

Kittitas School District

504 Plan and Forms

Kittitas School District #403
504 of the Rehabilitation Act of 1973

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Kittitas School District #403

EVALUATION GUIDELINES

(Section 504 of the Rehabilitation Act of 1973)

1. If a child needs or is believed to need general education accommodations, related services, and/or supplemental aids under Section 504 of the Rehabilitation Act of 1973, the school district *must evaluate* the child.
2. *Notification*, not consent, of the parent/legal guardian is required for Section 504 evaluation or re-evaluation. The school principal or designee responsible for the Section 504 referral should communicate in-person or by telephone with the parent/legal guardian in addition to sending the *Receipt of Section 504 Referral Notice* [504- 2], the *Parent/Student Rights in Identification, Evaluation, Accommodation and Placemen* [504-3] and a copy of the *Referral for Section 504 Services* [504-1].

Note: Written consent from the parent/legal guardian is required if *psychological testing* is to be part of the Section 504 evaluation process.

3. The Section 504 evaluation
 - should be based on information from *a variety of sources*: e.g. teacher(s), other school staff members, parent/legal guardian, physician, nurse, other professionals, or persons in the community;
 - should *document* and consider all available pertinent information: e.g. records, assessment data, medical reports related to the suspected physical or mental impairment which may be substantially limiting major life activity;
 - should be conducted by a *team or group of persons* including those who are knowledgeable about the child, the suspected handicapping condition, evaluative procedures, the meaning of evaluative data, and accommodation/placement options;
 - should utilize assessment materials, tests, and/or evaluation procedures which are tailored to assess specific areas of educational need, are not racially or culturally discriminatory, and are validated for the specific purpose for which they are used.
4. Section 504 evaluation procedures may include:
 - review of school records,
 - interviews with persons knowledgeable about the child's functioning,
 - observations in the school, home or community environments,
 - administration by the school psychologist of educational and/or psychological measures appropriate for assessing the presenting concern.
5. The parent/legal guardian *must be invited* to participate in the Section 504 Evaluation Meeting where the results of the evaluation, the determination of handicap, and possible accommodations/services will be discussed. Every effort should be made to hold this meeting at a time when the parent/legal guardian is able to attend.
6. In order to determine Section 504 eligibility during the evaluation meeting, the team should consider the following steps:
 - *Discuss evaluation material* [which may include the following]:
 - statements and information from teachers and other school staff members

- social and cultural background information
- assessment and/or testing information (e.g. behavioral observations, adaptive behavior, academic achievement, cognitive functioning)
- statements and information from physicians or other professionals
- statements and information from parent/legal guardian and/or persons in the community
- school attendance information
- *Determine whether a physical or mental impairment can be identified.*
 - Does the student *currently have* a mental and/or physical impairment?
 - Or does the student *have a record* of an impairment or condition?
 - Is there a history of a disability?
 - Is the student misclassified as disabled or handicapped?
 - Or is the student *regarded as having* such an impairment or condition? (whether true or not)?
 - Whether true or not, is the student treated as though he/she has a disability or impairment?
 - Or does the student have a physical or mental disability that substantially limits a major life activity simply because of the attitudes of others?
- *Determine whether the impairment or condition substantially limits one or more major life activities* • "*Substantial*" relates to the *limitation* of a major activity, not the condition or handicap. [e.g. a substantial limitation to learning]

"Substantial" is not defined. It is suggested that the evaluation team consider the impact of the impairment on the student's learning and/or educational program. Areas of possible impact might include the following:

- grades
- accessibility to all aspects of the curriculum [e.g. participation in physical education classes]
- academic productivity and performance
- social/interpersonal relationships
- behavior/emotional status
- extracurricular activities

Ask the question: "Is the student afforded an equal opportunity to participate and/or benefit from education, when compared to non-disabled, age-appropriate peers?"

- *Determine whether the student qualifies as disabled under Section 504:*
 - the student has, has a record of, or is regarded as having a physical or mental impairment;
 - the impairment *substantially limits* one or more major life activities for that person.
7. If the student is determined to be disabled under Section 504, the evaluation team must develop a written Section 504 Education Plan (504-6) which documents the regular education accommodations and/or related services that will be provided in order to meet the educational needs of the disabled student.
 8. Periodic reevaluation is required by Section 504 regulations. Reevaluation of the Section 504 Education Plan is recommended once per year or upon significant change in school placement or program.

Kittitas School District #403
Form 504RC
SECTION 504 REFERRAL CHECKLIST

Student Name _____ Referral Date _____

Please follow these procedures for managing Section 504 referrals.
Check (X) each step as it is completed, indicate the date of completion and person initiating action.

(x) When Completed	Date of Completion	Signature
1. The form <i>Referral for Section 504 Services (504-1)</i> is completed and submitted to the Building Principal. Note: <u>All Section 504 forms/documentation must be copied for the:</u> Parent/Legal Guardian Student's cumulative folder District 504 file		
2. The parent/legal guardian is given the: <ul style="list-style-type: none"> a) Notice: Receipt of Section 504 Referral (504-2) b) Notice of Parent & Student Rights in Identification, Evaluation, Accommodation and Placement (504-3) c) A copy of the completed referral form Referral/or Section 504 Services (504-1) <u>or</u> 3. Documentation from parent/guardian is requested and provided.		
4. The Principal convenes appropriate staff members and/or others to conduct the Section 504 evaluation. ** 5. The <i>Invitation to Section 504 Evaluation Meeting (504-4)</i> is sent to the parent/legal guardian. 6. The Section 504 evaluation meeting is held and the <i>Section 504 Evaluation Meeting Report (504-5)</i> is completed. 7. If the child is determined to be disabled under Section 504, a <i>Section 504 Education Plan (504-6)</i> is written by the meeting participants.* <u>or</u> Steps 4-7 may be combined into one meeting.		
8. Following the Section 504 meeting, the Principal: <ul style="list-style-type: none"> -Places all information in the student's file. -Notifies all appropriate staff with the results of the process. 		
*Upon completion of step 7, a copy of this form should be included in the student's pupil record. **Psychological reports/evaluations are considered confidential and will be maintained in a separate, protected file through the building principal's office.		

