



*Every Child. Every Day. For a Better Tomorrow.*

# ***Section 504 Handbook***

***General Information for Parents/Guardians***

Revised August 2016

# Introduction

Section 504 of the Rehabilitation Act of 1973, with its subsequent amendments, is a federal civil rights law that prohibits discrimination against students with disabilities. Section 504 regulations require school districts to provide appropriate education to students with disabilities. This handbook provides guidance on the implementation of Section 504 by Charlotte-Mecklenburg Schools.

Most forms are available in Spanish. Additional languages are in process. Please contact the CMS Section 504 office at 980-343-0001 to request translations to specific languages.

The information in this handbook includes the changes resulting from the Americans with Disabilities Act Amendments Act of 2008, and reflects the Charlotte-Mecklenburg Schools' ongoing commitment to educating ALL children in accordance with the CMS Board of Education's vision and mission.



<b>This handbook was prepared by:</b>	<b>Charlotte-Mecklenburg Schools Student Services Section 504 Office (980-343-0001)</b>		
<b>Contact Information:</b>	<b>Cynthia Vines</b>	<b>District Section 504 Program Specialist</b>	<b>980-343-0589</b>
	<b>Ben Bender</b>	<b>District Section 504 Facilitator</b>	<b>980-343-0071</b>
	<b>Amy Cook</b>	<b>District Section 504 Facilitator</b>	<b>980-343-0005</b>
	<b>Harriett Ford</b>	<b>District Section 504 Facilitator</b>	<b>980-343-0072</b>
	<b>Michael Marrone</b>	<b>District Section 504 Facilitator</b>	<b>980-343-0070</b>
	<b>Tawana Thompson</b>	<b>Section 504 Administrative Assistant</b>	<b>980-343-0069</b>
	<b>Ann Featherstone</b>	<b>Section 504 Administrative Assistant</b>	<b>980-343-0221</b>

In compliance with Federal Law, Charlotte-Mecklenburg Schools administers all education programs, employment activities and admissions without discrimination against any person on the basis of gender, race, color, religion, national origin, age, or disability. Inquiries regarding compliance with Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs or activities, may be referred to the District's Title IX Coordinator at [titleixcoordinator@cms.k12.nc.us](mailto:titleixcoordinator@cms.k12.nc.us) or at <http://www.cms.k12.nc.us/titleix>, or to the Office for Civil Rights, United States Department of Education.

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# The Law

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## The Law

### What is Section 504?

“No otherwise qualified individual with a disability in the United States.... shall, solely by reason of her or his disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”  
29 U.S.C. § 794(a)

Section 504 of the Rehabilitation Act of 1973 with its amendments is a civil rights statute that prohibits discrimination against individuals with disabilities. This law is enforced by the Office for Civil Rights (OCR) and the Equal Employment Opportunities Commission (EEOC). Both agencies enforce Title II of the Americans with Disabilities Act of 1990 (ADA) reauthorized as the Americans with Disabilities Act Amendments Act (ADAAA) of 2008. The reauthorization extends the prohibition against discrimination to the full range of state or local government services (including public schools), programs, or activities regardless of whether they receive federal funding or not. Under Section 504, denying a student with a disability a Free Appropriate Public Education (FAPE) constitutes disability discrimination.

Section 504 covers students with diagnosed, certified, or classified impairments, who attend public and some private schools. A student is “disabled” under the Section 504 regulations if the student meets any one of the three prongs of eligibility listed in 34 CFR 104.3(j)(1). To be protected under Section 504, a student must be determined to:

- 1) Have a physical or mental impairment that substantially limits a major life activity (or bodily function), or
- 2) Have a record of such impairment, or
- 3) Be regarded as having such impairment

The ADAAA (2008) did not change the actual language of the three prongs, but it did change how the various phrases used in the three prongs are understood. Congress provided, as part of its rules of construction in the ADAAA, that “The definition of disability in this Act shall be construed in favor of broad coverage of individuals under this Act, to the maximum extent permitted by the terms of this Act.” This statement should guide the school’s Section 504 team’s evaluation of the potentially eligible student. The school’s Section 504 team is defined as a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options (34 CFR §104.35(c)).

Section 504 requires that school districts provide FAPE to students in their jurisdiction who meet the definition of an individual with a disability under Section 504. All students are entitled to FAPE in North Carolina.

### Relationship between Section 504 and the ADAAA

The Americans with Disabilities Act (ADA), enacted in 1990, amended in 2008 as the Americans with Disabilities Act Amendments Act (ADAAA) and the Rehabilitation Act of 1973 (Section 504) are civil rights laws that protect individuals with disabilities from discrimination. The primary difference is that while Section 504 applies only to organizations that receive federal funding, the ADAAA applies to a much broader population. However, as of January 1, 2009, whatever applies to the ADAAA applies to Section 504, as well.

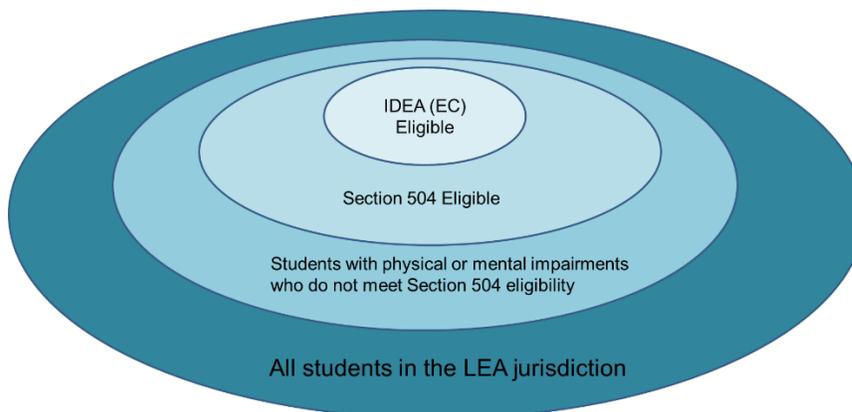
Virtually every violation of Section 504 is also a violation of the ADAAA in the educational arena. In the event that a complainant alleges that the District has violated one statute, OCR and the EEOC will likely investigate for violations of the other statute.

### Section 504/ADAAA and the Individuals with Disabilities Education Act (IDEA)

Eligibility for protections and services under Section 504 is not the same as eligibility under IDEA. Section 504 has a much broader definition of a disability. Section 504 provides protection from discrimination for students with disabilities in a general education setting who do not need specially designed instruction. Students covered under IDEA with an

Individualized Education Program (IEP) do not need a separate Section 504 plan, as provisions covered under Section 504 are covered under IDEA. Therefore, students who are covered under IDEA must have an IEP that addresses both the special education needs and any accommodations that would be provided under Section 504. *The District has no flexibility or discretion to provide services and accommodations under Section 504 when a student is IDEA-eligible.*

### ***Relationship Between Section 504 and IDEA***



## **Responsibilities of CMS under Section 504**

Under Section 504, school districts have a responsibility to locate, identify, evaluate, and place individuals who are, or are believed to be, in need of special services due to a physical or mental impairment. School districts are required to establish and implement procedural safeguards. These safeguards include notice, an opportunity for parents to review relevant records, an impartial hearing with the opportunity for participation by the student's parents or guardian, representation by counsel, and a review procedure.

