

## SECTION TWO: Section 504 Implementation

**T**o ensure that a program yields optimal results, its implementation must be guided by established processes and involve the most appropriate people. To increase the opportunities for success for students served under Section 504, educators and parents must work as a team in a thoughtful process.

### Section 504 Process

**S**ection 504 regulations along with the Office for Civil Rights (OCR) provide direction on the process needed to ensure compliance by school districts/charter schools. The Equity Assistance Center (EAC) assists Arkansas public schools in their implementation of requirements. The specific procedures to comply with Section 504 requirements are determined by each institution. A depiction of this process can be found in Figure 6.

#### Referring the student:

- School districts/charter schools when they suspect that a student has a disability must refer the student for an evaluation. This might look like:
  - The school being aware that a student has a disability,
  - The school thinks the student has a disability.
  - The school has reasonable suspicion that the student needs supports or services.
- Neither failing grades, a medical diagnosis, nor a specific disability are required to be referred for an evaluation under Section 504 includes, but they might be indicators of a disability.
- A suspicion and the submission of a referral for an evaluation do not equate to automatic eligibility under Section 504.
- Evaluation requests and referral submissions must be in accordance with the procedures of the school district/charter school.



#### Responding to the referral:

- Notify parents of referral submission.
- Determine if a Section 504 evaluation will take place:
  - School districts/charter schools when they suspect that a student has a disability must evaluate the student.

- If a Section 504 evaluation is denied, the parent is informed of the decision not to evaluate and the reason for the denial.
- Provide the parents notice of their rights under Section 504.
- Obtain written parental consent for the initial evaluation.
- Determine needed evaluation data.
- Identify Section 504 Team members.
- A Section 504 referral or evaluation cannot be delayed nor denied due to the use of a Response to Intervention (RTI) as described in the Office of Special Education and Rehabilitation Services (OSEP) Memo 11-07, January 2011.



*States and LEAs [districts and charters] have an obligation to ensure that evaluations of children suspected of having a disability are not delayed or denied because of implementation of an RTI strategy.*

### **Evaluating the student:**

- Team members gain knowledge about the student (e.g., challenges, lacking subskills, root cause of concerns) from the evaluation data.
- Assess specific areas of the student's program needs. Existing data may be collected, observation data may be gathered, and/or new assessments may be administered.
- Draw upon information from a variety of sources. The weight of each piece of information and source of data is determined by the local school district/charter school and/or the student's Section 504 Team.
- A medical evaluation can be requested by the Section 504 Team, at no cost to the parent, if the team thinks it is needed to develop the Section 504 Plan.
- Evaluation data gathered under the Individuals with Disabilities Education Act (IDEA) – if the student was found not to be eligible under that statute - may be reviewed.
- Evaluation data gathered within a Functional Behavior Assessment can be reviewed.
- Information from parents, doctors, and others familiar with the student can be reviewed.
- Evaluation must be at no cost to the parent.
- Evaluation must be held within a reasonable amount of time from when the referral was received.
- An evaluation does not diagnose a disability.
- Evaluation considerations by the team are documented.



## Determining eligibility of the student:

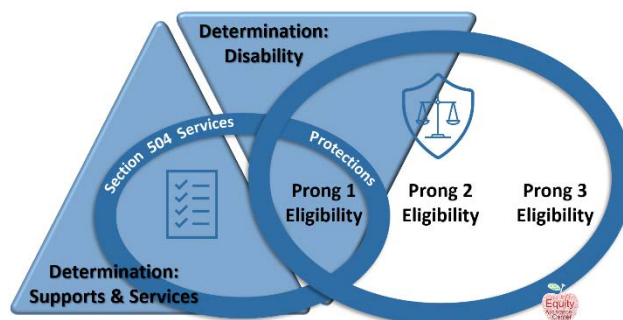
### Disability determination –

- Team members understand the meaning of the evaluation data and use knowledge about the student (e.g., challenges, lacking subskills, root cause of concerns).
- A student-centered assessment of the functional limitation is discussed.
- A team decision on if the definition of disability is met including the presence of a “substantial” limitation under Section 504.
- Average of better-than-average letter grades does not constitute automatic ineligibility under Section 504. The determination is focused on how a major life activity is substantially limited, not on what outcomes an individual can achieve.
- Neither failing grades, academic challenges, nor a medical diagnosis are required to be found eligible. Challenges may be due to behavior or physical accessibility.
- A medical diagnosis does not constitute automatic eligibility.
- A removal from services under the Individuals with Disabilities Education Act (IDEA) does not constitute automatic eligibility under Section 504. This might be discriminatory based on a history of a disability.
- The basis of the team’s determination of the student’s eligibility for protection under Section 504 is documented.
- Parents provided notice of their rights under Section 504.



### Support determination –

- The determination of eligibility for protections is separate from the determination of needed supports.
- A team decision on if the student needs implemented supports and/or services.
- Some students may not need a Section 504 Plan. To receive a written Section 504 Plan the student must need implemented supports. Some students may only need the protections under Section 504.
- The basis of the team’s determination of the student’s need for supports and/or services under Section 504 is documented.
- Parents provided notice of their rights under Section 504.



## Developing a written plan:

- Team members understand the meaning of the data, the options of placement and student-centered supports, and use knowledge about the student (e.g., challenges, lacking subskills, root cause of concerns).

- Planned supports are designed to meet the student's individual needs to ensure access to the same extent as access provided to students without an impairment.
- A specific and targeted plan is designed to support or bypass the disability-based challenges of the student to the degree that they will be able to access the school (including the curriculum) as compared to students without a disability.
- Mitigating measures can be used to determine the supports needing to be implemented.
- Assumptions regarding limitations and needed supports based on a disability category may not lead to the most appropriate supports.
- Decisions regarding how to provide a free appropriate public education must be based on the need of the student with a disability, rather than on concerns about the costs of the support. Even though the school system is not required to provide the most expensive accommodation, the cost should not be the reason for a denial of a particular support or accommodation. For information regarding assistive technology and device loans see [SECTION THREE: Links \(e.g., Private Resources\)](#).
- As necessary includes supports to ensure access to academic, non-academic, and extracurricular activities (e.g., food services, clubs, recreational athletics, recess periods, transportation).
- The plan can include:
  - Changes in placement if the school district/charter school has demonstrated that the education of the student in the general education environment with the use of supports and services cannot be achieved.
  - Modifications to policies, practices, or procedures.
  - Related services - including the administration of medication.
- The plan should be clear and unambiguous to prevent misunderstandings regarding implementation.
- The plan should be written with the school district/charter school as the implementor of FAPE and not the student, parent, or peer student.
- Parents provided a copy of the plan and notice of their rights under Section 504.
- Notify and train necessary personnel with implementation responsibilities by providing a list of the accommodations by at least the first day of school.
- Comply with student confidentiality.



For additional information and examples on targeted accommodations see [SECTION TWO: Section 504 Implementation \(e.g., Equal Opportunity\)](#).

### **Reviewing the plan:**

- Monitor the implementation of the accommodations. Implementors of the plan must seek out the Section 504 Coordinator if there are concerns or if the plan appears to not provide access as compared to students without a disability. The

identified supports should when implemented increase the student's access, which is limited by the disability, to what is provided by the school to all students.

- Team members review the plans to ensure that it provides access. How often to review the plan as a team depends on the needs of each student (e.g., monthly, quarterly, semesterly, yearly [as needed]).
- Team members understand the meaning of and use progress monitoring data.
- The student's changing needs are considered (e.g., different school buildings, subject matter) for the upcoming school year.
- The need for compensatory or rectifying supports are considered if there was a lack of implemented supports that resulted in educational harm.
- Assess if disability-based bullying is occurring and take steps as appropriate in accordance with the Arkansas bullying prevention law (§ 6-18-514) including sharing allegations of bullying with the principal.
- Incremental and/or progressive supports are used as needed to improve the student's access.
- Revise the plan if ineffective or as needed including if student misconduct was found to be a manifestation of the student's disability.
- Updated accommodations are provided to personnel expected to implement them.
- Parents provided a copy of the revised plan and a notice of their rights under Section 504.



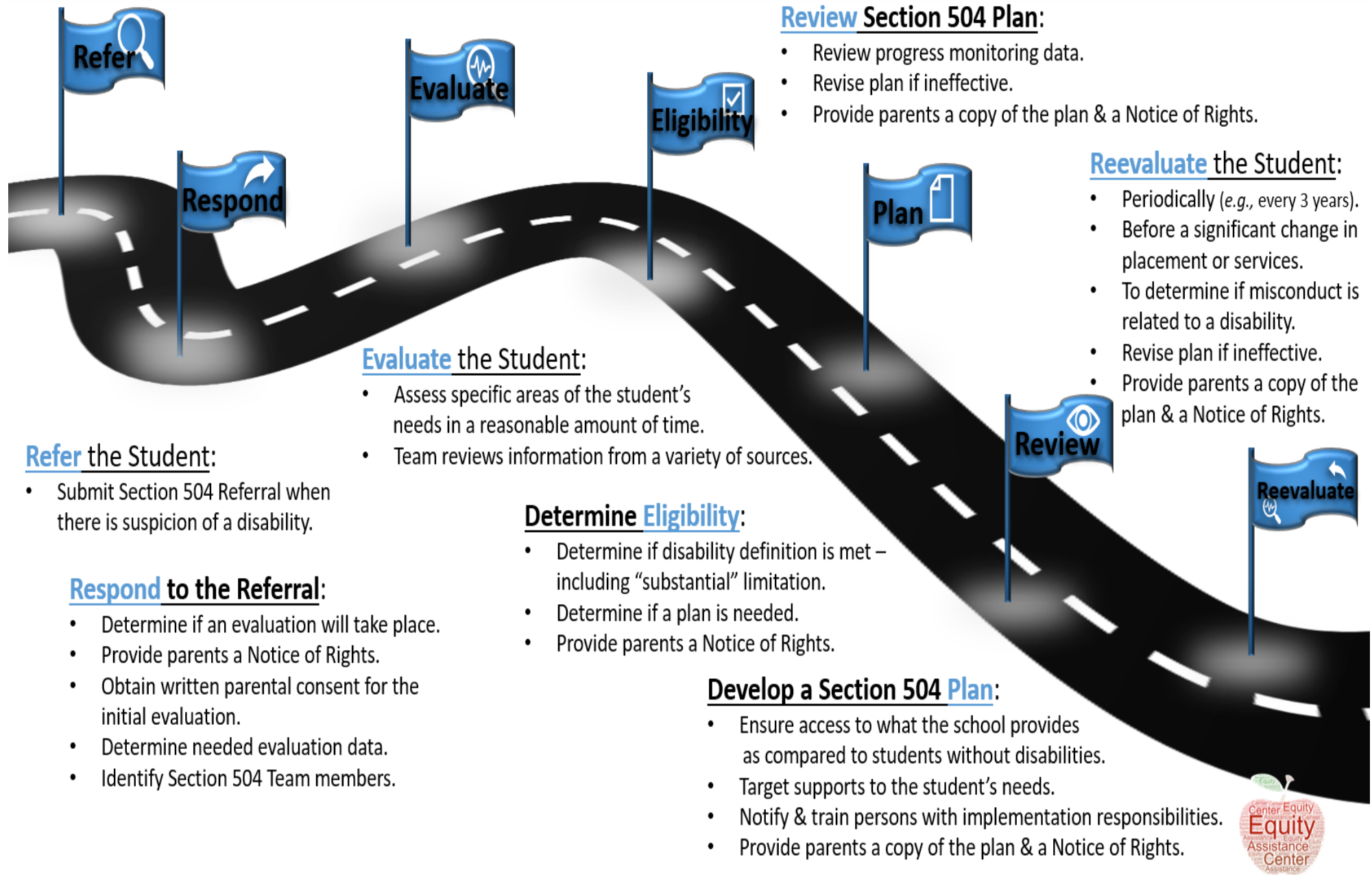
### **Reevaluating the student:**

- School districts/charter schools must reevaluate the student periodically (e.g., every 3 years) and before a significant change in placement or services to ensure supports are based on recent data and appropriate.
- Reevaluate to determine if a student's misconduct was caused by or related to their disability when the proposed discipline consequence would be a significant change in placement.
- Revise the plan as needed.
- Parents provided a copy of the revised plan and a notice of their rights under Section 504.



For an example Section 504 process checklist for documentation and tracking, see [SECTION THREE: Section 504 Resources \(e.g., Sample Process Checklist\)](#).

## Section 504 Process Visual





## Plan Appropriateness (FAPE)

**T**he varying plans that might be used to support students by a school district/charter school are important to recognize. One purpose of written plans generally is to ensure continued implementation across varying environments, settings, or implementors over time.

### **Plans to Support Students**

If a student is found to not meet the definition of disability under Section 504, the school is not prohibited from supporting the student through a locally developed data-based individualized process – including a written plan to guide these efforts. Proactive data-driven measures to support students and achieve educational equity are beneficial to both students with and without disabilities.

Students with disabilities that are eligible for services under the Individuals with Disabilities Education Act (IDEA) and have an IEP are not required to also have a Section 504 Plan even though they are also protected against discrimination under Section 504. For these students, the IEP developed and implemented in accordance with the IDEA is sufficient.

If a student with a disability is not eligible or no longer qualifies for special education services under the IDEA, they may be eligible and should be considered for Section 504 services. When determining whether a student with a disability needs a Section 504 Plan or an IEP consider the student's need for specially designed instruction.

When determining whether a student with a medical condition needs a Section 504 evaluation and/or Section 504 Plan, utilize a multi-factor process. The frequency, intensity, and complexity of IHP services may be considered when determining student Section 504 eligibility.

## Section 504 Plan, Individualized Education Program (IEP) & Individual Health Plan (IHP)

A comparison of school Section 504 Plans, Individualized Education Program, and Individual Health Plans can be found in Chart 2.

