TITLE: Section 504 and Students With Disabilities

NUMBER: BUL-2130.0

ISSUER: Kevin S. Reed, General Counsel
Office of the General Counsel

DATE: December 14, 2005

ROUTING
- Principals
- Administrators
- School Counselors
- School Nurses
- School/Local District Section 504 Designees
- Teachers

POLICY: Los Angeles Unified School District is committed to providing a working and learning environment that is free of discrimination/harassment. The District affirms that no qualified student with a disability shall, on the basis of that disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination/harassment under any District program or activity. Disability-based harassment is a form of discrimination under both federal and state law that may result in the denial of a "free appropriate public education" (FAPE) or the denial of an equal opportunity to an education to a student.

MAJOR CHANGES: This bulletin replaces Bulletin No. 754 on the same subject issued by the Office of the General Counsel on January 26, 2004. It provides updates/clarifications to the guidelines to be used in serving students with disabilities under Section 504.

GUIDELINES: The following guidelines apply.

Background: Section 504 of the Rehabilitation Act of 1973 (Section 504) is a civil rights statute that prohibits discrimination/harassment on the basis of a disability in any program or activity receiving federal financial assistance. Public school districts must comply with the nondiscrimination requirements of Section 504 to provide students with disabilities with a "free appropriate public education" (FAPE)—a program designed to meet those students' educational needs as adequately as the educational needs of students without disabilities.

Related Definitions: The United States Department of Education under 34 Code of Federal Regulations (C.F.R.) §104.3 provides the following definitions:

A **"**qualified disabled person" with respect to a public preschool, elementary, secondary, or adult education services §104.3(k)(2)—means an individual with a disability who is a resident of the school district and who is between three and twenty-two years of age.

An **"**individual with a disability**"** §104.3(j)—means any person who:
- Has a physical or mental impairment which substantially limits one or more

major life activities;
- Has a record of such an impairment; or
- Is regarded as having such an impairment.

NOTE: Environmental, cultural, and economic disadvantages are not considered disabilities under Section 504. Furthermore, sexual orientation and gender identity are also not considered to be disabilities. However, if a person who has any of these characteristics also has a physical or mental disability, the person may be included within the definition of an individual with a disability.

"Physical or mental impairment**"** §04.3(j)(2)(i)—means:
- Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
- Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness.

"Major life activities**"** §104.3(j)(2)(ii)—means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working (e.g., an individual with paralyzed legs is substantially limited in the major life activity of walking since the individual's impairment makes him/her unable to walk—unable to perform the major life activity of walking).

"Has a record of such an impairment" §104.3(j)(2)(iii)—means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

"Is regarded as having an impairment" §104.3(j)(2)(iv)—means:
- Has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient as constituting such a limitation;
- Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such an impairment; or
- Has none of the impairments defined in (j)(2)(i) of this section but is treated by a recipient as having such an impairment.

"Substantial Limitation"—refers to the type of disability that significantly impacts the student at school. Under the ADA, a major life activity is substantially limited when a person is "unable to perform a major life activity that the average person in the general public can perform" (e.g., a person is only able to walk for brief periods of time, or a person falls every few steps). [29 C.F.R. §1630.2(j)(1)(i)]

"Educational Placement" (in the Section 504 context)—refers to the general education classroom with the use of supplementary/related aids and services.

"Supplementary/Related Aids and Services"—are the accommodations determined in the student's Section 504 Plan. An accommodation is a change in the educational setting, materials, and/or strategies that does not significantly alter the content of the curriculum or level of expectation for a student's performance but which allows the student to access the general education curriculum. (Examples of accommodations: seating the student in front of the room, providing extended time for testing, or providing a student with highlighted critical text.)

Child Find: The District has a duty to conduct a "child find" at least annually, during which, the District must make efforts to inform qualified students with disabilities and their parents of the District's obligation to provide a free appropriate public education. This duty extends to all students with disabilities between the ages of three and twenty-two, residing within the District boundaries, including those who may be attending private or home schools. As a result of this requirement, the District makes available to all school sites on an annual basis the District's "Parent/Student Handbook" which includes information on Section 504, and an informational brochure entitled "Section 504 and Students with Disabilities." Both can also be accessed through the District's website at http://www.lausd.net. Copies of the brochure may also be obtained by ordering them from the District's School Supplies and Equipment Warehouse by using the current "Catalog of Supplies and Equipment." Individuals seeking additional information on Section 504 or looking for a single copy of the brochure may log onto the website of the Educational Equity Compliance Office: http://www.lausd.k12.ca.us/lausd/offices/educational equity compliance/PDF Downloads or contact the District's Educational Equity Compliance Office.

Referral or Request for a Section 504 Evaluation: An individual (parent/guardian/school staff member) may request a Section 504 evaluation for a student by completing the "Request for Section 504 Evaluation" (FORM A). A Section 504 referral may be considered in the following situations:

- A pattern of suspensions or a consideration of expulsion occurs.
- A pattern of not benefiting from instruction occurs.
- A student does not qualify for special education services.
- A student exhibits a severe health condition.
- A student is considered at risk for school failure.
- A disability is suspected.
- A student has a temporary disability that is substantially limiting.

NOTE: Not all students needing medication to be administered by school staff require a Section 504 Plan. For these students, it is not necessary to qualify them as

disabled in order to provide them with a service which schools perform for all general education students. However, if a student needs systematic, consistently implemented accommodations, such as the administration of medication, in order to have his/her needs met as adequately as nondisabled students, then a Section 504 Plan may be appropriate.

Analyzing Appropriateness of Referral for Section 504 Evaluation: When a request for evaluation is made, the school site administrator/designee shall take the following steps:

- Analyze, review, and consult with persons knowledgeable about the student to determine whether the Section 504 referral is appropriate. If the referral is appropriate, proceed with the evaluation process.
- If the referral is not appropriate (e.g., the student is receiving special education services and/or the student is accessing the curriculum and achieving grade-level academic progress), then the administrator/designee shall provide written notice to the parent/guardian to inform them of the school's decision not to proceed with the Section 504 Evaluation. A copy of the "Response to Request for Section 504 Evaluation" (FORM B) and a copy of the "Parent/ Guardian Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973" (FORM C) should also be provided along with the written notice. Please note that the parent/guardian is advised on the response form that they have 15 calendar days from the date of the notice provided to them to appeal the school site's decision.

Evaluation Process/Preparing for the Section 504 Evaluation Meeting: There are no specific timelines for completing the evaluation; however, the evaluation must be completed within a reasonable period of time. It is generally not reasonable to exceed 50 days.

The school site administrator/Section 504 designee shall:

- Provide the parent/guardian with the "Notice of Section 504 Evaluation" (FORM D), indicating the date, time, and place of the meeting, along with a copy of the "Parent/Guardian Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973" (FORM C).
- Provide teachers with the "Section 504 Teacher Observation Form" (FORM E) to complete as appropriate.
- Select the Section 504 team members. Team members must:
  - be knowledgeable about the student (e.g., the Section 504 designee, parent(s)/guardian(s), the classroom teacher(s), the school nurse, the student [if age appropriate], the counselor, and any other suitable personnel).
  - be knowledgeable about and consider the meaning of the evaluation information being drawn from a variety of sources.
  - be knowledgeable about the accommodations to enable the team to make

informed decisions.

- Gather documentation from a variety of sources in preparation for the meeting:
  - information, documents, and records provided by parents/guardians
  - cumulative records
  - discipline records
  - attendance records
  - health records, if available (from the school nurse or parent/guardian) Note: A medical diagnosis is not required under Section 504 regulations nor does a medical diagnosis automatically qualify a student as having a disability.
  - information collected from interviews with applicable staff and/or from completed observation forms
  - report cards
  - standardized test scores/class test scores
  - prior special education testing results (if student is not eligible for special education)

Evaluation Process/Conducting the Section 504 Evaluation Meeting: The Section 504 evaluation team's responsibility is to complete and document the evaluation process. See "Section 504 Evaluation Documentation" (FORM F) and apply the Section 504 eligibility criteria questions as follows:

- Does the student have a physical or mental disability? (See definitions.)
- Does the student's disability impair a major life activity? (See definitions.)
- Is the degree of impairment substantial? (See definitions.)

