class and on the bus.*

2. School Attendance (describe):

Samantha had 20 partial or full day absences this year.

3. Does the student have a disability under Section 504?

If yes, describe:

Check:

Yes **No**

A medical evaluation identifies that Samantha has Attention Deficit Hyperactive Disorder (ADHD). The Connors behavior checklist verified that, in the school setting, Samantha evidenced the behavioral manifestations of a child with ADHD.

4. Does the student have a disability which substantially limits

one or more major life activities such as learning, caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working?

Check:

Yes **No**

If yes, describe how the activity(ies) is substantially limited:

Samantha's disability of ADHD substantially limits her learning. She is failing in three of five core classes due to disruptive behavior, distractability, and lack of work completion.

TEAM DETERMINATION:

Based on the review of the above information, the multidisciplinary team has determined the student is:

Check: Eligible *Not Eligible

to accommodation services under Section 504 within the educational setting.

Comments/Explanation:

The team determined Samantha is entitled to accommodations under Section 504 because of behavior problems, distractability, and poor school performance. These problems are considered to be related to the Attention Deficit Hyperactivity Disorder, a medical condition recently diagnosed and confirmed by her physician.

This two page document constitutes the District's notice to parents regarding the child's eligibility or non-eligibility under Section 504.

* In the event that **Not Eligible** is checked, the parent may appeal that decision through the District's grievance procedure by contacting the District Section 504 Compliance Officer at 503-916-6540.

SECTION 504 MULTIDISCIPLINARY TEAM MEMBERS

Name	Position
<u>SARA ONTOPOFIT</u>	<u>VICE PRINCIPAL</u>
<u>LEE MARVIN</u>	<u>BEHAVIOR MANAGEMENT SPECIALIST</u>
<u>DENISE MASTER</u>	<u>SPECIAL EDUCATION TEACHER</u>
<u>PETER PROFESSOR</u>	<u>SCHOOL PSYCHOLOGIST</u>
	<u>ALICE COUNSELOR</u>

Building/Program Section 504 Coordinator

C: Parent
Student Cumulative File

Section 504: Form 3 (Revised 8/01)

PORTLAND PUBLIC SCHOOLS
SECTION 504 FORM 3
SECTION 504 ELIGIBILITY DETERMINATION REPORT

STUDENT NAME Sam Example BD 10/6/78 PPS ID# 012345678
ATTENDING SCHOOL Example High School HOME SCHOOL Example Home High School
GRADE 10 SECTION 504 TEAM DETERMINATION DATE: 5/10/96

EDUCATIONAL HISTORY AND PRESENT EDUCATIONAL PLACEMENT STATUS

Sam attended Happy Oak SD and became eligible 2/86 for special education because of a learning disability. The family moved to PPS 12/87 where Sam continued to receive special education services. In April, 1993 it was determined that Sam was no longer eligible under the IDEA. Special education eligibility and special education services were terminated. The 11/18/92 IEP stated that the extent of participation in general education classes was 100% except for "checking in once a week" for language arts for 6 months as a transition. Sam has attended general education classes with no resource center or other special support services since May, 1993.

EDUCATIONAL PERFORMANCE STATUS

PRESENT LEARNING AND EDUCATION PERFORMANCE DESCRIPTION:

1. Current Classes and Grades:

Current GP is 2.82 on a 4.0 scale. The lowest grade reported during the 1994-95 school year was a "C". 1995-96 classes include word processing, economics, chemistry, German, English Literature, and Algebra. All 1995 progress reports document Sam has passing grades in 5 of 6 general education classes. One teacher reports a missing major project has now been submitted. Sam is meeting the expectations required of all students. All general education teachers report he is performing within the average range of non-disabled students. The algebra teacher reports he is an excellent participant in discussions because he is so concise and articulate. Sam has passed all sections of the Portland Graduate Standards.

2. School Attendance (describe):

No problems reported; minor absences due to illness.

3. Does the student have a disability under Section 504?

If yes, describe:

Check:

 Yes X No

4. Does the student have a disability which substantially limits one or more major life activities such as learning, caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working?

If yes, describe how the activity(ies) is substantially limited:

Check:

 Yes X No

TEAM DETERMINATION:

Based on the review of the above information, the multidisciplinary team has determined the student is:

Check: Eligible *Not Eligible

to accommodation services under Section 504 within the educational setting.

Comments/Explanation:

The team determined Sam is not eligible for accommodations under Section 504.

