
Section 504

Resource Guide

West Baton Rouge Parish School System

January 2007

(Revised 2/18/2008)

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POLICY STATEMENT REGARDING SECTION 504 OF THE REHABILITATION ACT OF 1973

The West Baton Rouge Parish School System is committed to helping all children reach their learning potential. Because each child is important, we are concerned about those children who, for a variety of reasons, are prevented from learning through traditional instructional procedures. It is our belief that all children can learn, but not all children learn the same way. Students with severe disabilities are referred for assessment and services to the local Pupil Appraisal Department; however, many students who do not qualify as disabled to receive Special Education services under Bulletin 1508 do require special assistance in the regular educational setting. These students may qualify as disabled under section 504 of the Rehabilitation Act of 1973. The 1977 regulations mandate the enforcement of Section 504 of the Rehabilitation Act of 1973 which specifies that educational services be provided which meet the individual needs of disabled persons as adequately as the needs of non-disabled persons.

In Section 504, a disabled person is defined as any person who (1) has a physical or mental impairment which substantially limits one or more major life activities; (2) has a record of such an impairment; or (3) is regarded as having such an impairment. The definition applies to individuals with visible disabilities, as well as those with disabilities that may not be apparent. The term physical or mental impairment as stated in Section 504 means any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following systems: neurological, musculoskeletal, special sense organs, respiratory, including speech and lymphatic, skin and endocrine or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

The definition of disabled under Section 504 includes the term major life activities. This term is defined as functions such as caring for oneself, performing manual task, walking, seeing, hearing, speaking, breathing, learning, and working. The key factor in determining whether a person is considered disabled under Section 504 is whether the physical or mental impairment results in a substantial limitation of one or more major life activities. The school systems receiving Federal financial assistance must qualify the individual as disabled in order for him/her to be protected under Section 504. The school system must:

- a. Undertake to identify and locate all unserved disabled children
- b. Provide a free appropriate public education to each qualified disabled person regardless of the nature and severity of the disability. The services must be designed to meet individual educational needs of disabled students as adequately as the needs of non-disabled students are met.
- c. Ensure that disabled students are educated with non-disabled students to the maximum extent possible.

- d. Establish assessment and placement procedures to avoid the inappropriate education that may result in misclassification and misplacement of students.
- e. Establish procedural safeguards to ensure parent participation in decisions regarding assessment and placement.
- f. Afford disabled students an opportunity to participate in extracurricular activities.

School Building Level Committees (SBLC) at each parish school will assume the role of identifying, evaluating and planning for students identified as disabled under Section 504. A parish manual has been developed to include a step-by-step process which all SBLC must follow. The manual contains forms which each committee will be expected to complete; it also contains examples of classroom accommodations and modifications. However, individual staff will have the flexibility to design strategies and interventions that best meet the needs of the individuals they serve.

It is the policy of the West Baton Rouge Parish School System to provide a free appropriate public education to each disabled student within its jurisdiction, regardless of the nature or severity of the disability.

It is the intent of the West Baton Rouge Parish School System to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services.

Due process rights of disabled students and their parents under Section 504 will be enforced.

The person in the system responsible for assuring that the system complies with Section 504 is W. R. Wright , NCSP, ADA/504 Coordinator
West Baton Rouge School Systems
670 Rosedale Road
Port Allen, LA 70767
Phone: (225) 343-8405

SECTION 504 - Suspected Disabling Conditions

LEGAL REQUIREMENTS AND ELIGIBILITY FOR SERVICES

The Department of Education and Local Education Agencies (LEAs) have an obligation to provide for the evaluation of every child suspected of having a disability. The evaluation shall determine the child's need for specialized instruction and related services under Section 504 of the Rehabilitation Act of 1973 and under the Individuals with Disabilities Education Act (IDEA).

Students who have reading problems that substantially limit the learning process and who are suspected of having dyslexia are protected under Section 504 of the Rehabilitation Act of 1973. In addition, some students exhibiting dyslexia characteristics may be served under special educational services.

Federal laws require that recipients that operate a public elementary or secondary education program address the needs of children considered "disabled persons" as adequately as they address the needs of a non-disabled person. No disabled person shall, on the basis of the disability, be excluded from participation in, or denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives benefits from federal financial assistance.

Both laws require that the LEAs provide a free, appropriate public education to each qualified disabled child. A free, appropriate public education, under Section 504, consists of regular or special education and related aids and services designed to meet the individual student's needs and based on adherence to the regulatory requirements for educational setting, evaluation, placement, and procedural safeguards.

LEAs are obliged to provide a free, appropriate public education to each student who is in the recipient's jurisdiction, regardless of the nature or severity of the person's disability (34 CFR 104.33, 104.34, 104.35, and 104.36). A student may be disabled within the meaning of Section 504 and therefore entitled to regular or special education and related aids and services, even though the student may not be eligible for special educational and services under IDEA.

ASSESSMENT PROCEDURES

REQUEST FOR ASSISTANCE FROM THE SCHOOL BUILDING LEVEL COMMITTEE

A written request may be made to the school building level committee for assistance in addressing a student's educational progress if school personnel (principal, guidance counselor, teacher, school nurse, et al.), the parent/guardian, community agency personnel or the student have reason to believe that the student is *consistently struggling or having difficulty making expected progress*. This request for assistance documents the beginning of the 60 operational day time line allowed to complete an assessment for a suspected disabling condition and program implementation, if deemed necessary.

