



Miller County Schools
Section 504 Manual

Miller County School System

Section 504 Manual

Introduction

Section 504 of the Rehabilitation Act of 1973 prohibits the School District from discriminating against students on the basis of a student's disability.

The School District is committed to serving all students, including its students with disabilities. Therefore, the purpose of this manual is to provide general information regarding Section 504 and outline the School District's efforts to comply with Section 504's requirements.

Any questions or concerns regarding Section 504 should be directed to the School District's 504 coordinator:

Jodi Collins

96 Perry Street

Colquitt, GA 39837

(229)758-5592

Background Information on Section 504

- ***Purpose of Section 504***

Section 504 of the Rehabilitation Act of 1973 (sometimes referred to as “504”) is a federal statute that prohibits discrimination against a student based on their disability by institutions, such as the School District, that receive federal funding. It states:

No otherwise qualified individual with a disability shall solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to the discrimination under any program or activity receiving federal financial funding.

The purpose of Section 504, among other things, is to ensure students with disabilities have the same educational opportunities and benefits as their non-disabled peers. **A student is covered under Section 504 if they have a physical or mental impairment that substantially limits a major life activity as further discussed below.**

- ***Free and Appropriate Public Education under Section 504***

Section 504 requires the School District to provide students with disabilities under Section 504 with a Free and Appropriate Public Education (FAPE). Under Section 504, FAPE consists of the provision of regular or special education services and related aids that are designed to meet the individual education needs of the disabled student as adequately as the needs of the their non-disabled peers.

****What is the Difference between Section 504 and the IDEA?***

The Individuals with Disabilities Education Act (IDEA) and Section 504 are two different laws that impact students with disabilities. Under the IDEA, a child must have a specific disability or eligibility as provided in the IDEA. Further, under the IDEA, the inquiry generally focuses on whether the student's specific disability impacts their ability to learn.

In contrast, to qualify as disabled under Section 504, the inquiry focuses on whether the student has a condition or impairment that substantially limits a major life activity. Therefore, a student can qualify as disabled under Section 504 even if their condition or impairment does not impact their ability to learn although learning, as explained below, is considered a major life activity. A major life activity includes, caring for oneself; performing manual tasks; walking; hearing; seeing; breathing, learning, working; eating; sleeping; standing; lifting; bending; reading; concentrating; thinking; and communicating.

Despite their differences, the IDEA and Section 504 generally share the same goals: (1) to provide students with disabilities a free and appropriate education; (2) to the maximum extent appropriate, educate disabled students with their non-disabled peers; (3) require schools to identify and locate disabled students; (4) implement evaluation procedures to properly identify the needs of the disabled student; and (5) establish procedural safeguards regarding the evaluation and placement of disabled students.

Section 504 is broader than the IDEA and students that are eligible for services under the IDEA are, in all cases, also qualified as disabled under Section 504. Therefore, if a student receives special education services from the School District under the IDEA, then the student is adequately accommodated for purposes of Section 504 and a separate 504 plan is not needed.

However, a student may be eligible for services under Section 504 but ineligible for services under the IDEA. If a student is determined to be ineligible for services under the IDEA, the evaluation team, as explained in more detail below, should consider whether the student would qualify for accommodations under Section 504.

The purpose of this manual is to focus on Section 504. Any questions or concerns regarding the IDEA, or special education services provided under the IDEA, should be directed to the School District's Special Education Director:

Jodi Collins

96 Perry St.

Colquitt, GA 39837

Identifying Students Eligible for Section 504 Protections

- ***What are the Criteria for Eligibility under Section 504?***

To be eligible under Section 504, a student must be both qualified (within the ages of 3 and 21) and "handicapped." Pursuant to 34 CFR §104.3(j)(1), "handicapped" means any person who:

- i. Has a physical or mental impairment that substantially limits one or more major life activities;
- ii. Has a record of such an impairment; or
- iii. Is regarded as having such impairment.

To be eligible for services under a Section 504 plan in the school setting, the student must: (1) have a mental or physical impairment; (2) which substantially limits; (3) one or more major life activities. It is important to note that *all three criteria must be met in order for a student to qualify under Section 504.* Additional information on each of these three criteria is found below.

Mental or Physical Impairment. This term includes, but is not limited to, any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculo-skeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine. It also includes any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Substantially Limits. There is no specific definition of “substantially limits” under Section 504. Instead, the 504 team will evaluate the impact the student’s impairment has on one or more of a student’s major life activities. In making this evaluation, the 504 team will consider the nature and severity of the disability and how long the disability is expected to last.

