JORDAN SCHOOL DISTRICT

Policies and Procedures for the Implementation of SECTION 504 OF THE REHABILITATION ACT OF 1973

8/17/2011

JORDAN SCHOOL DISTRICT

SECTION 504/ADA POLICY

The Jordan School District is committed to providing disabled children who attend our schools with the opportunity to participate in, and benefit from, our educational system. The following is the official written policy for compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA).

Introduction:

This manual provides a system for the implementation of the procedural provisions of the Rehabilitation Act of 1973, Section 504, Subpart D. Section 504 contains other requirements including accessibility and employment practices concerning persons with disabilities. This system limits itself to Subpart D.

All individuals who are disabled under the Individuals with Disabilities Education Act (IDEA) are also considered to be disabled and therefore protected under Section 504. However, all individuals who have been determined to be disabled under 504 may not be disabled under IDEA. These children require a response from the regular education staff and curriculum. For the purpose of this manual, the term "disabled" refers to students who are protected under the regulations of Section 504; the term "disabled" is reserved for students who are eligible for services under IDEA. The IDEA defines as eligible only students who have certain specified types of disabilities and who, because of one of those conditions, need special education (specially designed instruction). Section 504 protects all disabled students, defined as those having any physical or mental impairment that substantially limits one or more major life activities (including learning). Section 504 covers all students who meet this definition, even if they do not fall within the IDEA enumerated categories and even if they do not need to be in a special education program. [1]

[1] Appendix A illustrates the difference between ADA, 504 and 504/IDEA students.

Examples of 504 Students:

Students who are protected by Section 504, but who may not be covered by the IDEA include students with such health impairments as juvenile arthritis, AIDS or ADD. Such Students may not meet the criteria for IDEA categories. However, if their disorders or conditions **substantially limit their ability to function at school,** they are disabled within the meaning of Section 504 and must be provided with those accommodations needed to benefit from their educational services. If a school has reason to believe that, because of a handicap as defined under Section 504, a student needs either special accommodations or supplementary services in the regular setting **in order to participate** in the school programs, the student must be evaluated and, if found to eligible, the school must develop and implement an accommodation plan for the delivery of needed services.[2]

[2] Appendix B compares the procedures and substantial differences between IDEA AND 504.

DEFINITIONS UNDER SECTION 504

ACCOMMODATION – any action or service provided for a disabled student in an effort to meet the educational needs of such a student as adequately as the educational needs of a non-disabled student are met. The term may include specialized education, related services and aids or limited to a physical compensation.

ACCOMMODATION, PHYSICAL – any action, assistive device, equipment or other consideration to equalize opportunity. It does not include change(s) in instructional programs. The term is exemplified when accommodation is limited to providing special equipment, administering medication, preferential seating and other considerations.

ACCOMMODATION PLAN – written document developed by a team (similar to the IEP) that outlines accommodations necessary for a student who has a physical or mental impairment which substantially limits one or more major life activities.

BARRIER-FREE ENVIRONMENT – a school environment that contains no obstacles to accessibility and usability by students with disabilities. Barrier means physical and non-physical.

COMPARABILITY TEST – a method to attempt to determine what accommodations are needed to meet the educational needs of disabled students as adequately as the needs of non-disabled students are met.

COMPLIANCE OFFICER – the person specifically named by the recipient to coordinate the requirements of Section 504 of the Rehabilitation Act of 1973.

DISABLED PERSON – any person who (1) has a physical or mental impairment which substantially limits one or more major life activities, (2) has a record of such impairment, or (3) is regarded as having such an impairment. The

term is not necessarily synonymous with disabled children as set forth in IDEA-B.

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

IDEA –B –Part "B" of the Education of the Disabled Act. Public Law 101-476.

MAJOR LIFE ACTIVITY – functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

MEDIATION - a process specific to reconciliation of differences. Mediation efforts never supplant either party's right to the procedures of Due Process.

MEDIATOR – a person, usually a third party, who attempts to resolve differences between or among conflicting parties.

MULTI-DISCIPLINARY TEAM – two or more persons representing different, but relevant fields of expertise.

OFFICE OF CIVIL RIGHTS (OCR) – has three primary responsibilities: investigating complaints, conducting compliance reviews, and providing technical assistance. There are ten regional offices located throughout the United States. The regional office for Utah is in Denver, Colorado. Region VIII (Colorado, Montana, North Dakota, South Dakota, UTAH and Wyoming), Office of Civil Rights, 1244 Speer Blvd., Suite 310, Denver, CO 80204-3582, (303) 844-5695, and (303) 844-3417 (TDD).

REASONABLE ACCOMMODATION – school districts are required to make adjustments to allow for a student with disabilities or known physical or mental limitations.

RECIPIENT – any agency receiving federal financial assistance.

SPECIAL EDUCATION, SPECIALIZED EDUCATION – the terms are presented here as a frame of reference rather that procedurally limiting. Special Education usually means IDEA – B whereas "specialized" usually implies adaptations in the context of regular education such as note takers, verbal cues, modified books, etc. The terms are not mutually exclusive.

504 COMMITTEE – A group of persons knowledgeable about the student including the Principal (or designee), a teacher, and an individual that has the ability to interpret assessment data.