Kittitas School District #403

Form 504-1

REFERRAL FOR SECTION 504 SERVICES
(Section 504 of the Rehabilitation Act of 1973)

Student Name _____ School _____

Date of Birth (DOB) _____ Grade Level _____

I. Statement of Suspected Section 504 Handicap:

Please check (X) the statement(s) which apply.

I am concerned that this person:

- ___ (A) may have a physical or mental impairment which substantially limits one or more major life activities: e.g. walking, seeing, hearing, speaking, breathing, learning, working, caring for one's self, and/or performing manual tasks;
- ___ (B) may have a record of such an impairment;
- ___ (C) may be regarded as having such an impairment.

II. Nature of the Concern:

- A. State the physical or mental impairment which may be substantially limiting major life activity.

- B. Indicate which major life activity(s) is being limited.

- C. Indicate how the major life activity(s) is being limited.

III. Possible Accommodations: (attached)

<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"><i>Signature of the Person Making Referral</i></td> <td style="width: 25%; border: none;"><i>Title/Relationship</i></td> <td style="width: 25%; border: none;"><i>Date of Referral (mo./day/yr.)</i></td> </tr> </table>	<i>Signature of the Person Making Referral</i>	<i>Title/Relationship</i>	<i>Date of Referral (mo./day/yr.)</i>
<i>Signature of the Person Making Referral</i>	<i>Title/Relationship</i>	<i>Date of Referral (mo./day/yr.)</i>	
<p>The signature of the Principal receiving this referral also documents that the <i>Notice: Receipt of Section 504 Referral (504-2)</i>, <i>Parent/Student Rights in Identification, Evaluation, Accommodation and Placement (504-3)</i>, and a copy of this referral have been given or sent to the parent/legal guardian.</p>			
<table style="width: 100%; border: none;"> <tr> <td style="width: 33%; border: none;"><i>Receiving Referral</i></td> <td style="width: 33%; border: none;"><i>Date Received (mo./day/yr.)</i></td> <td style="width: 34%; border: none;"><i>Signature of the Principal</i></td> </tr> </table>	<i>Receiving Referral</i>	<i>Date Received (mo./day/yr.)</i>	<i>Signature of the Principal</i>
<i>Receiving Referral</i>	<i>Date Received (mo./day/yr.)</i>	<i>Signature of the Principal</i>	

Copies to: Parent/Guardian Principal Cumulative Folder Counselor

Kittitas School District #403

Form 504-2

NOTICE: RECEIPT of SECTION 504 REFERRAL and CONSENT
(Section 504 of the Rehabilitation Act of 1973)

Student Name _____ School _____

Date of Birth (DOB) _____ Grade Level _____

Date _____

Dear _____

In order to determine if the individual educational needs of your child are being appropriately addressed, a referral has been made and an evaluation is being requested under Section 504 of the Rehabilitation Act of 1973. The purpose of the Section 504 referral process is (1) to determine whether your child has a physical or mental impairment which may be substantially limiting one or more major life activities (e.g., walking, seeing, hearing, speaking, breathing, learning, and/or caring for one's self), and (2) to develop a special accommodation plan so that your child can have access to and receive an appropriate education if he/she is determined to be disabled under Section 504.

The Section 504 evaluation, which will be conducted at no cost to you, may include the following procedures: a review of records, interviews with those knowledgeable about your child, observations, and use of other educational and/or psychological assessment measures. If individual psychological assessment instruments are to be administered, you will be asked to give written consent for those procedures.

Following the evaluation, a meeting will be held to discuss the findings. You will be invited to this Section 504 Evaluation Meeting.

Please read the statement of Parent/Student Rights in Identification, Evaluation, Accommodation and Placement on the back of this notice.

If you have any questions, need additional information, wish to discuss the referral information, or have any information which may be helpful, please contact the School Counselor.

Sincerely,

Counselor or Administrator

Please sign and return this evaluation consent form to our office as soon as possible.

____ Yes, I consent to the evaluation of my child for 504 services

____ No, I do not consent to the evaluation of my child for 504 services

Parent Signature: _____ Date: _____

Attachment: Copy of Referral or Section 504 Services

Copies to: [] Counselor [] Parent [] Cumulative Folder

Kittitas School District #403

Form 504-3

PARENT/STUDENT RIGHTS in IDENTIFICATION, EVALUATION
ACCOMODATION and PLACEMENT
(Section 504 of the Rehabilitation Act of 1973)

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. **Please keep this explanation for future reference.**

You have the right to:

1. Have your child take part in and receive benefits from public education programs, without discrimination because of his/her disabling condition.
2. Have the Kittitas School District advise you of your rights under federal law.
3. Receive notice with respect to Section 504 identification, evaluation and/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 Kittitas 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 to non-disabled students.
6. Have your child receive exceptional education and related services if he/she is found to be eligible under the Individuals with Disabilities Education Act (IDEA) [20 U.S.C. Chapter 33. P.L. 101-476].
7. Have an evaluation, educational recommendation, and placement decision developed by a team of persons who are knowledgeable of the student, the assessment data, and any placement options.
8. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by the Kittitas School District.
9. Examine all relevant records relating to decisions regarding your child's Section 504 identification, evaluation, educational program, and placement.
10. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
11. Obtain a response from the Kittitas School District to reasonable requests for explanations and interpretations of your child's records.
12. 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 Kittitas School District refuses this request for amendment, the District 504 Coordinator shall notify you within a reasonable time and advise you of your right to an impartial hearing.
13. Request mediation or file a grievance in accordance with the Kittitas School District's Section 504 mediation, grievance and hearing procedures.
14. Request an impartial hearing regarding the Section 504 identification, evaluation, or placement of your child. You and the student may take part in the hearing and have an attorney represent you.
15. File a formal complaint with the U.S. Department of Education
Office for Civil Rights, Region V
401 S. State Street, 700-C
Chicago, IL 60605-1202
(312) 353-2520

Parent Signature: _____ Date: _____

Kittitas School District #403

PO Box 599, Kittitas, WA, 98934
509-968-3115 fax 509-968-4730

Purpose: As a parent, guardian or student you have the right to give permission or not give permission for the release of your child's records with other persons or agencies. This request provides you with the opportunity to approve or not approve such a request unless release of records is allowed under one of the exceptions under the rules implementing the Family Education Rights and Privacy Act FERPA, (for example, transfer of records from one school district to another.)

