

[INSERT SCHOOL DISTRICT NAME]

**PARENT/GUARDIAN CONSENT FOR EVALUATION**

STUDENT	DATE OF BIRTH	NAME OF PARENT/GUARDIAN

Section 504 of the *Rehabilitation Act of 1973* prohibits discrimination on the basis of disability in any program or activity receiving Federal financial assistance. Students who are covered by 504 are those who:

- 1) Have a physical or mental impairment, which substantially limits one or more major life activities and results in a need for reasonable accommodations and/or special education and related services, 2) have a record of such impairment or 3) are regarded as having such impairment.

**Step One: Explanation and Purpose of an Evaluation**

Each school district shall ensure that a full and individual evaluation is conducted for each child being considered or reconsidered for 504 services and related services.

The purposes of an evaluation may be to determine:

- Whether the child has, or continues to have, a mental or physical impairment;
- Whether the mental or physical impairment substantially limits a major life activity;
- Whether the child needs, or continues to need, reasonable accommodations and/or special education and related services;
- The present levels of performance and educational needs of the child; and/or
- Whether any additions or modifications to the child's 504 Student Plan are needed.

**Step Two: Check the major Life Activity that May be Affected:**

- seeing      hearing      caring for one's self      breathing      eating      sleeping      lifting
- walking      learning      performing manual tasks      working      reading      standing      bending
- speaking      concentrating      thinking      communicating      the operation of a major bodily function
- other (specify) \_\_\_\_\_

**Step Three: Sources of Evaluation Information**

- \_\_\_ medical reports/health information
- \_\_\_ adaptive behavior scales/behavior scales
- \_\_\_ achievement tests
- \_\_\_ cognitive assessments
- \_\_\_ language surveys/assessments
- \_\_\_ parent input
- \_\_\_ motor assessments
- \_\_\_ teacher/psychologist observation
- \_\_\_ discipline/attendance records
- \_\_\_ student progress reports/grades
- \_\_\_ functional behavior assessment
- \_\_\_ other (specify) \_\_\_\_\_

**Step Four: Parental Agreement**

I understand my rights as explained to me and contained in the Parents Rights in Brief which I have received and reviewed. In addition, I understand the nature and scope of the evaluation to be completed. Upon completion of my child's evaluation, a conference will be scheduled to discuss the findings and determine my child's eligibility for 504 services and related services.

I consent      I do not consent      to an evaluation of my child

Signature of Parent/Guardian

Date

**[INSERT SCHOOL DISTRICT NAME]**

**NOTICE OF CONFERENCE**

To: \_\_\_\_\_ Date: \_\_\_\_\_  
Re: (Student Name) \_\_\_\_\_  
Date of Conference: \_\_\_\_\_ Time: \_\_\_\_\_  
Location of Meeting: \_\_\_\_\_

**Purpose of Conference:**

To consider possible eligibility for and/or provision of services and/or accommodations under Section 504 of the *Rehabilitation Act of 1973*.

To review eligibility for and/or services and/or accommodations being provided under Section 504 of the *Rehabilitation Act of 1973*.

Other: \_\_\_\_\_

**Conference Participants (Title and Name):**

You have the right to bring other individuals, at your discretion, to this conference. Please notify your student's counselor if you are in need of an interpreter or translator.

Enclosure: Parents' Rights in Brief

## PARENTS' RIGHTS IN BRIEF

### Section 504 of the *Rehabilitation Act of 1973*

It is the policy of the Board of Education to provide a free and appropriate public education to each student with a disability. It is the intent of the district to ensure that students who are eligible for services and/or accommodations within the definition of Section 504 of the *Rehabilitation Act of 1973* are identified, evaluated, and provided with appropriate educational services and/or accommodations.