### **Locate and Identify**

#### **Conduct Child Find**

Charlotte-Mecklenburg Schools shall endeavor to locate and identify every individual within the district, who is not receiving a free appropriate public education due to a physical or mental impairment. District and school-based Section 504 staff will engage in ongoing child find activities. Activities may include, but are not limited to, presenting information at parent and school staff meetings, posting information in CMS schools and district offices, and reviewing student information upon registration and/or when medical needs arise.

In addition to district-based initiatives, individual schools must employ school-based procedures to assist in the identification of students with a suspected disability. Teachers and other staff are obligated to notify the school-based Section 504 coordinator if they suspect that a student may benefit from an evaluation to determine if additional support may be needed. School-based procedures may include a review of student absences, academic progress, incident reports due to ongoing behaviors, students who have health concerns, and students who have been exited from Exceptional Children (EC) programs.

#### **Individual Health Care Plan (IHP) and Emergency Action Plan (EAP)**

School staff must be aware of the relationship between Section 504 and an Individualized Health Care Plan (IHP) or Emergency Action Plan (EAP), and other similar plans such as medication plans. For students who have an IHP or EAP but no Section 504 Accommodation Plan, schools are to consider whether each of these students might be eligible under Section 504. Additionally, schools are to consider whether IHPs or EAPs for students who are Section 504 eligible were developed in compliance with Section 504 regulations. At these meetings, it is important to include the school nurse and, at times, the

school psychologist. These individuals bring a unique insight to the needs of these students and their medical or mental health condition.

1. If a student is currently covered under Section 504, the student's IHP/EAP must be developed under Section 504 regulations for evaluation, placement, and procedural safeguards.

Example: If a student has a Section 504 plan and needs an IHP/EAP, the IHP/EAP must be developed during a Section 504 team meeting.

2. If a student has an IHP/EAP but has not been evaluated for eligibility under Section 504, parents must be offered a Section 504 eligibility determination review meeting. Based on a variety of data sources, if a student with an IHP/EAP is suspected of having a physical or mental impairment that is substantially limiting a major life activity or bodily function, then the student must be evaluated in accordance with Section 504 regulations.

3. In determining whether a student is or might be eligible under Section 504, it is inappropriate to limit the major life activities to academics. A substantial limitation in any major life activity caused by a physical or mental impairment results in Section 504 coverage. This is a Section 504 team decision and should not be made unilaterally.

Example: A student with an IHP for asthma is referred for a Section 504 evaluation. The school district refuses to hold an evaluation review because the student is proficient in reading and math. This would violate Section 504's evaluation regulations.

4. The decision about whether a student with an IHP/EAP is eligible under Section 504 is made without regard to the effects of mitigating measures used by the student (the only exception to this is ordinary glasses or contact lenses). If a student would be substantially limited in a major life activity or bodily function without the use of a mitigating measure, the student is eligible under Section 504, no matter how well the mitigating measure works.

Example: A student with an IHP who uses a hearing aid is referred for a Section 504 evaluation. The evaluation team considers the student's limitations without the use of the hearing aid. The evaluation team's approach is correct.

5. Remember that the United States Department of Education (DOE) considers health plans to be mitigating measures. In determining whether a student with an IHP/EAP is eligible under Section 504, the Section 504 evaluation team must determine the student's limitations without the benefit of the IHP/EAP.

Example: A student has an IHP for a severe nut allergy. The student has had several exposures to allergens requiring use of the IHP's strategies during the school year. The Section 504 evaluation team considers whether the student's limitations without regard to the IHP is substantially limiting. The Section 504 evaluation team's approach is correct.

6. It is important to determine on an individual basis whether a student with an IHP/EAP has a physical or mental impairment that substantially limits a student in a major life activity or bodily function. It is incorrect to conclude that a student is Section 504-eligible simply based on a diagnosis. There is no impairment that automatically warrants Section 504 eligibility without linkage to a substantial limitation of a major life activity or bodily function.

Example: A student has a medication administration plan for prescriptions to address asthma. School officials say "Asthma? Say no more. Let's write that plan." This is a violation, because it neglects the individualized analysis of the student's impairment and the degree of impact on the major life activity or bodily function.

## Determine Eligibility under Section 504

### Definition of Evaluation under Section 504

When considering an individual's eligibility, the term "evaluation" as it applies to Section 504 means "to review information from a variety of sources and, if needed, obtain any additional information." Evaluation, in this sense, does not necessarily mean that an individual must undergo testing in order to determine if the individual meets eligibility criteria. In order to determine if a student is eligible, the school Section 504 team reviews and considers information from a variety of sources. Based on the review, the school Section 504 team must address these questions:

1. Does the individual have a physical or mental impairment?
2. Does the impairment affect a major bodily function or life activity?
3. To what degree does the impairment limit a major life activity or major bodily function?
4. Does the individual need accommodations, services, or supports to access the benefits of public education at a level similar to his/her non-disabled peers?

### Physical or Mental Impairments

Section 504 does not define specific impairments. As stated previously, under Section 504 a student is "disabled" if the student meets any one of the three prongs of eligibility listed in 34 CFR 104.3(j)(1).

- 1) Has a physical or mental impairment that substantially limits a major life activity or bodily function, or
- 2) Has a record of such impairment, or
- 3) Is regarded as having such impairment

Section 504 defines physical or mental impairment as:

- (A) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following bodily systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine;

or

- (B) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities

The regulation does not set forth an exhaustive list of specific diseases or categories that may constitute physical or mental impairments. The definition of *physical or mental impairment* under Section 504 is broad, including students with life-threatening health conditions that will put a student in danger of death during the school day, if medication or treatments are not in place. Simply having a condition or impairment does not automatically guarantee that an individual is eligible under Section 504.

### Substantial Limitation

A student's physical or mental impairment is considered substantially limiting if a student is unable to perform, or is significantly restricted in performing, a major life activity as compared to the average student or peer. There is no single formula or scale that measures substantial limitation. An impairment need not prevent, or significantly or severely restrict a student in performing a major life activity to be considered substantially limiting. Title II provides three (3) factors for teams to consider when determining whether or not the impairment *substantially limits* a major life activity or major bodily function:

1. Nature and severity of the impairment;
2. Duration or expected duration of the impairment; **AND**
3. Permanent, long-term impact or expected impact of the impairment.

The determination of whether a student has a physical or mental impairment that substantially limits a major life activity or major bodily function must be made by the Section 504 team. The ADA (2008) expanded the definition of substantial

limitation to ensure it reaches a broad spectrum of individuals without the consideration of mitigating measures, such as medications and surgical interventions. Eyeglasses and corrective lenses are an exception to this rule (i.e., Section 504 teams may take into account a student's eyeglasses when making eligibility determination). School Section 504 teams need to be careful when reviewing student information to include all areas of impact and not limit discussion to include just learning.

### Mitigating Measures

As mentioned above, mitigating measures may be used by a student to manage his or her impairment or lessen the impact of his or her impairment. Mitigating measures include medication, medical devices, related aids/services, tutoring, and therapy or counseling. Mitigating measures must be disregarded when determining whether a student's impairment constitutes a disability under Section 504. In other words, when determining eligibility, the benefits of a mitigating measure must not be considered and the student must be viewed as if that measure was not available. Remember, an IHP/EAP is considered a mitigating measure.

Once determined eligible, the Section 504 team must make a determination if a student needs accommodations or supports to receive an equal educational opportunity. If a Section 504 accommodation plan is warranted, the benefits of a mitigating measure may be considered when writing a student's accommodation/support plan.