FORMATION OF A COMMITTEE OF PERSONS KNOWLEDGEABLE ABOUT THE STUDENT AND DISABLING CONDITION

Each campus must establish a committee of knowledgeable persons to conduct referral and assessment activities. This group shall be referred to as the Committee.

The Committee must be comprised of at least three members:

- X The student's teacher; and
- X Two other professional persons knowledgeable about the student and/or the suspected condition in the individual school setting, including the following:
 - X Reading specialist;
 - X Guidance counselor;
 - X Speech /language pathologist;
 - X Curriculum specialist in language arts;
 - X Teachers certified in reading, language arts, special education, elementary education, or secondary education;
 - X Certified school psychologist;

- X Educational diagnostician;
 - X Occupational therapist;
 - X Screening specialist, [according to *Regulations for the Implementation of Act 1120*, R.S. 17:392.1 & 392.3]; and
 - X School social worker
- X The parent or guardian and student. Documentation of parental invitation must be maintained.
-

DATA GATHERING AND REVIEW

Upon request, the first action by the Committee shall be to gather data about the student and to establish a profile of the child from the standpoint of school and home.

Data gathered will include, but not be limited to, the following:

- X Health information;
 - X Vision and hearing screening (current within 24 months); and
 - X Medical/health history;
 - X Academic, cognitive, and behavioral information;
 - X Cumulative record review;
 - X Academic progress reports;
 - X Teacher reports of aptitude, behavior, and concerns;
 - X Criterion-referenced/norm-referenced and/or any other standardized test scores;
 - X Informal testing, such as curricular-based assessment;

- X Types of interventions used in the regular program;
- X Samples of the student=s work; and
- X Achievement motivation information;
- X Speech and language information (including assessment of phonological awareness);
- X Additional information from the parents and other sources, (e.g., the student=s need for extensive outside help and the extent of student effort, etc.); and
- X Documentation of the use of pre-referral specialized instructional interventions and strategies used with the student.

INSTRUCTIONAL INTERVENTIONS AND STRATEGIES

Note: If extensive specialized instructional interventions and strategies have been implemented and documented, the Committee may proceed to the choice of options below.

Additional specialized instructional interventions and strategies to be implemented in the educational setting should be recommended by the Committee for the students.

Intervention results shall be recorded and reported to the Committee. The Committee will choose one of the four options below:

- X **Assess students for characteristics of a disabling condition**

OR

- X **Continue specialized instructional interventions and strategies that were successful. Documentation shall remain in the student=s cumulative record. The assessment process for a disabling condition may be terminated at this point if the committee, including the parent is in agreement.**

OR

- X **If a student is suspected of having a disabling condition under the IDEA, refer the student for an individual evaluation to determine for eligibility for special educational services.**

OR

- X **Determine that the child=s needs can be met in the regular classroom without further strategies or interventions, for the present time.**

NOTE: Because the characteristics of dyslexia may not be currently evident and may emerge at a later date, this decision-making process may be repeated based on a student=s need

PROCEDURAL SAFEGUARDS FOR ASSESSMENT

An assessment plan shall be developed by the Committee. Documentation shall be kept on the assessment plan and subsequent activities.

The parent shall be contacted and informed about the assessment. Informed consent (permission) for assessment is required, and all rights of the parents must be explained.

The assessment procedures shall be conducted by appropriately trained local education agency (LEA) personnel as described in the assessment plan.

The assessment shall include multisource data and shall be conducted with valid and reliable instruments. Tests and other assessment materials must have been validated for the specific purpose for which they are used and must be administered in conformance with the instructions provided by their producer [34 CFR 104.35 (b) 1-3].

Test and other assessment materials must be tailored to assess specific areas of educational need; the test and materials must not be designed merely to provide a single intelligence quotient.

Test shall be selected and administered to ensure that the results accurately reflect the student=s aptitude or achievement level rather than reflect only the student=s impaired skills (except where those skills are the factors the tests purports to measure). Careful attention must be given to test selection and administration for students with impaired sensory, manual, or speaking skills.

Tests and other assessment procedures and material shall be used in such a manner as to be free of racial, cultural, language, or sex bias.

A written notice of findings, signed by the Committee, shall be given to the parents and a copy shall be maintained in the student's cumulative folder.

A referral to Pupil Appraisal Services is required if, during the assessment process, disabling conditions (including a specific learning disability such as dyslexia) under IDEA are suspected.

CRITERIA FOR ELIGIBILITY AND INTERPRETATION OF DATA

- A. The following questions shall be addressed to the SBLC and any support personnel that have assisted in the assessment to determine eligibility for services under Section 504:
1. Does the student exhibit a disabling condition as defined in Section 504?
 2. Does this condition substantially limit or restrict one or more of life's major activities?
 3. If yes to question 2, to what extent is this activity affected?
- B. Other questions to be addressed during the assessment process may include:
1. Has the student had the benefit of a good instructional program, or has the student transferred schools often and/or attended schools on a regular basis?
 2. Are there significant health or family problems which may explain the learning problems?
 3. Is the student experiencing difficulties in his/her total school program or in selected areas?
 4. Does the student differ significantly from other students in his/her classroom on norm-referenced or criterion-referenced test?
 5. Is lack of English proficiency a reason for lack of progress?
 6. Has the student had adequate experiential background in the home environment?