Parents (or, if age 18 or older, students) have the following rights under Section 504:

1. Right for your child to take part in and receive benefits from the District and its programs and activities, including nonacademic and extracurricular programs and activities, without discrimination on the basis of his/her disability;
2. Right to be informed, in your native language, of any proposed actions related to identification, evaluation, or educational placement of your child;
3. Right to examine all relevant records of your child;
4. right to have an evaluation of your child that draws on information from a variety of sources in order to determine his/her eligibility for Section 504 services and/or accommodations;
5. Right to have periodic reevaluations of your child, including reevaluation before any significant change in your child's placement;
6. Right for your child to receive appropriate educational services and/or accommodations in the least restrictive environment that is appropriate for the child if he/she is found eligible under Section 504;
7. Right to a manifestation determination review before any disciplinary removal of your child that constitutes a significant change in placement, in order to determine if your child's misconduct was related to his/her disability;
8. Right to file a grievance under the District's Uniform Grievance Procedure for any claim of discrimination on the basis of disability and to appeal the grievance decision;
9. Right to request an impartial due process hearing under the District's Section 504 Procedures and Procedural Safeguards for any claim about the identification evaluation, or educational placement of your child, to participate in and be represented by legal counsel at the hearing, and to appeal the hearing decision; and
10. Right to forego or terminate the District's grievance process and/or due process hearing procedures described above and file a complaint with the U.S. Department of Education's Office for Civil Rights ("OCR").

Note: Copies of the District's Uniform Grievance Procedure and the District's Section 504 Procedures and Procedural Safeguards, as well as contact information for OCR, are available at

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Building Administrator/Designee

**[INSERT SCHOOL DISTRICT NAME]**

Dear

Section 504 of the *Rehabilitation Act* requires that school districts document that parents/guardians have been provided with notice of their rights under Section 504 of the *Rehabilitation Act*.

The attached Parents' Rights in Brief is designed to provide a brief explanation of the important information regarding the procedural safeguards to which parents/guardians and children are entitled under Section 504. A complete copy of the District's Section 504 Procedures and Procedural Safeguards is available at

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Please sign and date below to confirm that you have been provided with your Parents' Rights in Brief.

Parent/Guardian Signature

Date

[INSERT SCHOOL DISTRICT NAME]

SECTION 504 ELIGIBILITY CONFERENCE SUMMARY

Student:

Date:

Counselor:

Grade:

Review/Reassessment Date:

Purpose of Conference:

To consider possible eligibility for and/or provision of services and/or accommodations under Section 504 of the Rehabilitation Act of 1973.

To review eligibility for and/or services and/or accommodations being provided under Section 504 of the Rehabilitation Act of 1973.

Other:

I. Sources of Data:

- |  |                                  |
|--|----------------------------------|
| medical reports/health information       | teacher/psychologist observation |
| adaptive behavior scales/behavior scales | discipline/attendance records    |
| achievement tests                        | student progress reports/grades  |
| cognitive assessments                    | functional behavior assessment   |
| language surveys/assessments             | other (specify)                  |
| parent input                             | _____                            |
| motor assessments                        |                                  |

A. Is there documented evidence of a physical and/or mental impairment?

Yes

No (If no, a 504 plan is not required)

B. Is a major life activity substantially limited by the physical or mental impairment?

Yes

No (If no, a 504 plan is not required)

If yes, please check the major life activity(ies) that is/are substantially limited.

- |  |           |          |
|--|-----------|----------|
| caring for one's self                    | hearing   | learning |
| walking                                  | breathing | speaking |
| performing manual tasks                  | working   | seeing   |
| eating                                   | sleeping  | standing |
| communicating                            | bending   | lifting  |
| concentrating                            | speaking  | thinking |
| the operation of a major bodily function |           | reading  |

**II. Summary of discussion/recommendations (attach additional pages as necessary):**

**Conference Participants:**



5. Additional comments:

6. Review/Reassessment Date:

7. Person responsible for overseeing and monitoring the plan:

**Conference Participants:**

## CASE CONFERENCE NOTES/SUMMARY

**Student's Name:**

**Date:**

**Participants:**

**PARENT/GUARDIAN CONSENT FOR INITIAL PROVISION  
OF SECTION 504 SERVICES AND/OR ACCOMMODATIONS**

DATE:

STUDENT'S NAME:

STUDENT'S DATE OF BIRTH:

Dear

(Parent[s]/Guardian[s] Name)

At a recent conference your child was recommended for the initial provision of Section 504 services and/or accommodations and a Section 504 plan was developed. Before a school district may provide the services and/or accommodations described in your child's Section 504 plan, your informed written consent is required. Your consent is voluntary and you may revoke your consent at any time. If you revoke consent, it does not negate any action that occurred after the consent was given and before it was revoked.