## **Impairments that are Episodic, in Remission, or Transitory**

### Episodic Impairments

Some students have physical or mental impairments that vary in frequency. Conditions such as seasonal allergies or asthma, migraines, and rheumatoid arthritis are good examples of impairments that may be substantially limiting at times (in hot weather, when the student is stressed, when irritants or trigger factors are present) and have little impact at other times. Schools commonly qualify students under Section 504 if their condition, though not constant, episodically rises to the level of substantial limitation of a major life activity. Students should not be denied eligibility simply because the disability, at the moment of evaluation, is not substantially limiting, especially when the school knows from past experience that substantial limitation will likely occur. School Section 504 teams should look carefully at the range of data over a period of time and not just the student's current level of performance. The timing of the evaluation should not function to preclude eligibility for students whose impairments are episodic and who are not substantially limited at the time of evaluation.

### Impairments in Remission

The ADA language on impairments in remission is the same as episodic impairments: "An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active." An example is a student who had cancer that is now in remission. The student would be eligible if the cancer was substantially limiting when it was active in the past.

### Transitory/Temporary Impairments

A transitory impairment is an impairment with an actual or expected duration of six (6) months or less. The issue of whether a transitory impairment is substantial enough to be a disability must be resolved on a case-by-case basis, taking into consideration both the expected duration of the impairment and the extent to which it actually limits a major life activity. In most cases, basic informal accommodations may be implemented without a full Section 504 plan. Contact the District Section 504 Office Help Desk (980-343-0001) for further information.

In CMS, school teams must meet and determine if a student's impairment meets the criteria for a transitory impairment. If the impairment is considered transitory/temporary, accommodations are provided through general education. Test accommodations are documented in PowerSchool under the heading **NC Information – Accommodations**. Be sure to click *Transitory* on the dropdown box. Medical information must be on file for the student to receive state test accommodations. A *General Education Transitory Form* is included in the Appendix of this handbook.

If the student's impairment is considered more extensive, the school team must conduct a Section 504 eligibility meeting and, if the student is eligible, develop a Section 504 accommodation plan.

See Transitory Impairment Determination form in Appendix. This is NOT a Section 504 form, but it is used to guide school staff/teams to determine if a Section 504 eligibility meeting is needed.

## Accommodation Plans

*"Section 504 provides the individual the opportunity to create their desired outcome without discrimination."  
Dave Richards, 2015*

The Section 504 regulations require a school district to provide a "free appropriate public education" (FAPE) to each qualified student with a disability, who is in the school district's jurisdiction, regardless of the nature or severity of the disability. Under Section 504, FAPE consists of the provision of regular or special education and related aids and services designed to meet the student's individual educational needs as adequately as the needs of nondisabled students are met.

(<http://www2.ed.gov/about/offices/list/ocr/504faq.html>); (34CFR104.33)

Eligible Section 504 students may receive accommodations such as seating, unlimited restroom usage, assistance with medication, and test accommodation provisions such as extended time or testing in a small group. The Section 504 team determines the need for accommodations and which accommodations may benefit the student. Each decision must be made on a case-by-case basis. Accommodations should assist the student to have equal access to the general education curriculum and not provide an undue advantage for the student. Accommodations can be changed or modified as the student's needs change.

### Students with Disabilities Who Do Not Need a Section 504 Plan

If, as a result of a properly conducted evaluation, the school district determines that the student does not need special education or related services, the district is not required to provide aids or services. Neither the ... [ADA] nor Section 504 obligates a school district to provide aids or services that the student does not need. However, the school district must still conduct an evaluation before making a determination.

**Example:** Suppose a student is diagnosed with severe asthma. It is a disability because it substantially limits the major life activity of breathing and the function of the respiratory system. However, based on the evaluation, the student does not need any special education or related services as a result of the disability. This student fully participates in her school's regular physical education program and in extracurricular sports; she does not need help administering her medicine; and she does not require any modifications to the school's policies, practices, or procedures. The school district is not obligated to provide the student with any additional services.

*(Source: U.S. Department of Education, Office of Civil Rights (OCR), Questions and Answers on the ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools, Questions 9 and 11.)*

Students who meet eligibility under Section 504, but do not need an active plan: a) are still carried on the school's caseload, b) are entitled to any due process protections, and c) must have a periodic review and quarterly progress monitoring. If at any time the student needs support, the Section 504 team must reconvene, discuss the need, and develop a plan.

## District-wide Information

### Notice of Nondiscrimination

The Charlotte-Mecklenburg Schools shall take steps to notify participants, employees, and applicants of district responsibilities under Section 504. The following notice shall appear in student/parent handbooks, teacher's handbooks, non-certified personnel handbooks and published personnel recruiting materials:

*"In compliance with Federal Law, Charlotte-Mecklenburg Schools administers all education programs, employment activities and admissions without discrimination against any person on the basis of gender, race, color, religion, national origin, age, or disability. Inquiries regarding compliance with Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs or activities, may be referred to the District's Title IX Coordinator at [titleixcoordinator@cms.k12.nc.us](mailto:titleixcoordinator@cms.k12.nc.us) or at <http://www.cms.k12.nc.us/titleix>, or to the Office for Civil Rights, United States Department of Education."*

## Nonacademic Services

Qualified students with a disability shall be provided an equal opportunity to engage in counseling services, physical recreation, athletics, transportation, special interest clubs, etc.

For example, qualified students with a disability shall:

- Automatically **not** be counseled towards certain career objectives more than non-disabled students with similar abilities.
- Have an equal opportunity to participate in physical education courses and athletics. Although qualified disabled students may participate in separate activities for the disabled, no qualified disabled student shall be denied the opportunity to compete (i.e. tryout) for membership on a team or to participate in courses that are not separate or different.

## Otherwise Qualified

If a person with a disability wants to participate in an activity in which the individual is not *otherwise qualified* to participate, disallowing participation does not constitute discrimination.

For example: A 16-year-old boy with attention deficit hyperactivity disorder (ADHD) tries out for the basketball team but cannot dribble, shoot, or pass. As a result, the coach does not allow the boy to play on the team. This is not discrimination under Section 504 because the boy is not *otherwise qualified* to be on the team.

## Inclusion

Section 504, like the IDEA, requires that students with disabilities be educated with their non-disabled peers to the maximum extent appropriate while meeting the needs of students with disabilities. Schools should always place students with disabilities with their non-disabled peers, unless the school can demonstrate that the student's education program cannot be achieved satisfactorily, with or without supplementary aids and services in the general education setting. This mandate also applies to extracurricular activities such as field trips. Failure to adhere to the above guidelines violates the schools requirement to provide students with a Free Appropriate Public Education (FAPE).

## Transfer Students

### Student is new to CMS

If a student with a disability transfers to CMS from another school district with a Section 504 plan, CMS must review the plan and supporting documentation within a reasonable time upon entry (recommended time frame is within 45 school days). A Section 504 team may accept the student's current plan on a temporary basis while waiting to re-evaluate the student. Upon evaluation, if the Section 504 team determines that the student's mental or physical impairment no longer substantially limits his/her ability to learn or perform any other major life activity, the student is no longer eligible for services under Section 504.