Comparison of School 504 Plans, IEPs & IHPs			
	Section 504 Plan	Individualized Education Program (IEP)	Individual Health Plan (IHP)
<b>Federal Statute</b>	Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability for students at all educational levels that the institution serves (civil rights law)  US Department of Education Office for Civil Rights (OCR)	The Individuals with Disabilities Education Act (IDEA) covers special education for students with disabilities from birth through 21 years of age (federal funding law)  US Department of Education Office of Special Education Programs (OSEP)	Scope is based on required nursing care, not and educational entitlement
<b>Purpose</b>	Ensures access to what the school provides by students with disabilities as compared to students without disabilities  Details regular or special education and related aids and services including specific academic, organizational, behavioral, and social supports	Focuses on individual student progress in relation to their own potential  Details how/where special education programs and related services will be carried out and outlines specific academic, organizational, behavioral, and social supports	Addresses student medical needs in the school setting to promote student health, prevent disease, and enhance academic achievement
<b>Eligibility</b>	Has a, or record of, or regarded as having a physical or mental impairment that: <ul style="list-style-type: none"> <li>Substantially limits a student's major life activity (e.g., ability to learn and function in school)</li> </ul>	Has a disability that: <ul style="list-style-type: none"> <li>Has one or more of the specific disabilities listed in the IDEA</li> <li>Significantly impacts educational performance</li> <li>Requires specialized services</li> </ul>	Usually includes students who <ul style="list-style-type: none"> <li>Are medically fragile</li> <li>Require complex health care support</li> <li>Need frequent or potential emergency contacts</li> <li>Have health care needs addressed on a daily basis</li> </ul>
<b>Evaluation</b>	Conduct an evaluation of any student who needs or is believed to need special education or related services because of a disability		Interpret school health records & health status
<b>Consent</b>	OCR interprets informed parent consent for: <ul style="list-style-type: none"> <li>Initial evaluation</li> </ul> OCR urges parental participation for changes in provisions of FAPE (e.g., location of services)	Requires parent consent for: <ul style="list-style-type: none"> <li>Initial evaluation</li> <li>Initial placement</li> <li>Reevaluation (with assessment)</li> </ul>	Medical release needed for health information to be shared with the school  Family Educational Rights and Privacy Act (FERPA) release needed for health information to be shared by the school to a provider
<b>The team</b>	Members can vary but must be knowledgeable about the student, the data, and service options  Often include: <ul style="list-style-type: none"> <li>Student's legal guardian</li> <li>Student's general-education teacher</li> </ul>	Multi-disciplinary team members must include: <ul style="list-style-type: none"> <li>Student's guardian</li> <li>Student's general-education teacher</li> <li>Special-education teacher</li> <li>Other applicable members knowledgeable about the</li> </ul>	A licensed registered school nurse or other qualified practitioner  Often include: <ul style="list-style-type: none"> <li>Family</li> <li>Educator</li> <li>Health care provider</li> </ul>

Chart 2



	<ul style="list-style-type: none"> <li>• School Section 504 Coordinator</li> <li>• Other applicable members knowledgeable about the student (e.g., speech therapist)</li> </ul>	student and/or the evaluation results (e.g., psychologist, speech therapist)	
<b>The plan</b>	<p>Blueprint for how a child will have access to learning at school.</p> <p>Written document not required, but encouraged and includes:</p> <ul style="list-style-type: none"> <li>• Specific academic or behavioral accommodations or services aligned with the student's needs that the school will provide</li> <li>• Who will provide the services</li> <li>• Who will make sure the plan is implemented and effective</li> </ul> <p>*OCR tends to prefer a written plan to demonstrate FAPE</p> <p>FAPE Provision: "Appropriate education" meets the educational needs of a student with a disability as adequately as those needs are met for students without disabilities</p>	<p>Blueprint for a child's special education experience at school</p> <p>Written document that includes:</p> <ul style="list-style-type: none"> <li>• Student's classification</li> <li>• Current academic/behavior status</li> <li>• Specific academic/behavior goals</li> <li>• Specific strategies aligned to goals</li> <li>• Accommodations, services, and curriculum supports</li> <li>• Timing of each service</li> <li>• Standardized test plan</li> <li>• Transition plan for high school and beyond</li> </ul> <p>FAPE Provision: "Appropriate education" meets the student's individual needs and the standards of the district/charter via specifically designed instruction</p>	<p>Written document that identifies medical needs of the student at school, school nurse services, &amp; how those needs will be met to achieve specific student outcomes/goals. Typically does not include non-health related services or accommodations</p> <p>May be attached to the student's Section 504 Plan or IEP</p> <p>May include an Emergency or Safety Plan</p>
<b>Revisions &amp; Re-evaluation</b>	Plan review & reevaluation regulations do not set a time frame. Schools are required schools to conduct reevaluations periodically, and before a significant change in placement	Plan review required every year & reevaluation at least every 3 years	Evaluation recommended at least yearly to determine needed revision & evidence of desired student outcomes. Frequently updated as changes in medical condition & needs occur
<b>Dispute Resolution</b>	<p>Options include:</p> <ul style="list-style-type: none"> <li>• Informal negotiation</li> <li>• Mediation</li> <li>• District Grievance Procedures</li> <li>• Impartial hearing</li> <li>• Equity Assistance Center (EAC) complaint</li> <li>• Office for Civil Rights (OCR) complaint</li> <li>• Civil lawsuit</li> </ul>	<p>Steps include:</p> <ul style="list-style-type: none"> <li>• Informal negotiation</li> <li>• Mediation / facilitation</li> <li>• Due process hearing</li> <li>• Civil lawsuit &amp; appeals</li> <li>• Formal state or federal complaint</li> </ul>	<p>Options include:</p> <ul style="list-style-type: none"> <li>• School meeting</li> <li>• District Grievance Procedures</li> </ul>
<b>Funding</b>	No additional funding to districts/charters & IEP funds cannot be used on Section 504 Plans	Funding to districts/charters from the federal government for each student with an IEP	No additional funding to districts
	<b>Section 504 Plan</b>	<b>Individualized Education Program (IEP)</b>	<b>Individual Health Plan (IHP)</b>

Chart 2 (cont.)

## Equal Opportunity

It is encouraged by the U.S. Department of Education that students with disabilities are held to the same high standards as students without disabilities. Students served under Section 504 must be provided an equal opportunity to achieve the same high academic standards as students with disabilities. This equal opportunity to access and obtain an understanding of the school curriculum (e.g., written curriculum, taught curriculum, assessed curriculum) can be provided in a variety of ways. The U.S. Department of Education Office of Special Education and Rehabilitative Services (OSER) which enforces compliance with the Individuals with Disabilities Education Act (IDEA) describes in their assistance to states in improving the academic achievement of children with disabilities:

*A research study conducted a meta-analysis of 70 independent studies investigated the effects of special education interventions on student achievement. The study found that children with disabilities made significant progress across different content areas and across different educational settings when they received systematic, explicit instruction; learning strategy instruction; and other evidence-based instructional strategies and supports (34 CFR Parts 200 and 300).*

Many supports that can be included within a Section 504 plan might also be considered generally as effective student-centered instruction.

### **Root Cause and Targeted Accommodations**

In order to achieve an appropriate education comparable in quality to students without disabilities, accommodations should be chosen on the basis of the individual student's needs and/or challenge that is limiting their access - not on the basis of disability category, grade level, or instructional setting.

Every student including those served under Section 504 is different. Not every student with a disability will need an implemented accommodation. Nor will all students with the same disability need the same accommodations. Similar challenges may display themselves differently in each individual due to the varying skills and subskills impacted.

Educators must be willing to spend time searching for new approaches and identifying specific areas of strength and challenge. Evaluation data should be utilized to pinpoint root causes of weakness and determine the most impactful accommodation(s).

Targeted accommodations as opposed to generic accommodations offer the most benefit. The process of digging to determine the root cause of academic and social behaviors ensures the most appropriate response.

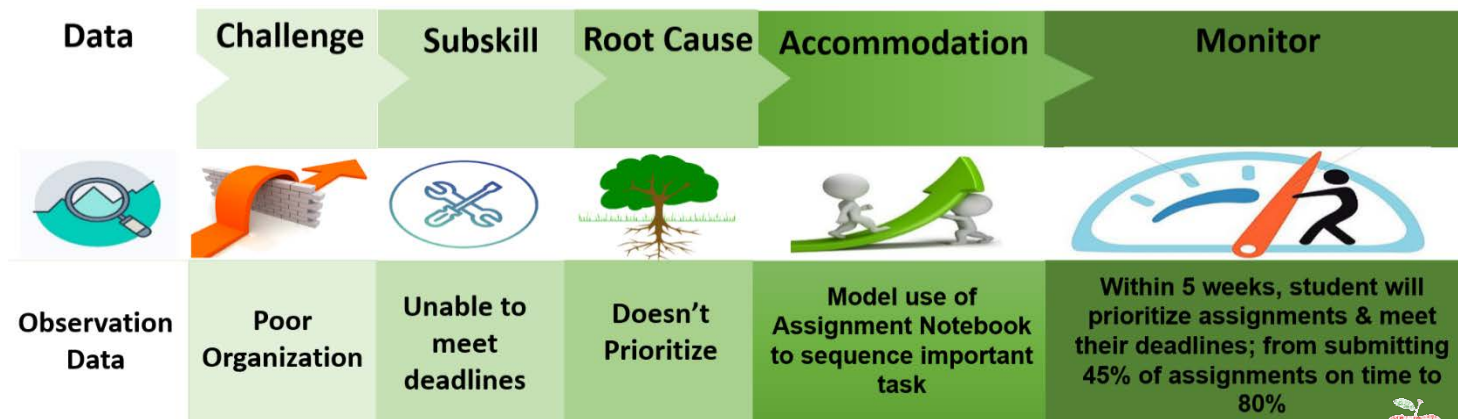


Figure 7

To target the academic needs of the student, educators should:

- Stay informed on current educational and brain research and varying effective accommodations and adaptations.
- Determine what is specifically blocking student learning before concentrating on which supports to use – including detecting what skill and/or area is being limited by the impairment.
- Align supports to the student's limitation, to increase the student's engagement with the curriculum.
- Train for and monitor the implementation of interventions.

### Sample Root Causes & Accommodations

What follows are examples of accommodations, strategies, and services that might be considered. Because accommodations should be individualized for each student's challenge, this is a non-exhaustive, non-mandatory list of a few root causes and supports. Not all possible root causes and accommodations are listed and therefore these examples should not be used as a "checklist". Section 504 teams may use this information to assist in their student-centered root cause analysis process to provide equitable learning opportunities. Section 504 team members must be knowledgeable of available placement and service options

Note that the mere presence of these challenges does not automatically qualify a student for a Section 504 Plan. The impairment must significantly limit a major life activity.

*Causes and Cures in the Classroom: Getting to the Root of Academic Behavior Problems* by Margaret Searle was used as a resource in the development of these examples.

## CHALLENGES RELATED TO POOR PLANNING & PROBLEM-SOLVING SKILLS

<p><b>Cannot visualize task or action plan or feels overwhelmed</b></p> <p><u>Root Cause Guiding Questions:</u> <i>Cannot visualize the final product?</i> <i>Cannot visualize needed steps?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Use graph paper to line up numbers/problems</li><li><input type="checkbox"/> Use manipulatives: coins, blocks, base 10 sticks, puzzles</li><li><input type="checkbox"/> Use film illustration of concept</li><li><input type="checkbox"/> Cover, fold or mask sections at a time to limit material presented on a single page (i.e., cardboard window)</li><li><input type="checkbox"/> Read task to student</li><li><input type="checkbox"/> Model how to break task down into small steps</li><li><input type="checkbox"/> Model how to put tasks steps in logical order of completion</li><li><input type="checkbox"/> Review action plan steps</li><li><input type="checkbox"/> Review possible tasks roadblocks prior to assignment</li><li><input type="checkbox"/> Break down large packets &amp; worksheets into sections</li><li><input type="checkbox"/> Class discussion of action plan</li></ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Have student describe (orally or visually) the final product</li><li><input type="checkbox"/> Talk about how to solve problem</li><li><input type="checkbox"/> Draw chart/sketches to solve problem</li><li><input type="checkbox"/> Read task aloud</li></ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Specific deadline extension</li><li><input type="checkbox"/> Assign due dates for small tasks</li></ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Separate space for different tasks</li></ul>	<p><b>Poor visual perception</b></p> <p><u>Root Cause Guiding Questions:</u> <i>Unable to make sense of what is seen?</i> <i>Unable to focus on important visual information &amp; filter unimportant?</i> <i>Cannot determine differences or similarities in objects (i.e., size, color, shape)?</i> <i>Unable to recall visual traits of an object?</i> <i>Unable to locate info. in busy background?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Use visual cues (i.e., sticker on 1<sup>st</sup> page)</li><li><input type="checkbox"/> Use directional arrows for letter formation</li><li><input type="checkbox"/> Use vivid adjectives to describe</li><li><input type="checkbox"/> Highlight/bold keyword &amp; concepts</li><li><input type="checkbox"/> Provide paper notes as oppose to copying from board</li><li><input type="checkbox"/> Provide Alphabet Strip on table for correct letter formation</li><li><input type="checkbox"/> Provide clear &amp; simple worksheets</li><li><input type="checkbox"/> Break visual activities into small steps</li></ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Use graph paper for word spacing &amp; sizing</li><li><input type="checkbox"/> Review work &amp; mistakes in written material</li><li><input type="checkbox"/> Practice completing partially drawn pictures</li><li><input type="checkbox"/> Feel the shape of letters: bending pipe cleaners, Play-Doh</li><li><input type="checkbox"/> Identify objects by touch (i.e., blind bag)</li></ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Sit away from visual distractions</li></ul>	<p><b>Little sense of urgency</b></p> <p><u>Root Cause Guiding Questions:</u> <i>Difficulty in seeing the task as relevant?</i> <i>Unable to estimate the time needed for tasks?</i> <i>Unable to delay gratification of a want?</i> <i>Feels overwhelmed by tasks?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Model delayed gratification of an immediate want</li><li><input type="checkbox"/> Model &amp; discuss intrinsic motivation</li><li><input type="checkbox"/> Provide extrinsic motivation: certificate, recognition, praise, prize</li><li><input type="checkbox"/> Connect games/puzzles to learning</li><li><input type="checkbox"/> Break down large packets &amp; worksheets into sections</li><li><input type="checkbox"/> Offer extrinsic motivation (i.e., positive email to parent, break, etc.)</li></ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Convey relevance &amp; importance of a task</li><li><input type="checkbox"/> List preferred motivators</li><li><input type="checkbox"/> Estimate the time a task may take</li><li><input type="checkbox"/> Use timer to pace appropriately</li><li><input type="checkbox"/> Use visual reminders: post-it notes, signs, timer, private signal</li></ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Allow specific additional time on task in specific areas</li></ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Use auditory reminders: alarm, vibration, adult prompt, clap, bell</li></ul>
<p><b>No backup plan when things get hard</b></p> <p><u>Root Cause Guiding Questions:</u> <i>Does not know when &amp; how to ask for help?</i> <i>Does not know when help is needed?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Model anticipated consequences</li><li><input type="checkbox"/> Model “plan B” strategy development</li></ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Identify optional resources for task completion</li></ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Small group tasks</li></ul>	<p><b>Poor self-monitoring skills</b></p> <p><u>Root Cause Guiding Questions:</u> <i>Cannot identify attributes of a quality product?</i> <i>Does not give self-credit?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Model self-credit for small successes</li><li><input type="checkbox"/> Provide examples of the final product</li></ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Use rubrics/checklists to self-monitor task quality</li></ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"><li><input type="checkbox"/> Provide timeline for completing a task</li><li><input type="checkbox"/> Provide time warning (i.e., “Finish up in 5 min.”)</li></ul>	