THE JORDAN SCHOOL DISTRICT'S NONDISCRIMIATION POLICY IN ITS PROVISION OF EDUCATIONAL PROGRAMS AND SERVICES TO OTHERWISE QUALIFIED DISABLED STUDENTS

In compliance with its obligations under Section 504 and the ADA, Jordan School District does not discriminate against otherwise qualified disabled students in the provision of its educational programs and activities. Jordan School District will make reasonable modifications to its programs and activities to accommodate otherwise qualified disabled students, unless such modifications would impose an undue burden on the operation of the particular program, or would alter the fundamental nature or purpose of the program. In addition to its provision of educational services, Jordan School District will not discriminate against otherwise qualified disabled students in its provisions of non-educational programs and services such as counseling, athletics , transportation, health services, recreational activities, special interest groups or clubs, referrals to other agencies and employment.

Jordan School District will provide a free appropriate education (including formalized modifications in the regular education classroom, special education and /or related aids and services) to otherwise qualified disabled students who reside within, or are invited to attend, Jordan School District. Instruction will be individually designed to meet the individualized educational needs of these students. Jordan School District will seek to assure that the educational services provided to otherwise qualified disables students are reasonably calculated to afford such students an equal opportunity to achieve educational benefit as is provided to nondisabled students.

The Jordan Schools District's Section 504/ADA Coordinator is:

Fulvia Franco, Ph.D., NCSP

7905 South Redwood Road

West Jordan, Utah 84088

Phone: 801-567-8390

COMPONENTS OF THE SECTION 504 PROGRAM

A. Least Restrictive Environment

Jordan School District will educate otherwise qualified disabled students with nondisabled students to the maximum extent appropriate. Jordan School District will remove an otherwise qualified disabled student from the regular educational environment only when the District determines that educating the student in the regular environment with the use of formalized classroom modifications, supplementary aids/or services cannot be achieved satisfactorily.

B. Initial Evaluations

Jordan School District will evaluate any student suspected of qualifying as a disabled student under Section 504/ADA. Jordan School District does not receive funds under Section 504/ADA and is not required to pay for medical or psychiatric evaluation of a student; however, Jordan School District will attempt to obtain and keep on file relevant and current medical information provided by the student's parents and/or physician, psychologist, psychiatrist or other professional in order to make needed adjustments or modifications for the student.

C. Modifications

The determination of what formalized Section 504/ADA modifications to the students regular education program, special education, and/or related services are appropriate for a student suspected of qualifying as a disabled student under Section 504/ADA will be made in writing by a group knowledgeable about the student.

D. Re-evaluations

Jordan School District will re-evaluate any student determined to be eligible for formalized modifications, special education, and/or related services every three years, or more frequently if conditions warrant.

E. Changes in Placement

If a student has been determined to be eligible for Section 504/ADA formalized modifications, special education, and/or related services under Section 504/ADA, Jordan School District will re-evaluate or hold a placement meeting before making any significant change in placement. Examples of significant changes in placement before which Jordan School District will re-evaluate include individual suspensions that exceed ten cumulative school days, expulsion, transfer of a student to home instruction, or a significant change in the method of delivery of the student's education (e.g., moving the student from regular education to the resource room).

F. Documentation of Evaluations and Changes in Placement

Jordan School District will document any Section 504/ADA evaluations that are made regarding any student who is evaluated for qualification for formalized modifications, special education, and/or related services under Section504/ADA

G. Personnel Training

Jordan School District will provide appropriate workshops to instruct teachers on the education of persons with disabilities, along with

teacher in-service meetings and consultation with medical professionals, as necessary.

H. Transportation of Otherwise Qualified Disabled Students

Jordan School District will not discriminate in its provision of transportation to otherwise qualified disabled students. If Jordan School District places a student, under a Section 504/ADA plan, in a program not operated by the District, the District will assure that adequate transportation to and from the program is provided at no greater cost than the parent would have paid to transport the student to the district-operated program. However, if Jordan School District has made available a free appropriate education to a student that conforms to the requirements of Section 504/ADA, but the parent chooses to place the student elsewhere, Jordan School District will not pay for any costs incurred in transporting the student to that program.

I. Notice to Parent or Guardian of Actions Affecting Identification, Evaluation or Placement

Jordan School District will notify the parent or guardian of a student suspected of being an otherwise qualified disabled student of his/her rights to (initiate the grievance procedure and/or obtain) an impartial hearing if the parent or guardian disagrees with any action regarding identification, evaluation, and/or placement of a student suspected of being disabled under Section 504/ADA.

J. General Notice Regarding Nondiscrimination

The District seeks to notify all the District's students, students' parents, applicants, and employees of its policy of nondiscrimination on the basis of disability. To achieve this objective, the District will include the following Notice on all applications for employment or admission within the District, collective bargaining proposals, student handbooks, and other school-wide publications where inclusion of such Notice would be appropriate:

Jordan School District does not discriminate against qualified disabled individuals on the basis of disability in its provision of programs, services, or employment. The District has designated J. Calvin Evans to coordinate the District's compliance with federal nondiscrimination laws.

In addition, the District will post the above Notice on appropriate bulletin boards throughout its school campuses, and will take steps to assure that this notice is made available to persons with impaired vision.

K. **Mitigating Measures**

The determination of whether an impairment substantially limits a major life activity shall be made without regard to the effects of mitigating measures such as:

I. Medication, medical supplies, equipment, or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies;
II. Use of assistive technology;
III. Reasonable accommodations or auxiliary aids or services; or
IV. Learned behavioral or adaptive neurological modifications. 42 U.S.C. 12102(4)(a)(4)(E)(i)

SEARCH AND SERVE, REFERRAL, EVALUATION, IDENTIFICATION AND REASONABLE ACCOMMODATION FOR SECTION 504/ADA QUALIFIED DISABLED STUDENTS

Search and Serve Efforts Under §504/ADA:

In order to not duplicate efforts, attempts to locate and identify all qualified persons with disabilities residing in the district who are not presently receiving a public education – whether they are disabled pursuant to IDEA, §504/ADA, or both – will be made under the district's IDEA/child search and serve efforts.