When determining if a student’s disability is substantially limiting, the 504 team cannot take into consideration ameliorative effects of mitigating measures. “Mitigating measures” includes: medication; medical supplies, equipment, or appliances; low-vision devices (which do not include ordinary eyeglasses or contact lenses); prosthetics including limbs and devices; hearing aids and cochlear implants or other implantable hearing devices; mobility devices; or oxygen therapy equipment and supplies; use of assistive technology; reasonable accommodations or auxiliary aids or services; or learned behavioral or adaptive neurological modifications. However, the ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity.

Major Life Activity. This term includes, but is not limited to: caring for oneself; performing manual tasks; walking; hearing; seeing; breathing, learning, working; eating; sleeping; standing; lifting; bending; reading; concentrating; thinking; and communicating.

A major life activity also includes the operation of a major bodily function. A major bodily function includes, but is not limited to functions of the: immune system; normal cell growth; digestive; bowel; bladder; neurological; brain; respiratory; endocrine and reproductive.

- ***What if a Student has Impairments that are Episodic, In Remission, or Temporary?***

An impairment that is episodic or in remission is a disability if it substantially limits a major life activity.

Whether a temporary impairment is substantial enough to qualify as a disability under Section 504 is determined on a case-by-case basis by taking into account the duration of the impairment and the extent to which it substantially limits a major life activity. This determination will be made by the 504 Team.

Section 504 Eligibility Determination Process

- ***What are the District's Obligations under Section 504 to locate Students Eligible for Section 504 Protections?***

Section 504 requires the School District to annually undertake to identify and locate every qualified student with a disability residing within the School District who is not already receiving a public education. This obligation extends to homeless students and privately enrolled students within the School District's boundaries and also to those children residing in hospitals and universities.

- ***How are students Referred for Participation to the Section 504 Program?***

Any student, parent, guardian, teacher, counselor or other School District educator who believes that a student needs an accommodation or modification for a qualifying disability under Section 504 may request a Section 504 Evaluation. Persons requesting a 504 Evaluation should complete the Section 504 Evaluation Referral form (included in the Appendix) and submit this form to the school's 504 Coordinator.

In many situations, a Student Support Team (SST) will be the starting point in considering whether or not a student should be referred for an evaluation under Section 504. The SST (who also wears the hat of the Section 504 team, as necessary) will meet and determine if any evaluations are necessary and, if so, what kind. In some cases, the SST may determine that conducting a full comprehensive evaluation under the IDEA is necessary to rule out the need for special education services. In other situations, the SST may conclude that only a 504 evaluation is necessary. Parental consent, as outlined below, will be obtained prior to conducting any evaluations under Section 504.

The School District is not required to conduct an initial evaluation upon parental demand. However, if it does refuse to evaluate, it must provide the parents with a notice of their right to challenge the refusal under Section 504.

- ***Who will be Involved in making Decisions regarding the Student under Section 504?***

Section 504 provides that the 504 Team must include a group of persons knowledgeable about the needs of the student, the evaluation data being reviewed and the placement options. Therefore, the 504 Team should include the student's parent/guardian, teachers, counselors, student (if appropriate) and other school staff members as necessary. The 504 Team's job is to review the nature of the student's impairment and determine how it affects the student's access to educational opportunities and benefits. If the 504 team does determine that the student's impairment substantially limits a major life activity, the team will create a 504 plan that provides the student with any necessary accommodations or related services

- ***What if a Doctor's Note or Medical Diagnosis of a Student's Disability is provided?***

A medical diagnosis of a disability does not automatically mean a student will receive services and accommodations under Section 504. Instead, a physician's medical diagnosis may be one of several sources used in evaluating whether a student has an impairment that substantially limits a major life activity under Section 504 as explained below.

- ***Parental Consent for an Initial Section 504 Evaluation***

The School District must obtain parental consent for an initial evaluation. If the School District suspects a student may need special instruction or related services under Section 504, and the parent refuses to provide consent for an initial evaluation, the School District may attempt to convene a 504 team meeting to discuss the parent's concerns. If the parent continues to refuse to provide consent to conduct an initial 504 evaluation, the School District may, but is not required to, use due process hearing process to dispute the denial of consent.

- ***How are Evaluations Conducted under Section 504?***

A Section 504 evaluation must be done prior to any student receiving any accommodations, modifications or related services under a Section 504 plan. The term "evaluation" under Section 504 requires the 504 team to consider a variety of sources (e.g., tests, teacher recommendations, physical condition, social or cultural background, adaptive behavior). An evaluation also requires that the 504 team consider document and all available and relevant information (e.g. records, assessment data or medical report) related to the suspected physical or mental impairment which may be substantially limiting a major life activity. Therefore, a formal "evaluation" may not be needed if the team determines it has sufficient information to decide if the student has a qualified disability under Section 504.

However, if the team believes more information is needed, such as additional tests or evaluations, it is the team's job to obtain any additional information. Any tests or evaluation procedures should be tailored to ensure that tests and other evaluation materials have been validated; evaluations are administered by trained personnel; evaluations are tailored to assess specific areas of educational need; and tests are selected and administered that accurately reflect the factors the test purports to measure. Further, as part of the evaluation process, the student may be asked to undergo a vision and hearing screening.