NOTE: Non-exhaustive, non-mandatory list; Accommodations should be individualized

## CHALLENGES RELATED TO MEMORY PROBLEMS

<b>Poor encoding to short-term memory</b>	<b>Poor processing in working memory</b>	<b>Poor storage in &amp; retrieval from long-term memory</b>
<p><u>Root Cause Guiding Questions:</u>  <i>Cannot create visual image of the information?</i>  <i>Cannot keep up with the pace of spoken instructions or directions?</i>  <i>Misses details &amp; sequences?</i>  <i>Cannot break task down into manageable parts?</i>  <i>Is distracted by irrelevant information?</i>  <i>Cannot switch efficiently from one task to another?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide written &amp; oral instructions</li> <li><input type="checkbox"/> Ask a question, give a few minutes to think, &amp; come back to student for answer</li> <li><input type="checkbox"/> Teacher-guided practice with partially completed problems</li> <li><input type="checkbox"/> Describe what steps to focus on &amp; why</li> <li><input type="checkbox"/> Memory tricks: acronyms, mnemonics, songs, rhymes</li> <li><input type="checkbox"/> Provide fill-in-the-blank notes or cloze notes</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Verbalize or draw images as they learn</li> <li><input type="checkbox"/> Highlight important information as they learn</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Post-it signs with to-do lists/steps</li> </ul>	<p><u>Root Cause Guiding Questions:</u>  <i>Cannot hold information long enough to work on it?</i>  <i>Cannot keep track of steps in a process?</i>  <i>Unable to see patterns &amp; relationships?</i>  <i>Cannot hold information long enough to copy it?</i>  <i>Difficulty matching language with concepts &amp; symbols?</i>  <i>Fails to self-correct due to losing focus on the tasks purpose &amp; details?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Reduce required copying</li> <li><input type="checkbox"/> Provide plenty of time for required copying</li> <li><input type="checkbox"/> Provide printed copies of formulas, worked math problems, &amp; notes</li> <li><input type="checkbox"/> Provide fill-in-the-blank notes or cloze notes</li> <li><input type="checkbox"/> Provide a notetaker</li> <li><input type="checkbox"/> Provide visual list of steps to complete a task</li> <li><input type="checkbox"/> Use number lines, matrix charts</li> <li><input type="checkbox"/> Provide exposure to new vocabulary prior to the day of the lesson</li> <li><input type="checkbox"/> Direct teach metacognition of memory</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Write directly on worksheet</li> <li><input type="checkbox"/> Highlight in consumable book</li> <li><input type="checkbox"/> Repeat/paraphrase directions or learning to teacher or partner (check for understanding)</li> <li><input type="checkbox"/> Journal how content or skill was learned</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Checklist of procedures posted in class, in locker, and/or on desk detailing how to interact in class, complete homework tasks, etc.</li> <li><input type="checkbox"/> Consistent routines</li> </ul>	<p><u>Root Cause Guiding Questions:</u>  <i>Does not ask for help?</i>  <i>Test anxiety?</i>  <i>Needs multiple pathways for faster retrieval?</i>  <i>Relies too much on rote learning?</i>  <i>Uses a weak or only 1 pathway to learn material?</i>  <i>Lacks the right type of modeling &amp; practice?</i>  <i>Cannot link new learning with existing knowledge?</i>  <i>Cannot link to old information (similarities/differences)?</i>  <i>Does not make the effort when information is not seen as important?</i>  <i>Does not see the real-life application?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Tape or record lessons</li> <li><input type="checkbox"/> Use symbols, synonyms, songs, skits, discussions examples or movement that clarify the same info. (create multiple memory storage paths)</li> <li><input type="checkbox"/> Repeated practice: spaced practice, massed practice</li> <li><input type="checkbox"/> Model note revision &amp; visual organizer use</li> <li><input type="checkbox"/> Use word bank</li> <li><input type="checkbox"/> Direct teach metacognition of memory</li> <li><input type="checkbox"/> Provide math formula sheets &amp; resource notes</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Explain why info./skill is relevant</li> <li><input type="checkbox"/> Make up test over new learning</li> <li><input type="checkbox"/> Oral review with partner</li> <li><input type="checkbox"/> Journal how content or skill was remembered</li> </ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Administer tests over more than 1 day</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Assignment planner</li> <li><input type="checkbox"/> Key lock for locker</li> <li><input type="checkbox"/> Map of school with room numbers</li> <li><input type="checkbox"/> Printed or picture schedule</li> <li><input type="checkbox"/> Post the days assignments</li> </ul>

NOTE: Non-exhaustive, non-mandatory list; Accommodations should be individualized

## CHALLENGES RELATED TO PERSISTENT PROBLEMS IN MATH

<p><b>Poor problem-solving skills</b></p> <p><u>Root Cause Guiding Questions:</u>  <i>Cannot read &amp; restate problems in their own words?</i>  <i>Cannot visualize the structure or patterns of problems?</i>  <i>Cannot identify correct operation or useful data?</i>  <i>Cannot break complex problems into logical steps?</i>  <i>Does not apply strategies correctly?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Model think-aloud solving</li> <li><input type="checkbox"/> Solve sample problems &amp; leave on board</li> <li><input type="checkbox"/> Use concrete materials: blocks, cubes, tangrams, number frames, algebra tiles, geometric figures</li> <li><input type="checkbox"/> Use 2-dimensional representations: sketches, pictures, tallies, number lines</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Paraphrase vocabulary words</li> <li><input type="checkbox"/> Articulate problem-solving strategy</li> <li><input type="checkbox"/> Verbalize processes &amp; steps as they work</li> <li><input type="checkbox"/> Highlight/circle/underline key words &amp; numbers in word problems</li> <li><input type="checkbox"/> Prior to computation, write declarative sentence leaving blank for needed answer</li> <li><input type="checkbox"/> Use math facts chart for computation: multiplication sheet, addition table</li> <li><input type="checkbox"/> Use calculator when not being tested on computation</li> <li><input type="checkbox"/> Use scratch paper</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Partnered practice: spaced practice, massed practice</li> </ul>	<p><b>Poor fluency with basic facts</b></p> <p><u>Root Cause Guiding Questions:</u>  <i>Poor sense of counting &amp; comparison of numbers?</i>  <i>Cannot visualize numbers &amp; their relationships?</i>  <i>Cannot apply properties of math to make computation easier?</i>  <i>Does not perform the right amount or type of practice?</i>  <i>Asked to master new skills before prerequisite skills are in place?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Memory tricks: acronyms, mnemonics, songs, rhymes</li> <li><input type="checkbox"/> Post key facts on T-Charts</li> <li><input type="checkbox"/> Math flash cards</li> <li><input type="checkbox"/> Short daily cumulative reviews</li> <li><input type="checkbox"/> Model perceptual &amp; conceptual subitizing (visual recognition of patterns &amp; adding recognized small groups of a whole)</li> <li><input type="checkbox"/> Compare actual quantities (how many more &amp; how many less)</li> <li><input type="checkbox"/> Review connections of new skill to prior knowledge</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Use calculator</li> <li><input type="checkbox"/> Use multiplication sheet</li> <li><input type="checkbox"/> Verbalize new skill similarities to prior knowledge</li> </ul>	<p><b>Lack of perseverance</b></p> <p><u>Root Cause Guiding Questions:</u>  <i>Has an "I can't" attitude because of recent failures?</i>  <i>Does not set personal goals or track progress?</i>  <i>Needs frequent breaks to maintain energy/focus?</i>  <i>Gives up because new skills are taught before prerequisite skills are in place?</i>  <i>Cannot visualize multiple ways of getting a reasonable result?</i>  <i>Does not ask for help?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Have students practice in pairs (i.e., make up own examples, discuss answers)</li> <li><input type="checkbox"/> Review connections of new skill to prior knowledge</li> <li><input type="checkbox"/> Provide extra space to write problems &amp; solutions</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Verbalize new skill similarities to prior knowledge</li> <li><input type="checkbox"/> Use positive self-talk, or visualize past success</li> <li><input type="checkbox"/> Use math formula sheets &amp; resource notes</li> </ul> <p><b>Lack of self-monitoring or directing</b></p> <p><u>Root Cause Guiding Questions:</u>  <i>Cannot estimate a reasonable answer?</i>  <i>Does not see the real-life application?</i>  <i>Thinks finishing 1<sup>st</sup> is important?</i>  <i>Thinks the teacher should only check answers?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Immediately corrects errors &amp; provides feedback explanation</li> <li><input type="checkbox"/> Provide modeling, guided practice, &amp; feedback on how to self-monitor</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Use checklist or rubric when checking for errors</li> </ul>
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## CHALLENGES RELATED TO POOR ORGANIZATION

<p><b>Cannot meet deadlines</b></p> <p><u>Root Cause Guiding Questions:</u> <i>Does not have a sense of how long an X number of minutes feels like?</i> <i>Cannot estimate time for task?</i> <i>Does not prioritize or sequence tasks?</i> <i>Does not monitor break time?</i> <i>Does not know how to get started?</i></p> <p><u>Teacher Presentation Accommodations:</u> <input type="checkbox"/> Model how to schedule/track time spent on a task <input type="checkbox"/> Send important date reminders <input type="checkbox"/> Provide course syllabus that includes dates for projects, tests, etc. <input type="checkbox"/> "Get Ready" checklist of items needed to get started <input type="checkbox"/> Provide worked examples</p> <p><u>Student Response Accommodations:</u> <input type="checkbox"/> Use visual or disappearing timer <input type="checkbox"/> Use assignment planner</p> <p><u>Timing &amp; Scheduling:</u> <input type="checkbox"/> Time how long it takes the student to get started with &amp; without "Get Ready" checklist <input type="checkbox"/> Assign Study Hall period</p> <p><u>Setting:</u> <input type="checkbox"/> Notify parent of missing assignments <input type="checkbox"/> Monitor use of assignment planner <input type="checkbox"/> Assign staff to perform morning and/or afternoon check-ins – reviewing deadlines or the student's organization</p>	<p><b>Cannot organize space &amp; materials</b></p> <p><u>Root Cause Guiding Questions:</u> <i>Does not know why a task is important?</i> <i>Poor sorting &amp; classifying skills?</i> <i>Does not have or remember simple rules or patterns for organization?</i> <i>Cannot visualize the finished product or a plan to achieve it?</i> <i>Cannot break tasks down and sequence them?</i></p> <p><u>Teacher Presentation Accommodations:</u> <input type="checkbox"/> Model how to organize desk <input type="checkbox"/> Model sorting: fun objects, supplies, assignments, handouts</p> <p><u>Student Response Accommodations:</u> <input type="checkbox"/> Visualize final product &amp; answer "what should this look like when complete" <input type="checkbox"/> Gather materials prior to starting task</p> <p><u>Timing &amp; Scheduling:</u> <input type="checkbox"/> Allow time to clean workspace</p> <p><u>Setting:</u> <input type="checkbox"/> Color code folders <input type="checkbox"/> Large binder with colored dividers for multiple classes <input type="checkbox"/> Provide 3-hole punched handouts <input type="checkbox"/> Non-white colors for project assignment details &amp; dates <input type="checkbox"/> Set of books at home <input type="checkbox"/> Easy access to supplies</p>	<p><b>Cannot organize ideas</b></p> <p><u>Root Cause Guiding Questions:</u> <i>Does not establish a clear purpose for the task?</i> <i>Cannot brainstorm ideas for implementation or establish priorities?</i> <i>Does not understand the importance of a 1<sup>st</sup> draft plan?</i> <i>Cannot sequence ideas/tasks in a logical way?</i> <i>Does not know how to refine/revise a plan?</i></p> <p><u>Teacher Presentation Accommodations:</u> <input type="checkbox"/> Modeled how to strikethrough on multiple choice task <input type="checkbox"/> Model breaking big tasks into a list of smaller parts</p> <p><u>Student Response Accommodations:</u> <input type="checkbox"/> Erasable highlighter for important info. <input type="checkbox"/> Repeat or paraphrase directions or learning-to teacher or partner (check for understanding) <input type="checkbox"/> Use outline or multi-colored retractable pens to take notes <input type="checkbox"/> Study by placing labels in margins or re-writing notes</p> <p><u>Timing &amp; Scheduling:</u> <input type="checkbox"/> Allow time for short breaks</p> <p><u>Setting:</u> <input type="checkbox"/> Use "to do" list, checklist &amp; timelines</p>
<p><b>Cannot transfer skills to unfamiliar settings</b></p> <p><u>Root Cause Guiding Questions:</u> <i>Cannot visualize how, when, or where to apply the skill?</i> <i>Is overly dependent on others?</i> <i>Is using an organizing system that doesn't match personal style</i> <i>Does not feel payoff is enough to make organization strategies habits?</i> <i>Does not reflect &amp; adjust regularly?</i></p> <p><u>Teacher Presentation Accommodations:</u> <input type="checkbox"/> Allow student to self-assess their learning <input type="checkbox"/> Provide opportunity to reflect on coursework challenges</p> <p><u>Student Response Accommodations:</u> <input type="checkbox"/> Sort &amp; classify similarities and differences in content</p> <p><u>Timing &amp; Scheduling:</u> <input type="checkbox"/> Schedule student task reflection</p>	<p><b>Experience task paralysis due to anxiety or false beliefs</b></p> <p><u>Root Cause Guiding Questions:</u> <i>Avoids "boring" or difficult tasks?</i> <i>Has an unhealthy fear of mistakes?</i> <i>Has unclear expectations &amp; priorities?</i> <i>Does not understand how organization affects success?</i> <i>Lacks self-confidence due to limited success?</i></p> <p><u>Teacher Presentation Accommodations:</u> <input type="checkbox"/> Reinforce test taking skills <input type="checkbox"/> Utilize Growth-Mindset activities <input type="checkbox"/> Use Effort Supportive Language (e.g., "You worked hard", "You organized carefully", or "This is a challenge")</p> <p><u>Student Response Accommodations:</u> <input type="checkbox"/> Describe resources if they get stuck <input type="checkbox"/> Chart self-improvement <input type="checkbox"/> Visualize &amp; reflect on past success <input type="checkbox"/> Use positive self-talk</p> <p><u>Setting:</u> <input type="checkbox"/> Environment that describes mistakes as learning opportunities <input type="checkbox"/> Counseling services</p>	

NOTE: Non-exhaustive, non-mandatory list; Accommodations should be individualized