AUTHORIZATION FOR RELEASE OF RECORDS

Student Name _____ School _____

Date of Birth (DOB) _____ Grade Level _____

I hereby authorize the release of records:

From: _____ **To:** Kittitas School District #403
(Name of agency/person)

_____ PO Box 599, Kittitas, WA, 98934
(Address of agency/person)

Type of Record(s) Requested

(Please mark the appropriate records requested.)

___ Health care information related to the following treatment or condition:

___ _____
___ Laboratory/Diagnostic Tests

___ Other: _____

___ Drug and/or Alcohol Abuse

___ Mental Health (may include pain management or psychiatry records)

Purpose or need for this information:

___ Continuing Care

___ Copies for personal use

___ Other: _____

Patients Rights

I understand that this information obtained will be treated in a confidential manner by the school district under provisions of the Family Education Rights and Privacy Act (FERPA). FERPA prohibits disclosure of personally identifiable information without consent except in limited circumstances. Please note that if the request is for health or medical information, the medical information received by the district is protected under FERPA privacy standards and not the Health Insurance Portability and Accountability Act (HIPAA).

This authorization is valid from _____ to _____

Note: For release of medical records, the authorization can be no longer than 90 days after this authorization is signed.

I understand that my consent for the release of records is voluntary and I can withdraw my consent at any time in writing. Should I withdraw my consent, it does not apply to information that has already been provided under the prior consent for release.

Parent/guardian/adult student Signature

Date

Kittitas School District #403
 Form 504-4
 INVITATION TO THE SECTION 504
 EVALUATION MEETING
 (Section 504 of the Rehabilitation Act of 1973)

Student Name _____ School _____
 Date of Birth (DOB) _____ Grade Level _____

Date _____ Initial Section 504 Evaluation

Dear _____ Section 504 Reevaluation
Parent/Legal Guardian

You are invited to attend a Section 504 Evaluation Meeting to discuss the results of your child 's evaluation. The purpose of this meeting is to determine if your child is eligible to receive or continues to need special accommodations/services under Section 504 in order that he/she can have access to and can receive an appropriate education.

If your student is, or has seen a physician or counselor for a limiting condition, please make any appropriate documentation available to the Evaluation Team. (Authorization for Release of Records form is attached.)

You are encouraged to attend this meeting. You may bring a friend or advisor to the meeting, if you wish. The meeting will be held at:

Date of meeting: _____ Time: _____

Location: _____ Telephone: _____

Each of the school staff members listed below has been involved in the evaluation of your child. Each has been invited to attend the meeting or be represented by someone who is knowledgeable about your child and the evaluation which has been done.

<u>Name:</u>	<u>Title:</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If you have any questions, please contact the school Counselor.

Signature of Case Manager _____	Date _____		
<input type="checkbox"/> Form Mailed	<input type="checkbox"/> Parent Notified by Phone		
Copies to:	<input type="checkbox"/> Parent/Guardian	<input type="checkbox"/> Cumulative Folder	<input type="checkbox"/> Counselor

Kittitas School District #403

Form 504-5

SECTION 504 EVALUATION MEETING REPORT
(Section 504 of the Rehabilitation Act of 1973)

Student Name _____ DOB _____ School _____

Address: _____ City _____ Meeting Date: _____

I. Summary of Section 504 Evaluation Findings:

II. Determination of Section 504 Handicap: Check [] "Yes" or "No" by each of the statements.

1. [] Yes [] No	This person has a physical or mental impairment, has a record of such impairment, and/or is regarded as having such an impairment. If "Yes", identify the impairment: _____
2. [] Yes [] No	Which <u>substantially</u> limits one or more major life activities. If "Yes", identify the major life activity(s): _____
3. [] Yes [] No	This person qualifies as disabled under Section 504 of the Rehabilitation Act of 1973. [#3 response may be "Yes" only if # 1 <u>and</u> #2 are answered "Yes".]

III. Section 504 Evaluation Team Members:

Name/Title	Signature	Date
(Chairperson)		

Copies to: [] Parent/Guardian [] Cumulative Folder [] Counselor

Kittitas School District #403

Form 504-6

SECTION 504 WORKSHEET

Student Name _____ DOB _____ School _____

Address: _____ City _____ Meeting Date: _____

Description of handicapping condition:

Goals of the 504 plan:

Accommodations provided by Kittitas School District-
Instructional:

Environmental/ Accessibility:

Behavior/Social:

Assistance needed from parents:

Expectations of student:

Any continued testing/Documentation needed etc.

Other:

Participants Signatures (Name & Title):

Date: _____

Parent: _____

Counselor: _____

Copies to: Parent/Guardian Cumulative Folder Counselor

Kittitas School District #403

Form 504-7

NOTICE: EXTENSION of SECTION 504 TIMELINE
(Section 504 of the Rehabilitation Act of 1973)

Student Name _____

School _____

Date of Birth (DOB) _____

Grade Level _____

Date _____

Dear _____

Parent/Legal Guardian

In order to determine if the individual educational needs of your child are being appropriately addressed, a referral has been made and an evaluation has been requested under Section 504 of the Rehabilitation Act of 1973. The purpose of the Section 504 referral process is (1) to determine whether your child has a physical or mental impairment which may be substantially limiting one or more major life activities (e.g. walking, seeing, hearing, speaking, breathing, learning, working, caring for one's self, and/or performing manual tasks), and (2) to develop a special accommodation plan so that your child can have access to and receive an appropriate education if he/she is determined to be handicapped under Section 504.

However, the Section 504 evaluation and planning for your child's educational needs will not be completed within the usual timeline of sixty (60) school days because:

Therefore, we are notifying you that the Section 504 timeline will be extended in order to complete the evaluation process by _____.
month/day/year

When the Section 504 evaluation has been completed, a meeting will be held to discuss the findings. You will be invited to this meeting.

If you have any question, please contact the Building Principal.