- C. If the student's problems are primarily related to the area of language arts or language processing, the SBLC process may be continued to include a referral for dyslexia or other disabling conditions under IDEA.
- D. A referral to Special Education Services is required during the assessment process if other disabling conditions under IDEA are suspected.

DISCIPLINARY PROCEDURES

DISCIPLINARY PROCEDURES

A. Change of Placement* for Disciplinary Removals

For the purpose of removal of a student with a disability from the student's current educational placement, a change of placement occurs if:

1. A student with a disability is removed from his/her current education placement for more than 10 consecutive school days; or
2. A student with a disability is subjected to a series of removals that constitute a pattern because they cumulated to more than 10 school days in a school year, and because of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another.

B. Authority of School Personnel

School Personnel May Order:

1. The removal of a student with a disability from the student's current educational placement for not more than 10 consecutive days for any violation of school rules to the extent of a removal would be applied to a student without a disability and may order additional removals of not more than 10 consecutive school days in the same school year for separate incidents of misconduct as long as the removals do not constitute a change of placement.
2. A change in placement of a student with a disability to an interim alternative educational setting for the same amount of time to a student without a disability would be subject to discipline, if:
 - a. The student carries a weapon to school or to a school function under the jurisdiction of the State or an LEA; or
 - b. The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function under the jurisdiction of the State or LEA.
 - c. For purposes of this section, the following definitions apply:

* A reevaluation must be conducted for *any* change of placement.

1. *Controlled substance* means a drug or other substance identified under schedule I, II, III, IV, or V in Sec. 202 (c) of the Controlled Substance Act [21 U.S.C. 812 (c)].
2. *Illegal drug* means a controlled substance, but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or that is legally possessed or used under any other authority under that Act or under any other provision of Federal law.
3. *Weapon* has the meaning given the term dangerous weapon under paragraph (2) of the first subsection (g) of Sec 930 of Title 18, United States Code.

C. Authority of the Hearing Officer

A Hearing Officer may order a change in the placement of a student with a disability to an appropriate interim alternative educational setting if the hearing officer, in and expedited due process hearing:

1. Determines that the LEA has demonstrated by substantial evidence that maintaining the current placement of the student is substantially likely to result in injury to the student or to others. *Substantial evidence* means beyond a preponderance of the evidence;
2. Considers the appropriateness of the student=s current placement;
3. Considers whether the LEA has made reasonable efforts to minimize the risk of harm in the student=s current placement, including the use of supplementary aids and services; and
4. Determines that the interim alternative educational setting (IAES) that is proposed by school personal who have consulted with the student=s special education teacher meets all IAES requirements as set forth in paragraph F below.

D. FAPE for Students Suspended or Expelled from School

1. An LEA need not provide services during periods of removal to a student with a disability who has been removed from his or her current placement, if services are not provided to a student without disabilities who has been similarly removed

E. Functional Behavioral Assessment

1. Either before or not later than 10 business days after either first removing a student with a disability for more than 10 school days in a school year or commencing a removal that constitutes a change of placement,
 - a. If the LEA did not conduct a functional behavioral assessment and implement a behavioral intervention plan for the student before the behavior that resulted in the removal, the LEA must develop an assessment plan;
 - b. If the student already has a behavioral intervention plan, the LEA shall review the plan and its implementation as necessary, to address the behavior;
 - c. As soon as practicable after developing the behavioral intervention plan and completing the assessment required by the plan, the LEA shall convene an accommodation plan meeting to develop appropriate behavioral interventions to address that behavioral and shall implement those interventions.
2. If subsequently a student with a disability who has a behavioral intervention plan and who has been removed from his/her placement for more than 10 school days in a school year is subjected to a removal that does not constitute a change of placement, the LEA must review the behavioral intervention plan and its implementation to determine if modifications are necessary.

F. Interim Alternative Education Setting (IAES)

1. The interim alternative educational setting referred to in this handbook must be determined by the LEA.
2. Any interim alternative educational setting (IAES) in which a student is placed, must:

- a. Be selected so as to enable the student to continue progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the current accommodation plan; and
- b. Include services and modifications to address the behavior that are designed to prevent the behavior from recurring.

G. Manifestation Determination Review

- 1. Whenever an action involving a removal that constitutes a change of placement for a student with a disability is contemplated, a manifestation determination review is required.
 - a. Not later than the date on which the decision to take that action is made, the parent(s) must be notified of that decision and provided the procedural safeguards notice.
 - b. Immediately, if possible, but in no case later than 10 school days after the date on which the decision to take that action is made, a review must be conducted of the relationship between the student's disability and the behavior subject to the disciplinary action.
- 2. In carrying out the manifestation determination review, the LEA may determine that the behavior of the student was not manifestation of the student's disability only if the LEA:
 - a. First consider in terms of the behavior subject to disciplinary action, all relevant information, including the following:
 - 1. Evaluation and diagnostic results, including the results or other relevant information supplied by the parent or the student;
 - 2. Observations of the student; and
 - 3. The student's accommodation plan; and
 - b. Then determine that-
 - 1. In relationship to the behavior subject to disciplinary action the

student=s accommodation plan and placement were appropriate and

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services, and behavior intervention strategies were provided consistent with the behavior subject to disciplinary action; and

2. The student=s disability did not impair the ability of the student to understand the impact and consequences of the behavior subject to disciplinary action; and