## CHALLENGES RELATED TO POOR WRITING SKILLS

<b>Poor fluency</b>	<b>Poor clarity &amp; organization skills</b>	<b>Weak editing &amp; revision skills</b>
<p><u>Root Cause Guiding Questions:</u>  <i>Poor handwriting &amp; spelling skills?</i>  <i>Unable to apply writing strategies?</i>  <i>Cannot visualize goal setting, brainstorming, planning, drafting, editing, &amp; revision?</i>  <i>Cannot transfer writing skills in unfamiliar situations?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Practice writing in the air using shoulder &amp; forearm</li> <li><input type="checkbox"/> Allow student to choose pencil grip</li> <li><input type="checkbox"/> Handwriting practice (i.e., tracing letters, copying/dictating words &amp; sentences)</li> <li><input type="checkbox"/> Guided practice with writing strategies</li> <li><input type="checkbox"/> Multiple short daily writing sessions</li> <li><input type="checkbox"/> Direct instruction on penmanship</li> <li><input type="checkbox"/> Provide fill in the blank notes</li> <li><input type="checkbox"/> Provide Alphabet Strip on table for correct letter formation</li> <li><input type="checkbox"/> Use directional arrows for letter formation</li> <li><input type="checkbox"/> Provide spelling words that only focus on spelling patterns</li> <li><input type="checkbox"/> Call out spelling words at a slower pace</li> <li><input type="checkbox"/> Provide a letter scramble for spelling words</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Verbally explain responses before writing them down</li> <li><input type="checkbox"/> Record verbal responses</li> <li><input type="checkbox"/> Write response next to question rather than separate paper</li> <li><input type="checkbox"/> Use wide-ruled or graph paper</li> <li><input type="checkbox"/> Speech-to-text software</li> <li><input type="checkbox"/> Typed assignments</li> <li><input type="checkbox"/> Use scribe to write responses</li> <li><input type="checkbox"/> Braille writer</li> <li><input type="checkbox"/> Circle or point at answers</li> <li><input type="checkbox"/> Track growth by reviewing previous writings</li> </ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Outlined response with verbal presentation</li> <li><input type="checkbox"/> Provide timely feedback as they work or by next class</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Average 2 grades for essays (1 for content &amp; 1 for grammar)</li> <li><input type="checkbox"/> Specific feedback does not include more info. then the student can process</li> </ul>	<p><u>Root Cause Guiding Questions:</u>  <i>Awkward sentence structure/word choice?</i>  <i>Uses run-on or short sentences?</i>  <i>Poor transitions?</i>  <i>Guided practice on audience &amp; purpose?</i>  <i>Guided practice on sequencing thoughts?</i>  <i>Guided practice on clear word choice?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Model writing tools (i.e., cut, copy, paste, underline, bold)</li> <li><input type="checkbox"/> Provide printed lecture notes</li> <li><input type="checkbox"/> Direct teach commonly known words for the grade-level</li> <li><input type="checkbox"/> Use exploratory approach to model identification of spelling patterns (i.e., phonetic, word families, syllables, and affixes)</li> <li><input type="checkbox"/> Model editing phonetically spelled words in the student's writing</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Sentence stems</li> <li><input type="checkbox"/> Spell phonetically</li> <li><input type="checkbox"/> Seek peer assistance in note taking</li> <li><input type="checkbox"/> Log &amp; study frequently misspelled words &amp; error patterns</li> <li><input type="checkbox"/> Track growth by reviewing previous spellings</li> <li><input type="checkbox"/> Use spell checker</li> <li><input type="checkbox"/> Use writing steps outline (purpose, audience, character development, details)</li> <li><input type="checkbox"/> Graphic organizer</li> </ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide timely feedback as they work or by next class</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Word walls to refer to while writing</li> <li><input type="checkbox"/> Minimal grading of initial writing practice</li> <li><input type="checkbox"/> Specific feedback does not include more info. then the student can process</li> </ul>	<p><u>Root Cause Guiding Questions:</u>  <i>Focuses on too many things at once?</i>  <i>Needs specific/frequent feedback?</i>  <i>Unaware of revision/editing resources?</i>  <i>Unable to see grammar, spelling, punctuation, or capitalization patterns?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Model quality editing &amp; revision</li> <li><input type="checkbox"/> Model sentence combining, run-on sentence modifying, &amp; sentence editing</li> <li><input type="checkbox"/> Use peer feedback sessions</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Use spell checker or grammar checker</li> <li><input type="checkbox"/> Use writing checklist or rubric to clarify ideas, remove unnecessary ideas, revise sequence</li> <li><input type="checkbox"/> Edit someone else's writing</li> </ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide timely feedback as they work or by next class</li> </ul> <p><b>Low motivation to write</b></p> <p><u>Root Cause Guiding Questions:</u>  <i>Poor self-confidence in writing?</i>  <i>Environment/feedback perceived as harsh?</i>  <i>Overwhelmed by size/complexity of task?</i>  <i>Direct guidance/support during writing?</i>  <i>Does not track errors typically made to adjust?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide topic choices for the student to pick from</li> <li><input type="checkbox"/> Publish writing for an audience: letter, e-mail, blog, hallway, local business, Google classroom</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Use computer to complete a task</li> <li><input type="checkbox"/> Oral presenting or testing</li> <li><input type="checkbox"/> Use personal journal</li> </ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide timely feedback as they work or by next class</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Small group tasks</li> <li><input type="checkbox"/> Specific feedback does not include more info. then the student can process</li> </ul>

NOTE: Non-exhaustive, non-mandatory list; Accommodations should be individualized

## CHALLENGES RELATED TO POOR ATTENTION & FOCUS

### ***Does not know what to focus on (Unable to relate to new things)***

#### Root Cause Guiding Questions:

*Does not see the personal importance of a task?  
Cannot inhibit distracters?  
Due to stress, has reduced focus ability?  
Cannot sort abstract information?*

#### Teacher Presentation Accommodations:

- ☐ Materials with bolded words & highlighted text
- ☐ Peer note-taker
- ☐ Printed notes
- ☐ Advance organizers with focusing questions (*i.e.*, KWL chart)
- ☐ Use flashlight or pointer to illuminate important information
- ☐ Provide a clear task purpose & learning target
- ☐ Ask how a new skill is similar to an old skill
- ☐ Use concrete experiences
- ☐ Provide specific feedback
- ☐ Consider student style & interest
- ☐ Build choices into assignments

#### Student Response Accommodations:

- ☐ Verbalize what the task or target is and why it is useful
- ☐ Verbalize new skill similarities to prior knowledge
- ☐ Utilize sleep tracking form for use at home
- ☐ Cover half of worksheet with another sheet of paper

#### Timing & Scheduling:

- ☐ Intersperse work time with short breaks
- ☐ Shortened school day
- ☐ Leave early or late passes
- ☐ Cover up unnecessary materials or shelving

#### Setting:

- ☐ Window or pictures of nature used during short break times
- ☐ Outdoor or stretch breaks

### ***Cannot sustain focus (Poor endurance)***

#### Root Cause Guiding Questions:

*Cannot break large task into manageable chunks?  
Overwhelmed when too much info. or skills required?  
Cannot work for long periods without break?  
Lacks variety in ways to approach task?  
Lacks enough support to keep frustration low?  
Cannot self-monitor on-task behavior?*

#### Teacher Presentation Accommodations:

- ☐ High contrast between text & background
- ☐ Sufficient space between letters, words, & lines
- ☐ Read tasks to student
- ☐ Prompt student to read tasks aloud
- ☐ Pace passive learning & student active reflection based on student age (*i.e.*, lecture minutes age appropriate)
- ☐ Keep lesson periods short when possible

### ***Poor transition skills (Lacks flexible thinking)***

#### Root Cause Guiding Questions:

*Feels stressed from fear of failure or unknown consequences?  
Lacks clear goals & priorities  
Unable to work without clear structure or pattern?  
Cannot use self-talk to plan before acting?  
Cannot adjust pace or plan for new situations?*

#### Teacher Presentation Accommodations:

- ☐ Use transition signals, sounds, or visual cues (*i.e.*, cards)
- ☐ If multiple teachers are seen, align class routines when possible

#### Student Response Accommodations:

- ☐ Use visual agenda or to-do list

#### Timing & Scheduling:

- ☐ Transition Breaks
- ☐ Transition countdowns

#### Setting:

- ☐ Move to quiet space to work
- ☐ Routines
- ☐ Visual timer
- ☐ Assistance getting to classes (*i.e.*, labeled map, peer/adult)
- ☐ Tactile stimulation
- ☐ Provide supervision during transitions

#### Setting:

- ☐ Soft alarm (*e.g.*, chime, harp) or vibrating watch at predetermined intervals during independent work to remind to re-focus

#### Student Response Accommodations:

- ☐ Verbalize and discuss direction & learning with partner
- ☐ Read with partner
- ☐ Draw example of learning
- ☐ Stand to complete tasks
- ☐ Use distraction-blockers: earplugs, earphones, white noise (*i.e.*, rainwater) privacy divider during seat work & tests
- ☐ Self-monitor on-task behavior & distraction reasons

- ☐ Alternate between high- & low-interest activities
- ☐ Stand in a single location during direct instruction
- ☐ Use visualization strategies with sensory detail
- ☐ Tangible learning experiences
- ☐ Cut or color-code worksheets into sections
- ☐ Provide examples or worked problems
- ☐ Redirect focus: ask a question, nonverbal cues, stand close
- ☐ Track on-task behavior & provide feedback

NOTE: Non-exhaustive, non-mandatory list; Accommodations should be individualized

## CHALLENGES RELATED TO POOR READING COMPREHENSION

<p><b>Poor word attack skills</b></p> <p><u>Root Cause Guiding Questions:</u>  <i>Cannot link sounds to letters?</i>  <i>Experiences spatial confusion, causing reversals?</i>  <i>Cannot break down or blend sounds?</i>  <i>Cannot break words into syllables?</i>  <i>Cannot see rhyme, vowel, or consonant patterns in syllables?</i></p> <p><u>Teacher Presentation Accommodations:</u>  <input type="checkbox"/> Use font type that reduces visual confusion (i.e., Helvetica, Courier, Arial, Verdana)</p> <p><u>Student Response Accommodations:</u>  <input type="checkbox"/> Color overlays</p>	<p><b>Poor oral reading fluency</b></p> <p><u>Root Cause Guiding Questions:</u>  <i>Cannot read in phrases?</i>  <i>Cannot keep track of current pace on the page?</i>  <i>Ignores punctuation?</i>  <i>Does not read with expression?</i>  <i>Does not set personal goals &amp; track progress?</i></p> <p><u>Teacher Presentation Accommodations:</u>  <input type="checkbox"/> Books and materials with large print  <input type="checkbox"/> Device to magnify print: magnifiers, enlarged screen  <input type="checkbox"/> Bookmark for tracking  <input type="checkbox"/> Audiobooks  <input type="checkbox"/> Oral reader: screen reader, peer, adult  <input type="checkbox"/> Braille  <input type="checkbox"/> Model reading with expression &amp; attending to punctuation (i.e., Echo-reading)  <input type="checkbox"/> Script &amp; Play reading (i.e., Radio Reading)  <input type="checkbox"/> Reading cue card with focus question</p> <p><u>Student Response Accommodations:</u>  <input type="checkbox"/> Oral reading practice (i.e., Paired Repeated Reading, Phrase reading, Simple Assisted Reading, Radio Reading, etc.)  <input type="checkbox"/> Braille Typewriter  <input type="checkbox"/> Story retelling with “first”, “then”, &amp; “finally”  <input type="checkbox"/> Allowed to write notes in margins  <input type="checkbox"/> Group picture cards by sounds</p>	<p><b>Poor comprehension</b></p> <p><u>Root Cause Guiding Questions:</u>  <i>Does not set a purpose before reading?</i>  <i>Cannot create visual images of the information?</i>  <i>Does not predict or ask questions while reading?</i>  <i>Does not know fix-up strategies &amp; apply them?</i>  <i>Does not self-monitor to see if text makes sense?</i>  <i>Does not remember what was read?</i>  <i>Highlight/circle key words and essential information?</i></p> <p><u>Teacher Presentation Accommodations:</u>  <input type="checkbox"/> Minimize double-sided worksheets  <input type="checkbox"/> Vocabulary Flash Cards  <input type="checkbox"/> Use variety of text  <input type="checkbox"/> Provide relevance &amp; connection to the reading  <input type="checkbox"/> Model finding text topic  <input type="checkbox"/> Model filtering out unimportant information  <input type="checkbox"/> Read aloud  <input type="checkbox"/> Model mental picture creation  <input type="checkbox"/> Review connections of new skill to prior knowledge</p> <p><u>Student Response Accommodations:</u>  <input type="checkbox"/> Break reading tasks into small steps  <input type="checkbox"/> Highlight important parts of text (set limit on words/phrases)  <input type="checkbox"/> Key word graphic organizer  <input type="checkbox"/> Oral summarization (i.e., Partner Turn-and-talks, class discussion)  <input type="checkbox"/> Verbalize new skill similarities to prior knowledge  <input type="checkbox"/> Sketch mental pictures  <input type="checkbox"/> Repeat 1-step instructions  <input type="checkbox"/> Reciprocal teaching  <input type="checkbox"/> Concept mapping (graphical representations of text)  <input type="checkbox"/> Student self-questioning of text before, during, and after reading</p> <p><u>Timing &amp; Scheduling:</u>  <input type="checkbox"/> Plan mental breaks</p>
<p><b>Poor automatic word recognition and vocabulary</b></p> <p><u>Root Cause Guiding Questions:</u>  <i>Lacks rich oral language experiences?</i>  <i>Has not encountered words multiple times in multiple contexts?</i>  <i>Cannot analyze words using roots &amp; affixes?</i>  <i>Cannot infer a meaning by using context clues?</i>  <i>Does not relate to idioms or other forms of figurative language?</i></p> <p><u>Teacher Presentation Accommodations:</u>  <input type="checkbox"/> Direct teach literal &amp; figurative idioms  <input type="checkbox"/> Model use of context cues</p> <p><u>Student Response Accommodations:</u>  <input type="checkbox"/> Define words linguistically &amp; non-linguistically (i.e., sketch)  <input type="checkbox"/> List characteristics, examples, &amp; non-examples of new vocabulary words  <input type="checkbox"/> List synonym and antonym of words  <input type="checkbox"/> Write new words in a sentence</p>		

NOTE: Non-exhaustive, non-mandatory list; Accommodations should be individualized