This two page document constitutes the District's notice to parents regarding the child's eligibility or non-eligibility under Section 504.

* In the event that **Not Eligible** is checked, the parent may appeal that decision through the District's grievance procedure by contacting the District Section 504 Compliance Officer at 503-916-6540.

SECTION 504 MULTIDISCIPLINARY TEAM MEMBERS

Name	Position
<u>MARY SMITH</u>	<u>COUNSELOR</u>
<u>JOSEPH BROWN</u>	<u>SCHOOL PSYCHOLOGIST</u>
<u>ALICE JONES</u>	<u>SPECIAL EDUCATION TEACHER</u>
<u>JANE SEYMORE</u>	<u>VICE PRINCIPAL</u>

BILL B PRINCIPAL

Building/Program Section 504 Coordinator

C: Parent
Student Cumulative File

Section 504: Form 3 (Revised 8/01)

SCHOOL LETTERHEAD

Date

TO:

FROM:

SECTION 504 ELIGIBILITY RESULTS MEETING

This letter is to advise you of the meeting to review with you the evaluation regarding the educational performance and eligibility for services under section 504 of the Rehabilitation Act of 1973 for:

(Student Name)

Meeting is scheduled:

Date:

Time:

Location:

Your attendance at this meeting is important. If you cannot attend, you may request to have the meeting rescheduled.

Enclosed are Section 504 Parent/Student Rights in Identification, Evaluation and Placement.

Enclosure

C: Student Cumulative File

Portland Public Schools
SCHOOL LETTERHEAD

Date

TO:

FROM:

SECTION 504 ELIGIBILITY RESULTS MEETING

This letter is to advise you of the meeting to review with you the evaluation regarding the educational performance and eligibility for services under section 504 of the Rehabilitation Act of 1973 for:

Samantha Example

(Student Name)

Meeting is scheduled:

Date: *APRIL 1, 1997*

Time: *1:00 PM*

Location: *ROOM 6 EXAMPLE ELEMENTARY*

Your attendance at this meeting is important. If you cannot attend, you may request to have the meeting rescheduled.

Enclosed are Section 504 Parent/Student Rights in Identification, Evaluation and Placement.

Enclosure

C: Student Cumulative File

STUDENT ACCOMMODATION PLAN

NAME: _____ BIRTHDATE: _____ PPS ID#: _____

GRADE: _____ SCHOOL: _____ DATE: _____

1. Describe the impairment/disability under Section 504: _____

2. Describe how the impairment/disability affects a major life activity: _____

3. Describe the reasonable accommodations necessary to address the impairment/disability which substantially limits the major life activity: _____

Review/Re-evaluation Date: _____

Participants: _____

<u>Name</u>	<u>Position</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Signatures: _____

Parent or Guardian

Case Manager

Building/Program Section 504 Coordinator

C: Student's Cumulative File (original); Parent; Case Manager; Building Section 504 Coordinator.
Section 504: Form 5 (Revised 8/01)

STUDENT ACCOMMODATION PLAN

NAME: Student BIRTHDATE: 5/31/87 PPS ID#: 12346666

GRADE: 9 SCHOOL: Any School DATE: 9/01/01

1. Describe the impairment/disability under Section 504: The student has a tracheotomy which may come out and cause suffocation. He also has a latex allergy. He may require frequent suctioning at times in order to keep his airway open.

2. Describe how the impairment/disability affects a major life activity: If tracheotomy comes out, he cannot breathe; he has a latex allergy which could cause anaphylactic shock leading to an inability to breathe.

3. Describe the reasonable accommodations necessary to address the impairment/disability which substantially limits the major life activity: Full-time trained nurse to keep airway open, and monitor for latex contact, and early treatment if exposed (epipen); classroom must be evaluated for latex items present; requires a bus with emergency communication system. Suctioning equipment available as needed.

Review/Re-evaluation Date: June 1, 2002
Participants:

<u>Name</u>	<u>Position</u>
<u>Sara Ontopofit</u>	<u>Vice Principal</u>
<u>Denise Master</u>	<u>Special Education Teacher</u>
<u>Peter Professor</u>	<u>6/7 Grade Team Teacher</u>
<u>Lee Marvin</u>	<u>Student Management Specialist</u>

Signatures:
Sally Concern Jack Concern
Parent or Guardian

Clint Teacher Sam Special Education
Case Manager **Building/Program Section 504 Coordinator**

STUDENT ACCOMMODATION PLAN

NAME: Joe Student BIRTHDATE: 5/31/87 PPS ID#: 12346666

GRADE: 5 SCHOOL: Any School DATE: 5/6/97

1. Describe the impairment/disability under Section 504: The Student is medically diagnosed as ADHD.
He is behind in homework and is failing in math. He can't seem to concentrate on the work in class
or stay on task. Other students bother him during class.