A student should be evaluated under Section 504 within sixty (60) days of the School District's receipt of the referral.

- ***What if the Parent Provides an Outside or Independent Evaluations?***

An outside/independent evaluation is considered, along with other sources, in evaluating whether the student has an impairment or condition that substantially limits a major life activity. As with other sources, an independent evaluation will be documented and considered by knowledgeable 504 team members.

Section 504 does not require the School District to pay for an outside, or independent, Section 504 evaluation. If a parent disagrees with the School District's evaluation they may request a Section 504 Due Process Hearing, as outlined in the School District's Section 504 Procedural Safeguards, or file a complaint with the Office of Civil Rights.

- ***How is a Student Determined to be Eligible for Section 504?***

A Section 504 eligibility meeting is not intended to be as comprehensive as a special education eligibility meeting. The 504 Team determines the type and amount of information it needs to determine eligibility and no formalized testing is required, unless the team determines that it is necessary.

Notwithstanding the above, no single source of information can be used to determine Section 504 eligibility and the 504 team must investigate a variety of sources relating to the specific concerns that led to the 504 referral. Information that might be reviewed includes, but is not limited to: grades; attendance reports; behavior plans; the student's cumulative file; psychological evaluations; medical information/diagnosis; observations from teachers and other professionals; student work samples; standardized testing information; social and cultural background; and interviews with reports from individuals knowledgeable about the student. The

504 team determines the type and amount of information it needs to determine eligibility. However, the 504 team must document and demonstrate that it carefully considered each piece of information.

- ***Reevaluations under Section 504***

Section 504 requires for periodic reevaluations. A Section 504 reevaluation may be conducted in accordance with the IDEA, which requires a school district to conduct a reevaluation every three years, unless the parent and school district agree that a reevaluation is unnecessary, but not more than once a year, unless the parent and school district otherwise agree.

Section 504 also requires the School District to conduct a reevaluation prior to a significant change of placement. As discussed below, a disciplinary exclusion from an educational program of more than 10 school days constitutes a significant change of placement. *See Disciplining a 504 Student*, p. 9. Additionally, transferring a student from one type of program to another or terminating or significantly reducing a related service may constitute a significant change in placement and the 504 team will need to consider whether such a situation necessitates a reevaluation.

The School District should attempt to obtain parental consent prior to conducting a Section 504 reevaluation.

Design and Implementation of a 504 Plan

Once a student is identified as being eligible for Section 504, the Section 504 team must decide the type of the services or aids the student needs and under what circumstances they will be provided.

- ***Parents must Consent to Services provided under a Section 504 Plan***

Parents must consent to services provided to disabled students under Section 504. If a parent chooses to withhold consent under Section 504, the student will be treated in the same manner as a regular education student.

- ***Section 504 Services are provided in the Least Restrictive Environment***

Section 504 requires that a disabled student be educated with non-disabled students to the maximum extent appropriate. Similar to the IDEA, this is considered as educating the student in the least restrictive environment.

In most situations, implementation of a Section 504 plan will occur in a regular classroom by providing the student with accommodations, as further discussed below. The 504 Team is responsible for identifying the accommodations that will best provide the 504 student with access to educational opportunities.

- ***Providing Accommodations and Related Services under a Section 504 Plan***

- *Accommodations*

In general, accommodations are minor adjustments to the student's learning experience that provide the student with equal access to learning opportunities. Examples of accommodations can include sitting the student at the front of the room, recording lessons, or using large print.

There are countless accommodations that exist and it is the 504 team's job to determine which accommodations best provide a disabled student with access to educational opportunities.

- *Related Services*

In general, related services are developmental, corrective, and other supportive services. Examples include psychological, counseling and medical diagnostic services and transportation. It is the 504 team's job to determine which accommodations best provide a disabled student with access to educational opportunities.

- *Responsibilities of Regular Education Teachers*

Regular education teachers are to implement the provisions of Section 504 plans when those plans govern the teachers' treatment of students for whom they are responsible. The Section 504 Coordinator is responsible for providing the regular education teachers with a copy of the student's 504 plan.

- *Annual Review of Section 504 Plan*

A student's Section 504 Plan will be reviewed on an annual basis by the 504 team. The school 504 coordinator will coordinate the annual review meeting.

- *Revoking Consent to Services under Section 504*

A parent may withdraw their child from a 504 plan by revoking their consent to Section 504 services. Parents that wish to revoke consent for Section 504 services will need to do so in writing on the form provided by the School District.