## CHALLENGES RELATED TO IMPULSIVENESS & POOR SELF-MONITORING

<p><b>Inability to delay gratification or reacts before thinking</b></p> <p><u>Root Cause Guiding Questions:</u>  <i>Cannot distinguish feelings from actions or wants from needs?</i>  <i>Needs attention or higher level of stimulation?</i>  <i>Is unable to slow down and use self-talk to calm down?</i>  <i>Has limited repertoire of appropriate responses?</i>  <i>Needs more structure &amp; routine</i>  <i>Unsure of how actions affect others?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide opportunity to reflect on coursework challenges</li> <li><input type="checkbox"/> Direct teach metacognition of reasoning &amp; emotion</li> <li><input type="checkbox"/> Direct teach self-monitoring</li> <li><input type="checkbox"/> Provide immediate feedback on success &amp; areas of improvement</li> <li><input type="checkbox"/> Provide parent with feedback on success &amp; areas of improvement</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Journal emotional triggers or events (home &amp; school)</li> <li><input type="checkbox"/> Chart behaviors &amp; feelings (home &amp; school)</li> <li><input type="checkbox"/> Talking stick during group discussions</li> </ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Schedule 5 minute period to check work prior to submitting</li> <li><input type="checkbox"/> Time 15 or 20 minutes of pure focus then allow break</li> <li><input type="checkbox"/> Allow 20 min.'s to calm after emotional trigger</li> <li><input type="checkbox"/> Schedule end of the day/period self-monitoring</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Ignore minor inappropriate behavior</li> <li><input type="checkbox"/> Increase immediacy of rewards &amp; consequences</li> <li><input type="checkbox"/> Tactile stimulation</li> <li><input type="checkbox"/> Counseling services</li> </ul>	<p><b>Inability to cope with frustration, anger or feelings of discouragement or helplessness</b></p> <p><u>Root Cause Guiding Questions:</u>  <i>Cannot articulate the problem/feelings?</i>  <i>Avoids situations that are too difficult or boring?</i>  <i>Retaliates for perceived mistreatment?</i>  <i>Cannot identify what triggers problems or causes stress?</i>  <i>Cannot reframe (see things from a new perspective)?</i>  <i>Does not know how to gain power, attention, or control appropriately?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Direct teach calming self-talk</li> <li><input type="checkbox"/> Direct teach reframing strategies to cope with stress</li> <li><input type="checkbox"/> Utilize Vocabulary Continuum strategy to identify &amp; label ranges of feelings (<i>i.e.</i>, miserable, poor, good)</li> <li><input type="checkbox"/> Direct teach the impact of prior experiences on decisions &amp; choices</li> <li><input type="checkbox"/> Direct teach reframing &amp; considering alternative explanations</li> <li><input type="checkbox"/> Provide/model language to convey what they are feeling "I feel", "I accept", or "It's frustrating when"</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Use constructive self-verbalization, calming self-talk, or visualize past success</li> <li><input type="checkbox"/> Journal emotional triggers or events (home &amp; school)</li> <li><input type="checkbox"/> Use breathing exercises</li> <li><input type="checkbox"/> Flex &amp; relax muscles</li> <li><input type="checkbox"/> Count to 10 or talk to an adult</li> <li><input type="checkbox"/> Drink water</li> </ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Schedule sensory break</li> <li><input type="checkbox"/> Schedule small group on anger management</li> <li><input type="checkbox"/> Schedule core exercises, stretching, and/or walking</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Space for student's guide dog (service animal)</li> <li><input type="checkbox"/> Adjust lighting</li> <li><input type="checkbox"/> Play calming music</li> <li><input type="checkbox"/> Use air purifier</li> <li><input type="checkbox"/> Tactile stimulation</li> <li><input type="checkbox"/> Provide quiet spot for student as needed</li> <li><input type="checkbox"/> Counseling services</li> </ul>	<p><b>Inability to adjust behavior to a situation and/or is unaware of how own behavior affects others</b></p> <p><u>Root Cause Guiding Questions:</u>  <i>Is unclear about expectations or goals?</i>  <i>Does not pick up on feedback that indicates a need to alter behavior?</i>  <i>Needs practice for appropriate behavior &amp; responses?</i>  <i>Cannot accurately predict consequences?</i>  <i>Needs feedback for improvement &amp; reinforcement?</i>  <i>Is unable to use past experiences &amp; mistakes to self-correct?</i></p> <p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide structured opportunities to talk (<i>i.e.</i>, read morning announcements, daily assignment)</li> <li><input type="checkbox"/> Model conversation courtesy</li> <li><input type="checkbox"/> Direct teach figurative expressions</li> <li><input type="checkbox"/> Direct teach nonverbal cues for emotions (<i>i.e.</i>, nonverbal charades, body language scrapbook)</li> <li><input type="checkbox"/> Direct teach active listening: reflective listening, paraphrasing responses</li> <li><input type="checkbox"/> Model consequences prediction</li> <li><input type="checkbox"/> Synchronize strategies with those used by other providers (<i>i.e.</i>, counselor)</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Act out non-verbal cues</li> <li><input type="checkbox"/> Reflect on feedback for improvement &amp; successes</li> <li><input type="checkbox"/> Practice performing appropriate behavior responses</li> <li><input type="checkbox"/> Practice predicting consequences (<i>i.e.</i>, "What will happen if I do this?", evaluate false predictions)</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> When redirecting use "I feel", "he/she feels", or "it hurts when" statements</li> <li><input type="checkbox"/> Use Behavior Matrix for specific areas (<i>i.e.</i>, class, cafeteria, hallway)</li> <li><input type="checkbox"/> Send daily/weekly progress updates home</li> <li><input type="checkbox"/> Utilize behavior contract</li> <li><input type="checkbox"/> Compliment positive behavior</li> <li><input type="checkbox"/> Counseling services</li> </ul>
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NOTE: Non-exhaustive, non-mandatory list; Accommodations should be individualized



CHALLENGES RELATED TO <u>ALLERGIES</u>	CHALLENGES RELATED TO <u>ARTHRITIS</u>	CHALLENGES RELATED TO <u>ASTHMA</u>
<p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Adapt physical education curriculum during high pollen season</li> </ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Allow time for shots &amp; appointments</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Eliminate contact with allergy-causing substances</li> <li><input type="checkbox"/> Use air purifiers</li> <li><input type="checkbox"/> Assess pets &amp; animals in class</li> </ul>	<p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Adapt physical education curriculum</li> <li><input type="checkbox"/> Digital lab curriculum</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Use pencil grips, typewriter, or computer</li> <li><input type="checkbox"/> Use locker assistance or lock with key</li> <li><input type="checkbox"/> Use peer note taker, tape recorder, or printed notes</li> <li><input type="checkbox"/> Use Velcro fasteners for bags</li> <li><input type="checkbox"/> Oral reports</li> </ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Allow time for appointments</li> <li><input type="checkbox"/> Allow extra time between classes</li> <li><input type="checkbox"/> Schedule peer support group</li> <li><input type="checkbox"/> Schedule rest periods</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide assistance in carrying books or tray (<i>i.e.</i>, book caddy)</li> <li><input type="checkbox"/> Allow movement to avoid stiffness</li> <li><input type="checkbox"/> Provide padded chairs</li> <li><input type="checkbox"/> Sit close to heat</li> </ul>	<p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Adapt physical education curriculum</li> </ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Schedule rest periods</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Remove allergens</li> <li><input type="checkbox"/> Provide inhalant therapy assistance</li> </ul>

NOTE: Non-exhaustive, non-mandatory list; Accommodations should be individualized

CHALLENGES RELATED TO <u>CANCER</u>	CHALLENGES RELATED TO <u>HEARING IMPAIRMENT</u>	CHALLENGES RELATED TO <u>SLEEP DISORDER</u>
<p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Limit the number of classes taken</li> <li><input type="checkbox"/> Tape lessons</li> <li><input type="checkbox"/> Use mastery learning techniques</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Use peer note taker, tape recorder, or printed notes</li> <li><input type="checkbox"/> Use individual school counseling</li> </ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Allow time for breaks, recuperation, appointments, etc.</li> <li><input type="checkbox"/> Shortened school day</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide instruction or tutor at hospital or home</li> <li><input type="checkbox"/> Provide dietary accommodations</li> </ul>	<p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Use written notes for communication</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Use assistive technology</li> </ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Schedule peer support group</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide interpreter for school events</li> <li><input type="checkbox"/> Provide assistive devices on public phones</li> <li><input type="checkbox"/> Provide TDD or relay services</li> </ul>	<p><u>Teacher Presentation Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Seek out indicators that the student may fall asleep</li> <li><input type="checkbox"/> Minimize stressors that trigger sleep</li> </ul> <p><u>Student Response Accommodations:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Signal to the teacher when they may fall asleep</li> </ul> <p><u>Setting:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Provide safe and quiet area to rest</li> <li><input type="checkbox"/> Provide asynchronous courses</li> </ul> <p><u>Timing &amp; Scheduling:</u></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Student-centered schedule (<i>i.e.</i>, most important classes at the start, middle or end of the school day based on when the student is most likely not to be impacted by the disorder, school day starts or ends based on when the disorder is seen to impact the student)</li> <li><input type="checkbox"/> Shortened school day</li> </ul>

NOTE: Non-exhaustive, non-mandatory list; Accommodations should be individualized



CHALLENGES RELATED TO <u>VISUAL</u> <u>IMPAIRMENT</u>
<u>Teacher Presentation Accommodations:</u> <input type="checkbox"/> Provide large print copies of text/notes <input type="checkbox"/> Provide raised line materials <input type="checkbox"/> Provide audiobooks <input type="checkbox"/> Use tactile maps <input type="checkbox"/> Use 3D objects <input type="checkbox"/> Reduce visual clutter <input type="checkbox"/> Verbalize while writing on board <input type="checkbox"/> Avoid red, orange or yellow markers  <u>Student Response Accommodations:</u> <input type="checkbox"/> Sits where vision is optimized <input type="checkbox"/> Use dark felt tip pens, dark lined writing paper, magnifier, monocular glass, desktop slant board <input type="checkbox"/> Avoid working in own shadow or facing the light  <u>Setting:</u> <input type="checkbox"/> As much as possible consistent room arrangement <input type="checkbox"/> Remove entryway obstacles

NOTE: *Non-exhaustive, non-mandatory list; Accommodations should be individualized*

## Classroom Testing Supports

Testing accommodations may not automatically equate to better grades on a test or graded assignment. Testing accommodations may provide increased opportunities to show mastery or misunderstanding of what was taught. For example, if an assessment is intended to measure only a student’s understanding of the skill *Identifying the Main Idea*, an accommodation for a student with a disability that impacts their spelling skills might be to allow the student to highlight the main idea in the text. Students should be familiar and comfortable with an accommodation before having to experience it in a testing situation.

## Standardized Testing Accommodations

For specific information on available accommodations for mandated standardized assessments contact the Assessment Unit in the Division of Learning Services at the Arkansas Division of Elementary and Secondary Education (DESE).

## Process Roles & Responsibilities

**C**learly defined roles and responsibilities are key to ensuring an effective Section 504 process. A depiction of these roles can be found in Figure 8.

### **All School District and Charter School Employees**

- Identify and locate all children with disabilities.
- Submit referrals for Section 504 as appropriate.
- Ensure that students with disabilities are educated with non-disabled students to the maximum extent appropriate.
- Provide a “free appropriate public education”.
- Ensure that students with disabilities have an equal opportunity to participate in nonacademic and extracurricular services and activities.
- Understand the requirements and intent of Section 504 regulations.

### **Local School Board**

- Adopt a Section 504 policy and procedure that includes a Grievance Procedure.
- Review data-based annual report of Section 504 and the ADA compliance.



### **Local Educational Agency (LEA) & School District**

- Establish guiding documents, procedural safeguards, and nondiscriminatory evaluation and placement processes.
- Designate and train the employee that is responsible for ensuring compliance with Section 504 regulations (if maintains fifteen [15] or more employees).
- Provide an annual non-discrimination notice that provides the name and telephone number of the Section 504 Coordinator.
- Provide complaint procedures for parents, students, and employees.
- Ensure resources necessary for individualized services and support.
- Train staff enabling them to perform services and make appropriate accommodations.
- Convey the requirement that educators/staff implement Section 504 Plans and not doing so may constitute non-compliance with school district/charter school expectations.
- Provide for a process whereby Section 504 records are efficiently transferred within the school district/charter school and outside the district/school (in and out of state).



### **Section 504 Coordinator**

- Ensure that Section 504 Plan accommodations are disseminated to appropriate staff.
- Request Section 504 Team meeting to review plan if no longer appropriate.

- Send parent communication concerning Section 504 (e.g., notice of identification, notice of Parental Rights, meeting date, copy of plan).
- Identify Section 504 Team members and schedule meetings.
- Ensure that funding approval for resources to implement plans progresses through the appropriate channels.
- Monitor the reduction of architectural barriers for individuals with disabilities.
- Conduct self-reviews and monitor Section 504 procedures and practices – including the amount of time from when a referral is submitted to when the team meets to conduct an evaluation.
- Develop awareness, materials, and trainings for school staff and families.
- Maintain records/data and prepare annual reports on compliance to the LEA leadership team and local school board.
- Implement grievance procedures for submitted Section 504 complaints.
- Serve as liaison to DESE Equity Assistance Center (EAC) and Office for Civil Rights (OCR).



*Section 504 Coordinator role may be divided among District & Campus-level Section 504 Coordinators as appropriate.*

### **School Administration**

- Identify campus-level Section 504 Coordinator(s) as appropriate.
- Support Section 504 process and make available meeting space and time.
- Implement grievance procedures for submitted Section 504 complaints.



### **School Section 504 Team**

- Use knowledge about the student to make decisions.
- Consider the student's access as compared to their peers
- Understand the meaning of the reviewed evaluation data.
- Be familiar with placement options.



### **Teacher(s)**

- Communicate observed strengths and weaknesses.
- Provide input for team meetings and plan development.
- Request Section 504 Team meeting to review plan if no longer appropriate.
- Develop a process ensuring consistent implementation of Section 504 Plans.



### **Student**

- Communicate strengths and weaknesses.
- Maintain awareness of rights under Section 504.



**Parent or Guardian**

- Communicate observed strengths and weaknesses.
- Participate in meetings and discussions of changes in the child's education (e.g., location of services).
- Request Section 504 Team meeting to review plan if no longer appropriate.
- Maintain awareness of rights under Section 504.

**School Nurse** (as needed)

- Review student school health records (e.g., visits to health office, absences for medical reasons, parent, and teacher concerns).
- Interpret the student's health status; explain the major life activity affected, health limitation of the student, and anticipated duration of limitation.
- Recommend health-related accommodations and supports.
- May need to obtain medical reports.
- May need to develop an Individual Health Plan (IHP).

**Related Service Providers** (as needed)

- Conduct evaluations.
- Provide input for Section 504 Team meetings.
- Provided services.



## Section 504 Roles & Responsibilities

### Parent or Guardian

- Communicate observed strengths & weaknesses.
- Participate in meetings/considerations of FAPE.
- Maintain awareness of Section 504 rights.
- Request Section 504 Team meeting to review plan if no longer appropriate.