### Student re-enrolls in CMS

A student who re-enrolls in CMS must also be re-evaluated to determine if the student continues to meet eligibility requirements. The Section 504 team may accept the student's former plan (if the end date is less than a year from the new enrollment) on a temporary basis while waiting to re-evaluate the student. If the student's Section 504 plan is outdated or the student was exited or found not eligible under Section 504 prior to withdrawal from CMS, the Section 504 team would begin the referral process for eligibility determination.

### Student is a within system transfer

When a student moves from one CMS school to another CMS school, the sending school's Section 504 coordinator or principal designee must contact the receiving school's Section 504 coordinator to provide notification of the incoming student and their Section 504 status. This action must be completed within 3 school days.

## **Service Animals**

### **Use of Service Animals by Students with Disabilities**

Title II of the Americans with Disabilities Act (ADA) and its regulations require government entities, including public schools, to make reasonable modifications to programs and services to allow access for persons with disabilities. A “service animal,” as defined by the Americans with Disabilities Act (ADA), means any dog (or miniature horse) that is individually trained to work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Title II provides that a school may exclude a service animal if “the animal would fundamentally alter the nature of the service, program, or activity.”

Examples of work or tasks include, but are not limited to: assisting an individual who is blind or who has low vision with navigation; alerting an individual who is deaf or hard of hearing to the presence of people or sounds; pulling a wheelchair; assisting an individual during a seizure; alerting individuals to the presence of allergens; retrieving items; providing physical support and assistance with balance and stability to individuals with mobility impairments; and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

# Initial Process Steps for Section 504

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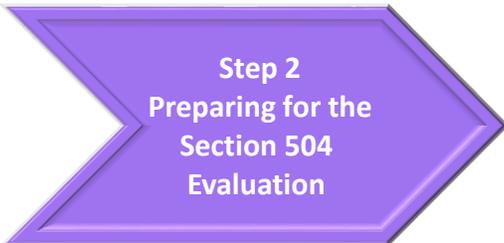
## Section 504 Process Steps

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Step 1  
Referring  
a Concern

A concern about a student is presented by a parent or teacher. The *Referral of Concern* is completed with assistance of the school Section 504 coordinator. The concern may address behavioral, medical, physical, or emotional well-being that is limiting the child's ability to function at school. Be sure any medical reports are included especially if the referral is for OT, PT or Audiology. All referrals for Related Services must have a parent signature before processing.



Step 2  
Preparing for the  
Section 504  
Evaluation

If referred to Section 504, the parent/guardian must sign *Parent/Guardian Consent for Initial Section 504 Evaluation* and are given a copy of the *Parent/Guardian -Student Rights & Procedural Safeguards* before any evaluation may be initiated. During this time, information is collected using a variety of documented sources, which becomes the basis on which the student's eligibility is determined and plan, if needed.

When all information is collected, the Eligibility Determination meeting is scheduled and parent/guardian notice is sent. Be sure to include the school psychologist, school nurse, teachers, and any related service provider when sending meeting notifications.

# Section 504 Process Steps

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## Step 3 Determining Eligibility

The Section 504 team meets to determine if the student meets eligibility under Section 504 and if an accommodation plan is needed. In determining if a student is eligible, the Section 504 team must review information from multiple sources and decide if there is enough information to make a decision. If there is insufficient information, the Section 504 team can request further evaluation or refer the student to the Intervention Team. If the team determines the student is eligible, then the team must determine if services and supports are needed. If supports are needed, an accommodation plan is created. If support is not needed, the team will not create a plan. However, this student continues to receive protection under Section 504 and will receive continual periodic reviews and monitoring. If a student is deemed not eligible, the meeting is complete.



## Step 4 Developing a Section 504 Accommodation Plan

Once a student is identified as being eligible under Section 504, a decision is made regarding the type and the extent of services the student needs. The plan is written to address the areas where the student has a substantial limitation with reasonable and appropriate accommodations. A behavior intervention plan may be needed for students with behavioral difficulties and must be completed as soon as possible. Plans are developed for what a student needs and to provide accessibility at the same level as non-disabled peers. Be cautious not to provide accommodations that may give the student an undue advantage.

# Section 504 Process Steps

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School staff are notified of a student's accommodations under Section 504. School staff must implement all accommodations on a student's plan. If an accommodation appears not to be benefitting a student, a meeting must be held to determine if that accommodation needs to be removed or replaced.



Progress monitoring, review meetings, and 3-year re-evaluations are conducted to determine if the student continues to meet eligibility and needs support. If student's needs change, the plan must be revised to reflect the current needs of the student. School staff or the student's parent/guardian may request a meeting at any time.

In addition to initial eligibility and review meetings, other meetings may include Exit and Graduation Reviews, Hospital/Homebound placement and Manifestation Determination Reviews (MDR).

## **Related Services: Occupational Therapy, Physical Therapy, & Audiology**

Section 504 requires that related services be provided for students with disabilities if these services are essential to meet the student's educational needs. A related service can be provided under Section 504 to children who do not receive any other special education services or interventions.

CMS related services consist of physical therapy, occupational therapy, and audiology services.

# Hospital/Homebound Procedures

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The intent of Hospital/Homebound instruction is to continue the education of students with severe medical issues or illnesses that prevent them receiving instruction in the school setting. Hospital/Homebound placement may be available to all families who have a child with a current Section 504 plan or a child who meets initial Section 504 eligibility. Section 504 Hospital/Homebound procedures are designed to allow your child to receive instruction while recovering at home or undergoing medical treatment. When designing a Hospital/Homebound plan, consideration is given to both the child's academic needs and health concerns.

Students enrolled in the Exceptional Children (EC) program must go through the Hospital/Homebound process specifically for special education students.

For students who do not have either a Section 504 plan or Individualized Education Program (IEP), and the duration and/or severity of the impairment is limited, the student may be served through either Section 504 or general education hospital/homebound. These determinations are made on a case-by-case basis.

## **Hospital/Homebound Procedures for Section 504 Students**

### General Information

1. For students who are currently identified as a student with a disability under Section 504 and are being recommended for placement in the hospital/homebound setting, the Section 504 team will adhere to the above guidelines when the reasons for hospital/homebound consideration are based on a medical condition. When a student is not currently identified as Section 504 eligible, the team will make decisions on an individual basis according to the needs of the student and the treating physician's recommendations.
2. A parent/guardian may request that their child be considered for hospital/homebound placement by contacting the school Section 504 Coordinator, school counselor, and/or school nurse. It is the responsibility of the parent/guardian to arrange for the completion of the Treating Physician's Recommendation for Hospital/Homebound Placement form.
3. Upon receipt of this form, a Section 504 meeting is scheduled and the parent is invited to attend. The Section 504 Coordinator may use email as an option to invite the parent/guardian.
4. The Section 504 Team meets to review medical documentation regarding the need for the student to potentially be served in the hospital/homebound or partial attendance setting. Based on all available and relevant information, the Section 504 Team must determine whether the hospital/homebound setting is the student's least restrictive environment and appropriate for the student at that time.