Sincerely,

Principal

Copies to: Parent/Guardian Cumulative Folder Counselor

Kittitas School District #403
Section 504 Manifestation Determination Form

Name of Student: _____ Date: _____

School: _____ Grade: _____

Disability: _____

Behavior subject to Disciplinary Action: _____

The Section 504 Team has reviewed the student's evaluation and diagnostic data and Section 504 Plan, observations of the student, and information provided by the student's parent. Based on this review, the Section 504 Team concludes:

QUESTION 1: The student's Section 504 Plan and placement were appropriate, and the educational and related services identified in the Plan were properly provided.

_____ Agree

_____ Disagree

QUESTION 2: The student's disability did not impair his/her ability to understand the impact and consequences of the behavior subject to discipline.

_____ Agree

_____ Disagree

QUESTION 3: The student's disability did not impair his/her ability to control the behavior subject to discipline.

_____ Agree

_____ Disagree

DETERMINATION: The behavior subject to discipline is a manifestation of the student's disability or, due to an inappropriate placement.

_____ Yes

_____ No

Name/Title of Persons Who Made This Determination:

1. If any of the three questions are answered "DISAGREE," the behavior subject to discipline must be considered a manifestation of the student's disability and the student cannot be suspended for more than 10 consecutive school days.
2. If the determination is answered "NO," the student may be disciplined in the same manner as non-disabled students are disciplined and all educational services to the student may cease.

Disciplining a 504 Disabled Student

What is the discipline process for a 504 disabled student?

Section 504 disabled students are subject to the same disciplinary action as a non-disabled student, provided that the student's behavior is not a manifestation of his or her qualifying disability. A 504 Team must conduct a manifestation determination whenever a disabled student is subject to out-of-school suspension for 10 consecutive school days or more. If the 504 Team concludes that the violation is a manifestation of the student's qualifying disability, the discipline process must end and the 504 Team should review the 504 Plan to determine if changes are appropriate. If the violation is not a manifestation, the student is subject to the same disciplinary action that any non-disabled student would receive for the same violation.

Must a school make a manifestation determination when considering the longterm suspension or expulsion of a student with a Section 504 Plan ?

Yes. Similar to suspension or expulsion of a student having a disability under IDEA, it is necessary to conduct a manifestation determination for a Section 504 disabled student when:

- The suspension or expulsion will be for more than 10 consecutive school days. Like IDEA, a suspension/expulsion of more than 10 consecutive days constitutes a significant change in placement and requires schools to determine if the cause of the behavior is the disability identified in the student's 504 Plan.
- A series of suspensions that total more than 10 days may also trigger the manifestation determination requirement of Section 504. If cumulative suspensions/expulsions for a student on a 504 Plan total more than 10 days, it must be determined if a significant placement change has occurred. This is done on a case-by-case basis. If a group of short suspensions creates a pattern of exclusion, then this constitutes a change in placement and the school must conduct a manifestation determination meeting before further suspensions or expulsions occur. The Office of Civil Rights has identified some of the key factors in determining patterns of exclusion: the length of each suspension, the proximity of one suspension to another, the nature of the behavior, and the total amount of time the student is excluded from school.

Who makes the manifestation determination for a student on a 504 Plan and what information is included in this process?

The manifestation determination should be made by a 504 Team that consists of persons who have knowledge of the student and the meaning of the information that will be reviewed. When possible, the members of the 504 Team should be the same members who designed the student's 504 Plan. School officials responsible for school disciplinary procedures, such as the school principal or assistant superintendent, cannot make the determination. However, such administrators may present pertinent student information to the 504 Team.

The 504 Team must have available information that competent professionals would require when making a manifestation determination. Such information might include attendance and academic records, psychological evaluation data, behavior plans, discipline records and staff observations. The information should be current enough to afford an understanding of the behavior that is the subject of the manifestation determination.

The manifestation determination should begin with the 504 Team deciding whether the student's 504 Plan is appropriate and was being properly implemented.

If the 504 Team concludes the 504 Plan is not appropriate or that the accommodations were not provided, the school should not take any further disciplinary action. The 504 Team should review and update the 504 Plan, if necessary.

If the student's educational placement is correct, the 504 Team will next consider if the behavior is the result of the student's disability. This inquiry is resolved by considering the relationship between the student's disability and his or her ability to control and understand the consequences of his or her behavior:

- Does the disability impair the student's ability to control his or her behavior?
- Does the disability impair the student's ability to understand the consequences of his or her behavior?

If the 504 Team answers either question in the affirmative, then the behavior is a manifestation of the student's disability and no disciplinary action can be taken past the 10 days.

If the 504 Team determines that the behavior is not a manifestation of the disability, the District may impose whatever long-term suspension or expulsion it would impose under the same circumstances if a non-disabled student were the offender. The District has no obligation to continue to provide educational services to a 504 student during the period of a long-term suspension or expulsion.

The 504 Team must conclude its work by completing a Section 504 Manifestation Determination form.

How does a school proceed with drug/alcohol violations by a student on a Section 504 Plan ?

A student who is currently engaged in the illegal use of drugs/alcohol is not considered a student with a disability. A student with a history of drug/alcohol abuse who has been successfully rehabilitated, or is participating in a drug rehabilitation program and is not currently engaging in the illegal use of drugs, is covered by Section 504. Section 504 allows school districts to take disciplinary action pertaining to the use or possession of illegal drugs/alcohol against a 504 student who is currently engaging in the illegal use of drugs/alcohol to the same extent such discipline is taken against non-disabled students.

504 ACCOMMODATION CHECKLIST

If you have a child that does not qualify for special education but has a mental or physical impairment which substantially limits one or more major life activities, including learning, that child may qualify for special help in a regular classroom setting under section 504 of IDEA.

The following is a list of accommodations that may help your child succeed in the classroom. The list can be used as a reference for parents and school personnel.