3. The student=s disability did not impair the ability of the student to control the behavior subject to disciplinary action.

c. If the LEA and other qualified personnel determined that any of the manifestation determination review standards were not met, the behavior must be considered a manifestation of the student=s disability.

d. If the LEA and other qualified personnel determine that the behavior is a manifestation of the student=s disability, the disciplinary removal cannot occur unless the removal results from a drug or weapon violation or determination by a Hearing Officer. The LEA may consider modifications to the student=s program (e.g., additional related services, counseling, changes in the behavior management plan, increased time in special education, changes to class schedules, change of teacher).

e. The manifestation review meeting may be conducted at the same meeting that is convened to conduct the functional behavioral assessment.

f. If, in the review, the LEA identifies deficiencies in the accommodation plan, or placement or in their implementation, it must take immediate steps to remedy those deficiencies.

H. Determination that Behavior was not Manifestation of Disability

1. If the results of the manifestation determination review is that the behavior of the student with a disability was not a manifestation of the student=s disability, the relevant disciplinary procedure applicable to students without disabilities may be applied to the student in the same manner in which the would be applied to students without disabilities.

2. If the LEA initiates disciplinary procedures applicable to all students, the LEA shall ensure that the Section 504 and disciplinary records of the student with a disability are transmitted for consideration by the person or persons making the

final determination regarding the disciplinary action.

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I. Parent Appeal

1. If the student's parent disagrees with a determination that the student's behavior was not a manifestation of the student's disability or with any decision regarding placement and discipline, the parent may request a hearing.
2. The State or LEA shall arrange for an expedited hearing in any case described in the above paragraph if a hearing is requested by a parent.
3. Review of decision
 - a. In reviewing a decision with respect to the manifestation determination, the hearing officer shall determine whether the LEA has demonstrated that the student's behavior was not a manifestation of the student's disability.

J. Protection For Students Not Yet Eligible For Section 504

1. A student who has not been determined to be eligible for Section 504 and who has engaged in behavior that violated any rule or code of conduct of the LEA may assert any of the protections provided for in this section if the LEA had knowledge (as determined in accordance with paragraph 2 below) that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred.
2. Basis of Knowledge.

An LEA must be deemed to have knowledge that a student is a student with a disability if

 - a. The parent of the student has expressed concern in writing (or orally if the parent does not know how to write or has a disability that prevents a written statement) to personnel of the LEA that the student is in need of Section 504 services;
 - b. The behavior or performance of the student demonstrates the need for these services, in accordance with the definition of a student with a disability;

- c. The parents of the student have requested an evaluation of the student; or

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- d. The teacher of the student or other personnel of the LEA has expressed concern about the behavior or performance of the student to the Section 504 Coordinator of the LEA or to other personnel in the accordance with the LEA=s established student find or Section 504 referral system.

3. Exceptions

A LEA would not be deemed to have knowledge under paragraph 2 above, if as a result of receiving the information specified in the paragraph, the LEA either

- a. Conducted an evaluation and determined that the student was not a student with a disability, or
- b. Determined that an evaluation was not necessary and provided notice to the student=s parent of its determination.

4. Conditions that apply if no basis of knowledge

- a. If a LEA does not have knowledge that a student is a student with a disability (in accordance with paragraphs 2 and 3 above), prior to taking disciplinary measures against the student, the student may be subjected to the same disciplinary measures as measures applied to students without disabilities who engaged in comparable behaviors.

b. Limitations

- 1. If a request is made for an evaluation of a student during the time period in which the student is subjected to disciplinary measures, the evaluation must be conducted in fewer that sixty days without exception or extensions
- 2. Until the evaluation is completed, the student remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.
- 3. If the student is determined to be a student with a disability, taking into consideration information from the evaluation conducted by the LEA and information provided by the parents, the LEA shall provided special education and related services.

K. Referral to and Action by Law Enforcement and Judicial Authorities.

1. Nothing in Section 504 prohibits an LEA from reporting a crime committed by a student with a disability to appropriate authorities or to prevent State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a student with a disability.
2. A LEA reporting a crime committed by a student with a disability shall ensure that copies of the Section 504 and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom it reports the crime.
3. An LEA reporting a crime under this section may transmit copies of the student's Section 504 and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act.

FORMS

SECTION 504 PROCESS CHECKLIST

STUDENT _____ SCHOOL _____
BIRTH DATE _____ GRADE _____

PROCESS	DATE	INITIAL
Received From Student Assistance Team:	_____	_____
Procedural Safeguards Sent:	_____	_____
Parent Permission Given:	_____	_____
Evaluation Completed:	_____	_____
Accommodation Plan Notification:	_____	_____
Accommodation Plan Meeting:	_____	_____
Referred To Student Assistance Team:	_____	_____
Referred For Special Education Assessment:	_____	_____
Other:		

SPECIALIZED EVALUATION PLAN

STUDENT _____ DATE _____

The following records will be reviewed: Vision, Hearing, Attendance, Standardized Test Scores, Report Card grades and other Cumulative information.