### School Nurse (as needed)

- Review student school health records (e.g., visits to health office, absences for medical reasons).
- Interpret the student's health status; explain the major life activity affected, health limitation, & anticipated duration of limitation.
- Recommend health-related accommodations & supports.
- May need to obtain medical reports.
- May need to develop an Individual Health Plan.

### Related Service Providers (as needed)

- Conduct evaluations.
- Provide input for Section 504 Team meetings.
- Provide services.

### Section 504 Coordinator

- Ensure that Section 504 plan accommodations are disseminated to appropriate staff.
- Send parent communication concerning Section 504 (e.g., notice of identification, notice of parental rights, notice of meeting, copy of plan).
- Identify Section 504 Team members & schedule meetings.
- Ensure that funding approval to implement plans progresses through the appropriate channels.
- Monitor physical & website accessibility & reduce architectural barriers.
- Conduct self-reviews & monitor Section 504 procedures & practices.
- Develop awareness, materials & trainings for school staff & families.
- Maintain records/data & prepare annual reports on compliance to the LEA leadership team and local school board.
- Implement grievance procedures for submitted Section 504 complaints.
- Serve as liaison to ADE Equity Assistance Center & the Office for Civil Rights.

*Role may be divided among District & Campus-level Section 504 Coordinators as appropriate.*

### Student

- Communicate strengths & weaknesses
- Maintain awareness of rights under Section 504



### Teacher(s)

- Provide input (observed weaknesses & strengths) for team meetings/plan development.
- Request Section 504 Team meeting to review plan if no longer appropriate.
- Develop a process ensuring consistent implementation of Section 504 plans.

### Section 504 Team

- Use knowledge about the student to make decisions – including how the disability impacts the student.
- Understand the meaning of the evaluation data.
- Be familiar with placement options.
- Ensure the student's access to education as compared to peers without disabilities.

### School Administration

- Identify campus Section 504 Coordinator as appropriate.
- Support Section 504 process & make available meeting space & time.
- Implement grievance procedures for submitted Section 504 complaints.

### Local Educational Agency (LEA) (School District & Charter School)

- Establish guiding documents, procedural safeguards, & nondiscriminatory evaluation/placement processes.
- Designate & train employee responsible for ensuring compliance with Section 504 regulations (if maintains fifteen [15] or more employees).
- Provide an annual non-discrimination notice that provides the name & telephone number of the Section 504 Coordinator.
- Provide complaint policies & procedures to parents, students, & employees.
- Ensure resources necessary for individualized services & supports.
- Train staff enabling them to perform services & appropriate accommodations.
- Provide for a process whereby Section 504 records are efficiently transferred within the district & outside the district (in & out of state).



### Coordinator Responsibilities

Clearly defined responsibilities of the Section 504 Coordinator are key to ensuring an effective Section 504 process. A depiction of these responsibilities throughout the year can be found in Figure 9.

#### **At the beginning of the school year:**

- Provide a list of the students served under Section 504 to administrators.
- Provide a list of the students receiving testing accommodations to testing coordinators.
- Communicate your role in supporting Section 504 processes to staff & parents.
- Provide targeted Section 504 training to staff.
- Provide Section 504 accommodations to all individuals that are required to implement them at least by the first day of instruction if not before.
- Engage in the duty-to-locate students with disabilities and “child-find” activities in the school district’s/charter school’s jurisdiction.
- Engage in Section 504 Plan Review Team Meetings (if held at the beginning of the school year).



#### **Throughout the school year:**

- Distribute new Section 504 accommodations to all individuals that are required to implement.
- Review student’s that no longer qualify for services under the IDEA (Individuals with Disabilities Education Act) determining if there is a suspicion of a disability requiring the student to be referred for an evaluation under Section 504.
- When needed review student grades and other relevant data for plan effectiveness (e.g., spot review, students at risk, quarterly).
- When needed review discipline and suspension data for plan effectiveness (e.g., spot review, students at risk, quarterly).
- Assess perceptions of Section 504 support via surveys of parents and staff.
- Meet with campus-level coordinators to discuss recent concerns and collaborate on process improvements (if applicable to your institution).
- Support campus-level coordinators by attending Section 504 meetings and assisting school staff (if applicable to your institution).
- Monitor accessibility and physical barriers (e.g., website, events).



#### **At the end of the school year:**

- Provide ACT and SAT testing accommodation support if the school district/charter school is involved in the test registration process. This might also



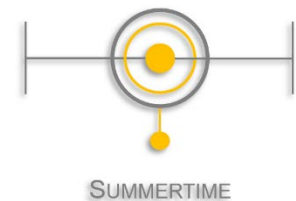
include describing to parents and students what documentation is needed to attach to the application for testing accommodations.

- Engage in Section 504 Plan Review Team Meetings (if held at the end of the school year).
- Ensure the transferring and collection of Section 504 records to/from schools within the school district/charter school and outside of the institution.
- Review transferred student Individual Health Plans (IHPs) determining if there is a suspicion of a disability requiring the student to be referred for an evaluation under Section 504.
- Provide postsecondary transition support to graduating Seniors.



### Throughout the summer:

- Engage in a data-based review of the school district's/charter school's Section 504 compliance such as –
  - Progress in student achievement outcomes (e.g., quarterly grades, local or state standardized assessments).
  - Proportionality in identification under Section 504 by English learner status, free/reduced lunch status, gender, and race as compared to the district/charter-wide population of that subgroup.
  - Proportionality in the administration of in-school and/or out-of-school discipline actions of students served under Section 504 as compared to the district/charter-wide population of students served under Section 504
  - Perceptual survey data of staff and parents.
- Engage in a review and update of policies, procedures, and practices for necessary process changes such as –
  - Section 504 meeting norms.
  - Appropriate “child-find” activities.
  - Inclusion of a notice of nondiscrimination and “child-find” within the student handbook and the website.
  - Reference the availability of the Section 504 grievance procedures within the student handbook and the website.
  - Translate necessary documents in your school community's commonly used languages.
  - Clear language in Section 504 forms and documents.
- Build self-capacity and Section 504 knowledge by reviewing OCR & EAC Section 504 guidance, information on how specific or common impairments might impact the school environment, the availability of assistive technology, and/or attending a Section 504 training.
- Adjust staff professional development in-service based on school year concerns and the needs of staff and students such as –



- After reflecting on next school year's field trips and activities, make note of needed staff training to support students with disabilities while they are on field trips or at extracurricular events.
- Support to a newly selected campus-level Section 504 coordinator designee (as needed).

## Section 504 Coordinator Responsibilities

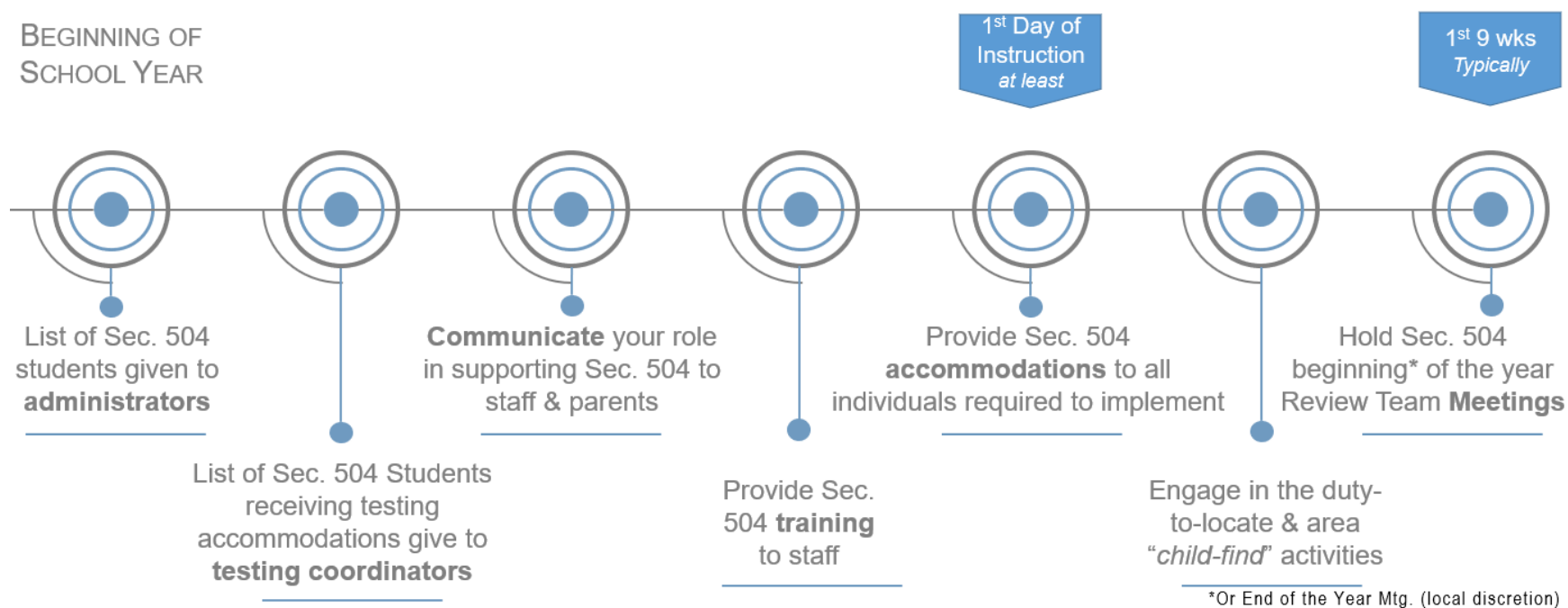


Figure 9a

## Section 504 Coordinator Responsibilities

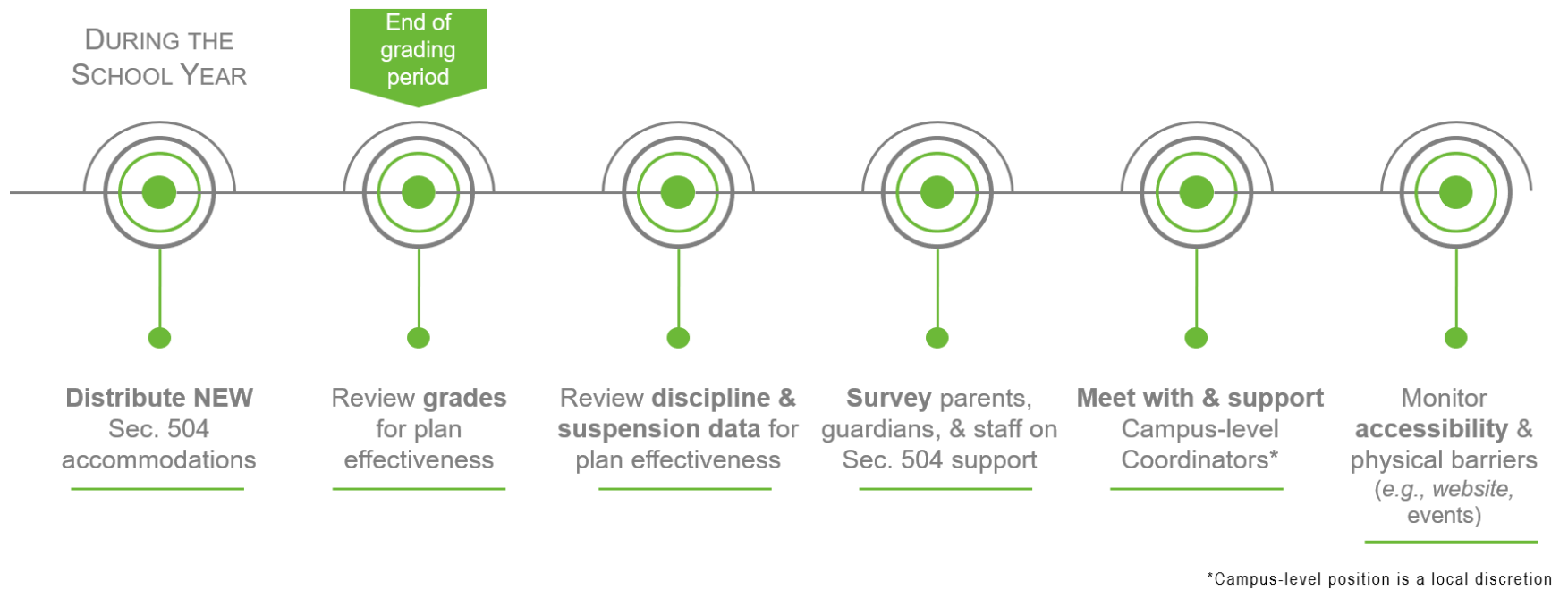
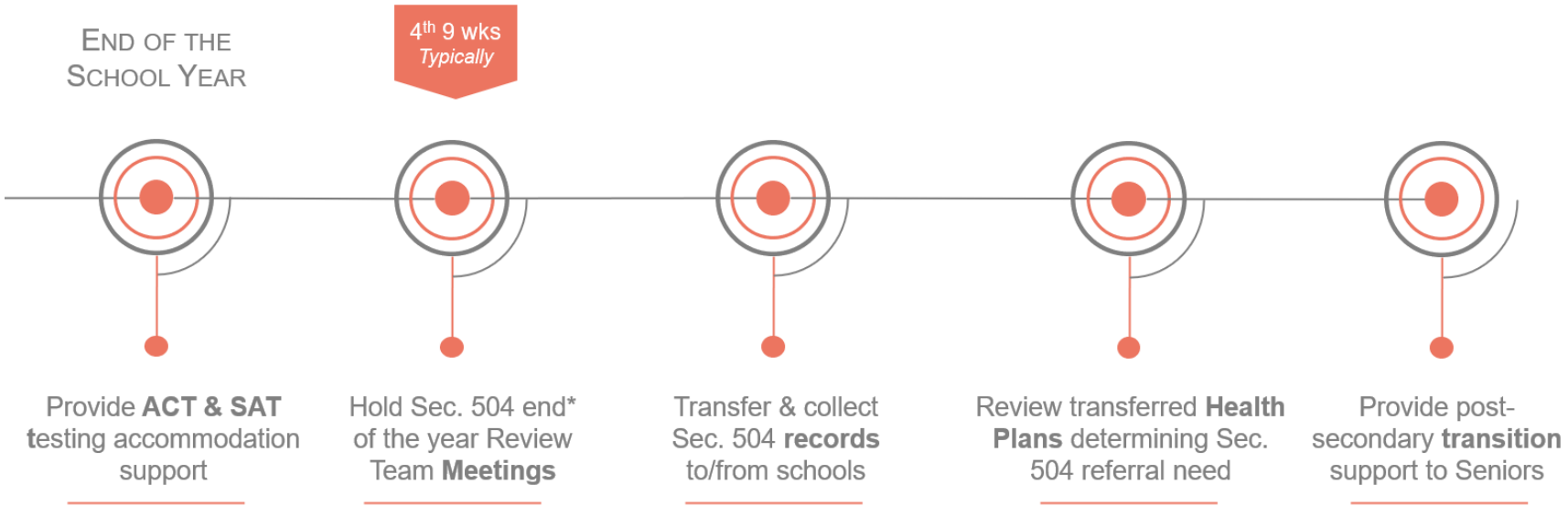