If the team determines that the student meets the federal definition of disabled under Section 504 by answering "Yes" to all of the above-referenced questions, then a "Section 504 Plan" (FORM G) is developed. The plan shall include the following components:

- A statement of the student's physical or mental disability.
- A date when the plan is to be re-evaluated (Every three years or sooner, if warranted).
- The specific educational area(s) that are impacted by the disabling condition.
- The specific accommodations needed (e.g., an assignment notebook; seating the student closer to the teacher and/or away from distractions; amount of time to complete homework and/or classroom assignments).
- A statement of the specific and measurable times when actions/accommodations are to be implemented.
- The person(s) to be responsible for carrying out the actions or implementing the accommodations.
- A Behavior Support Plan—if the student's behavior warrants it.

CAUTION: If a student requires a Section 504 Plan to obtain educational benefit,

then the student should require the accommodations on a systematic and consistent basis, not on an "as needed" basis or "to be left up to the discretion of the student/teacher" basis. If the student needs help only sometimes (as many student do), then the accommodation should not be written into the Section 504 Plan. Furthermore, when developing a Section 504 Plan, ensure that the accommodations are succinct and realistic. A Section 504 Plan that is too vague and/or open-ended can be misinterpreted. For example, when providing additional time for classroom or homework assignments, the teacher should determine how much additional time the student may require: 1 or 2 hours, a day, a week, or a weekend. Section 504 teams should be cautious when providing additional time beyond a week to make up assignments because they may be altering the level of expectation for a student's performance, which is contrary to the purpose of Section 504.

If a student does not meet the criteria referenced above, yet requires some additional educational assistance, the Section 504 Team may: (a) return to the Student Success Team for the identification of classroom accommodations as appropriate, and/or (b) develop an Educational Protocol by determining what informal strategies would benefit the student and document the strategies, with a site administrator's signature, on school letterhead. A copy of the strategies should be provided to the parent/guardian and teacher(s). The site administrator is responsible for ensuring that these strategies are then implemented. An Educational Protocol is a commitment on behalf of the school to provide the student with educational assistance, although it does not have the protections of Section 504.

Following the Section 504 Evaluation Meeting/Case Management: Following the Section 504 Evaluation Meeting, the school-site administrator/Section 504 Designee is responsible for:

- Ensuring that the parent/guardian is provided with copies of the:
  - "Section 504 Evaluation Documentation" (FORM F)
  - "Section 504 Plan" (FORM G)
  - "Section 504 Team Decision" (FORM H)
  - "Parent/Guardian Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973" (FORM C)
- Ensuring that copies of the completed "Section 504 Evaluation Documentation" (FORM F) and the "Section 504 Plan" (FORM G) are provided to:
  - the Local District Section 504 Designee
  - the Educational Equity Compliance Office
  - the Section 504 record folder within the student's cumulative file. (Section 504 record folders may be ordered from the District's School Supplies and Equipment Warehouse by using the current "Catalog of Supplies and Equipment.")
  - NOTE: There are special provisions regarding confidentiality of records with information pertaining to any HIV/AIDS status; such records are not to

be kept in the local school files. Student Medical Services may be contacted at (213) 763-8374 for instructions on handling these records.

- Ensuring that copies of the completed "Section 504 Plan" (FORM G) and the "Section 504 Plan Distribution Notice" (FORM J) are provided to appropriate staff so that accommodations are provided within a reasonable time frame following the conclusion of the meeting.
- Monitoring the implementation of the Section 504 Plan. Failure to implement the plan may result in a complaint investigation. Additionally, under federal law, personal civil suits may be filed on behalf of students against individual District employees who fail to comply with the mandates set forth under Section 504.
- Documenting that the progress of the Section 504 student is being consistently monitored and that, when so determined by their Section 504 team, students receive periodic reports on progress towards academic or behavioral performance. Re-evaluation of the Section 504 Plan is required anytime there is an indication/evidence or it is determined that the Section 504 Plan is not effective in addressing the student's area(s) of educational impact.
- Ensuring that data is entered into the elementary or secondary Student Information System (SIS). See Attachment A for the most current guidelines for data entry of Section 504 information.

Periodic Re-Evaluation Process: The school-site administrator/Section 504 designee shall re-evaluate a student with a Section 504 Plan periodically (i.e., at least every three years). Re-evaluation may also be required when there is a change in the student's disability, a parent requests a change to the Section 504 Plan, or when there is an indication/evidence or it is determined that the Section 504 Plan is not effective in addressing the student's area(s) of educational impact.

The following steps should be taken in the re-evaluation process:

- Provide the parent/guardian with the "Notice of Section 504 Evaluation" (FORM D) and the "Parent/ Guardian Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973" (FORM C) prior to the Section 504 re-evaluation meeting.
- Review new or additional evaluation data/documentation and determine if the student continues to meet the criteria under Section 504 and if there is a need for a change in the student's current Section 504 Plan.
- Complete the "Section 504 Evaluation Documentation" (FORM F) and the "Section 504 Plan" (FORM G).
- Complete the same steps as listed under the "Following the Section 504 Evaluation Meeting/Case Management" section of this bulletin.

Discipline Procedures for a Student With a Section 504 Plan: A student who has a Section 504 Plan may not be subjected to a disciplinary change in placement for

more than 10 days unless the Section 504 Team first determines that the behavior giving rise to the discipline was not linked to the student's disabling condition or to an inappropriate placement. This process is carried out in a "Link Determination Meeting." Suspensions for less than 10 days may be effected without holding a Section 504 Team Meeting. However, a series of short suspensions over the course of the school year that would amount to a total of 10 days would require that a Section 504 Link Determination Meeting be held.

When making the "Link Determination" a Section 504 Team, composed of individuals knowledgeable about the student, the evaluation information, and the accommodations must meet to consider the following and complete the form "Section 504 Link Determination Meeting" [FORM I]:

- Was the misconduct caused by, or directly and substantially related to, the student's disability?
- Was the misconduct a direct result of the District's failure to implement the Section 504 Plan?

If the Section 504 Team determines that there is no link between the conduct and the student's disability, the school may proceed to discipline the student in the same manner as it would a non-disabled student.

If the Section 504 Team determines that there is a link between the conduct and the student's disability, the Section 504 Team must then revise the Section 504 Plan to address the student's conduct.

NOTE: A student who is currently using illegal drugs or alcohol, and is to be disciplined by the school for use or possession, loses the procedural protections provided by Section 504, including the "Link Determination" prior to a change in placement for disciplinary reasons. This would hold true even if the disabling condition could be related to the misconduct.

Accessibility: "For existing facilities, both Section 504 and Title II of the ADA require public entities and recipients to operate programs or activities so that the programs and activities, when viewed in their entirety, are readily accessible to and usable by individuals with disabilities [28 C.F.R. §35.150(a)/34 C.F.R. §104.22(a)]. Neither regulation requires public entities or recipients to make all existing facilities or every part of the existing facility accessible to and usable by individuals with disabilities, if the service, activity, or program as a whole is accessible." (Excerpted from OCR Memorandum to Senior Staff from Michael L. Williams, Assistant Secretary for Civil Rights; Subject: "Interpretive Guidance on Program Accessibility under Title II of the Americans with Disabilities Act of 1990," dated December 1, 1992.)

For new construction, the accessibility standard is different. Instead of looking at the program as a whole, accessibility of the parts is required. The facility, and each part of the facility, must be "readily accessible to and usable by disabled persons." [34 C.F.R. §104.23(a)]

Accessibility to District programs and activities may be achieved by nonstructural changes such as redesigning or modifying equipment or furniture, or rescheduling or relocating classes or other services to accessible rooms or buildings.

Section 504 program/activity accessibility standards extend to ensuring that students with disabilities are provided with an equal opportunity to participate in the same extracurricular and/or nonacademic services or benefits that are provided to students without disabilities. Students with disabilities must be provided an equal opportunity to try out for or participate in extracurricular activities, such as after-school programs or field trips, although they may be held accountable for meeting the performance or behavior standards that apply to all students.

Disability-Based Discrimination/Harassment: Disability-based discrimination/ harassment is intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in a school district's programs. Harassing conduct may take many forms, including verbal acts and name-calling, as well as nonverbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating. When harassing conduct is sufficiently severe, persistent, or pervasive enough to create a hostile environment, it can violate a student's rights under Section 504. Non-implementation of the Section 504 Plan could be considered disability-based discrimination and may constitute a violation of a student's rights. The District will promptly investigate all complaints of disability-based discrimination/harassment and take reasonable actions to stop future incidence of discrimination/harassment.