2. Describe how the impairment/disability affects a major life activity: Although Joe has normal intelligence,
low academic performance is inhibiting the acquisition and development of basic math skills, affecting student
self esteem and others' perception of student's competence and attitude.

3. Describe the reasonable accommodations necessary to address the impairment/disability which substantially limits the major life activity: Homework: communicate with parents regarding homework
with a weekly check sheet or by phone; have the student keep a homework chart; instruct the parents in appropriate
ways to help student with homework.
Failure on Tests: teach the student test-taking strategies; have the student do a sample quiz before a real test;
provide opportunities for the student to review with a peer tutor before a test.
Not Staying On Task: provide student a quiet place to work where auditory and/or visual stimuli is reduced (study
carrel); assign the student shorter tasks but more of them (i.e.: modify a 20 problem math activity to 4 activities
of 5 problems each to be performed at various times during the day); provide student with a pre-determined signal
(hand signal, verbal cue) when off task behavior is observed.
ADHD: cooperate with physician regarding the administration of prescription medication at school (if required).

Review/Re-evaluation Date: June 1, 1998

Participants:

<u>Name</u>	<u>Position</u>
<u>Sara Ontopofit</u>	<u>Vice Principal</u>
<u>Denise Master</u>	<u>Special Education Teacher</u>
<u>Peter Professor</u>	<u>6/7 Grade Team Teacher</u>
<u>Lee Marvin</u>	<u>Student Management Specialist</u>

Signatures:

<u>Sally Concern</u>	<u>Jack Concern</u>
Parent or Guardian	
<u>Clint Teacher</u>	<u>Sam Special Ed</u>
Case Manager	Building/Program Section 504 Coordinator

C: Student's Cumulative File (original); Parent; Case Manager; Building Section 504 Coordinator.
Section 504: Form 5 (Revised 8/01)

Portland Public Schools

**SECTION 504
TRANSPORTATION**

Section 504 of the Rehabilitation Act of 1973 can, under certain circumstances, allow for transportation of students with an illness or disability who are not in Special Education and are without an IEP requiring transportation. Two basic criteria are used to determine possible eligibility; they are:

- 1. Student's disability must interfere with a major life function limiting his/her ability to get to/from school or existing bus stop.**
- 2. Student's disability must be projected to exist for at least 90 days from onset of injury/illness.**

PROCEDURE FOR PROCESSING SECTION 504 TRANSPORTATION REQUESTS:

1. Parent request must originate with school principal.
2. Principal completes a TD-6 General Education Transportation Request and gives it to school nurse. It is important that principal advise parents that the school nurse will be contacting them and student's physician regarding their request.
3. School nurse will contact parent and student's attending physician to gather information for determining eligibility.
4. If eligible, school nurse will review physician's statement, develop care plan, with recommendations, sign TD-6, and forward both to principal.
5. Principal will sign and forward TD-6 and physician's statement to Transportation.
6. TD-6s without approved school nurse and principal signature will be returned to sender.
7. School nurses with questions regarding process or procedures can call Barbara Neely at 503-257-1732.

Final authority for providing transportation rests with the Section 504 Team, the Transportation Department, and the School Nurse. Questions may be directed to the Transportation Office at 503-916-6901.

TAB D

SECTION 504

CLASSROOM AND FACILITY

INTERVENTION

AND

ACCOMMODATIONS

(These can be pre-referral/less formal interventions)

EXAMPLES

CLASSROOM AND FACILITY ACCOMMODATIONS

THE INTENT OF SECTION 504 IS TO “ACCOMMODATE” FOR DIFFERENCES WITHIN THE GENERAL EDUCATION ENVIRONMENT. For this to be accomplished, all staff must be provided with awareness activities and given specific information concerning the District's procedures for dealing with Section 504 referrals.

As individual students are identified, the classroom teacher may need specific training in the area of the identified disability (e.g., training from the school nurse on danger signs of an impending asthma attack, training from a physical therapist on correct positioning of a wheelchair-bound student at his/her desk, etc.) The following classroom/facility accommodations are presented as examples of ways in which Section 504 disabilities may be successfully addressed within the regular education environment.