- ***Placement of a 504 Student in Private School***

When the School District has made available a free and appropriate public education to a Section 504 student as required by Section 504, and the parent/guardian chooses to enroll the student in private school, the School District is not required to pay for the student's education at the private school. Disagreements between the parent/guardian and the School District regarding whether a free and appropriate public education was made available to the student, or otherwise regarding financial responsibility, are subject to the due process procedures set forth at 34 C.F.R. §104.36 and as further discussed below.

504 Students Transferring from another District

If a Section 504 student transfers to the School District from another school district with a Section 504 plan, a 504 team meeting will be convened at the student's new school to review the plan and supporting documentation. The 504 team reviewing the transferring student's plan shall consist of individuals knowledgeable about the placement options and the evaluation data contained in the transferring student's 504 plan.

If the transferring student's 504 team determines that the plan is appropriate, the School District will implement the plan. If the 504 team determines that the plan is inappropriate or revisions are necessary, the team will evaluate the student consistent with the Section 504 procedures outlined in this manual and determine which educational program is appropriate for the student. The 504 team may honor the transferring student's previous 504 plan during the interim period.

Disciplining a 504 Student

- ***The Discipline Process for Section 504 Students***

Section 504 students are subject to the same disciplinary actions as outlined in the School District's Unified Code of Conduct as a non-disabled student, provided that the 504 student's conduct is not a manifestation of their disability.

- ***Manifestation Determination Review (MDR) meetings for 504 Students***

Whenever a 504 student is subject to an out-of-school suspension or expulsion for 10 consecutive school days or more, the 504 team must conduct a manifestation determination review (MDR). Likewise, if there is a series or pattern of removals that total more than 10 days, there may be a change in placement and the 504 team should conduct a MDR. Whether a pattern of removal constitutes a change in placement is reviewed on a case-by-case basis by the 504 team and includes such factors as: length of each suspension, the closeness of the suspensions in relation to each other, and the total amount of time the student is excluded from school.

The MDR will occur prior to the student evidentiary hearing. If the 504 team determines that the student's conduct *is* a manifestation of the 504 student's disability, then the discipline process will end and the 504 team should review the student's 504 plan to determine if any changes are necessary or any additional evaluations may need to be conducted.

If the violation is not a manifestation of the 504 student's disability, then the student is subject to the same disciplinary action as a non-disabled student would receive under the Code of Conduct. In this situation, the school is not required to provide educational services to a 504 student during the period of long-term suspension or expulsion so long as the school would not provide services to non-disabled students under the same circumstances.

- ***Drug and Alcohol Violations under Section 504***

A student that is currently engaging in the use of illegal drugs is not considered a student with a disability under Section 504. Section 504 allows the School District to take disciplinary action against a student that is currently engaged in the use of illegal drugs to the same extent it would take disciplinary action against non-disabled students. A student with a history of drug abuse who has been successfully rehabilitated, or is participating in a drug rehabilitation program, and is not currently engaged in the use of illegal drugs, is covered under Section 504.

A student with alcoholism may be eligible for Section 504 if their impairment substantially limits a major life activity. A student that has a history of alcohol abuse, and who has been successfully rehabilitated is covered under Section 504. Section 504 allows the School District to take disciplinary action against a student that is currently engaged in the use of alcohol to the same extent it would take disciplinary action against non-disabled students.

Non-Academic Services and Extracurricular Activities for Section 504 Students

Section 504 requires the School District to provide Section 504 students with nonacademic services and extracurricular activities in such a manner as is necessary to afford disabled students an equal opportunity for participation in such services and activities. Likewise, the School District must provide reasonable modifications that are necessary to ensure disabled students with disabilities have an equal opportunity to participate in athletic programs.

However, the School District has no obligation to create disability-specific team sports, such as wheelchair basketball, to ensure that disabled students have an equal opportunity to participate in extracurricular activities. Further, providing a disabled student with an equal opportunity to extracurricular activities does not include: compromising student safety; changing the nature of selective teams (students with disabilities have to compete with everyone else and legitimately earn their place on the team); giving a student with a disability an unfair advantage over other competitors; or changing essential elements that affect the fundamental nature of the game.

The School District will conduct an individualized inquiry to determine whether reasonable modifications or necessary aids and services would provide a disabled student with an equal opportunity to participate in an extracurricular activity.

Bullying/Harassment/Different Treatment based on disability.

Section 504 provides that no student shall be discriminated against based on a disability. Further, the School District will not tolerate discrimination based on disability, which can include bullying or harassing behaviors. Allegations of bullying, harassment, or different treatment based on a disability should be addressed through the Equal Opportunity Complaint Procedure found in the Appendix section of the *Miller County Schools' Unified Code of Conduct*.