PHYSICAL ARRANGEMENT OF ROOM:

- seating student near the teacher
- seating student near a positive role model
- standing near the student when giving directions or presenting lessons
- avoiding distracting stimuli (air conditioner, high traffic area, etc.)
- increasing distance between desks

LESSON PRESENTATION

- pairing students to check work
- writing key points on the board
- providing peer tutoring
- providing visual aids, large print, films
- providing peer note taker
- making sure directions are understood
- including a variety of activities during each lesson
- repeating directions to the student after they have been given to the class: then have him/her repeat and explain directions to teacher
- providing written outline
- allowing student to tape record lessons
- having child review key points orally
- teaching through multi-sensory modes, visual, auditory, kinesthetic, olfactory
- using computer-assisted instruction
- accompany oral directions with written directions for child to refer to blackboard or paper
- provide a model to help students, post the model and refer to it often
- provide cross age peer tutoring
- to assist the student in finding the main idea underlying, highlighting, cue cards, etc.
- breaking longer presentations into shorter segments

ASSIGNMENTS/WORKSHEETS

- giving extra time to complete tasks
- simplifying complex directions
- handing worksheets out one at a time
- reducing the reading level of the assignments
- requiring fewer correct responses to achieve grade (quality vs. quantity)
- allowing student to tape record assignments/homework
- providing a structured routine in written form
- providing study skills training/learning strategies
- giving frequent short quizzes and avoiding long tests
- shortening assignments; breaking work into smaller segments
- allowing typewritten or computer printed assignments prepared by the student or dictated by the student and recorded by someone else if needed.
- using self-monitoring devices
- reducing homework assignments
- not grading hand writing
- student should not be allowed to use cursive or manuscript writing

- reversals and transpositions of letters and numbers should not be marked wrong, reversals or transpositions should be pointed out for corrections
- do not require lengthy outside reading assignments
- teacher monitor students self-paced assignments (daily, weekly, bi-weekly)
- arrangements for homework assignments to reach home with clear, concise directions
- recognize and give credit for student's oral participation in class

TEST TAKING:

- allowing open book exams
- giving exam orally
- giving take home tests
- using more objective items (fewer essay responses)
- allowing student to give test answers on tape recorder
- giving frequent short quizzes, not long exams
- allowing extra time for exam
- reading test item to student
- avoid placing student under pressure of time or competition

ORGANIZATION:

- providing peer assistance with organizational skills
- assigning volunteer homework buddy
- allowing student to have an extra set of books at home
- sending daily/weekly progress reports home
- developing a reward system for in-schoolwork and homework completion
- providing student with a homework assignment notebook

BEHAVIORS:

- use of timers to facilitate task completion
- structure transitional and unstructured times (recess, hallways, lunchroom, locker room, library, assembly, field trips, etc.)
- praising specific behaviors
- using self-monitoring strategies
- giving extra privileges and rewards
- keeping classroom rules simple and clear
- making "prudent use" of negative consequences
- allowing for short breaks between assignments
- cueing student to stay on task (nonverbal signal)
- marking student's correct answers, not his mistakes
- implementing a classroom behavior management system
- allowing student time out of seat to run errands, etc.
- ignoring inappropriate behaviors not drastically outside classroom limits
- allowing legitimate movement
- contracting with the student
- increasing the immediacy of rewards
- implementing time-out procedures

Teacher Tips on Developing 504 Accommodations

Physical Accommodations	Instructional Accommodations	Behavioral Accommodations
<p><u>Provide Structured Environment:</u></p> <ul style="list-style-type: none"> • post schedules on board • post classroom rules • preferential seating (near teacher, between well-focused students, away from distractions) • organize workspace • use color codes <p><u>Provide Private Work Space:</u></p> <ul style="list-style-type: none"> • quiet area for study • extra seat or table • standing work station • “time out” spot <p><u>Provide Learning Centers:</u></p> <ul style="list-style-type: none"> • reading corner • listening center • hands-on area 	<p><u>Repeat and Simplify Directions:</u></p> <ul style="list-style-type: none"> • keep oral directions clear & simple • give examples • ask child to repeat back directions when possible • make eye contact • demonstrate <p><u>Provide Directions in Written Form:</u></p> <ul style="list-style-type: none"> • on board • on worksheet • copied in assignment book by student initialed by teacher <p><u>Individualize Homework Assignments:</u></p> <ul style="list-style-type: none"> • reduce volume of work • break long-term assignments into manageable tasks • allow specified extended time without penalty for lateness • offer alternative assignments • provide extra set of texts at home <p><u>Use Technological Learning-Aides:</u></p> <ul style="list-style-type: none"> • tape recorders • record lectures and assignments • computers • multi-sensory manipulatives <p><u>Modified Testing:</u></p> <ul style="list-style-type: none"> • distraction-free area • extended time 	<p><u>Use Positive Reinforcement:</u></p> <ul style="list-style-type: none"> • positive verbal or written feedback • reward systems and incentives • give tasks that can be completed • private signals • role play situations • weekly individual time • conference opportunities <p><u>Be Consistent:</u></p> <ul style="list-style-type: none"> • with rewards and consequences • with posted rules <p><u>Promote Leadership and Account:</u></p> <ul style="list-style-type: none"> • assign jobs that can be performed well • “Student of the Week/Month” • provide responsibilities <p><u>Specific Goals & Reinforce w/Incentives:</u></p> <ul style="list-style-type: none"> • state tangible goals and timetable • reward system • incentives chart for work and behavior • student contracts <p><u>Communicate w/Parents, Teachers, etc.:</u></p> <ul style="list-style-type: none"> • letters • meetings • phone calls • use school staff for support • email, texting

Education of Students With Disabilities Under Section 504 of the Rehabilitation Act of 1973

It is the intent of the district 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. Students may be disabled under this policy even though they are not eligible for services pursuant to the Individuals with Disabilities Education Act (IDEA). Section 504 of the Rehabilitation Act of 1973 is a 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. A child is a “qualified disabled person” under Section 504 if he or she:

- A. Has a physical or mental impairment that substantially limits one or more major life activities (such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, reading, concentrating, thinking, communicating and working), has a record of such an impairment, or is regarded as having such an impairment; and
- B. Is between the ages of 3 to 21 years old.

The district will comply with the federal policies that require free appropriate public education, childfind, equal educational opportunity, confidentiality of information, parent involvement, participation in least restrictive environment, evaluations, placement, reevaluation, programming to meet individual needs, placement procedures, nonacademic services, preschool and adult education programs, disciplinary exclusion, transportation, procedural requirements, appropriate funding, accessibility, special issues related to drug or alcohol addicted students, special considerations for students having AIDS or HIV infection, and special issues related to ADD/ADHD students.