Complaint Procedures: Complainants are encouraged to try to resolve complaints informally at the school or within their Local District. However, the formal complaint procedure may also be used to address such complaints.

Definitions Related to Complaint Procedures**:**

- District shall mean any operating unit or program of the Los Angeles Unified School District.
- Complaint procedure shall mean the District's internal procedure to process complaints.
- A complaint shall mean a verbal or written complaint alleging that there has been a violation of this policy.
- A complainant shall mean any individual, including, but not limited to, a District

student, a parent or guardian of a District student, or District employee who submits a grievance/complaint alleging that there has been a violation of this policy.

- Days shall mean calendar days unless otherwise specified.
- Appeal shall mean a written request to review or re-investigate the complaint.
- Respondent shall mean an individual alleged to have committed acts in violation of this policy.

Informal Complaint Process – Local School: Any individual may file a complaint with the local school site administrator alleging that:

- The school is not in compliance with Section 504 regulations or the District's Section 504 policies and procedures.
- Discrimination/harassment based on disability has occurred.

For informal resolutions, the following steps may be followed by the local school site administrator:

- Promptly investigate the complaint.
- Interview the complainant and discuss options available to resolve the complaint.
- As appropriate, determine what type of action will resolve the complaint.
- Provide follow-up to determine whether the proposed action, after being taken, did actually remedy the complaint.
- Inform the complainant of any actions taken in the process of resolving the complaint or any consequences resulting from such actions.
- Provide information regarding the formal complaint process that is also an option for a complainant if he/she so chooses.
- Keep a written record of the complaint and the steps taken to resolve it.

Formal Complaint/Appeal Process – Local District: A written complaint must be filed with the Local District. The written complaint may be filed using the "Section 504 Complaint Form" (FORM K), using the District's Uniform Complaint Procedure, or simply by filing a written complaint statement. (Discrimination complaints must be filed within six months of the last occurrence or when knowledge of the complaint was first obtained.)

Appeal of Section 504 Team Decision – Local District: Parents/guardians have the right to appeal the local school's Section 504 Team decision by appealing in writing to the Local District Section 504 Coordinator within 15 calendar days of the Section 504 meeting. A parent or guardian or student making an oral request will be assisted by the Local District in making a written request.

The request shall contain the following information:

- The specific nature of the decision(s) made by the school with which the person

disagrees in the following areas: identification, evaluation, or educational accommodations.
- The specific relief the person is seeking.
- Any other information the individual believes will provide assistance in understanding the appeal request.

The Local District will take the following steps in response to a formal written complaint or appeal of a school site Section 504 Team Decision:
- The Local District will provide the complainant with a written acknowledgement of the complaint which:
  - Advises and assures the complainant that confidentiality of the facts will be observed to the maximum extent possible.
  - Advises and assures the complainant that the District prohibits retaliation against anyone who files a complaint or participates in a complaint investigation.
  - States that the complaint investigation/resolution process will be completed within 30 days of receipt of the complaint.
  - Advises the complainant to call or send any additional information or documentation relevant to the complaint.
  - Informs the complainant that a written report of findings and conclusions, listing any corrective action taken, will be provided at the conclusion of the investigation.
- The Local District will conduct an impartial investigation and work to resolve the matter. A written report of findings and conclusions will be provided to the complainant and the respondent. The report should reiterate the assurance that the District will not tolerate retaliation against a complainant for the filing of a complaint. In the report of findings and conclusions, the Local District should also advise the complainant of the option to appeal the Local District's decision to the District's Section 504 Coordinator in the District's Educational Equity Compliance Office.

Formal Complaint Process – Appeal to the District's Section 504 Coordinator: In the formal complaint process, an appeal may be sent to the District's Section 504 Coordinator in the District's Educational Equity Compliance Office within 15 days of receipt of the Local District's decision letter. The appeal must be put in writing, be signed, should state the reason(s) for the appeal, and list any steps that were already taken in an attempt to resolve the complaint. A copy of the Local District's decision letter should be forwarded with the appeal. The complaint will then be reviewed by the District's Section 504 Coordinator using the same steps outlined for the initial formal complaint investigation. A final written letter of findings will be provided to the complainant with the disposition of the complaint and a rationale for the disposition.

Parent/Guardian Procedural Safeguards Under Section 504: Parents/guardians shall be notified in writing of all decisions concerning Section 504 identification, evaluation, or educational accommodations recommended for their child. Parents/guardians shall also be provided notice of their procedural safeguards under Section 504, including the right to disagree with and appeal the decision of the Section 504 Team. Parents/guardians of a student with disabilities have the right to:

- Receive written notice of the District's intent to identify, evaluate, and/or provide a Section 504 Plan for their child.
- Review all relevant records regarding their child and obtain copies of those records at reasonable costs.
- Request an impartial hearing if they disagree with their child's identification, evaluation, or Section 504 Plan, with opportunity for participation in the hearing and representation by an attorney at the parent's/guardian's expense.
- A review of the decision of the impartial hearing officer.

Impartial Hearings: Parents who wish to contest school actions involving their disabled student's identification, evaluation, and placement may request an impartial hearing by sending a written request to the District's Section 504 Coordinator in the Educational Equity Compliance Office. Because identification, evaluation, and placement involve compliance with procedural requirements, an impartial hearing can also be requested to address issues involving allegations of failure to comply with procedural requirements.

The Educational Equity Compliance Office will select an impartial hearing officer. The hearing officer selected will be qualified to review the Local District's decisions relating to Section 504 of the Rehabilitation Act of 1973 and will not be an employee of Los Angeles Unified School District or the Special Education Local Plan Area of which the District is a member.

The hearing shall be conducted, and a written decision pursuant to the standards set forth in Section 504 and related federal regulations will be mailed to all parties within 60 calendar days of the receipt of the written request for an impartial hearing. The parent/guardian has the right to seek representation by an attorney for the hearing at the parent's expense.

Either party has the right to seek a review of the decision of the Section 504 hearing officer by a court of appropriate jurisdiction. The parties shall abide by the decision of the Section 504 hearing officer unless the decision is stayed, modified, or overturned by a court of competent jurisdiction.

Informal Mediation Procedure: Within 10 days of the receipt of a written request for a hearing, the Educational Equity Compliance Office will offer to the complainant a voluntary informal pre-hearing mediation to be conducted by the

Local District's Section 504 Designee in a nonadversarial atmosphere in order to resolve issues relating to the identification, evaluation, or educational accommodations recommended for a student by the school site's Section 504 Team. The parent/guardian has the right to seek representation by an attorney for the mediation at the parent's expense.

The use of the informal mediation procedure shall not extend the District's timeline for conducting the hearing and resolving the area of disagreement—unless the parent/guardian agrees in writing to such an extension. If the mediation resolves the area of disagreement, a written confirmation of the results of the mediation will be provided to all parties affected and will conclude the process.

AUTHORITY: This is a policy of the Superintendent of Schools. The following legal standards are applied in this policy:

34 C.F.R. Part 104 - Section 504 of the Rehabilitation Act of 1973 - Nondiscrimination on the Basis of a Disability in Programs and Activities Receiving or Benefiting from Federal Financial Assistance

28 C.F.R. Part 35 - The Americans with Disabilities Act of 1990 - Nondiscrimination on the Basis of Disability in State and Local Government Services

California Education Code Chapter 2, Educational Equity - Article 3, Prohibition of Discrimination, §220

RELATED RESOURCES:

- A copy of the "Section 504 and Students with Disabilities" policy bulletin and additional information on Section 504 may be found in the publication, "Serving Students with Disabilities Under Section 504: A Reference Manual," which is issued by the Educational Equity Compliance Office.
- Additional information with regard to Section 504 and Students with Disabilities may be found at both of the following web sites http://www.lausd.net (general public and District employees) and http://notebook.lausd.net (District employees).
- Schools may order "Section 504 and Students with Disabilities" informational brochures from the District's Schools Supplies and Equipment Warehouse by using the current "Catalog of Supplies and Equipment."