The following test/screening devices will be administered (check only those given) :

- _____ Adaptive Behavior Inventory
- _____ Kaufman Brief Intelligence Test-2
- _____ Kaufman Test of Educational Achievement-II
- _____ Test of Written Language-3
- _____ Attention Deficit Disorders Evaluation Scale
- _____ Developmental Test of Visual-Motor Integration
- _____ Other _____

In addition, the following Reviews/Assessments/Interviews may be conducted:

- _____ Cognitive Ability
- _____ Communication Skills
- _____ Mathematic Skills (Calculation & Word Problems)
- _____ 1-Minute Reading Rate
- _____ Behavioral Characteristics
- _____ Family Interview
- _____ Teacher Interview
- _____ Other (See Section 504 Teacher Checklist)
- _____ Phonological Awareness

Persons serving on the multi-disciplinary team:

_____	_____	_____	_____
Name	Position	Name	Position
_____	_____	_____	_____
_____	_____	_____	_____
Name	Position	Name	Position

DESCRIPTION OF EVALUATION MEASURES

1. ADAPTIVE BEHAVIOR INVENTORY

The Adaptive Behavior Inventory is a six-component, norm referenced battery designed to evaluate a student's day-to-day ability to take care of her/himself, communicate with others, interact socially, perform academic tasks, and perform work-related or pre-vocational tasks. The resultant adaptive behavior quotient is a measure of those behaviors necessary for success in the world.

2. ATTENTION DEFICIT DISORDERS EVALUATION SCALE

This scale rates the student in the areas of inattention and impulsivity/hyperactivity and compares the obtained scores to national norms.

1) DEVELOPMENT TEST OF VISUAL-MOTOR INTEGRATION

This device is a sequence of twenty-four (24) geometric forms to be copied with pencil and paper. Data obtained is converted into an estimated visual-motor integration age.

2) KAUFMAN BRIEF INTELLIGENCE TEST-2

This screening device yields a brief individualized measure of verbal and non-verbal intelligence. Obtained data helps in determining if a future in-depth evaluation is needed.

3) KAUFMAN TEST OF EDUCATIONAL ACHIEVEMENT-II

LETTER & WORD RECOGNITION: This subtest measures students' ability to correctly pronounce letters and various words of increasing difficulty.

SPELLING: The spelling subtest assesses spelling ability via a steeply graded list of words. Each word is used in a sentence after being read aloud by the examiner.

READING COMPREHENSION: This subtest uses two item types to measure comprehension of what is read. The first requires the student to respond motorically or orally to the stimulus item. The second requires the student to read the paragraph silently and orally answer question about what was read.

MATH COMPUTATION: This subtest assesses students' knowledge of mathematics skills by having them complete computational exercises requiring such operations as addition, subtraction, multiplication, and division.

4) TEST OF WRITTEN LANGUAGE-3 (SPONTANEOUS WRITING ONLY)

This composite consists of three subtests: CONTEXTUAL CONVENTIONS, CONTEXTUAL LANGUAGE, STORY CONSTRUCTION. The test measures elements of writing such as capitalization, punctuation, and spelling; the quality of vocabulary, sentence construction and grammar; prose, development of characters and other compositional aspects.

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SECTION 504 EVALUATION RESULTS

STUDENT _____ DATE _____
 Check one: Initial Reeval

ADAPTIVE BEHAVIOR:

Adaptive Behavior Inventory: Adaptive Behavior Quotient _____

COGNITIVE SCREENING:

Kaufman Brief Intelligence Test-2: Verbal Standard Score _____

Nonverbal Standard Score _____

IQ Composite Standard Score _____

ACADEMIC SCREENING:

Kaufman Test of Educational Achievement-II:

<u>Subtest</u>	<u>Standard Score</u>	<u>Grade Equivalent</u>
Letter & Word Recognition	_____	_____
Spelling	_____	_____
Reading Comprehension	_____	_____
Math Computation	_____	_____

1-Minute Reading Rate _____

Phonological Awareness _____

Test of Written Language:

Essay Analysis Subtest Standard Score

Thematic Maturity _____ Contextual Style _____

Contextual Vocabulary _____

Syntactic Maturity _____

Contextual Spelling _____ Spontaneous Writing Quotient _____

OTHER

Attention Deficit Disorder Evaluation Scale:

<u>Home Subscales</u>	<u>Standard Score</u>	<u>School Subscales</u>	<u>Standard Score</u>	<u>Standard Score</u>
Inattentive	_____	Inattentive	_____	_____
Hyperactive-	_____	Hyperactive-	_____	_____
Impulsive	_____	Impulsive	_____	_____

SECTION 504 ACCOMMODATION PLAN

STUDENT _____ DISABILITY _____

GRADE _____ CIRCLE APPROPRIATE ACCOMMODATION BELOW* REEVAL. DATE _____

1) PARENT WILL ATTEND CONFERENCES

SUBJECTS: _____

COMMENTS: _____

2) HOME/SCHOOL COMMUNICATION

SUBJECTS: _____

COMMENTS: _____

3. PREFERENTIAL SEATING: STUDENT PLACEMENT WILL TAKE INTO ACCOUNT THE INDIVIDUAL DISABILITY, THE FRONT ROW IS NOT NECESSARILY THE BEST CHOICE.