## **Hospital/Homebound Roles & Responsibilities:**

### Hospital/Homebound Teacher

- Contact the student's parent/guardian to establish a schedule to meet with the student
- Request assignments and materials from the student's teacher(s)
- Provide the student with instruction
- Return completed assignments to student's teacher(s) for grading
- Submit instructional logs to the district's homebound services Coordinator
- Submit timesheets for extended employment and mileage reports electronically to the District Section 504 Hospital/Homebound Administrative Assistant

- Attend Section 504 Team meetings, as requested

#### Parent/Guardian

- Parent/guardian or a designated adult (18+ years of age) must be present when the homebound is teacher in the home during instructional sessions, regardless of the student's age
- Inform and update Section 504 Coordinator at your child's school about the student's medical condition
- Monitor instructional sessions
- Sign the homebound teacher's log at the time of service
- Contact the child's homebound teacher if an instructional session needs to be rescheduled
- Attend Section 504 meetings as the student's health allows
- Obtain and return Treating Physician Recommendation forms for extension requests
- Complete Hospital/Homebound survey upon completion of service

#### Student

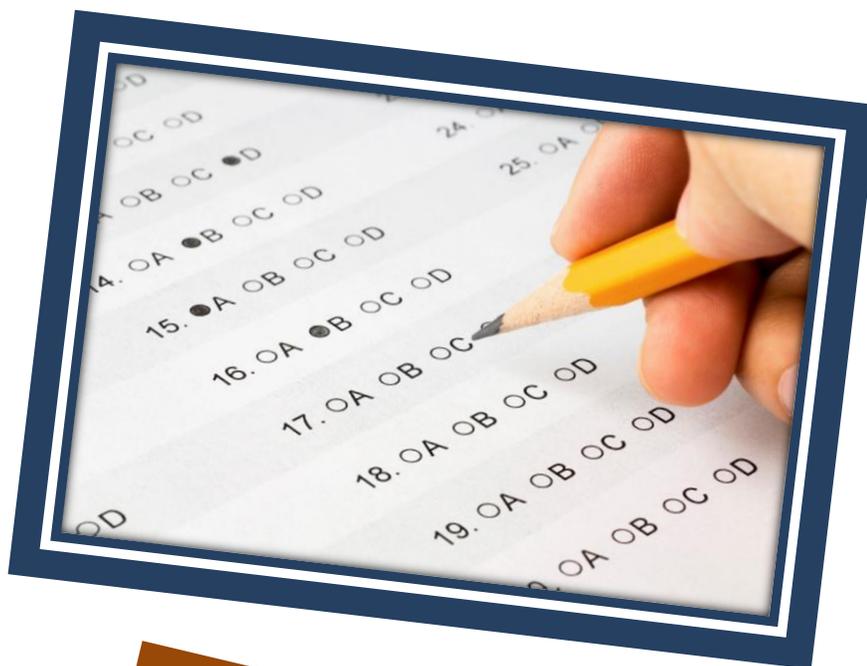
- Is prepared for instruction when homebound teacher arrives
- Has questions and assignments ready for review
- Completes assignments between homebound instruction sessions
- Sends completed work to teacher at school, if requested
- Informs homebound teacher about any issues with course work
- Puts forth good effort as medical condition allows

### **Pregnant Students Who are Identified as a Student with a Disability**

Under state law and CMS Board Policy JIE, pregnant students may receive homebound services to the extent necessary, as determined by the student's Section 504 team. If a student has an at risk pregnancy, she is eligible for homebound services for four or more weeks prior to the estimated delivery date and two additional weeks after a normal vaginal delivery. If the student's delivery is complicated, she receives the amount of homebound services that the physician prescribes. If the student has an uneventful pregnancy and then delivers by C-Section, the student receives four or more weeks of homebound services after delivery as verified by the physician.

# Accommodations and Testing Guidelines

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## Accommodations

### Overview

The purpose of an accommodation under Section 504 is to provide equal educational opportunity and access for students with disabilities. Accommodations must be reasonable and allow students with disabilities to have equal access to their learning environment, manage a medical condition, participate in class activities, and demonstrate their level of mastery of concepts without being impeded by their disability. Accommodations that include an instructional component should be written so the integrity of the course content is maintained. Accommodations needed to manage a medical condition should allow the student opportunities to take care of his/her condition. All accommodations must be reasonable, must not provide an undue advantage for the student, and should not pose an *undue hardship* on the institution.

Once the Section 504 team identifies a student as eligible, appropriate accommodations are written into a student's Section 504 accommodation plan. These accommodations must be implemented by all staff that interact with the student. Modifications of a student's accommodations require a Section 504 team meeting and a collective team decision. If a student consistently refuses to use an accommodation (i.e., equipment provided by CMS), the school-level Section 504 coordinator will contact the parent and schedule a meeting to determine if there is a need for this accommodation.

If a student refuses to use a medical or health-related accommodation (i.e., reporting to receive prescribed medication), the school nurse and parent/guardian will be notified immediately.

Each student's Section 504 accommodation plan must be constructed individually. While there are accommodations that are commonly used to address and manage certain specific conditions, each student's individual needs must be considered when choosing the appropriate accommodations. Selecting and monitoring the effectiveness of accommodations should be an ongoing process. Changes to a student's Section 504 accommodations should only be made at a Section 504 meeting with multi-disciplinary input from students, parents, and educators. Worth noting, chosen accommodations must relate to the student's disability and address the student's specific areas of need.

### Testing

If a student needs a testing accommodation, the accommodation must be used every time a student is tested. In order for a testing accommodation to be used for district and state-mandated tests, it must be considered "*routinely used*" in the classroom. To be considered as "*routinely used*", the accommodation must be in place for at least 30 calendar days before the test window opens. Therefore, testing accommodations ***MUST NOT*** be implemented solely for district or state-wide assessments

Testing accommodations should in no way alter the content of the assessment or interfere with the integrity of the test construct. Section 504 Coordinators should regularly consult with the school's testing coordinator for updates and new information.

School assignments and tests completed with accommodations should be graded the same way as those completed without accommodations. Accommodations are meant to provide equal and ready access to the testing materials and are *not* meant to provide an undue advantage for the student.

When developing testing accommodations, the Section 504 team must consult with the test coordinator at the school and refer to the *Testing Students with Disabilities* guide distributed through the North Carolina Department of Public Instruction. This guide contains the necessary information to develop and record reasonable and allowable accommodations which meet the criteria for state-mandated testing.



## Discipline and Section 504 Students

### General Overview

Section 504 protects students with disabilities from being improperly removed from school for misconduct that is related to or caused by their disability. Before CMS is able to implement a disciplinary action that constitutes a "*significant change in placement*," the school-based Section 504 team must convene to review and discuss the misconduct.

A **significant change in placement** is defined as a significant change in the type or amount of educational or related aids or services that CMS provides to a student with disabilities. A significant change in placement may include, but is not limited to:

- terminating eligibility under Section 504;
- initiating or terminating a related service or hospital/homebound services
- disciplinary actions that exclude a student from school for more than 10 consecutive school days in a school year
- disciplinary actions that create a pattern of exclusion from school;

During this process, Section 504 teams consider the student's documented disability(ies), as well as the details of the specific incident, to determine whether the misconduct was caused by, or had a direct and substantial relationship to, the student's disability; or was the direct result of the District's (school's) failure to implement the student's Section 504 Plan. This type of evaluation is commonly called a **Manifestation Determination Review (MDR)**.

If a student's misconduct **is determined to be a manifestation** of his/her disability, CMS **is legally prohibited** from implementing a disciplinary action that constitutes a significant change in the student's placement. If a disabled student's misconduct **is determined to NOT be a manifestation** of his/her disability, CMS may legally discipline the student in the same manner as students without disabilities.