ASSISTANCE: For assistance or further information please contact Sue Spears, Director, Educational Equity Compliance Office, and Los Angeles Unified School District Section 504 Coordinator, at (213) 241-7682.

LOS ANGELES UNIFIED SCHOOL DISTRICT
Office of the General Counsel/Educational Equity Compliance Office

Policy Bulletin No. 2130.0 ATTACHMENT A
December 14, 2005

GUIDELINES FOR SECTION 504 DATA ENTRY
IN DISTRICT'S STUDENT INFORMATION SYSTEM

The following procedures should be followed in order to ensure correct data entry of Section 504 Plans information into the Student Information System (SIS) and to ensure services for matriculating students with Section 504 Plans.

ELEMENTARY SIS SECTION 504 REPORT
for
Educational Equity Compliance Office

How to enter Section 504 meeting information into the Elementary SIS:

1) At the Main Menu of SIS, select Screen 24 – IWEN. Press <**Enter**>.
2) Type the 4-digit ID# of the student. Press <**Enter>**.
3) The cursor is now at the bottom of the screen at a CONTROL prompt. Type <**111**> and press <**Enter**>.
4) Enter the Section 504 Meeting date and press <**Enter**>.
5) Hold the <**Ctrl**> key and tap the <**C**> key. This will place the cursor at the CONTROL prompt.
6) To save the information, type <**F1**> at the CONTROL prompt and press <**Enter**>.
7) To exit the screen, hold the <**Ctrl**> key and tap the <**E**> key.

ELEMENTARY SIS ENGLISH SENTENCE
for
Educational Equity Compliance Office

This sentence will print all students in alphabetical order who have a Section 504 meeting date: **SORT XXXX WITH 111 BY NAME NAME BIRTHDATE GRADE 111 HEADING "STUDENT ROSTER WITH SECTION 504 MEETING DATE AS OF 'DLL"' (N)**

To type English sentences:
• At the main menu, type ***E*** and press <**Enter**>.
• Type ***PON*** and press <**Enter**>.
• Type an English sentence and press <**Enter**> to print.

To exit after printing:
• Type ***POFF*** and press <**Enter**>.
• Type ***GO*** and press <**Enter**>.

Substitute the following accordingly:
XXXX = Location Code
Please call Elementary SIS at (213) 241-4617 for assistance.

SECONDARY SIS SECTION 504 REPORT
for
Educational Equity Compliance Office

To extract a list of Section 504 students from the Secondary SIS, do the following:

1) At the SIS Menu, type:	**ID99,3**	**<Enter>**
2) At the Enrollment Status:	**Select 4**	**<Enter>**
3) At the Student Selection, type:	**761=Y**	**<Enter>**

Press the <Enter> key twice.

When the extract finishes, the screen displays a choice of two options.
Select **<F4> Create New Report Format**.

At the report title, type:	**Section 504 Students**
When the title is finished, press:	**<Enter>**

At the **Item Selection**, type in the following field numbers:

101 **104** **141** **761**

After field **761** is entered, press: **<F2>**

The items selected should show:

101 Student Name
104 Birthdate
141 Grade
761 Sectn 504 Date

Press **<F1>.** (The report should begin to print.)

Please call Secondary SIS at (213) 241-4850 if you need assistance.

LOS ANGELES UNIFIED SCHOOL DISTRICT
Educational Equity Compliance Office

REQUEST FOR SECTION 504 EVALUATION

Student _____ Date of Birth _____
School _____ Grade _____Local District _____
Student's Primary Language _____English Language Level _____

Parent(s)/Guardian(s) _____
Home Address_____
Home Phone _____Business Phone _____

I/We wish to have the above-named student evaluated for possible accommodations under Section 504 of the Rehabilitation Act of 1973.

Person(s) making the request (please indicate relationship to student; e.g., parent, teacher)
Name_____ Relationship _____
Name_____ Relationship _____
Date of Request _____

STUDENTS NEED(S)/AREA(S) OF CONCERN:

1. **What is the student's suspected disability?**
   _____

2. **What major life activity is substantially limited? (Check below all that apply.)**
   _____ Caring for one's self
   _____ Walking
   _____ Breathing
   _____ Speaking
   _____ Performing manual tasks
   _____ Hearing
   _____ Working
   _____ Learning
   _____ Other (explain) _____

   Additional comments:_____
   _____
   _____

   Are there any current medical records, outside agency reports, prior school evaluations, etc., that would assist the team in evaluating the student? Please list (and attach, if available).
   _____
   _____
   _____

   Has the student ever been evaluated for special education services_____
   If yes, please indicate when: _____

Received by _____ Date _____

Return this form to the School Section 504 Designee. Attach any supportive documentation.

DISTRITO ESCOLAR UNIFICADO DE LOS ANGELES
Oficina para el Cumplimiento de las Leyes de Equidad Educativa

SOLICITUD PARA UNA EVALUACIÓN SEGÚN EL ARTÍCULO 504

Estudiante _____ Fecha de nacimiento _____
Escuela _____Grado: _____ Distrito Local _____
Idioma natal del estudiante _____Nivel del Idioma Inglés _____

Padres o tutor(es)_____
Direccíon del hogar _____
Teléfono del hogar _____Teléfono laboral _____

Yo (Nosotros) deseo (deseamos) que se evalúe al estudiante mencionado en el párrafo anterior para determinar si es necesario realizar modificaciones conforme el Artículo 504 de la ley de Rehabilitación de 1973.
Persona (personas) que presentó (presentaron) esta solicitud (favor de señalar la relación de la persona con el estudiante, ejemplo: padre o madre, maestro):
Nombre y apellido _____Relación _____
Nombre y apellido _____Relación _____
Fecha de la solicitud _____

ASPECTOS DE NECESIDAD DEL ESTUDIANTE:

1. **¿Cuál es la discapacidad que se sospecha que tiene el estudiante?**_____

2. **¿Qué actividad principal de la vida diaria están significativamente limitada? (Marcar a continuación todas las que correspondan.)**

_____ Cuidarse a sí mismo	_____ Realizar tareas manuales
_____ Caminar	_____ Oír
_____ Respirar	_____ Trabajar
_____ Hablar	_____ Aprender
_____ Otro (explicar) _____	

Comentarios adicionales: _____
_____
_____

¿Tiene algún expediente actual del médico, informes de entidades externas, anteriores evaluaciones escolares, etc. que ayudarían al comité para evaluar al estudiante? Favor de enumerarlos (y, si fuera posible, adjuntarlos).
_____
_____

¿Alguna vez se evaluó al estudiante para los servicios de educación especial?_____
_____
_____

Si la respuesta es afirmativa, señale cuándo fue_____

Recibido por _____Fecha _____

Devuelva este formulario a la persona a cargo de los asuntos del Artículo 504. Por favor adjunte la documentación apropiada.

LOS ANGELES UNIFIED SCHOOL DISTRICT
Educational Equity Compliance Office

RESPONSE TO REQUEST FOR SECTION 504 EVALUATION

Date _____

Dear _____
Parent(s)/Guardian(s)

RE: Requested Section 504 Evaluation for:

Student _____ Date of Birth _____
School _____ Grade _____ Local District _____

This is to inform you that your request for a Section 504 Evaluation was received and considered, and, based upon a review of existing information, it was determined that a Section 504 Evaluation is not appropriate at this time. The following documents and records were reviewed in making this decision:

___Student Records	___Teacher Reports	___State/District Assessments
___Student Success Team Decisions	___Progress Reports	___Independent/Agency Reports
___Health/Medical Records	___Grades	___Psycho-Educational Reports
___Observation Report Forms	___Portfolios	___Other
___Disciplinary Records	___Attendance Records	

The request for a Section 504 Evaluation is denied because_____
_____
_____
_____
_____

Under Section 504 of the Rehabilitation Act of 1973, parent(s)/guardians(s) of children with disabilities have procedural safeguards. Parent(s)/guardian(s) have the right to appeal local school site decisions with regard to the identification, evaluation, or accommodation(s) of students under Section 504. Such appeals must be put in writing and sent to the Local District Office (address):

_____
_____

within 15 days of receiving notice of the school site decision. Please consult the attached "Parent/Guardian Procedural Safeguards under Section 504 of the Rehabilitation of 1973" form for other appeal options. For assistance, you may contact:

_____ at _____
(Local District Section 504 Designee) (Phone Number)

If you have questions or would like to schedule a meeting to discuss this matter, please do not hesitate to make contact with me at _____.
(Phone Number)

_____
School Section 504 Designee

Attachment: Parent/Guardian Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973 (SEC504—FORM C)

DISTRITO ESCOLAR UNIFICADO DE LOS ANGELES
Oficina para el Cumplimiento de las Leyes de Equidad Educativa

RESPUESTA A LA SOLICITUD PARA UNA EVALUACIÓN SEGÚN EL ARTÍCULO 504

Fecha	

Padres o tutor(es)	

RE: Solicitud para la evaluación según el Artículo 504 de:

Estudiante		**Fecha de nacimiento**			
Escuela		**Grado**		**Distrito Local**	

El propósito de la presente es informarle que hemos recibido su solicitud de una evaluación según el Artículo 504 y después de considerarla hemos determinado, después de revisar la información existente, que en estos momentos no corresponde realizar una evaluación del estudiante según el Artículo 504. Para tomar esta decisión, hemos examinado los siguientes documentos y archivos:

☐ Expedientes académicos del estudiante ☐ Informes de los maestros ☐ Evaluaciones estatales y del Distrito
☐ Decisiones del Comité Pedagógico ☐ Informes de progreso ☐ Informes independientes o de agencias
☐ Archivos medicos y de salud ☐ Calificaciones ☐ Informes psicoeducativos
☐ Informes de las observaciones ☐ Carpetas de trabajo ☐ Otros
☐ Expedientes disciplinarios ☐ Expedientes de asistencia

La solicitud de una evaluación según el Artículo 504 ha sido denegada debido a:

Bajo el Artículo 504 de la ley de Rehabilitación de 1973, los padres o tutores de niños discapacitados cuentan con garantías procesales. Los padres o tutores tienen el derecho a apelar la decisión de la escuela local respecto a la identificación, evaluación o modificaciones según el Artículo 504. Dicha apelación se deberá presentar por escrito y enviar a la oficina del Distrito Local (dirección):

(Persona a cargo de los asuntos del Artículo 504 en el Distrito Local)	**(Dirección del Distrito Local)**

Dentro de los 15 días de haber recibido la notificación de la decisión por parte de la escuela. Favor de consultar el documento adjunto "Garantías procesales para los padres o tutores según el Artículo 504 de la ley de Rehabilitación de 1973" para ver otras opciones de apelación, y para obtener ayuda puede comunicarse con la oficina del Distrito Local:

(Persona a cargo de los asuntos del Artículo 504 en el Distrito Local)	**(Número de teléfono)**

Si tiene alguna pregunta o si deseara programar una reunión para discutir este asunto, no dude en llamarme al:

(Persona a cargo de los asuntos del Artículo 504 en el Distrito Local)	**(Número de teléfono)**

Documentos adjuntos: Garantías procesales para los padres o tutores según el Artículo 504 De la ley de Rehabilitación de 1973 (ART504-Formulario C)

LOS ANGELES UNIFIED SCHOOL DISTRICT
Educational Equity Compliance Office

PARENT/GUARDIAN PROCEDURAL SAFEGUARDS UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973

Under Section 504 of the Rehabilitation Act of 1973, students with disabilities have the right to receive a free appropriate public education, which includes the right to be educated with students without disabilities to the maximum extent appropriate. Further, students with disabilities have the right to take part in, and receive benefits from, public education programs without discrimination or harassment based on those disabilities.

The purpose of this notice is to describe the procedural safeguards provided to the parents/guardians of students with disabilities under Section 504 of the Rehabilitation Act of 1973. The intent of the law is to keep parents fully informed concerning the District's decisions to identify, evaluate, and/or make accommodations for their children. Parents/guardians of a student with disabilities, have the right to:

- receive written notice of the District's intent to identify, evaluate, and/or to provide a Section 504 plan for their child;

- review all relevant records regarding their child and obtain copies of those records at reasonable costs;

- request an impartial hearing if they disagree with their child's identification, evaluation, or Section 504 plan, with opportunity for participation in the hearing and representation by an attorney at the parents'/guardians' expense; and

- a review of the decision of the impartial hearing officer.

For further information or assistance if you should disagree with Section 504 decisions regarding your child or to request an impartial hearing, please contact:

Sue Spears, Director
Educational Equity Compliance Office
Los Angeles Unified School District Section 504 Coordinator
333 South Beaudry Avenue—20th Floor; Los Angeles, CA 90017

(213) 241-7682

DISTRITO ESCOLAR UNIFICADO DE LOS ANGELES
Oficina para el Cumplimiento de las Leyes de Equidad Educativa

GARANTÍAS PROCESALES PARA LOS PADRES O TUTORES SEGÚN EL ARTÍCULO 504 DE LA LEY DE REHABILITACIÓN DE 1973

Según el Artículo 504 de la ley de Rehabilitación de 1973, los estudiantes discapacitados tienen el derecho de recibir educación pública, adecuada y gratuita, lo cual incluye el derecho a educarse con los estudiantes sin discapacidades, en el máximo grado que le sea posible. Además, los estudiantes discapacitados tienen el derecho de participar y de recibir los beneficios que brindan los programas de educación pública sin ser discriminados ni acosados por dichas discapacidades.

El propósito de esta notificación es describir las garantías procesales que corresponden, conforme el Artículo 504 de la ley de Rehabilitación de 1973, a los padres de familia o tutores de los estudiantes discapacitados. La intenció de la ley es proporcionar a los padres toda la información relacionada con las decisiones que tome el Distrito al identificar, evaluar y (o) hacer modificaciones en la clase para su hijo(a). Los padres o tutores de un estudiante discapacitado tienen el derecho de:

- ReEecibir notificación escrita por parte del Distrito en cuanto a su intención de identificar, evaluar, y(o) elaborar un plan conforme el Artículo 504 para su hijo(a);

- Examinar todos los expedientes pertinentes concernientes a su hijo(a) y obtener copias de dichos expedientes a un costo razonable;

- Solicitar una audiencia imparcial cuando no estuvieran de acuerdo con la identificación, evaluación o plan conforme el Artículo 504 de su hijo(a), teniendo la oportunidad de participar en la audiencia y de buscar la representación de un abogado, cuyo costo estaría a cargo de los padres o tutores; y

- Revisar la decisión del agente a cargo de la audiencia imparcial.

Para obtener más información cuando no está de acuerdo con las decisiones acercaa de su hijo(a) en relación con el Artículo 504 o al solicitar una audiencia imparcial, favor de comunicarse con:

Sue Spears, Directora
Directora de la Oficina para el Cumplimiento de las Leyes de Equidad Educativa
Coordinador(a) del Artículo 504 del Distrito Escolar Unificado de Los Angeles
333 South Beaudry Avenue, 20th Floor; Los Angeles, CA 90017

(213) 241-7682

LOS ANGELES UNIFIED SCHOOL DISTRICT
Educational Equity Compliance Office

NOTICE OF SECTION 504 EVALUATION

Date notice and "Parent/Guardian Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973" (SEC504—FORM C) are being sent:

With regard to:

Student			**Date of Birth**		
School		**Grade**		**Local District**	

Dear	
	Parent (s)/Guardian (s)

As part of our on-going effort to assist your child to be a better learner, members of our Section 504 team would like to complete an evaluation. The results of the evaluation will be used to determine the best ways to meet your child's educational needs in his or her classroom/classes. School staff will be involved in observations, interviews, a review of cumulative records, work samples, and other data collection. If you have any current medical, psychological, or outside tutoring records and you wish the team to consider them, please provide copies of these records to the School Section 504 Designee prior to the scheduled meeting.

This letter is to provide you with written notice that a Section 504 Evaluation will be held:

Date	**Time**	**Place**

Although your participation in this evaluation meeting is not required by law, your attendance at the meeting would be welcome. You may also provide any of the informational records (mentioned above) that you feel might assist the Section 504 team members in making decisions about your child's instructional program.

Please check one of the choices below:

- ☐ I will attend the meeting.
- ☐ I will be unable to attend the meeting.

