

**WOODFORD COUNTY BOARD OF EDUCATION
AGENDA ITEM**

ITEM #: XO **DATE:** April 23, 2019

TOPIC/TITLE: Reading of new 504 procedures

PRESENTER: Tracey Francis

ORIGIN:

- ☐ TOPIC PRESENTED FOR INFORMATION ONLY (No board action required.)
- ☒ ACTION REQUESTED AT THIS MEETING
- ☐ ITEM IS ON THE CONSENT AGENDA FOR APPROVAL
- ☐ ACTION REQUESTED AT FUTURE MEETING: (DATE)
- ☐ BOARD REVIEW REQUIRED BY

- ☐ STATE OR FEDERAL LAW OR REGULATION
- ☒ BOARD OF EDUCATION POLICY
- ☐ OTHER:

PREVIOUS REVIEW, DISCUSSION OR ACTION:

- ☐ NO PREVIOUS BOARD REVIEW, DISCUSSION OR ACTION
- ☐ PREVIOUS REVIEW OR ACTION

- ☐ DATE:
- ☐ ACTION:

BACKGROUND INFORMATION:

Reading of the new 504 procedures that will go into effect upon approval.

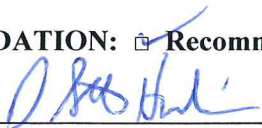
SUMMARY OF MAJOR ELEMENTS:

Reading of the new 504 procedures that will go into effect upon approval. Pages 16 & 17, change annual 504 review to every 3 years.

IMPACT ON RESOURCES: None

TIMETABLE FOR FURTHER REVIEW OR ACTION:

SUPERINTENDENT'S RECOMMENDATION: ☒ Recommended ☐ Not Recommended



An appropriate accommodation plan for a student eligible under Section 504 may consist of participation in regular classes or programs with needed accommodations, and/or the use of specialized services or programs designed to meet the student's unique needs.

After the 504 accommodation plan has been written and the placement setting determined, the appropriate 504 team chairperson shall make the implementers aware of their implementation responsibilities under the 504 accommodation plan. The appropriate 504 team chairperson must also obtain written parent consent before implementation of the initial 504 accommodation plan and placement.

If a parent refuses to provide, or revokes, consent for the initial 504 accommodation plan or the initial placement, the appropriate 504 team chairperson must document that school personnel discussed parent rights under Section 504 with the parent so the parent is informed of what the student will not receive.

If the eligible student currently needs no accommodation, the 504 team Chairperson documents in the SECTION 504 ACCOMMODATION PLAN that the 504 team members have been told to bring any suspected need for accommodation to the 504 team.

Periodic Review of Accommodation Plan and Placement.

The 504 accommodation plan and placement must be reviewed by the 504 team as needed, but at least once a year. The WCPS Section 504 Coordinator shall maintain a list of all 504 identified students and their review dates. It is the responsibility of the appropriate 504 team chairperson to initiate the review and schedule the 504 plan review meeting.

Reevaluation. The WCPS shall reevaluate 504 students as determined necessary by the 504 team, but at least every three years and prior to a significant change of placement. After reviewing available information and input from the parents, the 504 team shall identify what, if any, additional data is needed. After obtaining any needed information, the 504 team shall determine if the student still qualifies for 504 services, and make any needed modifications to the student's 504 accommodation plan and placement.

Procedural Safeguards. (Includes Hearing and Grievance)

With respect to actions regarding the evaluation, identification, or educational placement of students who, because of disability, need or are believed to need a 504 accommodation plan, the WCPS has a system of procedural safeguards that includes notice; an opportunity for the parents or guardians of the person to examine relevant records; an impartial hearing with opportunity for participation by the person's parents or guardians; representation by legal counsel of the parents choice, and at the parents expense.

If a parent(s) disagrees with any decision regarding evaluation, identification, or educational placement, the 504 team chairperson who chaired that meeting must inform that/those parent(s) of the right to file a grievance and to request a 504 due process hearing. To file a grievance, please see Board Policy 09.4281—District Grievance Process and Administrative Procedures 1 & 2.

The WCPS and the parents have the right to request an impartial 504 due process hearing regarding evaluation, identification, or educational placement under Section 504. The Superintendent, with Board approval, shall contract with impartial 504 hearing officers, who are not employees of the WCPS. The WCPS and the parents have a right to further review of the hearing officer's decision. See the WCPS Section 504 Impartial Hearing and Review procedures.

Individuals may file a local grievance concerning discrimination under Section 504. The WCPS grievance or complaint procedure in Board AP 09.4281 may be used to file 504 grievances. Individuals may also file a complaint concerning discrimination with the U.S. Department of Education Office for Civil Rights. See the WCPS Section 504 Parent Rights Statement.

Prior Written Notice and Parent Rights.

The appropriate 504 team chairperson shall invite parents to any 504 team meeting at which decisions will be made regarding the evaluation, identification or educational placement of, their child (includes prior written notice and a Section 504 Parent Rights Statement) at the following times:

1. Once each school year, and also at the following times;

- a. Upon initial referral or parent request for a Section 504 evaluation;
- b. Prior to any Section 504 reevaluation;
- c. Prior to consideration of a significant change of placement because of disciplinary removals;