1. Communication

A. There may be a need to modify parent/student/teacher communications; for example:

- Develop a daily/weekly journal
- Develop parent/student school contacts
- Schedule periodic parent/teacher meetings
- Provide parents with duplicate sets of texts

B. There may be a need to modify staff communications; for example:

- Identify resource staff
- Network with other staff
- Schedule building team meetings
- Maintain on-going communication with building principal

C. There may be a need to modify school/community agency communication; for example, with parent consent:

- Identify and communicate with appropriate agency personnel working with student.
- Assist in agency referrals
- Provide appropriate carryover in the school environment

EXAMPLES

2. Organization/Management

A. There may be a need to modify the instructional day; For example:

- Allow student more time to pass in hallways
- Modify class schedule

B. There may be a need to modify the classroom organization/structure; For example:

- Adjust placement of student within classroom (e.g., study carrel, proximity to teacher, etc.)
- Increase/decrease opportunity for movement
- Determine appropriate classroom assignment (e.g., open versus structured)
- Reduce external stimuli

3. Alternative Teaching Strategies

A. There may be need to modify teaching methods; For example:

- Adjust testing procedures (e.g., length of time, administer orally, tape record answers)
- Individualize classroom/homework assignments
- Utilize technology (computers, tape recorders, calculators, etc.)

B. There may be a need to modify materials; For example:

- Utilize legible materials
- Utilize materials that address the student's learning style (e.g., visual, tactile, auditory, etc.)
- Adjust reading level of materials

EXAMPLES

4. Student Precautions

- A. There may be a need to modify the classroom/building climate for health purposes; for example:
- Use an air purifier in classroom
 - Control temperature
 - Accommodate specific allergic reactions
- B. There may be a need to modify classroom/building to accommodate equipment needs; for example:
- Plan for evacuation for wheelchair-bound students
 - Schedule classes in accessible areas
- C. There may be a need to modify building health/safety procedures; for example:
- Administer medication
 - Apply universal precautions
 - Accommodate special diets

EXPANDED LIST OF CLASSROOM AND FACILITY ACCOMMODATIONS

The following information provides more examples of ways in which the needs of children with disabilities (or Section 504 disabilities) may be accommodated in the regular classroom. (Remember all accommodations must be directly related to the identified disability.)

AREA OF CONCERN	ACCOMMODATIONS
Parent/Student/Teacher Communications	<ul style="list-style-type: none"> • Develop a daily/weekly journal. • Develop parent/student/school contacts. • Schedule period parent/teacher meetings. • Provide parents with duplicate sets of texts.
Staff Communications	<ul style="list-style-type: none"> • Identify resource staff. • Network with other staff. • Schedule building team meetings. • Maintain ongoing communication with building principal.
School/Community/Agency	<ul style="list-style-type: none"> • Identify and communicate with appropriate personnel working with student. • Assist in agency referrals. • Provide appropriate carryover in the school environment.
Instructional Day	<ul style="list-style-type: none"> • Allow student more time to pass in hallways. • Modify class schedule.
District Policies/Procedures	<ul style="list-style-type: none"> • Allow increase in number of excused absences for health reasons. • Adjust transportation/parking arrangements. • Approve early dismissal for service agency appointments.
Modification of classroom/building to accommodate equipment needs.	<ul style="list-style-type: none"> • Use air purifier. • Control temperature. • Accommodate specific allergic reactions.
Building Health/Safety Procedures	<ul style="list-style-type: none"> • Administer medication • Apply universal precautions. • Accommodate special diets.
Difficulty sequencing and completing steps to accomplish specific tasks (e.g., writing a book report, term paper, organized paragraphs, division problems, etc.	<ul style="list-style-type: none"> • Break up task into workable and obtainable steps. • Provide examples and specific steps to accomplish task.
Shifting from one uncompleted activity to another without closure.	<ul style="list-style-type: none"> • Define the requirements of a completed activity (e.g., “your math is finished when all 6 problems are complete and corrected; do not begin on the next task until it is finished”.)