Please check the following, sign below, and return the signed copy of this form to the school as soon as possible before the date of the planned meeting:

- ☐ I understand that a copy of the results of the meeting will be provided to me whether I am present or not.
- ☐ I have received a copy of the "Parent/Guardian Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973" (SEC504—FORM C)

Parent/Guardian Signature:		**Date**	

If you have any questions or need additional information, you may address your questions to:

School Section 504 Designee:	
Telephone Number:	

See "Parent/Guardian Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973" (SEC504—FORM C)

DISTRITO ESCOLAR UNIFICADO DE LOS ANGELES
Oficina para el Cumplimiento de las Leyes de Equidad Educativa

NOTIFICACIÓN DE LA EVALUACIÓN SEGÚN EL ARTÍCULO 504

Mediante esta notificación se envía la fecha y las "Garantías procesales para los padres o tutores según el Artículo 504 de la ley de Rehabilitación de 1973" a:_____

Con respecto a:

Estudiante			**Fecha de nacimiento**		
Escuela		**Grado**		**Distrito Local**	
Estimado(a)					
	Padres o Tutor (es)				

Como parte de nuestros esfuerzos por ayudar a su hijo (a) a aprender mejor, los miembros de nuestro comité del Artículo 504 desean evaluar al estudiante. Los resultados de la evaluación se utilizarán para determinar cuál es la mejor manera de satisfacer las necesidades educativas de su hijo (a) en su (s) clase (s). El personal escolar participará en las observaciones, entrevistas, revisión del expediente global y de las muestras de los trabajos del estudiante y de otros datos acumulados. Si usted cuenta con expedientes actualizados del médico, psicólogo o de instrucción particular externa y desea que el comité los examine, sírvase proporcionar fotocopias de dichos expedientes a la persona a cargo de los asuntos del Artículo 504 en la escuela, antes de la reunión programada.

El propósito de esta carta es notificarle por escrito que se llevará a cabo una evaluación según el Artículo 504:

Fecha	**Hora**	**Lugar**

Aunque la ley no requiere su participación en esta reunión de evaluación, nos sería muy grata su presencia en la misma. También, usted puede proporcionar cualquiera de los expedientes informativos (mencionados en el párrafo anterior) que considere de ayuda para que los miembros del comité del Artículo 504 tomen decisiones sobre el programa académico de su hijo (a).

Sírvase marcar una de las opciones a continuación:

- ☐ Asistiré a la reunión.
- ☐ No me será posible asistir a la reunión.

Sirvase marcar y firmar las opciones a continuación y entregue en la escuela una copia de este formulario firmada lo más pronto posible, antes de la fecha programada para la reunión:

- ☐ Entiendo que se me proporcionará una copia de los resultados de la reunión, aunque no me presente en la misma.
- ☐ He recibido una copia dela "Garantías procesales para los padres o tutores según el Artículo 504 de la ley de Rehabilitación de 1973" (ART504—Formulario C)

Firma del padre, la madre o el tutor:		**Fecha**	

Si tuviera alguna pregunta o si necesitara información adicional, puede dirigir sus preguntas a:

Persona a cargo de los asuntos del Artículo 504 en la escuela:	
Numero de teléfono:	

LOS ANGELES UNIFIED SCHOOL DISTRICT
Educational Equity Compliance Office

SECTION 504 TEACHER OBSERVATION FORM

Teacher		**Date**	

Student				**Date of Birth**	
School		**Grade**		**Local District**	

Please complete the following teacher observation information and return this form to the School Section 504 Designee within two (2) days to enable the Section 504 team to conduct a Section 504 evaluation for the above-named student.

TEACHER OBSERVATIONS

Based on your knowledge and observation, please rate this student's performance.

OBSERVATIONS	UNSATISFACTORY				EXCELLENT
Classroom Work	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐
Homework	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐
Tests	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐
Reading Performance	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐
Math Performance	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐
Written Performance	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐
Spelling	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐
Following Oral Directions	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐
Attendance	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐
Attention Span	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐
Organization Skills	1 ☐	2 ☐	3 ☐	4 ☐	5 ☐

ACTIONS TAKEN (Check only those that apply)		**RESULTS**
	Sent Reports Home	
	Talked with Counselor	
	Rearranged Seating	
	Isolated Student	
	Ignored Behavior	
	Referred to Administrator	

	Contracts	
	Assigned Sheets	
	Repetition	
	Tutoring	
	Alternative Assignments	
	Additional Time for Assignments	
	Small Group Instructions	
	Cooperative Learning	
	Peer Tutoring	
	Parent Conferences	
	Other	

BEHAVIORAL CHARACTERISTICS

Check behavioral characteristics which might adversely affect this student's learning.

☐ Shyness	☐ Moody	☐ Anxious
☐ Rejected by Peers	☐ Daydreams	☐ Aggressive
☐ Irritable	☐ Needs Constant Encouragement	☐ Disruptive
☐ Distractible	☐ Quarrelsome	☐ Withdrawn

EMOTIONAL/BEHAVIORAL/SOCIAL CHARACTERISTICS

Indicate (+) for strengths; (-) for areas of concern.

	Generally cooperates/is compliant with teacher requests		Adapts to new situations without getting upset
	Accepts responsibility for own actions		Makes and keeps friends at school
	Works cooperatively with others his/her own age		Has an even, usually happy disposition
	Is pleased with good work		Independently initiates activities
	Responds appropriately to praise and correction		Resists becoming discouraged by difficulties or minor setbacks
	Consistently demonstrates behavior appropriate for his/her age		

OTHER OBSERVATIONS

	Yes	No
Student meets standards of personal independence expected of chronological age/culture group	☐	☐
If no, give an estimate of student's level of personal independence:		
Student meets standards of social responsibility expected of the chronological age/culture group	☐	☐
If no, give an estimate of student's level of social responsibility:		

DISCIPLINE

	Yes	No
Is discipline an area of concern?	☐	☐

LOS ANGELES UNIFIED SCHOOL DISTRICT
Educational Equity Compliance Office

SECTION 504 EVALUATION DOCUMENTATION

Student			**Date of Birth**		
School		**Grade**		**Local District**	

SECTION 504 EVALUATION MEETING

A Section 504 Evaluation Meeting has been scheduled for		
	(Day/Date)	(Time)

The following items have been provided to the parent/guardian:

	Date Sent	Sent By
Notice of Section 504 Evaluation		
Parent/Guardian Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973		

Parent/guardian has responded to Section 504 Meeting notice: ☐ **Will attend** ☐ **Will not attend**
Reason for Section 504 Meeting:
☐ **Initial Section 504 Evaluation** ☐ **Re-evaluation** ☐ **Section 504 Link Determination**

REVIEW OF AVAILABLE INFORMATION

TEACHER OBSERVATION (See attached Section 504 Teacher Observation Form.)

ACHIEVEMENT DATA

1. **List Most Recent Achievement Test Scores**

Subject	Grade Tested	Current Grade	Stanines	Percentiles	Performance Level
Reading Vocabulary					
Reading Comprehension					
Mathematics					
Language Arts					
Social Studies					
Science					
Star Mathematics					
Star Language Arts					

This student's test scores:
- ☐ have become higher each year
- ☐ have stayed about the same each year
- ☐ have become worse each year
- ☐ dropped suddenly in grade
- ☐ data not available

Compared to the mean of the District, this student's test scores:
- ☐ have become better each year
- ☐ have stayed about the same each year
- ☐ have become worse each year
- ☐ District mean not available

REVIEW OF AVAILABLE INFORMATION Continued . . .

2. **Current Grades**

Subject	Grade

This student's grades:
- ☐ have become better each year
- ☐ have stayed about the same each year
- ☐ have become lower each year
- ☐ dropped suddenly in grade
- ☐ data not available

Compared with most of the other students in this school, this student's grades:
- ☐ are better
- ☐ are about the same
- ☐ are worse
- ☐ data not available

3. **Has this student been retained?**

	If yes, indicate at which grade level (s)	

HOME LANGUAGE SURVEY

Student's language is		Home language is	

English Language Learner: Yes ☐ No ☐

If yes, is the student's language contributing to the student's lack of achievement in school? Please explain:

HEALTH

Student Performance	**Vision**	**Hearing**
Screening Date		
Screening Results		

Health Condition

YES NO

☐ ☐ Is there a health condition that adversely affects the student's learning? If YES, explain:

☐ ☐ Is the student currently on medication at home or at school? If YES, explain:

☐ ☐ Does the student require an accessible facility? If yes, explain:

REVIEW OF AVAILABLE INFORMATION Continued . . .