SUBJECTS: _____

COMMENTS: _____

4. REDIRECT ATTENTION

SUBJECTS: _____

COMMENTS: _____

5. BREAK LONGER TESTS/TASKS INTO SMALLER PARTS

SUBJECTS: _____

COMMENTS: _____

6. EXTENDED TIME ON TESTS/TASKS

SUBJECTS: _____

COMMENTS: _____

7. MULTI-SENSORY READING

COMMENTS: _____

8. ORAL TESTING: EXCEPT WHEN READING IS BEING TESTED.

SUBJECTS: _____

COMMENTS: _____

9. SPELLING: WILL NOT COUNT UNLESS STUDENT HAS A CHANCE TO EDIT OR SPELLING IS BEING TESTED.

SUBJECTS: _____

COMMENTS: _____

10. TEST WORD BANK: WORD BANKS INCLUDE CORRECT RESPONSES BUT MAY INCLUDE ADDITIONAL WORDS. WORD BANKS ARE NOT MANDATORY WHEN SPELLING IS NOT COUNTED OFF.

SUBJECTS: _____

COMMENTS: _____

11. TEXTBOOKS FOR HOME USE: TEXT BOOKS MUST BE CHECKED OUT VIA THE SCHOOL OFFICE

SUBJECTS: _____

COMMENTS: _____

12. HIGHLIGHTING IN TEXTBOOK

SUBJECTS: _____

COMMENTS: _____

*PLEASE NOTE: THESE ARE LIMITED EXAMPLES OF POSSIBLE OPTIONS AVAILABLE FOR CONSIDERATION AND ARE NOT CONSIDERED AN ALL INCLUSIVE LIST.

EVALUATION NOTIFICATION

DATE: _____

Dear _____:

We are requesting your permission to evaluate you to determine your eligibility for services under the Section 504 of the Rehabilitation Act of 1973. If further evaluation data confirm that you are eligible for these services, our desire is to determine how best the school system can meet your educational needs as adequately as it meets the educational needs of all the students who do not come under the protection of Section 504.

You will be eligible for the special protection of Section 504 if the evaluation and placement procedures we are suggesting determine you have a physical or mental impairment which is substantially limiting your ability to profit from formal schooling.

Please be assured, the school system will do everything in its power to ensure that you are not mis-classified, are not unnecessarily labeled disabled, and are not incorrectly placed.

On the attached page, please find a proposed Evaluation Plan. The Plan indicates what tests and other materials will be used along with the purpose(s) of each.

You will be advised of the results of the evaluation, and a time will be scheduled for the purpose of reviewing the obtained data and discussing various accommodation options.

Your permission is required to begin the evaluation process. You may withdraw your permission at any time, if you choose.

(Check One)

_____ I have received a copy of the **STATEMENT OF EDUCATIONAL RIGHTS OF CHILDREN PROTECTED BY SECTION 504** and **REFUSE** to give permission to conduct an individual evaluation of myself.

Signature

_____ I have received a copy of the **STATEMENT OF EDUCATIONAL RIGHTS OF CHILDREN PROTECTED BY SECTION 504** and **GIVE** permission to conduct an individual evaluation of myself.

Signature

Date

RE-EVALUATION NOTIFICATION

DATE: _____

Dear _____:

We are requesting your permission to re-evaluate you to determine eligibility for services under the Section 504 of the Rehabilitation Act of 1973. If further re-evaluation data confirm that you are eligible for these services, our desire is to determine how best the school system can meet your needs as adequately as it meets the educational needs of all the students who do not come under the protection of Section 504.

You will be eligible for the special protection of Section 504 if the re-evaluation and placement procedures we are suggesting determine you have a physical or mental impairment which is substantially limiting your ability to profit from formal schooling.

Please be assured, the school system will do everything in its power to ensure that you are not mis-classified, are not unnecessarily labeled disabled, and are not incorrectly placed.

On the attached page, please find a proposed Re-Evaluation Plan. The Plan indicates what tests and other materials will be used along with the purpose(s) of each.

You will be advised of the results of the re-evaluation, and a time will be scheduled for the purpose of reviewing the obtained data and discussing various accommodation options.

Your permission is required to begin the re-evaluation process. You may withdraw your permission at any time, if you choose.

(Check One)

_____ I have received a copy of the **STATEMENT OF EDUCATIONAL RIGHTS OF CHILDREN PROTECTED BY SECTION 504** and **REFUSE** to give permission to conduct an individual re-evaluation of myself.

Signature

Date

_____ I have received a copy of the **STATEMENT OF EDUCATIONAL RIGHTS OF CHILDREN PROTECTED BY SECTION 504** and **GIVE** permission to conduct an individual re-evaluation of myself.

Signature

Date

NOTIFICATION OF ACCOMMODATION PLAN MEETING

DATE: _____

Dear _____ :

We have reviewed data obtained on _____ and it is indicated that certain accommodations and other considerations may be needed in order for us to provide educational opportunities equal to that for non-disabled students. The determination as to what those considerations and accommodations should be is the purpose of assembling an Accommodation Plan Team.

We would very much like for you to join us as a member of the team. Your insights and contributions will be helpful to us in effecting the best decision possible. Please bring to the meeting all records and any information which would help us in programming for your child. We would like you to meet with us:

Place: _____

Time: _____

Date: _____

If you are not present or do not respond otherwise, please be advised that we shall proceed with the meeting. Again, your attention is directed to your rights under Due Process as previously provided and explained to you.

I hope you will be present. If the time is inconvenient for you, please contact me, and we shall try to make other arrangements.

Sincerely,

504 Chairperson

PARENT NOTIFICATION

DATE: _____

Dear _____ :

Your child _____ has been evaluated by the 504 team and was found not to be in need of accommodations or modifications in the regular classroom. Your child will be referred to the Student Assistance Team for review and interventions, if appropriate.