Procedural Safeguards and Parent/Student Rights

- ***Procedural Safeguards for Parents/Guardians***

As required by Section 504, the School District has established and implemented procedural safeguards for parents and student that includes notice to parents explaining any evaluation and placement decisions affecting their children. These safeguards also explain the parents' right to review educational records and appeal any decision regarding evaluation and placement through an impartial hearing. A copy of the School District's Section 504 Procedural Safeguards is included in the Appendix section of this manual and on the School District's website.

- ***Parent/Student Rights***

The School District has also established a Notice of Parent/Student Educational Rights under Section 504 which lists out the rights afforded to both students and parents regarding Section 504. A copy of this notice is included in the Appendix section of this manual and can be found on the School District's website.

- ***Addressing Parent Concerns and Complaints***

The best solutions to parent concerns often occur at the school level. Therefore, parents and students that have concerns regarding Section 504 are encouraged to work with their school's administration.

If a concern cannot be informally resolved, parents and students may seek a formal resolution as outlined in the School District's Section 504 Procedural Safeguards included in the Appendix of this manual and on the School District's website.

Appendix A

Miller County School DISTRICT SECTION 504 EVALUATION REFERRAL

Student Name: _____ School: _____
Gender: _____ Date of Birth: _____ Student #: _____ Grade Level: _____
Parent/Guardian: _____
Address: _____
Phone Number: _____

1. Please state the nature of your concern(s).

A. Academic concern(s):

B. Behavioral concern(s):

C. Major life activity that may be limited. (Circle One): walking; seeing; hearing; speaking; breathing; learning; working; caring for oneself; performing manual tasks; eating; sleeping; standing; lifting; bending; reading; concentrating; thinking; and communicating; other: _____.

2. Please describe any supporting observations (including academic, behavioral, or other concerns).

3. Please describe any interventions or other support that have been tried at home or at school.

4. Please attach a copy of the student's most recent grades and/or standardized test scores, if available. Also, attach any medical documentation that supports the student's physical or mental disability.

Signature of Person Making Referral
Referral

Title

Date of

FOR DISTRICT USE ONLY:

ACTION TAKEN:

_____ Parent(s) notified on referral on _____.

_____ Parent(s) signed consent on (date) _____ to conduct a 504 evaluation.

Appendix B

MILLER COUNTY SCHOOL DISTRICT
PARENT/GUARDIAN CONSENT TO
SECTION 504 EVALUATION (NOTICE)

Student Name: _____ Student #: _____

School: _____ Grade: _____

Date: _____

To The Parent/Guardian of: _____ (Student Name)

I have received a referral for evaluation under Section 504 of the Rehabilitation Act of 1973 regarding your child. As part of our efforts to help improve your child's academic experience, we will need to conduct an evaluation of your child prior to considering whether your child is eligible for Section 504. Your child's teacher(s), the school's guidance counselor, a school psychologist, and other staff members may be involved in observations, assessments, and other data collection activities during the evaluation process. You may also be asked to contribute information regarding your child during the evaluation process.

Your written consent is required to initiate the evaluation process. Enclosed with this notice is a Parent/Guardian Consent to 504 Evaluation form for you to sign. Additionally, Section 504 provides you with specific rights and procedural safeguards concerning this evaluation process, which are designed to keep you fully informed concerning decisions about your child. These rights are summarized in the “Notice of Parent/Student Educational Rights under Section 504” and the “Section 504 Procedural Safeguards” enclosed with this notice. If you did not find the document concerning a parent’s rights, the procedural safeguards, or need another copy, please contact me.

Once the evaluation process has occurred, a meeting will be scheduled to determine Section 504 eligibility. You will receive notice of the meeting and are encouraged to attend and participate in the discussion and decision making process. If you have any questions, please contact me.

504 Team Leader (school principal or his/her designee)

Telephone Number

Enclosure:

Section 504 Parent/Guardian Consent to Evaluate Form

Notice of Parent/Student Educational Rights under Section 504

Section 504 Procedural Safeguards

Appendix C

MILLER COUNTY SCHOOL DISTRICT

Parent/Guardian Consent to Section 504 Evaluation

The Miller County School District has proposed an evaluation of my child, _____, under Section 504 of the Rehabilitation Act of 1973 (Section 504). I have been provided a copy of the Notice of Parent/Student Educational Rights under Section 504 and Section 504 Procedural Safeguards. I have read, had the opportunity to ask questions about, and understand the Procedural Safeguards and my rights under Section 504.

☐ I give the Miller County School District consent to evaluate my child for eligibility under Section 504.

☐ I do not give the Miller County School District consent to evaluate my child for eligibility under Section 504.

Signature of Parent, Guardian, or

Date

Student 18 or over

Appendix D

MILLER COUNTY SCHOOL DISTRICT

Parental Consent for Vision/Hearing Screening

Date: _____

To: Parents/Guardians of _____

School: _____

From: _____

Teacher

It is important to have current information regarding vision and hearing. With your permission, the school nurse or a trained professional at our school can administer vision/hearing screening. We need this information to assist in educational planning. Please sign and date the form below so that screening may take place as soon as possible. Thank you.