EXPANDED LIST OF CLASSROOM AND FACILITY ACCOMMODATIONS

Page 2

AREA OF CONCERN	ACCOMMODATIONS
Difficulty following through on instructions from others.	<ul style="list-style-type: none"> • Gain student’s attention before giving directions. Use alerting cues. Accompany oral directions with written directions. • Give one direction at a time. Quietly repeat directions to the student after they have been given to the rest of the class. Check for understanding by having the student repeat the directions. Place general methods of operation and expectations on charts displayed around the room and/or on sheets to be included in student’s notebook.
Difficulty sustaining effort and accuracy over time.	<ul style="list-style-type: none"> • Prioritize assignments and activities. • Provide a model to help students. Post the model and refer to it after.
Difficulty completing assignments	<ul style="list-style-type: none"> • List and/or post (and say) all steps necessary to complete each assignment. • Reduce the assignment into manageable sections with specific due dates. • Make frequent checks for work/assignment completion. • Arrange for student to have a “study buddy” with phone number in each subject area.
Difficulty with any task that requires memory	<ul style="list-style-type: none"> • Combine seeing, saying, writing and doing, student may need to sub vocalize to remember. • Teach memory techniques as a study strategy (e.g., mnemonics, visualization, oral rehearsal, numerous repetition).
Difficulty with test taking	<ul style="list-style-type: none"> • Allow extra time for resting, teach test-taking skills and strategies, and allow student to be tested orally. • Use clear, readable and uncluttered test forms. Use test format that the student is most comfortable with. Allow ample space for student response. Consider having lined answer spaces for essays or short answer questions.
Confusion from non-verbal cues (misreads body language, etc.)	<ul style="list-style-type: none"> • Directly teach (tell the student) what non-verbal cues mean. Model and have student practice reading cues in a safe setting.
Confusion from written material (difficulty finding main idea from a paragraph, attributes greater importance to minor details).	<ul style="list-style-type: none"> • Provide student with copy of reading material with main ideas underlined/highlighted. • Provide an outline of important points from reading material. • Teach outlining, main idea/details concepts. • Provide tape of text/chapter.

EXPANDED LIST OF CLASSROOM AND FACILITY ACCOMMODATIONS

Page 3

AREA OF CONCERN	ACCOMMODATIONS
<p>Confusion from spoken material, lectures and audio-visual material (difficulty finding main idea from presentation, attributes greater importance to minor details).</p>	<ul style="list-style-type: none"> • Provide student with a copy of presentation notes. • Allow peers to share notes from presentation (have student compare own notes with a copy of peer's notes.) • Provide framed outlines of presentations (introducing visual and auditory cues to important information). • Encourage use of tape recorder. • Teach and emphasize key words (the followingthe most important point...etc.)
<p>Difficulty sustaining attention to tasks or other activities (easily distracted by extraneous stimuli)</p>	<ul style="list-style-type: none"> • Reward attention. Break up activities into small units. • Reward for timely accomplishments. • Use physical proximity and touch. Use earphones and/or study carrels, quiet place, or preferential seating.
<p>Frequent messiness or sloppiness</p>	<ul style="list-style-type: none"> • Teach organization skills. Be sure student has daily, weekly and/or monthly assignment sheets, list of materials needed daily, and consistent format for papers. • Have a consistent way for students to turn in and receive back papers, reduce distractions. • Give reward points for notebook checks and proper paper format. • Provide clear copies of worksheets and handouts and consistent format for worksheets. • Establish a daily routine, provide for what the student is to do. • Arrange for a peer who will help with organization. • Assist student to keep materials in a specific place (e.g. pencils and pens in pouch). • Be willing to repeat expectations.
<p>Poor handwriting (often mixing cursive and manuscript and capital with lower case letters)</p>	<ul style="list-style-type: none"> • Allow for a scribe and grade for content, not handwriting. Allow for use of a computer or typewriter. • Consider alternative methods for student response (e.g. tape recorder, oral reports, etc.) • Don't penalize student for mixing cursive and manuscript. • Accept any method of production.
<p>Difficulty with fluency in handwriting (e.g., good letter/work production but very slow and laborious)</p>	<ul style="list-style-type: none"> • Allow for shorter assignments (quality vs. quantity). • Allow alternate method of production (computer, scribe, oral presentation, etc.)
<p>Poor self-monitoring (careless errors in spelling, arithmetic, reading.)</p>	<ul style="list-style-type: none"> • Teach specific methods of self-monitoring (e.g. Stop-Look-Listen). <p>Have student proofread work when it is cold.</p>