Under Section 504, the District is not required to provide a student with disabilities educational services during the period of time they are properly removed from school for disciplinary reasons. However, students must be provided the same access to services that are available to non-disabled students who are long-term suspended or expelled, including access to re-entry programs.

### Manifestation Determination Review (MDR) Meeting

An **MDR Meeting** is needed when a student's placement may be significantly changed by disciplinary action as a result of his/her misconduct. Usually, a short-term out of school (OSS) suspension of ten (10) days or less does not constitute a significant change in the student's placement. Therefore, an MDR is not necessary when a student's suspension is deemed a short-term suspension, as placement would not constitute a significant change.

*A Manifestation Determination Review meeting is essentially an evaluation that answers two questions:*

#### **1. Is the misconduct in question caused by or directly related to the student's disability?**

To answer this question, this determination must be based upon a review of several sources of evaluation data (diagnosis, current Section 504 plan, BIPs, attendance, reports, observations, etc.) which is related to behavior and the disability. It must also be recent enough to afford an understanding of the student's current behavioral functioning

- A student's misconduct is a manifestation of his/her disability if the misbehavior "*is caused by the disability*" or "*has a direct and substantial relationship to the disability.*"

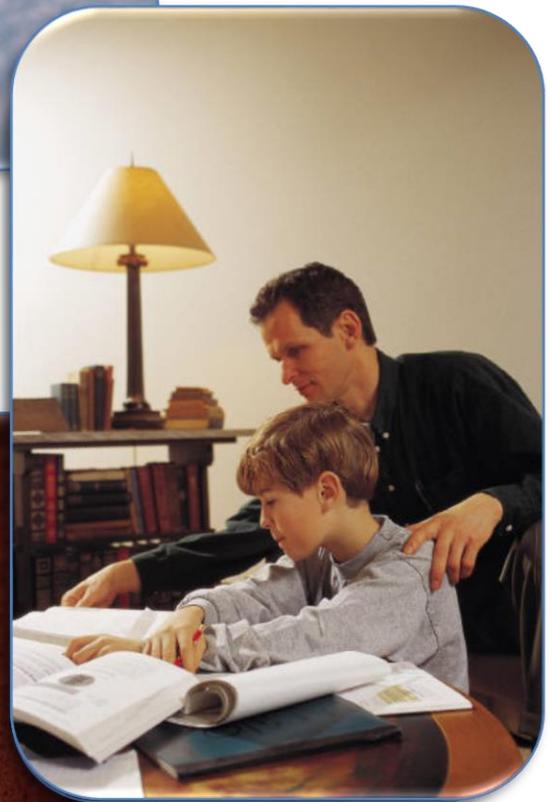
- A student's misconduct is not a manifestation of the student's disability if the behavior has only a weak relationship to the student's disability.

### **Interim Alternative Educational Settings (IAES) (45 day rule)**

If a student eligible under Section 504 carries a weapon to school, or to a school-sponsored event or function; possesses, uses, sells, or solicits illegal drugs on school grounds or at a school-sponsored event or function; or inflicts serious bodily injury upon another person at school or a school-sponsored event or school function, CMS may place the student in an Interim Alternative Educational Setting (IAES) for up to 45 school days. However, a Manifestation Determine Review must be scheduled during that time to review the student's Section 504 Plan, discuss the need for a Functional Behavior Assessment (FBA) and a Behavior Intervention Plan (BIP), and determine if the behavior was a manifestation of the student's disability.

# Parent-Student Rights and Responsibilities

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## Parent/Student Rights

### Under Section 504 of the Rehabilitation Act of 1973 and Its Amendments

#### CHARLOTTE-MECKLENBURG SCHOOLS

The Rehabilitation Act of 1973, commonly referred to as Section 504, is a non-discrimination statute enacted by the United States Congress. The purpose of the Act is to prohibit discrimination and to assure that within the public schools disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

An eligible student under Section 504 is a student who (a) currently has, (b) has a record of having, or (c) is regarded as having a physical or mental impairment which substantially limits one or more major life activities. Major life activities include caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning.

#### Parents have the rights to:

1. Have your child take part in, and receive benefits from public education programs without discrimination based on a disability.
2. Have the District advise you as to your rights under federal law.
3. Receive notice with respect to identification, evaluation, or placement of your child.
4. Have your child receive a free appropriate public education (FAPE). This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the District make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to children without disabilities.
6. Have your child receive special education and related services if she/he is found eligible under the Individuals with Disabilities Act (IDEA), or to receive reasonable accommodations under Section 504 of the Rehabilitation Act.
7. Have eligibility and educational placement decisions made based upon a variety of information sources, and by individuals who know the student, the eligibility data, and placement options.
8. Periodic re-evaluation and evaluation before any significant change in placement occurs.
9. Give your child an equal opportunity to participate in non-academic and extracurricular activities offered by the District through the provision of reasonable accommodations.
10. Examine all relevant records relating to decisions regarding your child's identification, eligibility, educational program and placement under the Family Educational Rights and Privacy Act. The requirements are described in the Board's policy manual on file at the CMS Web site.
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
12. Receive a response from the District to reasonable requests for explanations and interpretations of your child's records.
13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the District refuses this request, it shall notify you within a reasonable time, and advise you of the right to a hearing.
14. Request an impartial due process hearing related to decisions regarding your child's identification, eligibility, and educational placement. You and your child may take part in the hearing and have an attorney represent you at your own cost. You have the right, also, to appeal the impartial hearing officer's decision.
15. File a complaint with the District when you believe your child's rights have been violated.

#### School-Level Section 504 Coordinator:

Name

Phone Number

#### District Section 504 Program Specialist:

Cynthia Vines  
4421 Stuart Andrew Blvd  
Charlotte, NC 28217  
PH: (980) 343-0001  
[priority504@cms.k12.nc.us](mailto:priority504@cms.k12.nc.us)

# Grievance Procedures

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## **Section 504 Grievance Procedures**

Charlotte-Mecklenburg Schools has an internal resolution procedure to provide a prompt and impartial review of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973(29 U.S.C. 794) of the U.S. Department of Health and Human Services regulations implementing the Act. This is an optional resolution procedure for a complainant.

Section 504 complaints may include, but are not limited to, allegations that Charlotte-Mecklenburg Schools engaged in discrimination against Section 504 students with disabilities by affecting their rights regarding identification, evaluation, educational program or placement, and accommodation. As part of an informal approach to complaint resolutions, the District wants parents, guardians, students and other District patrons to have the opportunity to make concerns known to the District and for the District to have the opportunity to respond and resolve concerns as rapidly as practicable at the local school or program site level.

Filing a discrimination complaint is a protected activity. Discrimination against any individual because he or she reported Section 504 violations, or made a complaint, testified, assisted or participated in Section 504 investigations, proceedings or hearings is prohibited. Coercion, intimidation, threats or interference with anyone because he or she exercised Section 504 rights, or helped or encouraged someone else to do so is prohibited.

Grievances must be submitted to the Section 504 Program Specialist within ***60 days*** of the date the alleged discriminatory incident occurred.

The individual below has been designated to coordinate the efforts within Charlotte-Mecklenburg Schools to comply with Section 504:

**Cynthia P. Vines Ed. S., M.Ed., NCSP**  
**District Section 504 Program Specialist**  
**Charlotte Mecklenburg Schools**  
**4421 Stuart Andrew Blvd.**  
**Charlotte, NC 28217**  
**Courier: 835 (A)**  
**Desk: 980-343-0589**  
**Section 504 Help Desk: 980-343-0001**  
[cynthiap.vines@cms.k12.nc.us](mailto:cynthiap.vines@cms.k12.nc.us)  
[priority504@cms.k12.nc.us](mailto:priority504@cms.k12.nc.us)

These procedures are intended to protect the substantive rights of interested persons, meet appropriate due process standards, and assure District compliance with Section 504 of the Rehabilitation Act of 1973. *CMS* will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing taped cassettes of material for the blind, or assuring a barrier-free location for the proceedings. The Section 504 Program Specialist will be responsible for such arrangements.

## **Grievance Process**

### **School Level**

1. Complaints should be filed with the principal of the school which the student attends. The complaint should be filed within *60 calendar days* after the parent/guardian becomes aware of the alleged violation. If complaints are initially received by the Section 504 office, the school principal will be promptly contacted so the concern can be shared and discussed.
2. After receiving the complaint, the principal will notify the District Section 504 Program Specialist. The case will then be assigned to a designated District Section 504 Facilitator. The principal will begin an investigation and schedule a conference with the parent/guardian to discuss the complaint. A conference will be held as promptly as possible to discuss a possible resolution.
3. If the parent/guardian *accepts* the proposed resolution, the school notifies the Section 504 office. Resolutions are implemented and the process is complete.
4. If the parent/guardian *rejects* the proposed resolution from school administration, they are provided with a *CMS Section 504 Grievance* form if one has not already been completed. Parent/guardian must submit this form within ten (10) days of receiving it.
5. As a result, the complaint is elevated to the Learning Community level.

### **Learning Community Level**

1. Upon receipt of the written grievance, the Section 504 office will notify the principal, learning community superintendent, and CMS legal (if needed). This team will collaborate to discuss the parental complaint and establish a time to meet with the parent/guardian to discuss a possible resolution. The proposed resolution is presented to the parent/guardian at the previously scheduled meeting.
2. If the parent/guardian *accepts* the proposed resolution, written notification is provided to the parent/guardian by the learning community superintendent or Section 504 Program Specialist. Process is complete.
3. If the parent/guardian *rejects* the proposed resolution from the learning community, the complaint is elevated to the final appeal level.

### **Final Appeal Level**

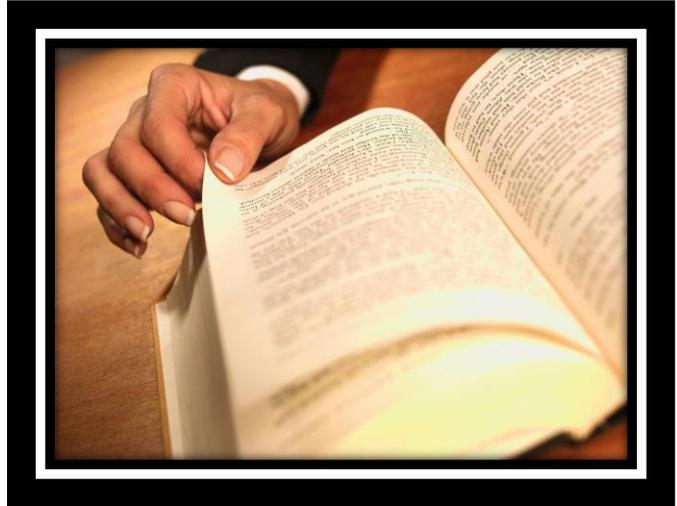
1. Consultation with the CMS legal department is required.
2. Parent/guardian is notified (in writing) within 20 school days of the final decision and offered their right to a formal hearing.
3. If the parent/guardian accepts the final decision, the process is complete.
4. If the parent/guardian rejects the final decision and requests a hearing, the formal hearing process begins.
5. After the hearing, the ruling officer renders their decision. The parent/guardian and CMS are notified of this decision. The process is complete.

6. After the hearing process is complete, it is up to the parent/guardian to file a legal complaint if they are unhappy with the hearing officer's decision.
7. Parents are able to obtain legal counsel or formally contact the Office for Civil Rights (OCR) at any time during this process.

# Appendices

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## Information List



- Section 504 Office Contact Information
- Charlotte-Mecklenburg Schools Board of Education Policy
- Treating Physician's Medical Report – Section 504
- Treating Physician's Recommendation for Hospital/Homebound Placement
- Additional Internet Resource Sites

# Section 504 District Team: Contact Information

<p><b>Cindy Vines</b>    <b>Program Specialist</b> <b>Hospital/Homebound</b></p>	<p><a href="mailto:cynthiap.vines@cms.k12.nc.us">cynthiap.vines@cms.k12.nc.us</a> (Desk) 980-343-0589 (CMS Cell) 980-219-0320</p>
<p><b>Tawana Thompson</b> Administrative Assistant</p>	<p><a href="mailto:tawana.thompson@cms.k12.nc.us">tawana.thompson@cms.k12.nc.us</a> 980-343-0069</p>
<p><b>Ann Featherstone</b> Administrative Assistant</p>	<p><a href="mailto:juliaa.featherstone@cms.k12.nc.us">juliaa.featherstone@cms.k12.nc.us</a> 980-343-0069</p>
<p><b>Ben Bender</b> Central, West (Both), Marie G. Davis</p>	<p><a href="mailto:benjaminj.bender@cms.k12.nc.us">benjaminj.bender@cms.k12.nc.us</a> (Desk) 980-343-0071 (CMS Cell) 980-579-6819</p>
<p><b>Harriett Ford</b> East, Northeast, L.E.A.D.</p>	<p><a href="mailto:harriett.ford@cms.k12.nc.us">harriett.ford@cms.k12.nc.us</a> (Desk) 980-343-0072 (CMS Cell) 980-579-6818</p>
<p><b>Mike Marrone</b> South, Beacon, Turning Point Academy</p>	<p><a href="mailto:michael.marrone@cms.k12.nc.us">michael.marrone@cms.k12.nc.us</a> (Desk) 980-343-0070 (CMS Cell) 980-579-6820</p>
<p><b>Amy Cook</b> North, LIFT</p>	<p><a href="mailto:amy.cook@cms.k12.nc.us">amy.cook@cms.k12.nc.us</a> (Desk) 980-343-0005 (CMS Cell) 980-579-6821</p>

# Charlotte-Mecklenburg Schools Board of Education Policy

## Board of Education Policy

### *Policy Code: IHBA Special Education/Programs for Handicapped/Disabled/Exceptional Students*

It is the policy of the Charlotte-Mecklenburg Schools (CMS) to comply with applicable federal and state laws relating to the education of children with special needs, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973 and its applicable amendments and, the Americans with Disabilities Act (1990) and its amendments of 2008 (ADAAA). Information regarding procedures for compliance will be made available to the public at each school, the CMS office of Federal and State Compliance, the Pre-K-12 Student Support Services Office and in the office of the Exceptional Children Program.