Referral for 504 Assistance:

A student need has been identified by a teacher, parent, administrator or other person with a legitimate interest. A REFERRAL FOR 504 ASSISTANCE[3] must be completed and submitted to the local school principal. The local school multi-disciplinary team will then review the referral and determine the appropriate action.

Evaluation:

The local school principal must notify parents, in writing, that the district is conducting a review of existing records, provide notice of parent/student rights[4] and must obtain written parental permission for any additional evaluation. Following notification and/or receipt of parental consent the principal or designee reviews all student records and evaluations and initiates any additional required evaluations. The evaluation is then summarized on the 504 ELIGIBILITY SUMMARY form.[5]

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[3] See Appendix C for Referral for 504 Assistance.

[4] See Appendix D for Section 504 Parent Student Rights in Identification, Evaluation and Placement.

[5] See Appendix E for 504 ELIGIBILITY SUMMARY FORM.

Eligibility:

Within 30 days of the completion of the evaluation, the principal or designee will convene the 504 Committee to consider:

1. Student's unmet needs.
2. Section 504 eligibility.
3. Accommodations based on eligibility and needs.[6]
4. Reasonable accommodations despite ineligibility.

The multi-disciplinary team will determine eligibility for 504 assistance, document the eligibility on the 504 ELIGIBILITY SUMMARY and document suggested accommodations. If the accommodations do not require additional resources then the team proceeds to notify the parents of the meeting to develop an accommodation plan to finalize the suggested accommodations. It the accommodations require additional resources, the principal then reviews the 504 ELIGIBILITY SUMMARY with the district 504 compliance officer. The 504 compliance officer then either discusses other alternatives or approves and allocates the resources necessary to implement the suggested accommodations. The principal then finalizes the accommodations with the parents at a meeting to develop an accommodation plan.

If the student is found to be ineligible for accommodation under Section 504, the 504 Committee may recommend accommodation despite such ineligibility if such accommodation facilitates the student's educational program.

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[6] See Appendix F for examples of accommodations by disability.

Accommodation Plan:

After the multi-disciplinary team has completed the 504 ELIGIBILITY SUMMARY the suggested accommodations are then formalized with the parents on the SECTION 504 ACCOMMODATION PLAN.[7] This plan documents the accommodations, the persons responsible, the action to be taken with each accommodation, and the persons involved in developing the accommodation plan. The accommodation plan must be reviewed annually.

Re-evaluation:

Students receiving accommodations under Section 504 must be re-evaluated every three years or more often as necessary.

SECTION 504/ADA GRIEVANCE PROCEDURE

A "grievance" is a complaint by a District employee, a student entitled to an education within the District, or a parent of such a student. The District has designed this grievance procedure as a means of reaching a fair and equitable settlement, at the lowest possible administrative level, of differences and issues relating to possible discrimination against employees and/or students under the Rehabilitation Act of 1973 (Section 504) and/or the Americans with Disabilities Act. These laws prohibit a public agency like Jordan School District from discriminating in its provision of its programs or activities against a qualified disabled person solely by reason of that person's disability.

The following are the steps that are to taken under this procedure to process a grievance based on a complainant's belief that the District has violated one of these nondiscrimination laws.

[7] See Appendix G for Section 504 Accommodation Plan

Step One

A grievance must be filed in writing with the District's Section 504/ADA Coordinator, the person who the District has designated to coordinate Section 504/ADA compliance efforts:

Fulvia Franco, Ph.D., NCSP
Jordan School District
7905 South Redwood Road
West Jordan, Utah 84088
Phone (801) 567-8390

All grievances must be filed within seven (7) school days after the aggrieved becomes aware of the alleged violation.

Step Two

The Section 504/ADA Coordinator or designee will investigate the grievance to the extent the 504/ADA Coordinator deems appropriate. This investigation shall be thorough enough for the Section 504/ADA Coordinator or designee to come to a fair determination of the grievance, and shall include an opportunity for all interested persons and their representatives to submit evidence relevant to the grievance.

Step Three

The Section 504/ADA Coordinator or designee shall issue a written determination of the grievance within 30 days of its filing. This determination shall at this point be forwarded to the aggrieved. The Section 504/ADA Coordinator will maintain the files and records submitted and reviewed in connection with his/her consideration of the grievance.

Step Four

Within five (5) days of the Section 504/ADA Coordinator's or designee's written determination of the grievance, the aggrieved may submit a request for appeal to the District's Superintendent at:

Jordan School District
7387 So. Campus View Dr.
West Jordan, Utah 84088

The request must be in writing and must state the reasons for disagreement with the decision and remedy the aggrieved requests.