3. **Other Health Information:**

Health information reviewed by		**Date**	

ATTENDANCE

Days Present		**Days Absent**		**Number of School Changes**	

SECTION 504 CRITERIA

Based on the evaluation data drawn upon information from a variety of sources, the Section 504 team must answer the following questions to determine whether the student meets the criteria for an educational placement under Section 504.

1. **Does the student have a potentially limiting mental or physical disability?**
   ☐ YES ☐ NO

   If YES, describe the nature of the condition.

2. **Does the student's disability impair a major life activity?**
   ☐ YES ☐ NO

   If YES, describe which major life activity/activities is/are affected.

3. **Does the physical or mental impairment substantially limit a major life activity?** (That is, as a result of the physical or mental impairment, is the student significantly restricted as to the condition, manner or duration under which the student can perform a particular major life activity as compared to the condition, manner, or duration under which the average student the same age/grade level in the general population can perform that same major life activity?
   ☐ YES ☐ NO

   If YES, what documentation is there to support the claim of a substantial limitation?

4. **Does the student require a Section 504 Plan in order for his/her educational needs to be met as adequately as those of non-disabled peers?**
   ☐ YES ☐ NO
   If NO, explain.

   (Note: If the student's needs are so extreme as to require special education under IDEA, a referral to special education should be considered.)

If all four questions were answered "Yes," the student meets the criteria for an educational placement under

Section 504 and a Section 504 plan should be developed. If any answer is "No," the student does not meet the criteria and the student is not eligible for an educational placement under Section 504.

DISCIPLINE

Consider the student's disability and whether it would or would not have an effect on behavior:

☐ The student's disability **would not** cause him or her to violate school rules; therefore, the student will be accountable for following school rules.

☐ The student's disability **would require** that an accommodation be made to ensure compliance with school Intervention Plan.) (Any such accommodation will be specified in the Section 504 Plan and/or in a Section 504 Behavior Support Plan.

TESTING

Consider whether the student's disability will have an effect on the student's participation in state and district-wide assessments:

☐ The student should be able to participate in state and district-wide assessments **without any accommodations** provided.

☐ The student requires accommodations to participate in state and district wide assessments, **with accommodations to be specified in the Section 504 Plan.**

The Section 504 team reviewed and carefully considered the following data which was drawn from a variety of sources.
(Please check any that apply from the following list.)

☐ Grade reports
☐ Disciplinary records/referrals
☐ Standardized tests/Other tests
☐ School health information
☐ Medical evaluations/diagnoses supplied by parents
☐ Parent input
☐ Teacher/Administrator input
☐ Student work portfolio
☐ Student Success Team suggestions
☐ Other _____
☐ Other _____
☐ Other _____
☐ Other _____

The Section 504 Team's analysis of the eligibility criteria as applied to the evaluation data indicates that:

☐ The student does not meet the criteria under Section 504 and will continue to receive general education and any available general education resources and programs.

☐ The student meets the criteria under Section 504 and will receive a Section 504 plan.

☐ The student continues to meet the criteria under Section 504 and will receive a revised Section 504 Plan. (This applies to periodic re-evaluations only.)

☐ The student no longer meets the criteria under Section 504 and no longer requires a Section 504 plan. The student will now receive general education and available general education programs.

The following Section 504 team members acknowledge by their signature their participation in this section 504 evaluation for

(student name)

and indicate their particular area of knowledge with regard to this student:

NAME (Please print)	SIGNATURE	KNOWLEDGE OF
Position Title		☐ Student ☐ Evaluation Data ☐ Educational Placement
Position Title		☐ Student ☐ Evaluation Data ☐ Educational Placement
Position Title		☐ Student ☐ Evaluation Data ☐ Educational Placement
Position Title		☐ Student ☐ Evaluation Data ☐ Educational Placement
Position Title		☐ Student ☐ Evaluation Data ☐ Educational Placement
Position Title		☐ Student ☐ Evaluation Data ☐ Educational Placement
Position Title		☐ Student ☐ Evaluation Data ☐ Educational Placement

Parents/guardians have the right to appeal the local school site's decisions with regard to the identification, evaluation, or accommodations of students under Section 504. Such appeals must be put in writing and sent to the Local District Office

(Local District Office Address)

within 15 days of receiving notice of the school site decision. Please consult the attached "Parent/Guardian Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973" form for other appeal options.

For additional information or assistance, parents/guardians may call the Local District Office and ask to speak to the Local District's Section 504 Designee.

(Local District Office Telephone Number)

***ATTACHMENT: "Parent/Guardian Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973"**

LOS ANGELES UNIFIED SCHOOL DISTRICT
Educational Equity Compliance Office

SECTION 504 PLAN

Student				**Date of Birth**	
School		**Grade**		**Local District**	
Date of Plan		**Projected Re-Evaluation Date:**			

Indicate here the student's mental/physical impairment:

and indicate below the specific area(s) of educational impact and the type of related accommodation(s) needed to support an effective educational program for the student; e.g., changes in the classroom environment, changes in testing procedures, use of various classroom materials, teaching strategies to be employed, etc. Also indicate who will be responsible for each accommodation (teacher, student, parent/guardian, counselor, school nurse, etc.) and the frequency or when the action, strategy, or accommodations to be made.

Area(s) of Educational Impact	Related Accommodation(s)	Person(s) Responsible	Frequency (when action will be taken)

(USE THIS SIDE OF FORM ONLY IF APPLICABLE)

SECTION 504 BEHAVIOR SUPPORT PLAN

Student			**Date of Birth**		
School		**Grade**		**Local District**	

The behavior interventions outlined below will begin for the above-named student as of (date):	

Behavior(s) of the student that are targeted for intervention:

Type(s) of appropriate behavioral interventions for the student:

- ☐ Set clearly defined limits
- ☐ Seat student near teacher
- ☐ Reduce distracting stimuli
- ☐ Use praise to reinforce appropriate behaviors
- ☐ Give frequent reminder of rules
- ☐ Use journal of daily or weekly behaviors
- ☐ Use predetermined signaling device to cue student that a specified behavior is desired
- ☐ Assign peers to work with student
- ☐ Prompt student to go to a quiet area in class where noise and activity are not allowed
- ☐ Supervision during unstructured time
- ☐ Provide student with a consistent routine (daily or weekly schedule of events)
- ☐ Other intervention(s). Specify

Set up a behavioral contract with the student.
Specify below the type of behavior expected and the type of reinforcements to be used:

Set up a system of rewards/affirmations for desired behaviors exhibited and the types of consequences that will be affected if opposite behaviors are exhibited:

Desired Behavior	Rewards/Affirmations for Desired Behavior	Consequences for Undesirable Behavior	Personnel Responsible

Specify the form of communication to be used to advise parent(s)/guardian(s) of progress or lack of progress made:
☐ Daily Tracking Form ☐ Weekly Tracking Form ☐ Notes Home ☐ Phone Calls ☐ Parent Conferences

LOS ANGELES UNIFIED SCHOOL DISTRICT
Educational Equity Compliance Office

SECTION 504 TEAM DECISION

School Name

Date	

Dear	
	Parent(s)/Guardian(s)

RE: The Section 504 Team Meeting held on	
	(Date)

For your child	
	(Student's Name)

The Section 504 team met to evaluate your child to determine if he/she has a mental/physical impairment that substantially limits a major life activity. The attached "Section 504 Evaluation Documentation" summarizes the results of the evaluation meeting.

☐ Your child met the criteria as disabled under Section 504 and a plan was developed to assist her/him in the general education program. Attached is a copy of the plan.

☐ Your child did not meet the criteria as disabled under Section 504 and will continue to receive general education and any available general education resources and programs.