Date of Adoption: 5/9/88  
Revised: 1/29/90, 11/26/90, 9/17/92, 6/23/99, 5/13/03, 10/12/2009  
Legal Reference: 20 U.S.C. Section 1400 et seq., 29 U.S.C. Section 794 (a)  
Previous CMS Policy #: 6170

### *Policy Code: JKDA-R Suspension and/or Placement in an Interim Alternative Educational Setting of Disabled Students Section VII. Section 504 of the Rehabilitation Act of 1973*

- A. Section 504 of the Rehabilitation Act of 1973 is a non-discrimination statute that prohibits discrimination and is designed to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.  
An eligible student under Section 504 is a student who (1) has, (2) has a record of having, or (3) is regarded as having, a physical or mental impairment that substantially limits a major life activity such as learning.  
It is the policy of the Charlotte-Mecklenburg Board of Education not to discriminate on the basis of disabilities in its educational programs, activities, or employment practices as required by the Act.
- B. The regulations for implementing Section 504 provide parents and/or students the following rights:
- You have the right to be informed of your rights under Section 504, which is the purpose of this notice.
  - Section 504 requires the school system to locate, evaluate, and determine if a student is a qualified individual requiring accommodations and modifications necessary to provide access to educational programs.
  - You have the right to receive notice within a reasonable time before CMS identifies, evaluates, or changes your child's placement.
  - You have a right to periodic reevaluation and to evaluation before significant changes in placement.
  - You have the opportunity to review relevant educational records under the Family Educational Rights and Privacy Act. The requirements are described in the Board's policy manual on file at the Education Center.
  - You have a right to request an informal conference with the principal and the intervention team if you disagree with the decisions reached by the school regarding identification, evaluation, educational program or placement. If your concerns are not resolved, you may request a hearing before an impartial hearing officer by notifying the Board's Section 504 Specialist in writing.
  - You have the right to be represented by counsel in the impartial hearing process and to appeal the impartial hearing officer's decision.

Date of Adoption: 9/10/91  
Revised: 11/13/0, 10/12/091 Legal Reference: 20 U.S.C. Section 1400 et seq.,  
29 U.S.C. Section 794 (a)  
Previous CMS Policy #: 5114A  
Cross-Reference: ADD, IHBA, JICA, JICG, JICH, JICI, JIJ, JK, JK



Treating Physician's Medical Report Section 504

The following information will be reviewed by the Section 504 Team and considered during a disability determination review. A District representative may contact you to discuss your recommendations and/or strategies to assist this student in the school environment or to request additional information.

SECTION I - STUDENT INFORMATION:

Form with fields for Student's Name, Date of Birth, Age, Grade, Parent/Guardian Name, School, and Contact Person.

Is this recommendation: [ ] Initial request [ ] Update

SECTION II - RELEASE: (To be completed by parent, legal guardian, surrogate parent, or student, if eighteen or older)

Form for release authorization with signature and date lines.

SECTION III - MEDICAL INFORMATION: (To be completed by the treating physician.)

Form for medical information with fields for diagnosis and impact of condition.

SECTION IV - MEDICAL INFORMATION:

Form for physician information with fields for name, signature, date, phone, fax, practice name, address, and email.

Please return this form to the student's parent/guardian to give to the student's school.



## TREATING PHYSICIAN'S RECOMMENDATION FOR HOSPITAL/HOMEBOUND PLACEMENT

**Dear Treating Physician:**

The below named student and his/her parent, legal guardian, or surrogate parent have requested that the school district provide the student with educational services in the homebound setting. In order for the District to assess this request, the parents are required to submit medical documentation from the student's treating physician of the student's inability to attend school and subsequent recommendation for homebound services. This recommendation is only one part of the information reviewed at the Section 504 or IEP meeting and does not result in an automatic homebound placement. Placement of a student on hospital/homebound is the most restrictive placement and will be discussed by the school team. If a student is determined to be eligible, the Section 504 or IEP team will develop a plan to provide needed instruction and support for this student.

Your recommendation and the information shared below will be reviewed by the Section 504 or IEP Team and considered as a decision is made in regard to the student's placement. A District representative may contact you to discuss your recommendations and/or strategies to maintain the student in the school environment or to request additional information.

**SECTION I – STUDENT INFORMATION:** (To be completed by school personnel)

Student's Name:	Date of Birth:	Age:	Grade:
School Section 504 Coordinator:  <b>*Form will be sent to this individual.</b>	Section 504 Coordinator Email:		
	School Phone Number:		
	School Fax Number:		
Parent/Guardian Name:	Parent/Guardian Phone Number:		
Section 504 Disabling Condition:	EC Disability Category:		

Is this recommendation:     Initial request                       Recommendation for extension of hospital/homebound services

**SECTION II – RELEASE:** (To be completed by parent, legal guardian, surrogate parent, or student, if eighteen or older)

I authorize the release of written and/or verbal medical, educational, or mental health information between school officials and the treating physician listed in Section III:	
_____ Signature of Parent/Legal Guardian/Surrogate Parent (or student if eighteen or older)	____/____/____ Date

NOTE: Please clearly, fully and legibly complete Section III as indicated.

**SECTION III – MEDICAL INFORMATION:** (To be completed by *the treating physician.*)

1. Diagnosis of the medical condition: (Attach additional information if needed)

2. Is the condition contagious?  Yes  No

If yes, please explain precautions that can be taken by staff who may work with the student:

3. Prognosis and Treatment:

4. Is the student able to attend school on a part-time or partial basis?  Yes  No

If yes, please explain and provide details for the school team to consider.

5. Is it your opinion that the medical condition prevents the student from physically attending school?   
Yes  No

If yes, please provide more information in support of your opinion as well as a recommended treatment plan that will allow the student to return to school.

**If no, student should not be recommended for Hospital/Homebound Placement.** Please explain.

6. If the student is placed on hospital/homebound, please identify any medical barriers the student may face with completing assignments at home, if any.

7. What is the amount of time you estimate the student's medical condition will limit his or her ability to attend school?

Recommended date Hospital/Homebound placement begins: \_\_\_\_/\_\_\_\_/\_\_\_\_

Anticipated date of return: \_\_\_\_/\_\_\_\_/\_\_\_\_

**(Date must be within current school year. Do not leave blank.)**

It is my recommendation that the above student cannot attend school because of illness, accident, or complications from pregnancy, even with the aid of transportation but may profit from instruction given in the home or hospital.

Printed Name: \_\_\_\_\_ Physician's Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Name of Practice/Institution; \_\_\_\_\_

Address: \_\_\_\_\_

Email: \_\_\_\_\_

**Form must be returned directly to the student's school by the physician.**

**SECTION IV: To be completed by CMS School Personnel:**

Date received request from parent: \_\_\_\_/\_\_\_\_/\_\_\_\_

Date form given to parent: \_\_\_\_/\_\_\_\_/\_\_\_\_

Notes:

**SECTION V: To be completed by CMS Central Office Personnel:**

Date received by CMS 504/EC Hospital/Homebound Coordinator: \_\_\_\_/\_\_\_\_/\_\_\_\_

Notes:

**SECTION VI: To be completed by Hospital Staff:**

Date sent to CMS 504/EC Hospital/Homebound Coordinator: \_\_\_\_/\_\_\_\_/\_\_\_\_

Notes:

In compliance with federal law, Charlotte-Mecklenburg Schools administers all education programs, employment activities and admissions without discrimination against any person on the basis of gender, race, color, religion, national origin, age or disability.

## **Additional Internet Resource Sites**

- Office for Civil Rights (OCR): <http://www2.ed.gov/about/offices/list/ocr/504faq.html>
- North Carolina Department of Public Instruction: [www.ncpublicschools.org/parents/disabilities/section504](http://www.ncpublicschools.org/parents/disabilities/section504)