The superintendent will establish procedures to ensure that students who are disabled within the definition of Section 504 are educated in full compliance with the law.

Cross Reference:	Model Policy 2161 Model Policy 3210	Education of Students with Disabilities Nondiscrimination
Legal References:	42 USC 12212 34 CFR Part 104 45 CFR Part 99	Section 512 Americans With Disabilities Act of 1990 Section 504 of the Rehabilitation Act of 1973 Family Education and Privacy Act

Adoption Date: January 16, 2013

Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973

Free Appropriate Public Education

The district will provide a free appropriate public education (regular or special education and related aids and services) to school-age children with disabilities in the district's jurisdiction. Instruction will be individually designed to meet the needs of the disabled students as adequately as the needs of the non-disabled students are met.

A. Childfind

The district will annually undertake to identify and locate every qualified disabled student residing in the district's jurisdiction who is not receiving a public education and take appropriate steps to notify disabled children and their parents or guardians of the district's responsibilities under Section 504.

B. Equal Educational Opportunity

The district will provide students with disabilities an equal opportunity to participate in and benefit from the educational services it provides to non-disabled students. The teachers of disabled students will meet comparable standards for certification that teachers of non-disabled students meet. Facilities will be of comparable quality and appropriate materials and equipment will be available.

C. Confidentiality of Information

The confidentiality of student records will be maintained throughout the period of time when such records are collected, stored, disclosed or destroyed by the district.

D. Parent Involvement

The district will obtain the informal consent of parents or guardians before conducting an initial evaluation of a student. The district will notify parents or guardians of the evaluation results and any programming and placement recommendations. The district will notify parents or guardians before initially placing a disabled student, conducting subsequent evaluations of the student or implementing a significant change in the student's placement. The district will notify parents or guardians of their right to review and challenge the district's program and placement decisions if they disagree with them. Section 504 does not give parents the right to participate in a meeting during which their child's program is designed and placement is determined, as does the IDEA. However, this practice is recommended.

E. Participation in the least restrictive environment

1. **Academic setting.** To the maximum extent appropriate to the needs of disabled students, the district will educate disabled students with non-disabled students. In order to remove a child from the regular educational environment, the district must demonstrate that education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily for the disabled student. Whenever the district places a student in a setting other than the regular education environment pursuant to this paragraph, it will take into account the proximity of the alternate setting to the student's home.
2. **Non-academic setting.** In providing or arranging for the provision of non-academic and extra-curricular services and activities, including meals, recess periods and the services and activities set forth in 34 CFR 104.37, the district will ensure that disabled students participate with non-disabled students in such activities and services to the maximum extent appropriate to the needs of the disabled student in question.

F. Referral and Screening

If a student, parent, teacher, counselor or administrator believe they are observing in a student substantially limited performance in one or more major life activities that is believed to be caused by

a physical or mental impairment, the concerned individual should complete a referral form (*indicate where referral forms are available and to whom they should be submitted*).

A designated building team will review referrals to determine if an evaluation is appropriate. If an evaluation appears to be necessary, the district will obtain written consent from parents to perform an evaluation and/or gather additional information and will provide parents with a written statement of their rights under Section 504. If the screening team determines that an evaluation is not necessary, it will provide written notice to parents, and forward the results of the screening to the source of the referral.

G. Evaluations

1. If a student needs, or is believed to need, special education or related services, the district will evaluate the student prior to placement and before any subsequent “significant change in that placement.”

Examples of significant changes in placement include:

- a. Expulsion;
 - b. Suspensions which exceed ten consecutive days in a school year;
 - c. Cumulative short-term suspensions which create a pattern of exclusion;
 - d. Transferring a student to home instruction;
 - e. Graduation from high school; and/or
 - f. Significantly changing the composition of the student’s class.
2. The district will establish policies and procedures for evaluation and placement which assure that tests and other evaluation materials:
 - a. Have been validated and are administered by trained personnel;
 - b. Are tailored to assess educational need and are not merely based on IQ scores; and
 - c. Reflect aptitude or achievement or whatever else the tests purport to measure and do not reflect the student’s impaired sensory, manual or speaking skills (unless the test is designed to measure these particular deficits).
 3. The determination of whether a student is substantially limited in one or more major life activities will be made without regard to any ameliorative effects of mitigating measures which include, but are not limited to: medication, medical supplies, equipment, low-vision devices, prosthetics, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment and supplies, assistive technology, reasonable accommodations, auxiliary aids or services; or learned behavioral or adaptive neurological modifications.
 4. Low vision devices do not include ordinary eyeglasses or contact lenses. The ameliorative effects of ordinary eyeglasses or contact lenses may be considered in determining whether the impairment substantially limits a major life activity.
 5. A student with a temporary impairment falls within the scope of Section 504 if the temporary impairment is severe enough that it substantially limits one or more of the student’s major life activities. A temporary impairment is one with an actual or expected duration of six months or less. For example, pregnancy is not generally regarded as a disability under Section 504; however, if a student was put on bed rest or otherwise limited due to pregnancy complications, this would be a temporary impairment that would qualify the student as disabled under Section 504.
 6. A student with an episodic impairment or a disease in remission qualifies as disabled under Section 504 if the impairment would substantially limit a major life activity when active (i.e. a student whose cancer is in remission).

H. Placement Procedures

A Section 504 team should be composed of persons knowledgeable about the student’s disability and

the meaning of the evaluation data and service options. The team will convene to review all evaluation results, determine eligibility as a student with a disability under Section 504 and document the meeting in writing. The team composition may vary according to the needs of the student.

In interpreting evaluation data and in making placement decisions, the district will (1) draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background and adaptive behavior; (2) establish procedures to ensure that information obtained from all such sources is documented and carefully considered; and (3) ensure that the student is educated with his/her non-disabled peers to the maximum extent appropriate.

Residential placements will be provided by the district if necessary to provide a free appropriate education to a disabled student.

In regard to out-of-district placements, if the district affords a free appropriate education to a student but the parent chooses to place the child elsewhere, the district is not responsible to pay for the out-of-district placement.

I. Re-Evaluations

The district will provide for periodic reevaluation of disabled students. No time frame is specified in Section 504; however, re-evaluating students every three years in accordance with the requirements of the IDEA will satisfy Section 504 requirements as well. A reevaluation is also required before any “significant change of placement,” as defined above in Part “G.”