If you would like to meet with the 504 team and discuss the evaluation results, please contact the school principal for a conference.

Sincerely,

504 Chairperson

A copy of the **STATEMENT OF EDUCATIONAL RIGHTS OF CHILDREN PROTECTED BY SECTION 504 AND SECTION 504 PROCEDURAL SAFEGUARDS** is enclosed.

ACCOMMODATION PLAN REVIEW NOTICE

Date: _____

-

Dear _____ :

_____ The 504 team has annually reviewed your child for eligibility under Section 504. Your child **continues to qualify** as a 504 student and the accommodation plan has been found to be in order and appropriate for the forthcoming school year. If we are in error, please respond within ten working days to discuss your concerns. If we do not hear from you within that time, we will assume that the plan has your approval and will begin its implementation.

_____ The 504 team has annually reviewed your child for eligibility under Section 504. Under current legal standards, your child **no longer qualifies** as a 504 student. If you would like to meet with the 504 team and discuss the annual review decision, please contact the school principal for a conference.

Sincerely,

504 Chairperson

A copy of the STATEMENT OF EDUCATIONAL RIGHTS OF CHILDREN PROTECTED BY SECTION 504 and SECTION 504 PROCEDURAL SAFEGUARDS is enclosed.

STUDENT PROFILE SHEET

STUDENT _____ DATA REVIEW DATE _____

SCHOOL _____ SUSPECTED DISABILITY _____

Quotients	55	60	65	70	75	80	85	90	95	100	105	110	115	120	125	130	135	140	145	150	
Adaptive Behavior																					
Cognitive Screening																					
Reading decoding																					
Spelling																					
Reading Comprehension																					
Math Computation																					
Written Language																					
Visual Motor Integration																					
Quotients	55	60	65	70	75	80	85	90	95	100	105	110	115	120	125	130	135	140	145	150	

Quotients	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Attention Deficit Screening-home																					
Attention Deficit Screening- School																					
Attention Deficit Screening-School																					
Quotients	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	

RIGHTS

SECTION 504 PROCEDURAL SAFEGUARDS

It is the policy of the West Baton Rouge Parish School Board to provide a free and appropriate public education to all disabled students within its jurisdiction, regards of the type of disability or its severity.

Students who are disabled consistent with the definitions set forth in Section 504 of the Rehabilitation Act of 1973 will be identified, evaluated and provided with appropriate instruction and educational services. Persons who are thought to be disabled shall have the following rights in accordance with Section 504:

1. Right to file a grievance with the Parish concerning allegations of violations of Section 504 regulations.
2. Right to an evaluation drawing from a variety of sources.
3. Right to be informed of any actions pertaining to eligibility and any proposed service plans.
4. Right to review any personal information used in the identification, evaluation or educational placement process in an understandable way.
5. Right to periodic re-evaluations.
6. Right to evaluation prior to any significant change in services.
7. Right to contest the Parish's proposed actions through an impartial hearing and appellate appeal from the first decision.
8. Right to be represented by counsel in the impartial hearing.
9. Right to appeal the decision from any hearing.

STATEMENT OF EDUCATIONAL RIGHTS OF CHILDREN
PROTECTED BY SECTION 504

NOTICE

As a parent, you have a right:

1. To be notified before the school: (a) identifies, assesses, or places your child on grounds of having a disabling condition; (b) changes an identification, assessment, or placement that has been made; or (c) rejects your request that these actions be taken. In such a case you have a right to be notified of procedural safeguards which include due process and grievance procedures.
2. To receive all such notices in writing or orally and in the language you speak and understand best. If there are parents whose native language is not a written language, the schools official will ensure that: (a) the notice is explained orally or in a mode of communication you understand; (b) you understand the information given; and (c) there is evidence that this requirement has been met.
3. To be notified of each evaluation procedure, test, record, report, or any other information, the school will use as the basis for making any decision(s) regarding your child.
4. To a description of any program options the school considered, and why these options were not used.
5. To be informed of any other factors school officials considered in their recommendations or rejection decision.

CONSENT

Your written consent will be sought before the school:

1. Will evaluate your child individually with an individual psychological test.
2. Will implement the Accommodation Plan.

Before your consent is given, the school will explain in your native language what you are agreeing to, and the school will ensure that you understand it.

Your consent is to be freely given, and you may withdraw at any time.

If you do not give your consent, your child's basic right to attend school and participate in school activities will not be affected by your refusal.

If you refuse to give consent and the school administrators believe what they purpose is in your child's best interest, the school will evoke procedural safeguards. If such safeguards are evoked, you have the right to attend a hearing on this matter.

EVALUATION AND PLACEMENT PROCEDURES

Before your child receives specialized education services, an individualized evaluation must be conducted. In this circumstance, your child has a right:

1. To be evaluated and, if appropriate, placed in a nondiscriminatory manner.
2. To be evaluated in the language or other mode of communication which he or she speaks and/or understands best.
3. To be evaluated by qualified professional using a variety of sources including valid tests which are given according to proper instructions.
4. To be evaluated through procedures which use teacher recommendations, knowledge of physical conditions, social or cultural background and adaptive behavior, not just an intelligence test (Adaptive Behavior is defined as the effectiveness with which the individual meets the standard of personal behavior, independence and social responsibility expected of the same age and cultural group).
5. To be evaluated in such a manner that results are not affected by race or culture.
6. To be evaluated by a group or persons who are knowledgeable about your child, and knowledgeable about placement options.
7. To be evaluated in all areas by established procedures to ensure that information obtained from all such sources is documented and carefully considered.
8. To receive a free and appropriate public education.