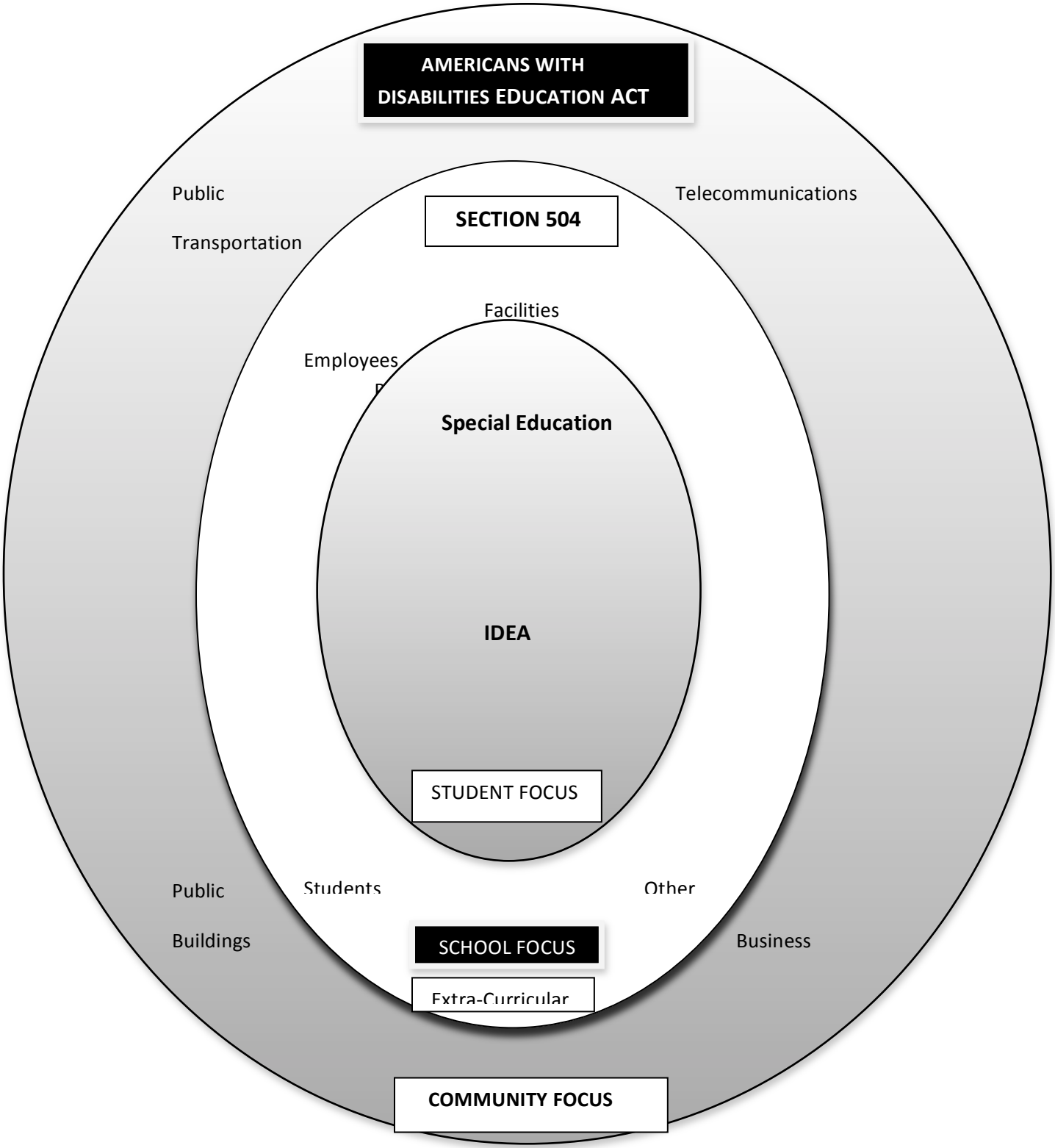
The Superintendent will schedule the grievance for consideration before the District's Board of Education.

APENDIX A

Jordan School District

ADA/504/IDEA COMPARISON

BIRTH TO DEATH PROTECTION



APPENDIX B

Jordan School District

504/IDEA Comparison

JORDAN SCHOOL DISTRICT

504/IDEA Comparison

Student Need

Referral/Evaluation Pursuant to IDEA	Referral Evaluation Pursuant to 504
Disability-Adversely Affects Educational Performance	Handicap-Substantially Limits One or More Life Activities
IDEA Eligible	504 Eligible
IEP Special Education and Related Services	Accommodation Plan Physical and/or Instructional
Standard: Education Reasonably Calculated to Confer Educational Benefit	Standard: Education Comparable to that Provided Non-Handicapped

FAPE: Free Appropriate Public Education

APPENDIX C

Jordan School District

REFERRAL FOR

504 ASSISTANCE

JORDAN SCHOOL DISTRICT

REFFERAL FOR 504 ASSISTANCE

Section 504 of the Rehabilitation Act of 1973 is designed to eliminate discrimination on the basis of handicap in any program or activity receiving Federal financial assistance. Students eligible for 504 assistance are those who 1) *have a physical or mental impairment which substantially limits one or more major life activities,* 2) *have a record of such impairment or* 3) *are regarded as having such an impairment.* If you feel the student identified qualifies for assistance under Section 504, please complete the following information.

Student's Name_____Grade_____Date_____

School_____Birthdate_____Track_____Sex **M/F**

Parent(s)_____Home Phone_____Work Phone_____

Name of Person Submitting Referral_____Position_____

Describe the student's need or area of concern:

Special Education Disclaimers:

- The student will be referred for special education evaluation.
- No referral to special education is necessary. The student's needs can be accommodated in the regular program.
- The student has been evaluated by the special education team and does not qualify for special education services.
- The student has received special education services in the past, but no longer requires special education. Please check services provided:
  - Resource
  - Guidance
  - Speech-Language
  - Occupational Therapy
  - Physical Therapy
  - Itinerant Services for the Visually Impaired

- Self-contained Cluster
- Special School Setting
- Other_____

Itinerant Services for the Hearing Impaired
Interpreter

The student is suspected of having a physical or mental impairment, has a record of such impairment or is regarded as having such impairment, which substantially limits one or more of the following life activities:

- Caring for one's self
- Performing manual tasks
- Walking
- Seeing
- Hearing
- Speaking
- Breathing
- Learning
- Working
- Other_____

Action Taken:

- The student will be evaluated for possible 504 accommodation.
- No further evaluation at this time.
- Other_____.