J. Programming to Meet Individual Needs

The district recognizes that to be appropriate, educational programs for students with disabilities must be designed to meet their individual needs to the same extent that the needs of non-disabled students are met. To adequately meet individual needs, academic and related services for students with disabilities may need to be significantly different in character from those offered to students without disabilities. A documented procedure, such as the development of an individualized accommodation plan by a knowledgeable team of educational professionals, is recommended.

K. Non-Academic Services

The district will provide nonacademic and extracurricular services and activities in such a manner as is necessary to afford disabled students an equal opportunity for participation in such services and activities. Nonacademic and extracurricular services and activities may include counseling services, physical recreation athletics, transportation, health services, recreational activities, interest groups or clubs sponsored by the district, referrals to agencies which provide assistance to disabled persons and employment of students, including both employment by the district and assistance in making available outside employment. The district will observe reasonable health and safety standards for all students.

1. **Counseling Services.** In providing personal, academic or vocational counseling, guidance or placement services to its students, the district will provide these services without discrimination on the basis of disability. The district will ensure that qualified students with disabilities are not counseled toward more restrictive career objectives than are non-disabled students with similar interests and abilities.
2. **Physical education and athletics.** In providing physical education courses and athletics and similar programs and activities to any of its students, the district will not discriminate on the basis of disability. If the district offers physical education courses and operates or supports interscholastic, club or intramural athletics, it will provide an equal opportunity for qualified students with disabilities to participate in these activities. The district may offer to disabled students physical education and athletic activities that are separate or different from those offered to non-disabled students only if separation or differentiation is consistent with the requirements

of 34 CFR 104.34 and qualified disabled students will not be denied the opportunity to compete for teams or to participate in courses that are not separate or different.

L. Preschool And Adult Education Programs

In the operation of preschool education, or day care program or activity, or an adult education program or activity, the district will not, on the basis of disability, exclude qualified students with disabilities from the program or activity and will take into account the needs of such persons in determining the aid, benefits or services to be provided under the program or activity.

M. Disciplinary Exclusion

1. Students with disabilities are protected from being improperly excluded from school for disciplinary reasons. Certain disciplinary exclusions of disabled students from school constitute a significant change in the student's educational placement. Such disciplinary exclusions cannot be implemented until the district has satisfied the required change of placement procedures.
2. Qualified disabled students should be recognized as having a disabling condition before discipline is imposed on them, especially before imposing long-term suspension (a suspension of more than five days duration) or regular expulsion upon a qualified disabled student that could constitute a significant change of placement. The school principal or educational staff person responsible for the imposition of discipline must ensure that a group of qualified professionals determine whether or not there is a causal relationship between the student's misconduct and his or her disability. They are also to consider the appropriateness of the student's current placement and program. This determination will take into account the student's current evaluation and Individualized Accommodation Plan (IAP) under Section 504. For students considered disabled under Section 504, there is no obligation to provide educational services during periods of long-term suspension or expulsion when the student's misconduct has been properly determined not to be disability-related and not the result of an inappropriate placement or program. When a student's misconduct is determined to be causally related to his/her disabling condition, procedures at #4 below will be instituted in lieu of either long-term suspension or expulsion.
3. When a student poses an immediate and continuing danger to him or herself and/or others (see WAC 180-40-295), an emergency expulsion of up to ten days may be used to alleviate immediate risk. In such cases the procedures at WAC 180-40-300 will be modified to require the regular disciplinary hearing be held within ten ten school business days, whether the student or parent/guardian requests a hearing or not. The purpose of this regular disciplinary hearing is to determine the nature of, and consequences for, the misconduct.
In the event the student is covered by, or is believed to be covered by, Section 504, the Section 504 Compliance Officer (or designee) must attend and participate in this hearing. The Section 504 Compliance Officer (or designee) will advise the hearing officer on Section 504 restrictions. Even if the student and/or parent/guardian refuse to attend this hearing, the hearing will be held.
4. When a student has engaged in misconduct which is causally related to his or her disability, expulsion and/or long term suspension should not be imposed if it would result in more than ten lost school days . Lost days will be measured cumulatively over the period of the entire school year, with any short term suspensions as counting toward the cumulative total.
When a student's misconduct is related to a disability, additional evaluations and/or a change of placement should be considered in lieu of expulsion/ suspension. In this circumstance, the principal or designee responsible for the imposition of discipline, the Section 504 Compliance Officer and a team of professionals from the school who are knowledgeable about the student will meet to determine if there is a need for further evaluation or a change of program or placement. If further evaluation is recommended, it will be conducted as soon as possible.
In accordance with #3 above, a student may be expelled for up to ten days to alleviate an immediate risk to the student or others, even if the conduct is related to the student's disability.

5. Students and their parent/guardian will be notified of the results of the decision regarding the causal relationship of the misconduct and the student's disability and of their right to challenge this decision. Students/parents/guardians objecting to procedures used by the district to evaluate the misconduct are entitled to exercise their rights under Section 504 to file a grievance or initiate a due process hearing.
6. Students who are considered disabled under Section 504 are subject to the same disciplinary processes and results as non-disabled students for misconduct regarding the use, sale or possession of drugs or alcohol at school. The extra due process requirements regarding change of placement do not apply.

N. Transportation

If the district places a student in a program not operated by the district, the district will assure that adequate transportation to and from the program is provided at no cost to the parent.

Because the district provides transportation to all its students within a certain geographic area, it will not discriminate in its provision of transportation to students with disabilities.

If the district proposes to terminate a qualified disabled student's bus transportation for inappropriate bus behavior, the district will first determine the relationship between the student's behavior and his or her disabling condition, the appropriateness of the related service of transportation and the need for reevaluation. The parent or guardian will be provided with notice of the results of such determinations and of their right to challenge such determinations.

The length of the bus rides for qualified disabled students should not be longer than that of non-disabled students.