EXPANDED LIST OF CLASSROOM AND FACILITY ACCOMMODATIONS

Page 4

AREA OF CONCERN	ACCOMMODATIONS
Low fluency or production of written material (takes hours on a 10-minute assignment).	<ul style="list-style-type: none"> • Allow for alternative method for completing assignment (oral presentation, taped report, visual presentation, graphs, maps, pictures, etc.) with reduced written requirement. • Allow for alternative method of writing (e.g., typewriter, computer, cursive or printing, or a scribe).
Apparent inattention (under-active, daydreaming, not there)	<ul style="list-style-type: none"> • Get student’s attention before giving directions, tell student how to pay attention. (Look at me while I talk; watch my eyes while I speak). Ask student to repeat directions. • Attempt to actively involve student in lesson (e.g., cooperative learning.)
Difficulty participating in class without being interruptive, difficulty working quietly.	<ul style="list-style-type: none"> • Seat student in close proximity to the teacher. • Reward appropriate behavior. (Catch student “being good”.) • Use study carrel, if appropriate.
Inappropriate seeking of attention (clowns around, exhibits loud excessive or exaggerated movement as attention-seeking behavior, interrupts, butts into other children’s activities, needles others.)	<ul style="list-style-type: none"> • Show student (model) how to gain other’s attention appropriately. • Catch the student when being appropriate and reinforce.
Frequent excessive talking	<ul style="list-style-type: none"> • Teach student hand signals and use to tell student when and when not to talk. • Make sure student is called upon when it is appropriate and reinforce listening.
Difficulty making transitions (from activity to activity or class to class); takes an excessive amount of time to “find pencil”, gives up, refuses to leave previous task; appears agitated during change.	<ul style="list-style-type: none"> • Program student for transitions. Give advance warning of when a transition is going to take place. (Now we are completing the worksheet; next we will) and the expectations for the transition (and you will need). • Specifically say and display lists of materials needed until a routine is possible. • List steps necessary to complete each assignment. • Have specific locations for all materials (pencil pouches, tabs in notebooks, etc.) • Arrange for an organized helper (peer).
Difficulty remaining seated or in a particular position when required	<ul style="list-style-type: none"> • Give student frequent opportunities to get up and move around. Allow space for movement.
Squirming in seat.	<ul style="list-style-type: none"> • Break tasks down to small increments and give frequent positive reinforcement for accomplishments (this type of behavior is often due to frustration). • Allow alternative movement when possible.

EXPANDED LIST OF CLASSROOM AND FACILITY ACCOMMODATIONS

Page 5

AREA OF CONCERN	ACCOMMODATIONS
Inappropriate responses in class often blurted out; answers given to questions before they have been completed.	<ul style="list-style-type: none"> • Set student in close proximity to teacher so that visual and physical monitoring of student behavior can be done by the teacher. • State behavior that you do want (tell the student how you expect him to behave).
Agitation under pressure and competition (athletic or academic)	<ul style="list-style-type: none"> • Stress effort and enjoyment for self, rather than competition with others. • Minimize timed activities; structure class for team effort and cooperation.
Inappropriate behaviors in a team or large group sport or athletic activity (difficulty waiting turn in games or group situations).	<ul style="list-style-type: none"> • Give the student a responsible job (e.g., team captain, care and distribution of the balls, scorekeeping, etc.); consider leadership role. • Have student in close proximity to teacher.
Frequent involvement in physically dangerous activities without considering possible consequences.	<ul style="list-style-type: none"> • Anticipate dangerous situations and plan for in advance. • Stress Stop-Look-Listen • Pair with responsible peer. (Rotate responsible students so that they don't wear out!)
Poor adult interactions Defies authority Sucks up Hangs on	<ul style="list-style-type: none"> • Provide positive attention • Talk with student individually about the inappropriate behavior (What you are doing is....A better way of getting what you need or want is...).
Frequent self-put-downs, poor personal care and posture, negative comments about self and others, low self-esteem	<ul style="list-style-type: none"> • Structure for success. • Train student for self-monitoring, reinforce improvement, teach self-questioning strategies (What am I doing? How is that going to affect others?) • Allow opportunities for the student to show his/her strength. • Give positive recognition.

TAB E

**SECTION 504
COORDINATION**

COORDINATION AND ARTICULATION PROCEDURE

Whenever an eligible student is placed on a Section 504 Accommodation Plan, there is a legal expectation that the District coordinate the implementation of the plan with appropriate staff, parents, and other available resources. Where necessary, the District also needs to provide a smooth transition for students still on a plan who move between either grades, schools, or levels (e.g., elementary, middle school, high school or alternative school).