Evaluation Assignments (if applicable):

Additional Comments:

_____ _____

Principal's Signature **Date**

APPENDIX D

Jordan School District

Section 504 Parent/Student Rights

In identification, Evaluation and Placement

Jordan School District

Section 504 Parent/Student Rights,

Identification, Evaluation and Placement

Please Keep This Explanation for Future Reference

(Section 504 of the Rehabilitation Act of 1973)

Below is a description of the rights granted by federal law to students with disabilities. The intent of the law is keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to the following:

- Right to have your child with disabilities take part in, and receive benefits from public education programs without discrimination because of her/his disability.
- Right to receive all information in the parent's or guardian's native language or primary other mode of communication.
- Right to have your child receive a free appropriate public education which includes the right of the child to be educated with students without disabilities to the maximum extent appropriate.
- Right to have your child have equal opportunity to participate in school programs and extracurricular activities sponsored by the school.
- Right to receive notice a reasonable time before a district identifies, evaluates or changes your child's placement.
- Right to inspect and review all of your child's educational records, including the right to obtain copies of education records at reasonable cost unless the cost would deny you access to the records, and the right to amend the record if you believe information contained in the record, is inaccurate or misleading. If the school refuses to amend the record, you have the right to request a hearing.

- Right to have educational evaluation and placement decisions made based on information from a variety of sources and by persons who know the needs of the student, meaning of evaluation data and placement options.
- Right to periodic re-evaluation and evaluation before any significant change in placement.
- Right to an impartial hearing if you disagree with the school district's proposed action. You will be and active parent. You have the right to be represented by counsel in the impartial hearing process. You have the right to appeal the impartial hearing officer's decision.

Fulvia Franco, Ph.D., NCSP

(801) 567-8390

APPENDIX E

Jordan School District

504 ELIGIBILITY SUMMARY

JORDAN DISTRICT

504 ELIGIBILITY SUMMARY

Please submit completed form to the District 504 Compliance Officer

Student's Name_____Grade_____Date_____

School_____Birthdate_____Track_____Sex M/F

Parent(s)_____

Home Phone_____Work Phone_____

School Contact Person_____Position_____

Eligibility for 504 Assistance

- The student has a physical or mental impairment which substantially limits one or more major life activities.
- The student has a record of such impairment.
- The student is regarded as having such an impairment.

Check Areas that apply:

- Caring for one's self
- Performing manual tasks
- Walking
- Seeing
- Hearing
- Speaking
- Breathing
- Learning
- Working
- Other_____

Evaluation Summary (describe the basis for determining the handicap):

Suggested Accommodations (please check anticipated areas of need and justify):

- Access(describe)_____
  _____
- Facilities (describe)_____
  _____
- 17-hour Aide (describe areas of need)_____
  _____
- Supplies/Equipment (describe)_____
  _____
- Occupational Therapy_____
  _____
- Physical Therapy_____
  _____
- Interpreter_____
  _____
- Other (specify)_____
  _____

Anticipated Duration of Time Accommodation will be Needed:

- Temporary (specify)_____
- Long-term (specify)_____

Do Accommodations Require Additional Resources:

- Yes—Review with 504 Compliance Officer
- No—Develop and Implement Accommodation Plan

Additional Comments:

Accommodations Reviewed with 504 Compliance Officer

- Additional information requested

_____

_____

- Approved
- Approved with the following modifications:

_____

_____

- Denied.
  Rationale:_____
  _____

APPENDIX F

Jordan School District

Examples of Accommodations by Disability

JORDAN SCHOOL DISTRICT

EDUCATIONAL ACCOMMODATIONS AND MODIFICATIONS

Students Name:_____ ☐ 504 Date:_____

Grade:_____ Year:_____ or

Classification:_____ ☐ IEP Date:_____

Special Education Teacher(s)_____

Areas of concern:

☐	Basic Reading	☐	Written Expression	☐	Other:_____
☐	Reading Comprehension	☐	Basic Written Expression		_____
☐	Basic Math Skills	☐	Expressive Communication		_____
☐	Math Reasoning	☐	Receptive Communication		_____
☐	Broad Written Language	☐	Behavior		_____

	Course Name/Subject	Regular/Special Education Teacher
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
7.	_____	_____

The following accommodations/modifications have been recommended by the school team according to the student's Individual Education Plan and/or the 504 Plan (Section 504 of the Rehabilitation Act):

***Environmental Modifications:**

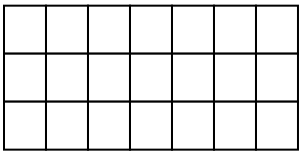
Course/Teacher

1. _____	1	2	3	4	5	6	7
2. _____							
3. _____							
4. _____							

***Lesson Presentation Modifications:**

1	2	3	4	5	6	7

1. _____
2. _____
3. _____
4. _____

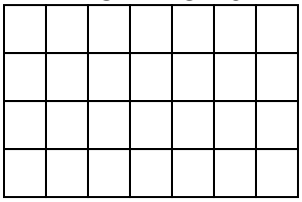


Distribution: Attach original to IEP or 504 Plan. Make 1 copy for all involved staff

***Assignment/Worksheet Modifications:**

1 2 3 4 5 6 7

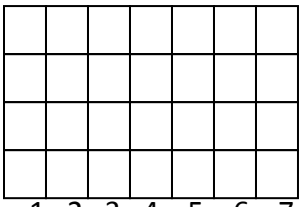
1. _____
2. _____
3. _____
4. _____



***Test Taking Modifications:**

1 2 3 4 5 6 7

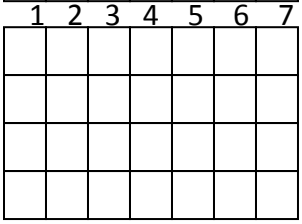
1. _____
2. _____
3. _____
4. _____



***Organizational Modifications:**

1 2 3 4 5 6 7

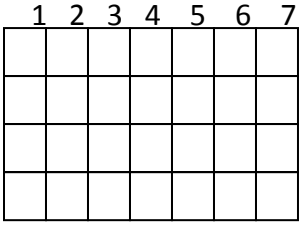
1. _____
2. _____
3. _____
4. _____



***Behavioral Modifications:**

1 2 3 4 5 6 7

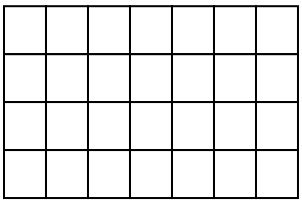
1. _____
2. _____
3. _____
4. _____



***Special Considerations:**

1 2 3 4 5 6 7

1. _____
2. _____
3. _____
4. _____



SIGNATURES: **DATE:**

LEA _____ _____

PARENT _____ _____

PARENT _____ _____

STUDENT _____ _____

SPECIAL ED _____ _____

GUIDANCE	_____	_____
SPEECH-LANGUAGE	_____	_____
1-REG ED	_____	_____
2-REG ED	_____	_____
3-REG ED	_____	_____
4-REG ED	_____	_____
5-REG ED	_____	_____
6-REG ED	_____	_____
7-REG ED	_____	_____

IDEA defines as eligible students who have certain specified types of Disabilities which adversely affect educational performance and who Need special education (specially designed instruction). **Section 504** Protects all students with disabilities, defined as those having any Physical or mental impairment that substantially limits one or more Major life activities (including learning).

Distribution: Attach original to IEP or 504 Plan. Make 1 copy for all involved staff

ACCOMODATION AND MODIFICATION SUGGESTIONS TO BE CONSIDERED IN ONE OR MORE OF THE FOLLOWING AREAS:

P.L. 94-142/IDEA provides specially designed instruction delivered in accordance with an Individualized Education Plan (IEP), at no cost to parents or guardians, to meet the unique needs of a student with a disability, including instruction conducted in the school, in the home, in hospitals and institutions, and in other settings; it also includes instruction in physical education, speech and applied technology education.

Section 504 is a federal statute which covers eligible students, employees and other individuals with disabilities for reasonable accommodations that enable them to work or learn. A person may be considered disabled under the definition of section 504 if the individual:

1. Has a mental or physical impairment which substantially limits one or more of such person's major life activities. "Major life activities" include functions such as: caring for one's self, walking, seeing, speaking, learning, performing manual tasks, hearing breathing, and working;
2. Has a record of such an impairment; or
3. Is regarded as having such an impairment.

ENVIRONMENTAL MODIFICATIONS:

- Seat student near teacher
- Stand near student when giving directions or presenting lessons
- Increase the distance between desks
- Seat student near positive role model
- Avoid distracting stimuli (high traffic areas, windows heating system)
- Adjust class schedules
- Use a study carrel
- Modify student's work area with barriers
- Alter location of personal or classroom supplies for easier access or to minimize distraction
- Provide opportunities for movement

LESSON PRESENTATION:

- Monitor the rate in which you present material (slow the rate of presentation)
- Give additional presentations:

    - Repeat original presentations
    - Provide simpler, more complete explanation
    - Give additional examples
    - Model skills in several ways
- Make consequences more attractive:
    - Increase feedback
    - Provide knowledge of results
    - Chart performance
    - Reward approximations
- Recognize and give credit for student's oral participation in class
- Pair students to check work
- Provide peer tutoring
- Provide peer to read aloud, listen
- Provide peer note-taker (copy/carbon copies)
- Provide peer to monitor assignments
- Provide student with an overview of the lesson BEFORE beginning the lesson. (Tell student what to expect and why.)
- Provide written outline (chapter outlines, study guides)
- Write key points on the board
- Repeat and simplify instructions
- Have student restate or write directions/instructions
- Break longer presentations into shorter segments
- Schedule frequent, short conferences with student to check for comprehension
- Allow student to tape lesson
- Have student review key points orally
- Provide consistent review of any lesson BEFORE introducing new information
- Highlight important concepts to be learned in text or material
- Avoid use of abstract language (metaphors, idioms, puns, etc.)
- Paraphrase material using similar language
- Utilize visual aids to supplement verbal information (charts, graphics, pictures, etc.)