O. Procedural Requirements

The district will ensure compliance with the requirements of Section 504 by doing the following:

1. Provide written assurance of non-discrimination whenever the district receives federal money.
2. Designate an employee to coordinate the district's Section 504 compliance activities. The Section 504 Coordinator for the district is (*insert position of designee*).
3. Provide grievance procedures to resolve complaints of discrimination. Students, parents or employees are entitled to file grievances. The grievance procedures for the district are set out in the Procedure for Policy 3210, Nondiscrimination.
4. Provide notice to students, parents, employees, unions and professional organizations of the district's nondiscrimination policy in admission and access to programs and activities, and in treatment and employment. Notice will also specify the Section 504 coordinator for the district. Notice will also be included in the student/parent handbooks.
5. Annually identify and locate all Section 504 qualified disabled children in the district's geographic area who are not receiving a public education.
6. Annually notify disabled persons and their parents/guardians of the district's responsibilities under Section 504.
7. Establish and implement procedural safeguards to be provided to parents/guardians with respect to actions regarding the identification, evaluation or educational placement of persons who, because of disability, need, or are believed to need, special instruction or related services.

Procedural safeguards will include:

- a. Notice of parental/guardian rights;
- b. An opportunity to examine relevant records;
- c. An impartial hearing, initiated by either the parents/guardian or the school district, with opportunity for participation by the student's parents/guardians. The student/parent/guardian is entitled to have representation by legal counsel; and
- d. A review procedure.

P. Appropriate Funding

The district recognizes that the regular education funding of the district is the funding source for serving students who are qualified as disabled under Section 504 only. However, if students are dual identified as Section 504 and IDEA eligible, state and federal special education funds can be used. The district will not use money appropriated by the IDEA to serve students found disabled under Section 504 but not the IDEA. The district may use the IDEA money to evaluate a student if the district believes that the student may also be eligible under the IDEA.

Q. Accessibility

1. Facilities that were 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 persons with disabilities.
2. Buildings or additions constructed since 1980 must be designed and constructed to allow disabled persons the ability to access and use them readily.
3. District's obligation when a building is altered: to the maximum extent feasible, all facilities which are altered after 1980 must be altered to allow accessibility and usability by persons with disabilities.
4. A district can redesign equipment, reassign classes or other services to accessible buildings, assign aides to students, deliver services at alternate accessible sites or alter existing facilities. So long as there are other methods which are as effective in achieving compliance, a district need not undertake structural changes to a building.
5. A district recognizes that some forms of accommodation are unacceptable such as: carrying a student upstairs; segregating all students with mobility impairments due to the inaccessibility of other buildings; having disabled students eat on a separate floor due to an inaccessible cafeteria; denying participation in certain programs such as music, art or assemblies because these programs are inaccessible.
6. District recognition of the meaning of the phrase "to the maximum extent possible." This provision covers the instance where occasionally the nature of an existing facility is such as to make it impractical or prohibitively expensive to renovate in a manner that results in it being entirely barrier-free. However, in all of these instances, the alteration should provide the maximum amount of physical accessibility feasible.

R. Special Issues Related to Drug or Alcohol Addicted Students

If a district suspects that the drug or alcohol problem of a student may be substantially limiting a major life activity such as learning, the district is obligated to recommend an evaluation. If the evaluation verifies the existence of a disabling condition that substantially limits a major life activity, the student is considered disabled under Section 504 and should be planned for appropriately.

With the passage of the Americans with Disabilities Act in 1990, Congress specifically amended Section 504 to exclude persons who are "currently engaging in the illegal use of drugs" from the definition of individuals with disabilities. Therefore, the school district is not required to consider whether a current illegal drug user could successfully participate in the district's education programs. Furthermore, the district is not required to make accommodations for the student if he or she is currently using drugs. The district can treat the student as it treats non-disabled students.

Congress did not amend Section 504 with respect to students who abuse alcohol and alcoholism. Unlike students addicted to drugs, students whose alcoholism constitutes a disabling condition under Section 504 and who continue to use alcohol are protected by Section 504. However, the district may take disciplinary action against any disabled student engaged in the illegal use of drugs or in the use of alcohol at school to the same extent that such disciplinary action is taken against non-disabled

students. Furthermore, the due process procedures at 34 CFR Part 104.36 will not apply to such disciplinary actions.

S. Special Considerations for Students Having AIDS or HIV Infection

Students with Acquired Immune Deficiency Syndrome (AIDS), AIDS Related Complex (ARC) or otherwise infected with Human Immunodeficiency Virus (HIV-infected) are individuals with disabilities under Section 504. They either qualify as actually having a physical impairment that substantially limits a major life activity or are regarded as having such a disabling condition. Depending on the nature of the disease and the student's other conditions, the student may also qualify for services under the IDEA.

Placement of the student must be made by a group of persons knowledgeable about the child, the meaning of the evaluation and medical information and placement options. A public health representative should be on the team.

A student with AIDS should remain in the regular classroom unless currently presenting a risk of contagion e.g., a contagious opportunistic infection, open lesions that cannot be covered) or the student's parents and school agree on an alternative.

Special Considerations for ADD/ADHD Students

If a district suspects or has knowledge that a student has an Attention Deficit Disorder (ADD) or Attention Deficit Hyperactivity Disorder (ADHD) that may be substantially limiting a major life activity such as learning, the district is obligated to recommend an evaluation.

Evaluation of the student and service and placement recommendations should be made by a group of persons knowledgeable about the child, the meaning of the evaluation and medical information and service and placement options. A qualified medical practitioner's assessment should be considered, as well as the impact the student's ADD/ADHD has on his or her ability to learn or to otherwise benefit from his or her educational program. The district will ensure that the student's educational program meets the full range of his or her individual educational needs.

NOTE: Due process hearing or mediation requests must be made directly to the district 504 Compliance Officer. If a parent requests a due process hearing or mediation, districts should contact the Office of State Superintendent of Public Instruction (OSPI), Special Services Department, Old Capital Building, PO Box 47200, Olympia Washington 98504-7200, (360) 725-6075 to obtain a list of qualified hearing officers or mediators and a sample hearing officer or mediator contract. Districts are responsible for hearing officers or mediators. Districts are responsible for arranging for hearing officer and mediator expenses. When contacting OSPI, be sure they understand that the dispute is under Section 504 and that the district is just obtaining information, not seeking to have a special education hearing set up with a state administrative law judge. OSPI encourages districts to first utilize mediation as a method to resolve disputes.