1. Eligibility and plan forms signed by Building Section 504 Coordinator.
2. Copies of plan distributed to all appropriate individuals who have a need to know.
3. Documentation (copies of eligibility and plan forms) in student permanent record (CUM) file.
4. The assignment of a case manager responsible for plan implementation, review and case communication.
5. To ensure adequate coordination and articulation the principal/program supervisor should identify a Section 504 Building Coordinator.
 - a) In the case of individual students on an accommodation plan, the Section 504 Team should identify a Section 504 Case Manager.

Typical role of the Case Manager:

- a. The Case Manager ensures that the Section 504 Accommodation Plan is signed by the appropriate staff member (e.g., Section 504 Building Coordinator, principal or designee), placed in the student CUM file with copies distributed to appropriately involved parties (e.g., counselor, nurse, CDS, teachers, other support staff, ESL, administrators).
- b. The Case Manager ensures that there is a periodic review/re-evaluation as stated in the plan.

TAB D

SECTION 504

GRIEVANCE PROCEDURE

GRIEVANCE RESOLUTION PROCEDURE FOR SECTION 504 OF THE REHABILITATION ACT OF 1973

Portland Public Schools has an internal resolution procedure to provide a prompt and impartial review of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 which is designed to eliminate discrimination on the basis of disability in any program activity receiving federal financial assistance. This is an optional resolution procedure for a complainant. This resolution procedure is not a prerequisite before a complainant may directly pursue any other state or federal remedy available under law.

Section 504 complaints may include, but are not limited to, allegations that Portland Public Schools engaged in discrimination against Section 504 students with disabilities by affecting their rights regarding identification, evaluation, educational program or placement, and accommodation.

As part of an informal approach to complaint resolutions, the District wants parents, students and other District patrons to have the opportunity to make concerns known to the District and for the District to have the opportunity to respond and resolve concerns as rapidly as practicable at the local school or program site level.

For purposes of this Grievance Resolution Procedure:

- “Complaint” means a written allegation that the District or its personnel have violated, misinterpreted or erroneously applied provisions of Section 504. The complaint must contain the name and address of the complainant and a brief description of the alleged violation;
- “Complainant” includes (1) a parent or guardian of a District student, (2) a District high school student who is 18 years of age or older, (3) a District patron;
- “Building administrator” means District-wide administrators, principals, program supervisors, and their respective administrative designees.

LEVELS

Level 1*

- A. Complaints should be filed with the building administrator of the school/program which the student attends. The complaint shall state with specificity the concern of the complainant.
- B. After receiving the complaint, the building administrator will begin an investigation and schedule a conference with a complainant to discuss the complaint. A conference will be held as promptly as practicable, but in any event, no later than 14 school days after receipt of the complaint, unless the complainant agrees to a delay. These resolution procedures contemplate informal but thorough investigations, affording all interested parties and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
- C. The conference will be conducted in an informal manner and shall be designed to provide an opportunity for the complainant to fully explain the nature of the complaint, the circumstances which give rise to it, and the redress sought. The conference should give the building administrator the opportunity to fully discover the facts which bear on the complaint.
- D. As soon as practicable, but no later than 30 calendar days after the conference, the building administrator must prepare a written report as to the validity of the complaint and send the complainant a copy. The report will summarize the complaint and conference and state the conclusions, the reasons supporting them, and the remedial action, if any which the building administrator intends to take. For Section 504 compliance purposes, the building administrator will maintain the files and records of complaints received and investigated.

*** At any point in this process the Building Administrator may consult with the District's 504 Compliance Officer.**

Level 2

- A. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration must be made within 20 school days after receipt of the written report by complainant. The request should be in writing and directed to the District's Section 504 Compliance Officer.

- B. The Section 504 Compliance Officer will conduct an investigation and make a written report to complainant within 20 school days of receiving the request. The report should state relevant findings of fact, conclusions, and the reasons supporting them.

These procedures are intended to protect the substantive rights of interested persons, meet appropriate due process standards, and assure district compliance with Section 504 of the Rehabilitation Act of 1973.

Discrimination against any individual because he or she reported Section 504 violations, or made a complaint, testified, assisted or participated in Section 504 investigations, proceedings or hearings is prohibited. Coercion, intimidation, threats or interference with anyone because he or she exercised or enjoyed Section 504 rights, or helped or encouraged someone else to do so, is prohibited.