_____ Yes, I give my permission for my child, _____, to be screened for vision and hearing.

_____ No, I do not give permission for my child _____,
to be screened for vision and hearing for the following reason(s):

Parents/Guardians Signature _____ **Date** _____

Appendix E

MILLER COUNTY SCHOOL DISTRICT

Teacher Report Form for Section 504 Evaluation

(This form is optional and may not be necessary based on the individual student's situation.)

Check One:

☐ Initial Evaluation ☐ Annual Review ☐ Reevaluation ☐ Reconvene ☐ Other_____.

Name of Student: _____ Grade: _____

Date of Report: _____ Date of Meeting: _____

Teacher: _____ Subject: _____

1. Describe the student's performance in your class as it relates to academic expectations.

2. Does the student participate appropriately in classroom activities (group work, class discussion, labs, oral presentations, etc.)? If the answer is “no”, please briefly explain your observations.

3. Are the student’s skills, as they compare to other students in the classroom, age appropriate? If the answer is “no”, briefly explain the areas of weakness.

4. What classroom accommodations have been effective in working with the Student?

5. Are the student's interpersonal skills with groups, peers, and adults age-appropriate? If the answer is "no", please give examples.

6. How has the student performed on tests/assessments? If necessary/helpful, include the most recent test, quiz and project grades.

a. Does the student complete tests within the allotted time?

7. Does the student regularly complete classwork/homework assignments on time?

8. Please comment on any additional factors impacting the student's learning experience.

Appendix F

MILLER COUNTY SCHOOL

Parent/Guardian Information on

Student's Background and Developmental History

(This form is optional and may not be necessary based on the individual student's situation.)

Student's Name: _____ Birth-date: _____

Mother's Name: _____ Father's Name: _____

Student Lives with: Both Parents ☐ Mother ☐ Father ☐ Other _____

Parent's Marital Status: _____

Please list siblings and ages, from youngest to oldest: _____

Developmental History

Birth: Full term ☐ Premature ☐ Post-due date _____ Birth Weight _____

Were there any problems during pregnancy, at delivery, or after delivery? _____

Were developmental milestones met within average ranges (i.e. first words, sitting and pulling up, walking, toileting skills, etc.)? _____

List student's major injuries, illnesses, or operations: _____

Has your child ever had a seizure, blackout, or loss of consciousness? _____ If so, please explain: _____

Is your child taking medication? No ☐ Yes ☐ (indicate names and doses) _____

Are there any physical or medical conditions present? _____

How did your child react when he/she started school? _____

Current Referral Concerns

What are your main concerns with your child's functioning in school? _____

Does your child display average ability to play, work, follow directions, or communicate with others? Yes ☐ No ☐ (if not, please explain) _____

Has there been a change in his/her levels of success, effort, or ability? No ☐ Yes ☐ (if so, explain) _____

How does your child respond to correction and discipline at home? _____

How does your child get along with his/her siblings? _____

Does your child get along with other children in the neighborhood? Yes ☐ No ☐

How much time is generally spent each night completing homework? _____

List some of your child's strengths: _____

Has your child received any services outside of the school system (i.e. private psychologist, individual/family counseling, evaluation, social worker, etc.) No ☐ Yes ☐ (if so, which services and approximate date)

Behavioral Characteristics in the Home Setting (check all that apply):

<input type="checkbox"/> easily discouraged	<input type="checkbox"/> is self-confident
<input type="checkbox"/> has extreme or unusual fears	<input type="checkbox"/> has short attention span
<input type="checkbox"/> does not sleep well	<input type="checkbox"/> has sudden mood changes
<input type="checkbox"/> is overly dependent for age	<input type="checkbox"/> walks in sleep
<input type="checkbox"/> complains that others don't like him/her	<input type="checkbox"/> is generally happy
<input type="checkbox"/> is considerate of others	<input type="checkbox"/> sucks thumb/fingers
<input type="checkbox"/> has tantrums	<input type="checkbox"/> does not eat well
<input type="checkbox"/> is abusive toward others	<input type="checkbox"/> disobedient
<input type="checkbox"/> is overactive	<input type="checkbox"/> daydreams a lot
<input type="checkbox"/> controls temper	<input type="checkbox"/> stays to him/herself
<input type="checkbox"/> destructive	<input type="checkbox"/> abusive to animals
<input type="checkbox"/> wets bed	<input type="checkbox"/> holds grudges
<input type="checkbox"/> often sad	<input type="checkbox"/> unmotivated
<input type="checkbox"/> lazy	

Information provided by: _____ Relationship: _____

Signature: _____

Appendix G

MILLER COUNTY SCHOOL DISTRICT

Parent/Guardian Notification of Section 504 Meeting

Date: _____

To the Parent/Guardian of: _____ (Student Name)

You are invited to attend a meeting to discuss your child regarding Section 504. The specific purpose of this meeting is indicated below. At this meeting, all pertinent information will be reviewed in order to make a determination regarding an appropriate educational program for your child as it relates to Section 504. Any placement proposals will be based on the recommendations of the Section 504 Team.