Parents/guardians have the right to appeal local school site decisions with regard to the identification, evaluation, or accommodation of students under Section 504. Such appeals must be put in writing and sent to the Local District Office (address):

within 15 days of receiving notice of the school site decision. Please consult the attached "Parent/Guardian Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973" form for other appeal options, and/or for assistance, you may contact the Local District Office at:

(Local District Office Phone Number)

Sincerely,

School Section 504 Designee

Attachment: Parent/Guardian Procedural Safeguards under Section 504 of the Rehabilitation Act of 1973 (SEC504—FORM C)

DISTRITO ESCOLAR UNIFICADO DE LOS ANGELES
Oficina para el Cumplimiento de las Leyes de Equidad Educativa

DECISIÓN DEL COMITÉ DEL ARTÍCULO 504

Nombre de la escuela

Fecha	

Estimado	
	Padres o tutor (es)

RE: La reunión del comité del Artículo 504, llevada a cabo el	
	(Fecha)

Para su hijo (a),	
	(Nombre a apellido del estudiante)

El comité del Artículo 504 se reunió para evaluar a su hijo (a) y determinar si tiene un impedimento físico o mental que limite considerablemente una de las actividades principales para la vida diaria. El "Documento de la Evaluación según el Artículo 504" adjunto hace una síntesis de los resultados de la reunión de evaluación.

☐ Su hijo (a) reúne las características establecidas según el Artículo 504 para los estudiantes discapacitados y se ha elaborado un plan para ayudarlo (a) en el programa de educación regular. Se adjunta a la presente una copia de dicho plan.

☐ Su hijo (a) no reúne las características establecidas según el Artículo 504 para los estudiantes discapacitados y continuará en el programa de educación regular, y con todos los recursos y programas disponibles en educación regular.

Los padres o tutores tienen el derecho a apelar la decisión de la escuela local respecto a la identificación, evaluación o modificaciones según el Artículo 504. Dicha apelación se deberá presentar por escrito y enviar a la oficina del Distrito Local (dirección):

Dentro de los 15 días de haber recibido la notificación de la decisión por parte de la escuela. Favor de consultar el documento adjunto "Garantías procesales para los padres o tutores según el Artículo 504 de la ley de Rehabilitación de 1973" par aver otras opciones de apelación, y para obtener ayuda puede comunicarse con la oficina del Distrito Local:

(Número de teléfono de la oficina del Distrito Local)

Atentamente,

Persona a cargo de los asuntos del Artículo 504 en la escuela

Documento adjuntos: Garantías procesales para los padres o tutores según el Artículo 504 de la ley de Rehabilitación de 1973 (ART504—Formulario C)

LOS ANGELES UNIFIED SCHOOL DISTRICT
Educational Equity Compliance Office

(To be used before any significant change in placement made for disciplinary reasons for a student with a Section 504 Plan.)

SECTION 504 LINK DETERMINATION MEETING

Date of Section 504 Link Determination Meeting:	

Student			**Date of Birth**		
School		**Grade**		**Local District**	

Describe the specific misbehavior/actions of the student that are the basis for considering a change in placement for disciplinary reasons

Student's mental/physical disability as indicated on the "Section 504 Evaluation Documentation" form (SEC504—Form F)

Was the student's misconduct linked to the student's mental/physical disability?

1. Yes ☐ No ☐ Was the misconduct caused by, or directly and substantially related to, the child's disability?

2. Yes ☐ No ☐ Was the misconduct a direct result of the District's failure to implement the Section 504 Plan?

☐ The Section 504 Team has determined that the behavior being considered for disciplinary action ***is not linked*** **to the student's mental/physical disability** and the student may be disciplined in the same manner as other non-disabled students.

☐ The Section 504 Team has determined that the behavior being considered for disciplinary action ***is linked*** **to the student's mental/physical disability** and, as a result, the student's behavior will be addressed in the following manner:

LOS ANGELES UNIFIED SCHOOL DISTRICT
Educational Equity Compliance Office

SECTION 504 PLAN DISTRIBUTION NOTICE

DATE:	

TO:	

(Indicate names/titles of persons designated to receive copies of this Section 504 plan)

FROM:	
	(School Section 504 Designee)

Attached is a copy of the Section 504 plan to be implemented as a result of the Section 504 team's decisions regarding the following student:

Student			**Date of Birth**		
School		**Grade**		**Local District**	

It is imperative that the accommodations written in the Section 504 plan be fully implemented so that we are in compliance with Section 504, a federal law that establishes protections for students with disabilities.

Failure to comply with Section 504 law regarding the implementation of a Section 504 plan or the disregard of the protected rights of a student with disabilities may result in an investigation and ruling by the United States Department of Education, Office for Civil Rights (OCR). Such a ruling could result in the loss of all District federal funds as well as personal civil rights suits against District employees who fail to comply with the law.

LOS ANGELES UNFIED SCHOOL DISTRICT
Educational Equity Compliance Office

SECTION 504 COMPLAINT FORM

Last Name			**First Name/MI**		
Street Address/Apt. #					
City		**State**		**Zip Code**	
Home Phone			**Message/Work Phone**		
Concerning:					
	(Name of Student)		**(Name of School)**		

Please check below--This complaint concerns allegations of:

- ☐ **a violation of Section 504 policy/procedures**
- ☐ **a disagreement with the District's Section 504 decisions to identify, evaluate, and/or to make accommodations for a student (within 15 days of receiving the decision notice)**
- ☐ **disability-based discrimination/harassment (The complaint must be filed within 6 months of the last occurrence of the alleged discrimination.)**

1. Please give facts about the complaint. Provide details such as names of those involved, dates, whether witnesses were present, etc., that might be helpful to the complaint investigator.

Please supply copies of any written documents that may be relevant to/supportive of your complaint. I have attached supporting documents: ☐ Yes ☐ No

2. Please state the specific relief you are seeking.

3. Have you discussed with or brought your complaint to any Los Angeles Unified School District personnel? If you have, to whom did you take your complaint, and what was the result?

I certify that the foregoing is true and correct:

Signature:		**Date:**	

For office use only:	**Date received:**		**Initial:**	

Attach additional sheets for details if needed. Mail complaint/documents to:
Educational Equity Compliance Office—Los Angeles Unified School District
333 South Beaudry Avenue—20th Floor; Los Angeles, CA 90017

For assistance in completing this form, please contact the Educational Equity Compliance Office at (213) 241-7682.

DISTRITO ESCOLAR UNIFICADO DE LOS ANGELES
Oficina para el Cumplimiento de las Leyes de Equidad Educativa

FORMULARIO PARA PRESENTAR UN RECLAMO SEGÚN EL ARTÍCULO 504

Apellido		**Nombre e inicial**			
Direccíon (calle y número de departamento)					
Ciudad		**Estado**		**Código postal**	
Teléfono del hogar		**Teléfono laboral**			
Concerniente a					
	(Nombre y apellido del estudiante)		**(Nombre de la escuela)**		

Favor de marcar a continuación: Este reclamo concierne un (a) supuesto (a):

☐ **Infracción de las normas o procedimientos del Artículo 504**
☐ **Desacuerdo con la decisión del Distrito sobre el Artículo 504 al identificar, evaluar o realizar modificaciones para un estudiante (dentro de 15 días de recibir la notificación de la decisión)**
☐ **Discriminación o acoso con base en una discapacidad (se deberá presentar el reclamo dentro de los 6 meses de la última vez que ocurrió la supuesta discriminación)**

1. Favor de proporcionar hechos relacionados con el reclamo. Brindar detalles como los nombres de las personas involucradas, las fechas, si hubo testigos presentes, etc., que pudieran ser de ayuda para la persona que investiga el reclamo.

Favor de proporcionar copias de todo documento escrito que pueda ser de importancia o que apoye su reclamo. He adjuntado los siguientes documentos: ☐ Sí ☐ No

2. Favor de indicar la forma de ayudar específica que usted necesita.

3. Ha hablado usted o apresentado este reclamo ante algún miembro del personal del Distrito Escolar Unificado de Los Angeles? Si lo ha hecho, a quién le ha presentado su reclamo y cuál fue el resultado que obtuvo al hacerlo?

Certifíco que lo que antecede es verdadero y correcto:

Firma:		**Fecha:**	

Sólo para la ofícina:	**Fecha en que fue recibido:**		**Iniciales:**	

Si fuera necesario, adjunte los detalles en páginas adicionales. Envíe el reclamo o los documentos por correo a:
Educational Equity Compliance Office—Los Angeles Unified School District
333 South Beaudry Avenue—20th Floor; Los Angeles, CA 90017

Para obtener ayuda para completer este formulario, por favor póngase en contacto con la Oficina para el Cumplimiento de las Leyes de Equidad Educativa al (213) 241-7682.