Figure 9b

Section 504 Coordinator Responsibilities



\*Or Beginning of the Year Mtg. (local discretion)

Figure 9c

## Section 504 Coordinator Responsibilities

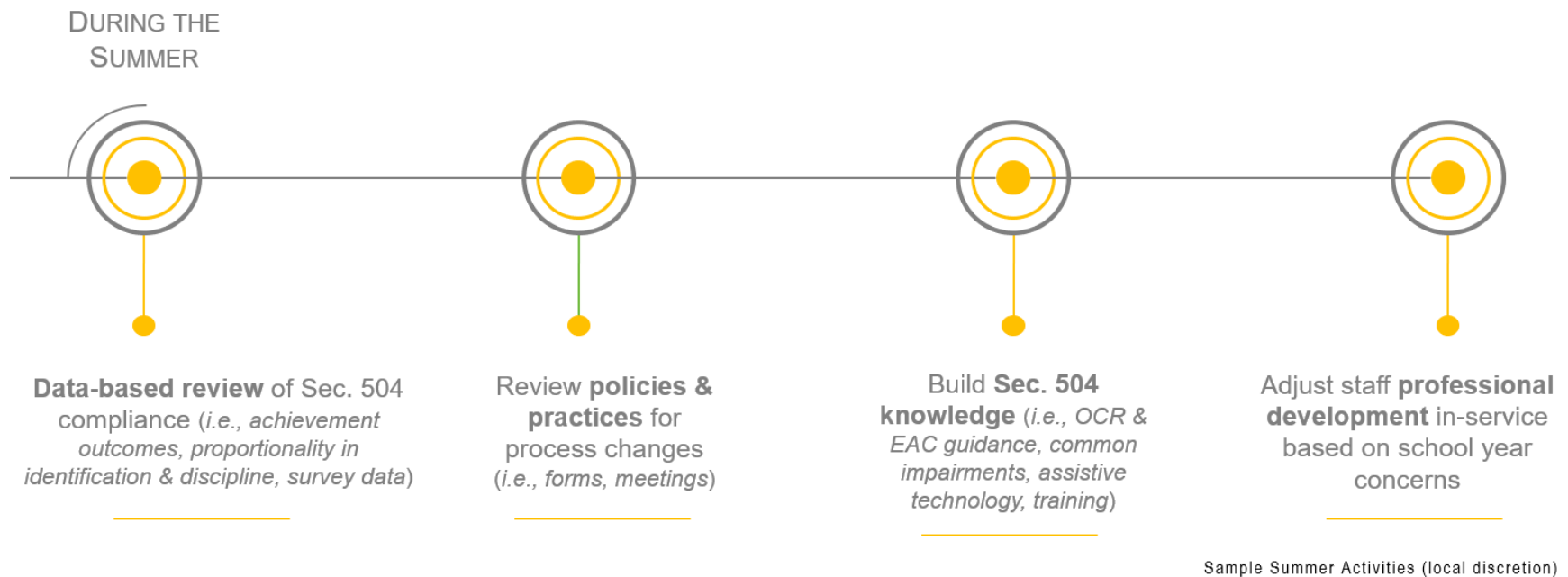


Figure 9d



## Local Program Review

Pursuant to the enactment of the regulations implementing Section 504 in 1973, self-evaluations were to be conducted after its effective date to identify any policies or practices that discriminate against persons because of their disability. Although school districts/charter schools are not compelled to conduct self-evaluations beyond those identified in the implementing regulations, periodic examination of the policies, procedures, and practices can be beneficial.

### Section 504 Practices & Procedures Self-Evaluation

Guiding questions listed in Chart 3 may be used to conduct a self-evaluation of a school district's/charter school's compliance with Section 504.

<b>1. Section 504 Assurances</b>		
Has assurance of compliance with Section 504 been accurately submitted via Cycle II?	Yes	No
Is there a district Section 504 Self-Evaluation process used annually to determine compliance with Section 504 regulations?	Yes	No
<b>2. Section 504 Coordinator</b>		
If the school system employs 15 or more persons, has at least 1 person been designated as Section 504 Coordinator to ensure compliance?	Yes	No
Does the coordinator maintain documentation of compliance activities?	Yes	No
Has the school system ensured proper training of the Section 504 Coordinator?	Yes	No
<b>3. Section 504 Notice of Nondiscrimination</b>		
Is there an annual and continual notice to students, parents, employees, and the public that all programs, activities, and services are offered without discrimination on the basis of disability?	Yes	No
Does the notice include the Section 504 Coordinator's name, address, and phone number?	Yes	No
Is the notice available in an understandable language to recipients in the community?	Yes	No
Is the notice available in alternative formats for the hearing and vision impaired?	Yes	No
Is the notice included in publications distributed to the public such as handbooks, application forms, recruitment, materials, and public media?	Yes	No
Is the notice posted on the website?	Yes	No
Is the notice posted in a visible place in all district facilities?	Yes	No
<i>See Sample Notice in SECTION THREE: Section 504 Resources</i>		
<b>4. Section 504 Grievance Procedures</b>		
Has the school system adopted a grievance procedure to satisfy its obligation to adopt grievance procedures under Section 504, Title IX, the ADA, and the Age Discrimination Act (this is permitted)?	Yes	No
Has information about the grievance procedures been provided to students and employees?	Yes	No
<i>See Sample Procedure in SECTION THREE: Section 504 Resources</i>		

Chart 3

<b>5. Section 504 Written Policy &amp; Procedures</b>		
Convey district expectation that Section 504 team members maintain confidential information as appropriate – sharing certain (not necessarily all) information only to individuals that need to know to support the student?	Yes	No
Convey district expectation that teachers have a responsibility to identify, locate and refer students that may have a disability?	Yes	No
Convey that a formal medical diagnosis of a student is not required to be referred for consideration of services under Section 504?	Yes	No
Include non-exhaustive description of evaluation data that may be considered?	Yes	No
Convey district expectation that teachers/staff implement the Section 504 Plan with its full intent and that not doing so may constitute insubordination?	Yes	No
Include an attachment of forms used in the Section 504 process?	Yes	No
If a Section 504 flowchart or timeline is used, the number of days and time frame are reasonable?	Yes	No
Convey a complainant's right to file a complaint with the Equity Assistance Center (EAC) or the Office for Civil Rights (OCR)?	Yes	No
Have district policies or school procedures been evaluated to determine if they are discriminatory?	Yes	No
<i>See Legal Requirements in SECTION ONE: Section 504 Compliance</i>		
<b>6. Section 504 Process</b>		
Is there a referral process to identify students with disabilities that do not qualify for services under the Individuals with Disabilities Education Act (IDEA)?	Yes	No
Does the Section 504 policy describe the authority of the Section 504 Team in determining eligibility and appropriate accommodations?	Yes	No
Through a random review of Section 504 Plans, are reasonable accommodations made for students with disabilities?	Yes	No
Do Section 504 Coordinators emphasize that programs and activities need to all be accessible to individuals with disabilities?	Yes	No
Is staff training or professional development needed for improved awareness and compliance with Section 504 regulations?	Yes	No
Do all teachers know what forms are used to document the process of identifying a student for services under Section 504?	Yes	No
<i>See Legal Requirements in SECTION ONE: Section 504 Compliance</i>		
<b>7. Parents</b>		
Are appropriate steps taken to notify parents and students of their rights, as required by Section 504?	Yes	No

Chart 3 (cont.)

## Grievance Policy Self-Evaluation

### **Self-Evaluation: Section 504 Grievance Written Policy**

Each district leadership team should consider the below-listed items when evaluating the content of a district's written Section 504 grievance policy to determine adjustments. The evaluation is organized into three sections:

- INITIATION AND FILING OF THE GRIEVANCE
- PROCESSING THE GRIEVANCE
- BASIC PROCEDURAL RIGHTS

- INITIATION AND FILING OF THE SECTION 504 GRIEVANCE

#### **Does the written grievance policy:**

Yes	No	1. Provide clear and adequate definitions of who may grieve, what issues may be grievances, and the terms used throughout the procedure?
Yes	No	2. Cover all students and employees?
Yes	No	3. Clearly state the form and procedure for filing grievances?
Yes	No	4. Provide methods for a notice on where to file grievances?
Yes	No	5. Specify any applicable time limits for the initiation of a grievance?
Yes	No	6. Provide for assistance in the filing, preparation, and processing of a grievance?
Yes	No	7. Specify the responsibilities of appropriate staff for the receipt and initial handling of grievances?
Yes	No	8. Provide methods for informal, prompt, and equitable resolution of grievances?

- PROCESSING THE SECTION 504 GRIEVANCE

#### **Does the written grievance policy:**

Yes	No	1. State the number and levels of steps for grievance processing and the criteria for referral to each level?
Yes	No	2. State the form of grievance presentation and processing (oral/written, conference, hearing officer/hearing panel, etc.) at each step?
Yes	No	3. Specify the criteria and procedure for the assignment of initial investigation/hearing levels?
Yes	No	4. Describe procedures and responsibilities for notification of all parties at each processing level?
Yes	No	5. Provide prompt timelines for all activities and stages within the grievance procedure?
Yes	No	6. Specify the procedures which shall be used in conducting grievance investigations/hearings: <ul style="list-style-type: none"><li>○ Amount of time allocated to each hearing?</li><li>○ Amount of time allocated to each party to the grievance?</li><li>○ Right of each party to representation and assistance?</li><li>○ Right of each party to present witnesses and evidence?</li><li>○ Right of each party to question witnesses?</li><li>○ Roles of persons involved in the hearing?</li></ul>

- Right of the grievant to determine whether the hearing shall be open to the public?
- Provisions and requirements for recording the hearing?

Yes	No
Yes	No
Yes	No
Yes	No
Yes	No
Yes	No
Yes	No
Yes	No

7. Specify requirements for submission of written information by grievants?
8. Specify investigation procedures that are adequate, comprehensive, reliable, and impartial?
9. Specific the steps that will be taken during the investigation?
10. State the form and timelines for the preparation of grievance decisions?
11. Provide notification of the outcome of the complaint to the parties?
12. Provide the steps that will be taken to prevent the recurrence of a violation under Section 504 and to correct any discriminatory effects of harassing conduct?
13. State the procedures and timelines for the grievant's acceptance or appeal of grievance decisions?
14. Specify the roles and selection of persons involved in grievance processing including the Section 504 Coordinator, Equity Assistance Coordinator, principal, and/or Superintendent?

• BASIC SECTION 504 PROCEDURAL RIGHTS

**Does the written grievance policy:**

Yes	No
Yes	No
Yes	No
Yes	No
Yes	No
Yes	No
Yes	No

1. Provide assurances that any violation under Section 504 will be addressed?
2. Provide assurances regarding the impartiality of individuals involved?
3. Prohibit harassment and bullying by third parties?
4. Provide grievants with the right to appeal to progressive levels of decision-making?
5. Provide for confidentiality of grievance proceedings and records if so desired by the grievant?
6. Provide for grievants' access to relevant educational records?
7. Provide for the protection of grievants and respondents from harassment and entry of information into student and personnel files?

### Section 504 Professional Development Quiz

A check for understanding may be needed for training participants following professional development on a school system's Section 504 processes. The true and false questions below may be used to quickly assess levels of understanding of Section 504 compliance requirements. Bolded words signify the correct response.

1. Section 504 is the only federal statute that addresses the legal responsibilities of public schools to students with disabilities. T / F **False**
2. Section 504 provides federal funding. T / F **False**
3. Section 504 requires public schools to provide a free appropriate public education. T / F **True**
4. All students covered under the IDEA are covered under Section 504. T / F **True**
5. All students covered under Section 504 are covered under IDEA. T / F **False**
6. A student with a disability, but not entitled to special education under IDEA, should be considered for services under Section 504. T / F **True**
7. Section 504 uses the same disability categories as the IDEA. T / F **False**
8. Notice to parents regarding Section 504 evaluations is required. T / F **True**
9. The legal obligation to evaluate students (e.g., referral, Child Find) upon reasonably suspecting eligibility, does not apply under Section 504. T / F **False**
10. Section 504 does not provide a timeline for reevaluation or plan review. T / F **True**
11. Eligibility under Section 504 requires, among other things, an adverse effect on educational performance. T / F **False**
12. Parents must have a medical diagnosis to be eligible for Section 504 services. T / F **False**
13. Parent demand dictates the legal duty to provide Section 504 accommodations. T / F **False**
14. Students with concussions are always eligible for a Section 504 Plan. T / F **False**
15. A student with a temporary disability (e.g., car accident recovery, pregnancy complications) could be covered under Section 504. T / F **True**
16. The standard for determining the existence of a substantial limitation under Section 504 is based on a specific formula. T / F **False**
17. Section 504 only provides for accommodations, not special education or related services. T / F **False**
18. Section 504 may be enforced through local impartial hearings and grievance complaints. T / F **True**
19. A school district/charter school can use the hearing procedures designed for the IDEA (independently of AR DESE) to hear Section 504 concerns. T / F **True**
20. Appropriate school personnel failing to report, investigate, and/or address a disability are subject to liability and can be sued in federal court by students and parents for money damages under Section 504. T / F **True**

## Frequently Asked Questions (FAQ)



Answers to common Section 504 questions are below.

**Q: Does a public school have to provide services under Section 504 to a student living in their area, but the student is attending a private school or home school?**

A: Districts/charter schools are responsible for identifying and evaluating students suspected of having a disability residing within the school district's boundaries. This includes students who are in private school or being home schooled. Districts/charter schools are required to provide services under Section 504 to a student who is not enrolled.

**Q: Do religious private schools have to comply with Section 504?**

A: If the private school, sectarian as well as non-sectarian, receives, directly or indirectly, federal funds they are prohibited from discriminating against students because of a student's disability. Compliance with Section 504 in private schools may be different as compared to compliance in public schools (34 C.F.R. Part 104.39).

**Q: May a private school increase its program costs for a student with a disability?**

A: A private school must not charge additional costs for their program except when there is a substantial increase in the cost to the private school to provide services to a student with a disability (34 C.F.R. Part 104.39).

**Q: Does the school system's Section 504 referral process extend to preschool or pre-kindergarten (pre-K)?**

A: The district's/charter school's Section 504 referral process only extends to preschool or pre-kindergarten if those services are provided by the district. A district/charter school that operates a public general education preschool program may not discriminate against a student with a disability in the program.