Purpose of the Meeting (check all that may apply):

- () Initial Section 504 Eligibility
- () Review of the student's current Section 504 Plan
- () Reevaluation/Eligibility under Section 504

Date: _____ Time: _____

Location: _____

The following persons have been invited to this meeting:

Name	Position	Name	Position

Although your presence is not required, your attendance will be helpful in planning for your child's educational needs and we encourage you to attend if at all possible. If the date or time is not convenient, please contact us so that we may try to reschedule this meeting. Please inform us in advance of the meeting if you plan to invite other individual(s) to join us.

We look forward to working with you cooperatively on behalf of your child. If you have any questions, please contact me at _____ (phone #)

Sincerely,

Section 504 Coordinator

Enclosure:

Notice of Parent/Student Educational Rights under Section 504

Section 504 Procedural Safeguards

Appendix H

MILLER COUNTY SCHOOL DISTRICT

Section 504 Eligibility Determination Report

Student: _____ Date _____

Date of Birth: _____ School _____ Grade _____

1. **Meeting Purpose:** ☐ Initial Section 504 Eligibility
 ☐ Section 504 Reevaluation/Re-eligibility determination

2. **Persons Present:** (minimum of 3 members consisting of: 504 Coordinator (or designee), administrator, teacher who works/worked with student, student (if appropriate), and, preferably, parent/guardian):

Name:

Title:

3. **The variety of sources and evaluative information carefully considered include:**

☐ Grades

☐ Parent
Observations/Reports

☐ Teacher
Observations/Reports

☐ School Records

☐ Medical
Information/Diagnosis

☐ Psycho-educational
Evaluations

☐ Attendance Reports

☐ Student Work Samples

☐ Standardized Testing
Information

☐ Social and Cultural
Background

☐ Behavior Plans

☐ Other _____

4. **Eligibility (Is the student qualified as an individual with a disability under Section 504?)**

a. **Does the student have a physical or mental impairment? ___ Yes ___ No**

Section 504 Regulations define a physical or mental impairment as any physiological condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculo-skeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine. It also includes any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

If yes, please describe the impairment (If not, please explain the team's decision:

If more information is needed to determine whether the student has a physical or mental impairment, please specify the additional information needed:

b. Does the physical or mental impairment affect a major life activity?
___ Yes ___ No

Section 504 requires the physical or mental impairment to substantially limit (permanently or temporarily) a major life activity. Please indicate the major life activity affected:

c. Does the physical or mental impairment SUBSTANTIALLY limit a major life activity? ___ Yes ___ No

A student is substantially limited by their physical or mental impairment if, as a result of the limitation, the student is significantly restricted as to the condition, manner or duration under which the student can perform a major life activity as compared to the condition, manner or duration under which a student of the same age/grade level in the general education population can perform the major life activity. In making this decision, the team should consider the nature and severity of the disability and how long the disability is expected to last.

If the answer to the questions (a)-(c) listed in Number 4 above is YES, the student is a qualified individual with a disability under Section 504.

5. Related Aids and Services Necessary to Provide the Student with a Free and Appropriate Education (FAPE).

If the student is a qualified individual with a disability under Section 504, the 504 team will need to determine if the student requires special education and/or related aids and services necessary to meet his/her educational needs as adequately as his non-disabled peers.

☐ Yes. The necessary accommodations or related aids and services will be decided upon by the 504 team in a separate Section 504 accommodation plan.

☐ No. No accommodations, related aids or services are necessary to provide the student with FAPE.

6. Summary.

☐ The Section 504 Team determined that the student is a qualified individual with a disability under Section 504 and a Section 504 accommodation plan will be developed.

☐ The Section 504 Team determined that the student is a qualified individual with a disability under Section 504; however, no accommodations, related aids or services are necessary to provide the student with FAPE.

☐ The Section 504 team determined that the student is NOT a qualified individual with a disability under Section 504.

☐ The Section 504 Team determined that more information is needed to determine the student's eligibility. The following evaluative information is necessary_____.

_____.

☐ Other: _____

Section 504 Coordinator/Designee Signature

My signature below indicates I attended the Section 504 Eligibility Meeting and received a copy of this Eligibility Report, the Notice of Parent/Student Educational Rights under Section 504, and the Section 504 Procedural Safeguards

Parent Signature

Date

If parent did not attend the meeting, indicate the date that the Eligibility Report and a copy of this Eligibility Report, the Notice of Parent/Student Educational Rights under Section 504, and the Section 504 Procedural Safeguards were sent to the parent.

