Section 504 Eligibility Form

|  |  |
| --- | --- |
| **Date:** |  |
| **District Name:** |  |
| **School Name:** |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Student Name** | **District ID** | **State ID** | **Sex** | **DOB** | **Age** | **Grade** |
|  |  |  |  |  |  |  |

# Purpose of Meeting

Initial eligibility  Reevaluation  Annual Review  Other:

# Physical and/or Mental Impairment(s)

*Does the student have a physical or mental impairment?*

The student:

has a physical or mental impairment; **or**

has record of an impairment; **or**

is regarded as having an impairment.

None of these apply.

If none of these apply, stop here. The student is not eligible for protections under *Section 504 of the Rehabilitation Act of 1973*.

|  |  |
| --- | --- |
| **Impairment:** |  |
| **Additional Impairment:** |  |

# Major Life Activity or Activities

*Do(es) the impairment(s) substantially limit the student’s major life activity?*

## Major Life Activities

|  |  |  |
| --- | --- | --- |
| Behavior Regulation | Emotional Regulation | Reading |
| Bending | Executive Functioning | Seeing |
| Breathing | Hearing | Sleeping |
| Caring for Oneself | Learning | Speaking |
| Communicating | Lifting | Standing |
| Concentrating | Major Bodily Function(s) | Thinking |
| Eating | Performing Manual Tasks | Walking |
| Other |  | Working |

Is this major life activity or major bodily function ***substantially limited*** as a result of the physical or mental impairment?

**No**. If no, stop here. The student is not eligible for protections under *Section 504 of the Rehabilitation Act of 1973*.

**Yes.** If yes, describe below.

|  |
| --- |
| *Describe.* |

# 504 Plan determination

*Respond to the following statements to determine whether the student needs a Section 504 Plan.*

1. The student’s impairment is intermittent, episodic, or in remission.

**Yes.** *Eligible, no plan. The* ***student is eligible*** *under Section 504 because there is a physical or mental impairment that is episodic, in remission, or has mitigating measures, but there is* ***no current need for a Section 504 Plan****. The student will receive manifestation determination, procedural safeguards, periodic re-evaluation and the nondiscrimination protections of Section 504. Should the need for a Plan arise, a Section 504 Team will convene to develop a Section 504 Plan.* **STOP HERE.**

**No.** Continue to #2.

1. The student uses mitigating measures such as medication, medical devices (except ordinary eyeglasses or contact lenses), or other measures to reduce or control the effect of the impairment without the need for a Section 504 Plan.

**Yes.** *Eligible, no plan. The* ***student is eligible*** *under Section 504 because there is a physical or mental impairment that is episodic, in remission, or has mitigating measures, but there is* ***no current need for a Section 504 Plan****. The student will receive manifestation determination, procedural safeguards, periodic re-evaluation and the nondiscrimination protections of Section 504. Should the need for a Plan arise, a Section 504 Team will convene to develop a Section 504 Plan.* **STOP HERE.**

**No.** Continue to #3.

1. The student is chronically absent or tardy for reasons related to the physical or mental impairment and such absences or tardies interfere with the student’s school performance.

**Yes.** *Eligible, with Plan. The* ***student is eligible*** *under Section 504 because there is a physical or mental impairment that substantially limits a major life activity and a Section 504 Plan is needed. A* ***Section 504 Plan will be developed****. The student will receive manifestation determination, procedural safeguards, periodic re-evaluation and the nondiscrimination protections of Section 504.* **STOP HERE and create Section 504 Plan.**

**No.** *Continue to #4.*

1. The student needs accommodations, supports, or services to access and equal educational opportunity.

**Yes.** *Eligible, with Plan. The* ***student is eligible*** *under Section 504 because there is a physical or mental impairment that substantially limits a major life activity and a Section 504 Plan is needed. A* ***Section 504 Plan will be developed****. The student will receive manifestation determination, procedural safeguards, periodic re-evaluation and the nondiscrimination protections of Section 504.* **STOP HERE and create Section 504 Plan.**