**CHECK ONE:**

I give consent

For the initial provision of services and/or accommodations as included in my child's Section 504 plan. The proposed services and/or accommodations have been fully explained to me and are consistent with the Section 504 plan developed for my child.

I understand that my consent is voluntary. I understand that my consent is not required for continued Section 504 services and/or accommodations or for a change in the services and/or accommodations. At least annually, I will be given an opportunity to meet with my child's Section 504 team and provide input into my child's Section 504 plan.

I received a copy of the **Parents' Rights in Brief** which has been fully explained to me by school personnel, including the procedures for requesting an impartial hearing.

I understand that as soon as possible following development of the Section 504 plan, but not more than ten (10) calendar days, services and/or accommodations will be provided to my child in accordance with his/her Section 504 plan.

I do not give consent

For the services and/or accommodations included in the Section 504 plan.

I understand that the District will not be in violation of its obligation to make available a free appropriate public education available for my child if I refuse to give consent.

I have received

Copy of the Section 504 Eligibility summary

Copy of the Section 504 Plan

Other

Date:

Parent/Guardian signature:

If you have any questions concerning this process or require additional information regarding your and your child's rights, please contact:

Name:

Title:

Phone:

Sincerely,

(Signature)

Name: \_\_\_\_\_

Title:



**[INSERT SCHOOL DISTRICT NAME]**  
**MANIFESTATION DETERMINATION FOR SECTION 504 STUDENTS**

**A. Identifying information:**

Student's Name:

Date of Suspension:

Date of Birth:

Date of Meeting:

**B. Conference Participants:**

**C. Team review and determination:**

1. What is the misconduct for which disciplinary action has been taken or is being considered?
2. The team has considered and reviewed the following relevant student information in terms of the misconduct subject to disciplinary action:

Evaluation/diagnostic results and other relevant information, including the student's most recent Section 504 evaluation and plan

Is there a behavior intervention plan as part of the student's 504 plan?

(If NO, the building team will initiate a Functional Behavioral Assessment and when complete, will convene a 504 meeting on \_\_\_\_\_ to develop a Behavior Intervention Plan to address the behavior.)

Observation of the student

3. In determining if the misconduct was manifestation of his/her disability, the Section 504 team must determine the following:
  - (a) If the misconduct in question was caused by, or had a direct and substantial relationship to, the child's disability; **or**
  - (b) If the misconduct in question was the direct result of the District's failure to implement the Section 504 Plan.

4. If the team determines the misconduct was not a manifestation of the child's disability, then the district's regular disciplinary procedures will apply.
5. If the team determines that the misconduct was a manifestation of the child's disability:
  - (a) The team must conduct a Functional Behavioral Assessment and implement a behavior intervention plan (BIP) if this has not already been done prior to the current misconduct;
  - (b) If a BIP has already been developed, review and modify it, as necessary, to address the misconduct in question; and
  - (c) The team must review the student's current 504 plan and educational placement to determine if they remain appropriate. If the team believes that a significant change in placement may be necessary, the team must initiate a reevaluation of the student.

**ADDITIONAL NOTES:**

[INSERT SCHOOL DISTRICT NAME]

**BEHAVIOR INTERVENTION PLAN**

A functional assessment of behavior must be completed and attached prior to developing a Behavior Intervention Plan

Complete when the Section 504 team has determined a Behavior Intervention Plan is needed.

STUDENT	DATE OF BIRTH	NAME OF PARENT/GUARDIAN

Target Behavior(s):	Intervention(s) to be Implemented:	Procedure/schedule for evaluating effectiveness and person responsible:

Date of BIP review:

Method of home/school communication: