

Andover Public Schools - Section 504 Evaluation Procedures

Under Section 504 of the Rehabilitation Act of 1973, the District shall provide a free appropriate public education (FAPE) to each qualified disabled person who is in the District's jurisdiction, regardless of the nature or severity of the student's disability.

The District shall conduct an evaluation of any student who, because of disability, needs or is believed to need Section 504 services, that is special education or related services, before taking any action with respect to the initial placement of the student in regular or special education and any subsequent significant change in placement. It is the District's obligation to conduct evaluations for students suspected of having a disability.

A teacher or other staff member, administrator, and/or parent may refer any student, who needs or is believed to need special education or related services on the basis of disability under Section 504, to the school principal for a Section 504 Team meeting to consider and review the student's evaluation data and to make an eligibility and placement decision. The student's parent or guardian shall be notified of the Section 504 Team meeting prior to the meeting and invited to participate in it, and the parent or guardian shall be provided with notice of procedural safeguards under Section 504. The Section 504 Team shall be composed of persons knowledgeable about the student's individual needs, the meaning of evaluation data, and the placement options.

Upon receipt of a referral to determine whether a Student is eligible under Section 504, the Student's Section 504 Team shall assess whether the Student has a disability and requires special education or related services. The Section 504 Team shall consider all relevant information pertaining to the student to determine whether he/she is disabled under Section 504. Information may include reports from District evaluators, physicians, observations from parents, evaluation reports provided by the parents, information from teachers and school personnel, and the results of standardized tests.

Tests and other evaluations administered by the District shall be validated for the specific purpose for which they are used, administered by trained personnel in conformity with the assessment instructions, and shall be tailored to assess specific areas of educational need and not solely designed to provide a single general intelligence quotient.

Tests and other evaluations are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

The Section 504 Team shall make an individualized determination whether the student is disabled under Section 504. If so, the 504 Team shall develop a written 504 plan describing what regular or special education and related aids and services are necessary to provide a FAPE to meet the student's individual educational needs as adequately as the needs of nondisabled persons are met.

The Section 504 Team shall also consider the eligible student's access to non-academic, and extracurricular services and activities in such manner as is necessary to afford the eligible student an equal opportunity for participation in such services and activities.

The student's parent or guardian shall be notified in writing of any decisions reached by the District regarding identification, evaluation and/or placement, and be provided with notice of procedural safeguards under Section 504.

The Section 504 Team shall periodically review the student's Section 504 plan, reevaluate the student's eligibility under Section 504, and consider new information that may warrant a reevaluation. Prior to any significant change in placement, a Section 504 reevaluation of the student's needs shall be conducted by the Section 504 Team, and the Student's parent or guardian shall be provided with procedural safeguards under Section 504.

Notice of Section 504 Parent/Student Rights

You have the right to:

1. Have your child take part in, and receive benefits from public education programs without discrimination because of his/her disability.
2. Have the school district advise you of your rights under federal law.
3. Receive notification with respect to identification, evaluation and placement of your child.
4. If found eligible under Section 504 of the Rehabilitation Act of 1973, have your child receive
5. a free appropriate public education (FAPE) in the least restrictive environment.
6. Have your child educated in facilities and receive services comparable to those provided for
7. non-disabled students.
8. Have your child receive special education and/or related services if he/she is found to be eligible under Section 504 of the Rehabilitation Act of 1973.
9. Have evaluation, eligibility, and placement decisions based on information from a variety of sources and made by persons who are knowledgeable about the student, the evaluation data, and placement options.
10. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the school district. This also includes the right to have the school district make accommodations to allow your child an equal opportunity to participate in school related activities.
11. Examine all relevant records relating to decisions regarding your child's identification, evaluation, eligibility, and placement.
12. File a local grievance. A local grievance may be filed verbally or in writing. Please contact the District's Section 504 Coordinator, Dr. Sara Stetson, 36 Bartlett Street, Andover, MA 01810 (978-247-7040) if you wish to file a local grievance.
13. Request an impartial due process hearing or mediation from the Bureau of Special Education Appeals (BSEA) at any time related to the District's decisions or actions regarding your child's identification, evaluation, eligibility, or placement. You have the right to participate in the hearing, and you have the right to be represented by counsel at your own expense. The BSEA may be reached at 781-338-6400.
14. File a complaint with the U.S. Department of Education, Office for Civil Rights (OCR) at any time. OCR may be reached at 617-289-0111 or online at www.ed.gov/ocr.

Andover Public Schools

Section 504 Individualized Evaluation and Eligibility Report

Name: _____ DOB: _____ Grade: _____

Parent/Guardian: _____

School: _____ Referral Date: _____ Case Manager/Liaison: _____

Parent has been provided with a copy of procedural safeguards under Section 504: DATE _____

Has student been previously evaluated for eligibility under Section 504 or IDEA? ___ YES ___ NO

TEAM Members (Group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options):

Name and Position	Signature	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

Summary of Evaluation Information Considered (e.g. district's evaluation(s), informal inventories, testing, teacher reports, student work samples, parent data, medical health data, student observations):

*Attach additional documentation if necessary.

Determination of Whether the Student Has a Disability Under Section 504/ADA:

_____ Student **qualifies** because he/she has a physical or mental impairment that substantially limits one or more life activities.

Identify impairment and the major life activity(ies) affected:

Describe the impact of the child's impairment on his/her ability to participate in academic, non-academic, and extra-curricular services and activities:

* Attach additional documentation if necessary

_____ Student does not qualify because he/she **does not** have a physical or mental disability which substantially limits one or more major life activities, including but not limited to caring for one's self, performing manual tasks, seeing, hearing, breathing or learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and communicating, and does not require regular or special education and related aids and services designed to meet individual the student's individual educational needs as adequately as the needs of non-disabled students are met. *Attach additional documentation if necessary.

The 504 Team has determined that this student may also be eligible under the separate definition of disability under IDEA:

_____ NO _____ YES If yes, refer for special education evaluation.

Andover Public Schools
Section 504 Individual Accommodation Plan

1. Name: _____ Date of Birth: _____

2. Date of Meeting: _____

3. Date Parent provided with Section 504 Notice of Parent/Student Rights: _____

4. School: _____ Grade: _____

5. Type of Meeting: Initial; Reevaluation; Other: _____

6. Describe the physical or mental impairment:

7. Describe how the impairment substantially limits one or more major life activity:

8. Describe the necessary accommodations, related aid(s) or service(s) to be provided designed to meet the needs of the student with a disability as adequately as non-disabled students:

NOTE: ALL 504 PLANS MUST BE WRITTEN AND SUBMITTED THROUGH X2. THIS IS A SAMPLE PLAN.

**ANDOVER PUBLIC SCHOOLS
SECTION 504 OF THE REHABILITATION ACT OF 1973
GRIEVANCE PROCEDURES**

1. As soon as possible following the occurrence of an act alleging a violation of Section 504 of the Rehabilitation Act of 1973 and/or Title II of the Americans with Disabilities Act, the aggrieved party shall submit to Andover's Section 504 Coordinator, Sara Stetson, a verbal or written statement describing the circumstances and specifying the nature of the alleged discrimination on the basis of disability. The aggrieved party shall have the opportunity to present witnesses and other evidence regarding the nature of the alleged discrimination. Dr. Stetson may be contacted at 36 Bartlett Street, Andover, MA 01810 (978-247-7040). The aggrieved party may request a meeting with Dr. Stetson, who will meet with the aggrieved party within five (5) school working days. Within a period of time, not to exceed ten (10) school working days from the date of the receipt of the report, Dr. Stetson shall investigate the circumstances of the grievance, reply in writing to the aggrieved, and provide notice of the outcome of the grievance.
2. If the grievance has not been satisfactorily addressed by Andover's Section 504 Coordinator, the aggrieved party may submit in writing, the basis for the aggrieved party's belief that the District's findings are insufficient and the matter is not resolved to the Superintendent, Dr. Sheldon Berman, who may be contacted at: 36 Bartlett Street, Andover, MA 01810 (978-247-7015). The Superintendent will conduct a hearing within five (5) school working days from receipt of the aggrieved party's statement. The aggrieved party shall have an opportunity to present witnesses and other evidence in support of his/her position at the hearing. The Superintendent will provide a written response to the aggrieved party regarding the outcome of the appeal within ten (10) school working days following this hearing.
3. In the event that the District finds that discrimination occurred, the District will take steps to prevent reoccurrence and correct discriminatory effects on the aggrieved party and others as appropriate.
4. At any time during this process, or in lieu of this process, a hearing may be requested at the Bureau of Special Education Appeals (BSEA) regarding the identification, evaluation, and/or placement of a student with a disability; a complaint may be filed with the Department of Elementary and Secondary Education's Program Quality Assurance Services (PQA), or a complaint may be filed with the Office for Civil Rights (OCR). The BSEA may be reached at 781-338-6400. PQA may be reached at 781-338-3700. OCR may be reached at 617-289-0111 and at www.ed.gov/ocr.

ANDOVER PUBLIC SCHOOLS
Section 504 of the Rehabilitation Act of 1973 and
Title II of the Americans with Disabilities Act
GRIEVANCE REPORT FORM

DATE OF FILING _____

PERSON FILING COMPLAINT _____

ADDRESS _____

HOME PHONE _____ WORK PHONE _____

SCHOOL _____

NATURE OF GRIEVANCE _____

NAME AND ADDRESSES OF OTHERS INVOLVED IN THE GRIEVANCE AND THE NATURE OF THEIR INVOLVEMEINT _____

PERSON RECEIVING GRIEVANCE

SIGNATURE OF PERSON FILING GRIEVANCE

Attach additional papers, documents or explanation as necessary.

The person filing the grievance is an: employee; _____ student; _____ parent _____.

Please return this form to Andover's Section 504 Coordinator, Dr. Sara Stetson, 36 Bartlett Street, Andover, MA 01810 (978-247-7040).

ANDOVER PUBLIC SCHOOLS
Section 504 of the Rehabilitation Act of 1973 and
Title II of the Americans with Disabilities Act
RESOLUTION OF GRIEVANCE

Name of person filing grievance: _____

Date of filing: _____ School: _____

1. Did discrimination occur? ____ YES ____ NO

Describe/explain:

2. Corrective action:

3. Other recommended action: _____

*Attach additional documentation if necessary.

DATE _____ SIGNATURE OF SCHOOL OFFICIAL _____

If the aggrieved party believes that the grievance has not been satisfactorily addressed by Andover's Section 504 Coordinator, the aggrieved party may submit in writing, the basis for the grievant's belief that the District's findings are insufficient and the matter is not resolved to the Superintendent, Dr. Sheldon Berman, who may be contacted at: 36 Bartlett Street, Andover, MA 01810 (978-247-7015). The Superintendent will conduct a hearing within five (5) school working days from receipt of the aggrieved party's statement. The aggrieved party shall have an opportunity to present witnesses and other evidence in support of his/her position at the hearing. The Superintendent will provide a written response to the grievant regarding the outcome of the appeal within ten (10) school working days following this hearing.