Tests must be given to children with impaired hearing or vision, or restricted ability to move or speak, in such a way as to measure potential ability or what has been learned, and not the degree or impairment, unless measuring impairment is the purpose of the test.

When looking at test results and deciding on the best placement and program for your child, the school must:

1. Collect information from different sources.
2. Guarantee that this information is accurate, documented and carefully considered.

3. Ensure that the decisions are made by a group of professionals including persons who

know about your child and are professionally capable of interpreting the test results and then relating those results to appropriate options.

4. Ensure that the placement decision is made in such a way that your child may be educated, to the maximum extent appropriate with children who are not disabled.

If it is determined that your child is disabled and is in need of specialized education, related services, and aids, an Accommodation Plan will be developed and you will be given a copy of same.

CONFIDENTIALITY OF INFORMATION

The school is responsible for protecting the confidentiality of your child's education records as controlled by the Family Educational Rights and Privacy Act of 1974. A copy may be obtained from the West Baton Rouge Parish School Board.

LEAST RESTRICTIVE ENVIRONMENT

Your child has a right:

1. To be educated, to the extent appropriate, with students who are not disabled.
2. To be in a regular classroom unless the nature or severity of the disability is such that he or she cannot receive a satisfactory education in the regular classroom by using additional aids and services.
3. To have a range of placements available, including regular school classes, special classes, special schools or instructions, residential placements, and home instruction.
4. To participate to the extent appropriate with non-disabled students unless the Accommodation Plan provides for a different placement.

Your child's educational placement must be:

1. Reviewed consistent with the date set forth on the Accommodation Plan.
2. As close to home as possible

HEARINGS

If at any time you cannot come to an agreement with the school regarding your child's education, you have the right to ask for an impartial hearing. A hearing may be held on any matter relating to the identification, evaluation, or placement of your child or the provision of a free appropriate public education. Either party aggrieved by the hearing decision has a right to appeal. Likewise each party has a right to review procedure and maintains the right to Judicial Review. To obtain a hearing you shall make a written request to the person responsible for the education program your child attends.

GRIEVANCE PROCEDURE

SECTION 504 GRIEVANCE PROCEDURE

The WEST BATON ROUGE SCHOOL BOARD has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the OFFICE OF CIVIL RIGHTS regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended (29 U. S. C. 794). Section 504 states, in part, that "no otherwise qualified disabled individual...shall, solely by reason of his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance..."

Complaints shall be addressed to: W. R. Wright, NCSP, 504 Coordinator, 670 Rosedale Street, Port Allen, La. 70767, (225) 343-8405, who has been designated to coordinate Section 504 compliance efforts.

1) A complaint shall be filed in writing, containing the name, address and telephone number of the person filing as well as that person's relationship with the School Board (i.e., employer, parent, student, etc.), and briefly describe the alleged violation of the regulations. If the person filing is different from the complainant, the name of the individual which is the subject of the alleged Section 504 violation shall be given, along with this person's address, telephone number, and the identification of the school the individual is associated with.

2) A complaint must be filed within thirty (30) calendar days after the complainant, or the individual formally filing said complaint, becomes aware of the alleged violation, otherwise the complainant waives his/her right of action. The only exception would be if mitigating circumstances exist such as, lack of knowledge, fraud, or duress, in which case an equitable amount of time shall be allowed on a case by case basis.

3) An investigation, as may be appropriate, will follow a filing of complaint. This investigation will be conducted by W. R. Wright, NCSP. These rules contemplate informal but thorough investigations, affording all interested persons and their representatives, if any, an opportunity to submit written evidence relevant to a complaint. All written evidence, whenever received, shall be stamped as of the date received and shall be made available to all parties to the complaint.

Under the OFFICE OF CIVIL RIGHTS regulations, the WEST BATON ROUGE PARISH SCHOOL BOARD need not process complaints from applicants for employment or from applicants for admission to post-secondary educational institutions

4) A written determination as to the validity of the complaint and a description of the resolution, if any, will be issued by W. R. Wright, NCSP and a copy forwarded to the complainant no later than fifteen (15) working days after its filing.

5) The Section 504 Coordinator will maintain the files and records of the WEST BATON ROUGE PARISH SCHOOL BOARD relating to the complaints filed.

6) The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration shall be made within fifteen (15) working days to David Strauss, Supervisor of Special Education. The person handling the appeal shall render a written decision within fifteen (15) working days of the receipt of the complete file. The STANDARD OR REVIEW for the appeal shall be that of arbitrary and capricious, that is, the review officer shall not take new evidence but shall judge the initial hearing officer's decision only as to whether or not he/she had a valid objective reason for his/her decision which was fairly arrived at considering all equal protection ramifications.

7) The right of a person to a prompt and equitable resolution of the complaint filed hereunder will not be impaired by the person's pursuit of other remedies such as the filing a Section 504 complaint with the responsible federal department or agency. Using this grievance procedure is not a prerequisite to the pursuit of the other remedies.

8) These rules will be construed to protect the substantive rights of interested persons, meet appropriate due process standards and assure that the WEST BATON ROUGE PARISH SCHOOL BOARD complies with Section 504 and its implementing regulations.