**No.** *Eligible, no Plan. The student is eligible under Section 504 because there is a physical or mental impairment that is episodic, in remission, or has mitigating measures, but there is no current need for a Section 504 Plan. The student will receive manifestation determination, procedural safeguards, periodic re-evaluation and the nondiscrimination protections of Section 504. Should the need for accommodations arise, a Section 504 Team will convene to develop a Section 504 Plan.*

Based on the information above, the student is:

Not eligible  Eligible with Plan  Eligible with no Plan

# Section 504 Team

|  |  |  |
| --- | --- | --- |
| **Team Member Name** | **Team Member Role** | **Signature** |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

Parent Rights Under Section 504

You have the right to be informed by the school district of your rights under Section 504. This is a notice of you and your child’s rights under Section 504 and the rights you have if you disagree with the school district’s decisions.

**WHAT IS SECTION 504?**

Section 504 of the Rehabilitation Act of 1973, commonly called “Section 504,” is a federal law that protects students from discrimination based on disability. Section 504 assures that students with disabilities have educational opportunities and benefits equal to those provided to students without disabilities. To be eligible, a student must have a physical or mental impairment that substantially limits one or more major life activity.

# YOUR CHILD’S EDUCATION

Your child has the right to:

* Receive a free and appropriate public education.
* Participate in and benefit from the district’s educational programs without discrimination.
* Be provided an equal opportunity to participate in the district’s nonacademic and extracurricular activities.
* Be educated with students who do not have disabilities to the maximum extent appropriate.
* Be educated in facilities and receive services that are comparable to those provided to students without disabilities.
* Receive accommodations and/or related aids and services to allow your child an equal opportunity to participate in school activities.
* Receive educational and related aids and services without cost, except for those fees imposed on the parents of children without disabilities.

Receive special education services if needed.

**YOUR CHILD’S EDUCATIONAL RECORDS**

You have the right to:

* Review your child’s educational records and to receive copies at a reasonable cost. You will not be charged if the cost would keep you from reviewing the records.
* Ask the district to change your child’s education records if you believe that they are wrong, misleading, or are otherwise in violation of your child’s privacy rights. If the district refuses this request, you have the right to challenge the refusal by requesting an impartial hearing.
* A response to your reasonable requests for explanations and interpretations of your child’s education records.

**THE SECTION 504 PROCESS**

Your child has the right to an evaluation before the school determines if he or she is eligible under Section

504. You have the right to:

* Receive notice before the district takes any action regarding the identification, evaluation, and placement of your child.
* Have evaluation and placement decisions made by a group of persons, often called a “504 team”, including persons who know your child, the meaning of the evaluation information, and the placement options available.
* Have evaluation decisions based on a variety of sources, such as aptitude and achievement tests, teacher recommendations, physical conditions, medical records, and parental observations.
* Refuse consent for the initial evaluation and initial placement of your child.

If your child is eligible under Section 504, your child has a right to periodic re-evaluations, including re-evaluations before any significant change is made in your child’s placement.

**IF YOU DISAGREE WITH THE DISTRICT’S DECISION**

If you disagree with the district’s decisions regarding your child’s identification, evaluation, educational program, or placement under Section 504, you may request mediation or an impartial due process hearing. You and your child have the right to take part in the hearing and have an attorney represent you. Hearing requests and other concerns can be made to your district’s Section 504 Coordinator:

[Insert Section 504 Coordinator’s Name Here]

[Address]

[City, State, Zip]

[Phone],[Email]

You have the right to file a complaint of discrimination with the U.S. Department of Education’s Office for Civil Rights (OCR), or to file a complaint in federal court. Generally, an OCR complaint may be filed within 180 calendar days of the act that you believe was discriminatory. The regional office is located at 915 Second Ave, Room 3310, Seattle, WA 98174-1099.

Phone: 206-607-1600/TDD: 206-607-1647

Website: [www.ed.gov/OCR.](http://www.ed.gov/OCR)