ASSIGNMENT/WORKSHEET MODIFICATIONS:

- Allow student to obtain and retain information utilizing:
    - cassette/tape recorders
    - typewriters
    - interviews/oral reports
    - projects
    - calculators

    - dictation
    - computers
- Provide additional guided practice:
    - Require more responses
    - Lengthen practice sessions
    - Schedule extra practice sessions
- Increase amount of time allowed to complete tasks
- Reduce amount of work (as opposed to allowing more time)
- Break work into smaller segments
- Teach time management skills (use of checklists, prioritizing time, prioritizing assignments)
- Set realistic and mutually agreed upon expectations for neatness
- Simplify complex directions
- Give written directions to supplement verbal directions
- Give worksheets one at a time
- Provide materials appropriate to the student's current functioning level (lower reading, difficulty level)
- Space practice and drill sessions over time
- Allow student to type, record, or give answers orally instead of writing
- Reduce amounts of boardwalk copying and textbook copying; provide student with written information
- Use self-monitoring devices
- Homework assignments need clear, concise directions
- Reduce homework assignments
- Require fewer correct responses to achieve grade
- Provide structured routine in written form
- Avoid purple dittos

TEST-TAKING MODIFICATIONS:

- Give frequent short quizzes, avoid long exams
- Allow open book exams
- Give exam orally
- Give take-home tests
- Allow student to give test answers on tape
- Allow extra time for exams
- Read test items to student
- Give more objective items (fewer essay responses)

ORGANIZATIONAL MODIFICATIONS:

- Establish daily routine and strive to maintain it
- Provide peer assistance with organizational skills
- Provide student with extra set of books for home
- Provide rules for getting organized
- Teach goal-setting skills
- Teach decision-making/prioritizing skills
- Teach time management skills
- Check homework daily/supervise writing of homework assignments
- Set short term goals for work completion
- Assign volunteer homework buddy
- Send daily/weekly progress reports home
- Give assignments one at a time
- Give written assignments with expected dates of completion on which the student needs to focus
- Avoid cluttered, crowded worksheets by utilizing techniques such as:
    - *Blocking*-block assignments into smaller segments
    - *Cutting*-cut worksheets into fourths, sixths, or eighths and place one problem in each square
    - *Folding*-fold worksheets into fourths, sixths, or eighths and place one problem in each square
    - *Color coding, highlighting, or underlining*-important information on which the student needs to focus
- Set aside a specific time for cleaning desks, lockers, organizing notebooks etc.
- To prevent misplaced assignments/books, provide the student with file folders, notebooks or trays in which he/she can place his/her workbooks.

BEHAVIORAL MODIFICATIONS:

- Contracts for behavior
- Rules, reminder goals on desk, wall
- Get eye contact prior to directions and instructions
- Use precision commands
- Provide frequent, immediate positive feedback (increase verbal reinforcement to ____per hour)
- Use self monitoring strategies
- Implement behavioral/academic contracts
- Utilize positive reinforcements (rewards/privileges)
- Increase the immediacy of rewards

- Avoid lecturing
- Use nonverbal cues to stay on task
- Implement a classroom behavior management system
- Anticipate problems and use preventative strategies
- Praise specific behaviors
- Allow legitimate opportunity to move of the opportunity to stand while working
- Provide a "stop and think" place
- Allow short breaks between assignments
- Change tasks every_____minutes
- Ignore minor inappropriate behaviors
- Supervise during transition times
- Provide recess contract (list details)
- Provide structured recess program
- Speak softly in non-threatening manner if student is agitated
- Look for signs of stress build up and provide encouragement or reduced work load
- Allow student an opportunity to "save face"
- Anger control: encourage student to walk away; use calming strategies
- Look for opportunity for student to display leadership role in class
- Send positive notes home
- Use mild, consistent consequences
- Give student choices
- Conference with the student and his/her parents
- Conference with the student's other teachers
- Provide alternative work space
- Implement beeper tape and reinforcement menu

SPECIAL CONSIDERATIONS:

- Monitor medication issues: Physician, Medication, Dose, Schedule, Administered in school by?
- Adjust attendance policies (Home and Hospital)
- Adjust schedule or shorten day
- Provide rest periods
- Adapt physical education requirements
- Develop health care and emergency plan
- Provide transportation to and from school
- Allow extra time between classes
- Provided locker assistance
- Modify activity level for recess, physical education etc.

- Monitor and provide additional supervision for field trips
- Assist with carrying books, lunch trays, etc.
- Consider assistive technology
- Make accommodations for special dietary needs

APPENDIX G

Jordan School District

SECTION 504
ACCOMMODATION PLAN

JORDAN SCHOOL DISTRICT
SECTION 504 ACCOMMODATION PLAN

Student Name_____Birthdate_____Grade_____
School_____Track_____Eff. Dates_____to_____

Accommodations (specify amount of time/consultation):

Regular Class_____
Aide_____
Occ. Therapy_____
Physical Therapy_____
Adaptive PE_____
Visually Impaired Staff_____
Hearing Impaired Staff_____
Interpreter_____
Transportation_____
Orthoped. Impaired Specialist_____
Other_____
_____
_____

Team Signatures	Position	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Annual Review Date_____

- Continue
- Terminate
- Re-Evaluate

Comments_____

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Accommodation/Action to be Taken_____

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Accommodation/Action to be Taken_____

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Accommodation/Action to be Taken_____

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Accommodation/Action to be Taken_____

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504 REGULATIONS

REHABILITATION ACT OF 1973
(Selected Sections)

29 U.S.C. Chapter 16

Sec. 706(8) Definitions

* * *

(8) (A) Except as otherwise provided in subparagraph (B), the term "individual with a disability" means any individual who

(i) has a physical or mental impairment which for such individual constitutes or results in a substantial impediment to employment and

(ii) can benefit in terms of employment outcome from vocational rehabilitation services provided pursuant to subchapters I, III, VI, or VIII of this chapter.

(B) Subject to subparagraphs (C), (D), (E), and (F) the term "individual with a disability" means, for purposes of Secs. 701, 713 and 714 of this title, and subchapters II, IV, V and Vii of this chapter, any person who

(i) has a physical or mental impairment which substantially limits one or more of such person's major life activities,

(ii) has a record of such an impairment, or

(iii) is regarded as having such an impairment.