**Q: What is the relationship between Section 504 regulations and the Response to Intervention (RTI) process?**

A: School systems may always use regular education intervention strategies to assist students. The RTI process should not be used to impede necessary Section 504 referrals. If at any time, a district/charter school employee or parent suspects that a student's difficulties are attributable to a disability, the student should be referred for an evaluation.

**Q: Is there a formula or scale that determines or measures "substantial limitation"?**

A: No. This determination must be made on a case-by-case basis for each student by a team knowledgeable about the student.



- Q: May a Section 504 Team consider “mitigating measures” used by a student in determining whether the student has a disability under Section 504?**
- A: No. As of January 1, 2009, the district/charter school must not consider the improving effects of a mitigating measure when determining eligibility. Mitigating measures may include medication, medical supplies and equipment, low-vision devices (not including ordinary eyeglasses or contact lenses), prosthetics, hearing aids, mobility devices, assistive technology devices, accommodations, and learned behavioral modifications.
- Q: Are there any impairments that automatically qualify a student under Section 504?**
- A: No. An impairment itself is not a qualified disability, but the mental or physical impairment must substantially limit a major life activity (34 C.F.R. Part 104.3, 104.35).
- Q: Can a medical diagnosis suffice as an evaluation and how may the Section 504 Team utilize a physician’s request for specific accommodations?**
- A: A formal diagnosis is not required. The Section 504 Team needs only to determine that a student is substantially limited in a major life activity based on a review of data. A physician’s medical diagnosis may be considered among other data resources by the Section 504 Team but does not dictate the team’s decision of eligibility or accommodations. It is the educational team’s responsibility to determine how the student may achieve a free appropriate public education.
- Q: What does Section 504 documentation look like in a file of a student that qualifies for Section 504 services?**
- A: Documentation may include the following: Section 504 referral, parent notices, parental consent for initial evaluation, assessment data, teacher input form, parent input form, disciplinary referral data, attendance data, team evaluation and eligibility determination form, Section 504 Plan, evidence of Section 504 Plan implementation, evidence of meetings determining if misbehavior is the result of the disability or submitted complaint forms. All obtained evaluation data sources should be documented.
- Q: How much is enough information to determine and document that a student has a disability?**
- A: The Section 504 Team determines the amount of information necessary to make a knowledgeable decision of the student’s strengths and weaknesses. They are required to draw information from a variety of sources in the evaluation process so that the possibility of error is minimized (34 C.F.R. Part 104.35).

**Q: *What are examples of evaluation data?***

A: The evaluation process must measure specific areas of educational need. (e.g., speech processing, inability to concentrate, & sensory processing). The test results must accurately reflect the student's aptitude or achievement rather than the student's disability, except where those are the factors being measured. The materials should be validated for the specific purpose for which they are used, and tests should be appropriately administered by trained personnel. Data may include the pediatrician's report; aptitude and psychological test results; student's grade, attendance, or behavior reports; teacher observations; the student's social and cultural background; or the student's family observations.

**Q: *Is parental consent for evaluation of Section 504 required?***

A: The Office for Civil Rights (OCR) interprets Section 504 to require informed parental consent for the initial evaluation. If a parent refuses consent for an initial evaluation and a school district/charter school suspects that a student has a disability, OCR interprets Section 504 to allow school districts/charter schools to use impartial hearing procedures to seek to override the parent's denial of consent.

**Q: *If a parent refuses to consent to an initial evaluation but demands a student Section 504 Plan, how may a school system respond?***

A: A school district/charter school must evaluate a student prior to providing services under Section 504.

**Q: *How often does reevaluation or plan review occur?***

A: Periodic reevaluation is required. This may be conducted at three-year intervals or more frequently. A reevaluation is required prior to a significant change in placement. The Section 504 Plan should be updated by the Section 504 Team when it is no longer appropriate.

**Q: *What is considered a significant change in placement?***

A: The Office for Civil Rights (OCR) considers a significant change in placement to include:

- Excluding from the educational program for more than ten (10) school days
- Transferring a student from one type of program to another
- Terminating or significantly reducing a related service

**Q: *Can placement include resource placement, self-contained placement, homebound placement, or Alternative Learning Environments (ALE)?***

A: Yes. A free appropriate public education should be provided in the most Least Restrictive Environment (LRE) utilizing an "incremental approach" when recommending more restrictive settings (*J.H., v. Fort Bend Independent School District, No. 11-20718 [5th Circuit] July 26, 2012*).

**Q: Does a district/charter school need to develop a Section 504 Plan for every student who has a disability?**

A: No. A Section 504 Plan needs to be developed for those students who, because of a disability, need accommodations or a related aid or service to benefit from the educational program. A school system's duty to a student who "has a record of disability" or is "regarded as disabled" is to protect the student from discrimination.

**Q: How may a district/charter school respond when a parent refuses an accommodation written in the Section 504 Plan?**

A: The district/charter school may ask the parent to provide a written statement of their refusal to receive the designated accommodation. If the parent refuses to provide a written statement, the district/charter school may provide a written statement to the parent of their understanding regarding the parent's refusal of the accommodation and encourage a response to their letter by the parent, if the district's understanding is inaccurate.

**Q: How may attendance be taken for a student receiving Home/Hospital Instruction (homebound services) under Section 504?**

A: The school system ensures that the student is enrolled but listed as receiving Home/Hospital Instruction. The Section 504 Plan should outline the schedule of services. Absences should be based upon the schedule of services and align with the local school board approved Excused and Unexcused Absence Procedures.

**Q: What is the relationship between attendance policies and students being served under Section 504?**

A: Attendance policies must allow a student's parent to petition the school or district administrator for additional absences and allow exceptions as necessary to satisfy the Section 504 Plan. For additional guidance, see *ADE Commissioner Memo 12-013: Student Attendance Policies and Excused and Unexcused Absences* (Act 1223 of 2011). The district/charter school must be cautious in facilitating truancy complaints when there is suspicion that the student's excessive absences may be the result of a disability. The student's reason for excessive absences should be investigated to prevent Section 504 referral process violations. Collaboration between necessary individuals (e.g., Section 504 Team, school nurse, parent, or student) is key when determining the impact of a disability on attendance.

**Q: Can a temporary health condition or impairment that is episodic or in remission be a disability covered by Section 504?**

A: Yes, if the temporary impairment substantially limits learning or any other major life function. Determining if a temporary impairment is substantial enough to be a qualified disability must be reviewed on a case-by-case basis, considering the duration of the impairment and its impact on learning. (e.g., pregnancy-related complications, epilepsy, depression, post-traumatic stress disorder, cancer, oppositional defiance disorder)

**Q: *How should a district/charter school manage Section 504 Plans for students with long-term attendance issues? Is teacher monitoring of online assignments sufficient?***

A: The Section 504 Team should detail within the student's Section 504 Plan how the school will provide reasonable accommodations in light of the student's need, considering both the quality and quantity of what is being provided. Input from the parent and the student is invaluable when determining what is reasonable. Teacher monitoring of online assignments may be sufficient to ensure that the student receives an appropriate education that is comparable to students without disabilities.

**Q: *If a student has a peanut allergy, would the district/charter school be required to provide a peanut-free diet to the student?***

A: If a school provides food services such as breakfast and lunch to all students, it needs to provide food services that meet the disability-related needs of students with disabilities by accommodating special dietary needs.

**Q: *Can a district/charter school exclude a student with a disability from a field trip?***

A: A district/charter school cannot exclude a student with a disability from participating in a field trip for which they are otherwise eligible to attend unless there is a legitimate, nondiscriminatory justification. It is not permissible under Section 504 to exclude a student with a disability from a field trip because they need related aids or services (e.g., medication administration) to participate or the parent is unable to attend – unless parent participation is required of all students. A decision to exclude a student with a disability from a field trip is a placement decision. All placement decisions must utilize procedures that satisfy the evaluation, placement, and due process requirements of Section 504.

**Q: *How is student disciplinary misconduct reviewed under Section 504?***

A: The district/charter school must conduct an evaluation before significantly changing an educational placement for disciplinary reasons. Section 504 regulations do not specifically state "manifestation determination", but the Office for Civil Rights (OCR) suggests the first step would be to consider if the misconduct was caused by the student's disability. Decisions must be based on recent evaluation data and an understanding of the student's current behavior.

Generally, a student served under Section 504 who is currently engaging in the illegal use of drugs may be disciplined for such use even if the conduct was a manifestation of the disability.

**Q: *If a student is in possession of illegal drugs or alcohol, do Section 504 protections against discriminatory discipline still apply?***

A: If a student with a disability that is served under Section 504 is found in possession of drugs or alcohol, they still have access to the protections under Section 504. A student with a disability who is not currently using illegal drugs or alcohol but commits a drug or alcohol offense is afforded Section 504 protections, including the right to a manifestation determination (29 USC §705(20)(C)(iv)).

**Q: *What happens if the behavior was caused by the disability?***

A: The school, parent(s), and student collaborate to improve the Section 504 Plan and its implementation. This may include completing a Functional Behavioral Assessment (FBA) or adding a Behavior Intervention Plan (BIP) to the Section 504 Plan.

**Q: *What happens if the behavior was not caused by the disability?***

A: The school may implement their local school board-approved actions, sanctions, or consequences for the offense.

**Q: *Can a student served under Section 504 be administered corporal punishment if the behavior was not caused by the disability?***

A: Yes, if the administration of the corporal punishment is in accordance with their local board-approved policy and state requirements. Arkansas Code Annotated (A.C.A.) §6-18-503 (Act 557) prohibits the use of corporal punishment on a student who is intellectually disabled, non-ambulatory, non-verbal, or autistic.

**Q: *Does an Arkansas student served under Section 504 have a right to educational services during expulsion?***

A: Yes. A. C. A. §6-16-406 (Act 709) requires Arkansas school districts/charter schools to offer to students that have been expelled digital learning courses or alternative educational services for credit. For this reason, districts/charter schools in Arkansas are required to provide Section 504 protections and/or services to the expelled students that they serve.

The Section 504 federal statute, unlike the IDEA, does not provide a legal right to receive educational services as an expelled student.

**Q: *What are “related aids and services” under Section 504?***

A: Related aids and services include but are not limited to: school health services; counseling services; environmental, instructional, and behavioral accommodations; transportation services; speech-language services; audiology services; physical and occupational therapy services; orientation and mobility services; and modifications of a schedule, grading system, or curriculum.

**Q: *Is the district/charter school required to provide transportation to a related aid or service?***

A: The district must ensure adequate transportation to and from the aid or service (34 C.F.R. 104.33).

**Q: *Does a district/charter school have to implement a transferring student’s Section 504 Plan?***

A: The receiving district/charter school must meet the needs of students with disabilities. They should review the Section 504 Plan and any other documentation immediately. If the school system determines that the plan is appropriate, they are required to implement the plan. If the district/charter school determines that the plan is inappropriate, they are required to evaluate the student and determine appropriate services. In the meantime, the receiving school system may honor the previous plan.

**Q: *Can a district/charter school deny a student's admission under school choice solely because the student has a disability or needs special education or related aids or services?***

A: No. A district/charter school participating in school choice may not discriminate in admission against a student based on a disability. Students with disabilities must be provided an equal opportunity to be admitted as compared to peers without disabilities. Procedures must be neutral and applied equally to students with and without a disability. School choice application rejection must be in accordance with statutory regulations.

**Q: *How does Section 504 impact college education?***

A: Section 504 protects students from discrimination due to their disability when attending a postsecondary institution and can receive accommodations. The process of requesting and receiving accommodations in college is not the same as in K-12. Institutions are not required to locate students with disabilities nor conduct an evaluation although some do. Students in postsecondary education must notify institution staff if they need an academic adjustment. Requirements to document a disability vary. Being provided a Section 504 Plan in high school does not automatically mean the student will receive accommodations in the college or university. For information regarding eligibility for vocational services and a no-cost evaluation through Arkansas's Rehabilitation Services see ARS at <https://arcareereducation.org/about/arkansas-rehabilitation-services>.

**Q: *How does Section 504 impact getting into the military?***

A: A military recruiter would be best equipped to provide the most up-to-date information and answer specific questions on this issue.

**Q: *If a parent disagrees with the Section 504 Team's decision regarding a student's eligibility for services, what can they do?***

A: The parent may communicate their concern to the District Section 504 Coordinator, utilize the school board-approved Section 504 Grievance Procedures, request a local Section 504 impartial hearing, submit a complaint to the Equity Assistance Center (EAC), submit a complaint to the Office for Civil Rights (OCR), or file for civil recourse.

**Q: *Is a parent who is deaf entitled to sign language interpreter services in order to participate in a child's school activities, even if the student does not have a disability?***

A: Deaf or hard of hearing students, parents, and others are entitled by Section 504 to equal access and opportunity to participate in public school services, programs, and activities – including school board meetings, extracurricular programs, teacher conferences, recreational activities, and social and cultural activities. Accommodations may include qualified interpreters, real-time captioning, or assistive listening devices as determined by the school system.



**Q: *Are there specific guidelines to following when identifying the Section 504 Coordinator?***

A: The law requires a school system to designate a responsible employee to coordinate its efforts to comply with Section 504. The statute does not provide specific qualifications or detailed guidelines for the employee. To adequately coordinate Section 504 efforts, the individual must be trained in Section 504 processes and have appropriate time to ensure compliance.

**Q: *How long are Section 504 records maintained after a student withdraws or graduates?***

A: Regarding Section 504 of the Rehabilitation Act of 1973 and FERPA, neither federal law dictates a time frame for which records must be maintained. [FERPA](#) (§99.10 [e]) requires that once a request is made for a record, it cannot be destroyed until the request is completed. Arkansas DESE rules regarding student permanent records are located [here](#) (see section 3.03). The EAC recommends that Section 504 records be kept for the same length of time as other student records (including IEPs). A common practice for many school districts/charter schools is to maintain them for at least three (3) years.

**Q: *How does the Equity Assistance Center (EAC) get involved in disability issues within a district/charter school?***

A: EAC receives complaints from parents, students or advocates, conducts complaint investigations, and provides technical assistance to districts/charter schools. Except in extraordinary circumstances, EAC does not review the result of individual placement or other educational decisions as long as the school system complies with the procedural requirements of Section 504.

**Q: *How does the Office for Civil Rights (OCR) get involved in disability issues within a school district/charter school?***

A: OCR receives complaints from parents, students or advocates, conducts agency-initiated compliance reviews, and provides technical assistance to school districts/charter schools, parents or advocates. Except in extraordinary circumstances, OCR does not review the result of individual placement or other educational decisions as long as the school system complies with the procedural requirements of Section 504.

A portion of the answers regarding Section 504 are from *Protecting Students with Disabilities: Frequently Asked Questions About Section 504 and the Education of Children with Disabilities*, U.S. Department of Education, Office for Civil Rights.

For additional frequently asked questions on the topic of Section 504 see [SECTION THREE: Links \(e.g., Public Resources\)](#).