(C)(i) For purposes of subchapter V of this chapter, the term "individual with a disability" does not include an individual who is currently engaging in the illegal use of drugs, when a covered entity acts on the basis of such use.

(ii)Nothing in clause (i) shall be construed to exclude as an individual with a disability an individual who- has successfully completed a supervised drug rehabilitation program and is no longer engaging in the illegal use of drugs, or has otherwise been rehabilitated successfully and is no longer engaging in such use;

(I)Is participating in a supervised rehabilitation program and is no longer engaging in such use; or

(II) Is erroneously regarded as engaging in such use, but is not engaging in such use; except it shall not be a violation of this chapter for a covered entity to adopt or administer reasonable policies or procedures, including but not limited to drug testing, designed to ensure that an individual described in sub-clause (I) or (II) is no longer engaging in the illegal use of drugs.

(iii) Notwithstanding clause (i), for purposes of programs and activities providing health services and services provided under subchapters I, II, and III of this chapter, an individual shall not be excluded from the benefits of such programs or activities on the basis of his or her current illegal use of drugs if he or she is otherwise entitled to such services.

(iv) For purposes of programs and activities providing educational services, local educational agencies may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any student who is an individual with a disability and who currently is engaging in the illegal use of drugs or in the use of alcohol to the same extent that such disciplinary action is taken against students who are not individuals with disabilities. Furthermore, the due process procedures at 34 CFR 104.36 shall not apply to such disciplinary actions.

(v) For purposes of Secs. 793 and 794 of this title as such sections relate to employment, the term "individual with a disability" does not include any individual who is an alcoholic whose current use of alcohol prevents such

individual from performing the duties of the job in question or whose employment, by reason of such current alcohol abuse, would constitute a direct threat to property or the safety of others.

(D)For the purpose of Sec. 793 and 794 of this title, as such sections relate to employment, such term does not include an individual who has a currently contagious disease or infection and who by reason of such disease or infection, would constitute a direct threat to the health or safety of other individuals or who, by reason of the currently contagious disease or infection, is unable to perform the duties of the job.

(E) For the purposes of Secs. 791, 793 and 794 of this title-

(i) for the purposes of the application of subparagraph (B) to such sections, the term "impairment" does not include homosexuality or bisexuality; and

(ii) therefore the term "individual with a disability" does not include an individual on the basis of homosexuality or bisexuality.

(F) For the purposes of Secs. 791, 793 and 794 of this title, the term "individual with a disability" does not include an individual on the basis of –

(i) transvestism, transsexualism, pedophilia, exhibitionism, voyeurism, gender identity disorders not resulting from physical impairments, or other sexual behavior disorders;

(ii) compulsive gambling, kleptomania or pyromania; or

(iii) psychoactive substance use disorders resulting from current illegal use of drugs.

(Pub. L. 93-112, Sec. 7, Sept. 26, 1973, 87 Stat. 359; Pub. L. 93-516, title I Sec. III (a). Dec. 7, 1974, 88 Stat. 1619; Pub. L. 93-651, title I Sec. III (a) Nov. 21, 1974, 89 Stat. 2-5; Pub. L. 95-602, title I Sec. 122(a)(4)-(8), Nov. 6, 1978, 92 Stat. 2984, 2985; Pub. L. 96-88, title III, Sec. 301 (a)(4)(A), title V, Sec. 507, Oct. 17, 1979, 93 Stat. 678, 692; Pub. L. 98-221, title I Sec. 101, Feb. 22, 1984, 98 Stat. 17; Pub. L. 99-506, title I, Sec.103 (a), (b), (c)(1), (d)(1), (2)(A), (C), (e)-(b)(1), (i), (j), title X, Secs. 1001 (a)(3), 1002(a), Oct. 21, 1986, 100 Stat. 1809-1811, 1841, 1844; Pub. L. 99-514, Sec. 2, Oct. 22, 1986, 100 Stat. 2095; Pub. L. 100-259, Sec. 9 Mar, 22, 1988, 102 stat. 28; Pub. L. 100-630, title II, Sec. 201 (c), Nov. 7, 1988, 102 Stat. 3303; Pub. L. 101-336, title V, Sec. 512, July 26, 1990, 104 Stat. 376; Pub. L. 102-569, title I Sec. 102(a)-(n), (p)(3), Oct. 29, 1992, 106 Stat. 4347-4350, 4356; Pub. L. 103-73, title I Secs. 102 (1), 103, Aug. 11, 1993, 107 Stat. 718; Pub. L. 103-218, title IV Sec. 404, Mar. 9, 1994, 108 Stat. 97.)

SEC. 794 Nondiscrimination under Federal grants and programs; promulgation of rules and regulations.

(a)No otherwise qualified individual with a disability in the United States, as defined in Sec. 706(8) of this title, shall solely by reason of her or his disability, by excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service. The head of each such agency shall promulgate such regulations as may be necessary to carry out the amendments to this section made by the Rehabilitation, Comprehensive Services, and Developmental Disabilities Act of 1978. Copies of any proposed regulation shall be submitted to appropriate authorizing committees of the Congress, and such regulation may take effect no earlier than the thirtieth day after the date on which such regulation is so submitted to such committees.

(b) For the purposes of this section, the term "program or activity" means all of the operations of-

(1)(A) a department, agency, special purpose district, or other instrumentality of a State or of a local government; or

(B) the entity of such State or local government that distributes such assistance and each such department entity to which the assistance is extended, in the case of assistance to a State or local government;

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