Date

Form of transmission (copy, e-mail, US Mail, hand-delivered by student)

Appendix I

MILLER COUNTY SCHOOL DISTRICT

PARENT NOTICE: SECTION 504

ELIGIBILITY OR NON-ELIGIBILITY DETERMINATION

(This form will be used when the parent/guardian does not attend the 504 Eligibility Meeting).

Student Name: _____ Student #: _____

School: _____ Grade: _____

Dear _____

Parent/Guardian

On _____, a team met to determine whether your child has a qualifying disability under Section 504 of the Rehabilitation Act. Based on the team's review of all of the information collected to date and your child's education records, the team determined that:

_____ Your child has a qualifying disability under Section 504 of the Rehabilitation Act and requires an accommodation plan to ensure he/she receives an appropriate education.

_____ Your child does not have a disability or condition that meets the definition of a qualifying disability under Section 504. Therefore, the District cannot provide accommodations under Section 504.

Please contact me if you have any questions. If you disagree with this determination, I would be happy to discuss your concerns. Also enclosed is a copy of the "Notice of Parent/Student Educational Rights Under Section 504" and "Section 504 Procedural Safeguards." This document summarizes your rights and the rights of your child under Section 504. If you did not find the document concerning a parent's rights or need another copy, please contact me.

If you have any questions or would like to schedule a meeting, please do not hesitate to contact me.

Sincerely,

504 Team Leader (school principal or his/her designee)

Telephone Number

Enclosure

Appendix J

MILLER COUNTY SCHOOL DISTRICT

Section 504 Accommodation Plan

Student's Name: _____ Grade: _____ Date of Meeting: _____

School: _____ Date of Birth: _____ Age: _____

Parent/Guardian(s): _____

Initial Referral Date: _____

Beginning Date of this Plan: _____

Next Annual Review Date: _____

Next Re-evaluation Date: _____

Describe the mental or physical impairment(s):

Explain how the impairment substantially limits a major life activity(ies)?

Accommodation(s), related aid(s) or services(s) to be provided: (accommodations, related aids or services should be designed to meet the needs of the individual with a disability as adequately as non-disabled students. Services should only address needs that are based on the student's disability(ies), and not on needs unrelated to the student's disability).

Accommodations	Person(s) Responsible

Identify in the chart below any reasonable accommodations necessary for state assessments and indicate whether accommodations result in a Standard or Non-standard administration. Refer to testing accommodations chart in the Miller County Test Coordinator's Manual for Student Assessment.

REMINDER: All accommodations must be consistent with instructional accommodations identified above.

ASSESSMENTS	ACCOMMODATIONS	STANDARD OR NON-STANDARD
GKIDS (kindergarten)		
Georgia Milestones (EOG End of Grade)3-8		
School Based Assessments		
Georgia Milestones (EOC End of Course)		

Team Members

Name	Position/Role	Signature
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

☐ The District provided the parent of student's 504 Accommodation Plan; Notice of Parent/Student Educational Rights Under Section 504; and the Section 504 Procedural Safeguards at the meeting; or

☐ The Parent(s)/Guardian was not present at the meeting and the District mailed a copy of this Section 504 Accommodation Plan; Notice of Parent/Student Educational Rights Under Section

504; and the Section 504 Procedural Safeguards to the student's last known address. A request for the parent to consent to the implementation of the Section 504 Accommodation Plan was also provided.

Section 504 Coordinator/Designee Signature

☐ I attended the meeting to develop this plan and had an opportunity to participate on its development and consent to the implantation of this plan. The District provided me with a copy of the Section 504 Accommodation Plan; Notice of Parent/Student Educational Rights Under Section 504; and the Section 504 Procedural Safeguards.

Parent/Guardian Signature

Appendix K

MILLER COUNTY SCHOOL DISTRICT

Parent/Guardian Consent to Section 504 Services

A section 504 Team has determined that my child _____ is eligible for services under Section 504 of the Rehabilitation Act of 1973 ("Section 504"). The 504 Team has also developed a Section 504 Accommodation Plan to provide child with any necessary accommodations or related services. I have been provided with a copy of this Accommodation Plan, the Notice of Parent/Student Educational Rights under Section 504 and Section 504 Procedural Safeguards. I have read, had the opportunity to ask questions about, each of these documents.

____ I give the Miller County School District consent to provide my child with accommodations and related services as provided in my child's Section 504 Accommodation Plan.

____ I do not give the Miller County School District consent to provide my child with accommodations and related services as provided in my child's Section 504 Accommodation Plan. By denying my consent I understand that my child will be treated as a regular or general education student and will not have the rights and other protections afforded to them under Section 504.

Signature of Parent, Guardian, or

Date

Student 18 or over

Appendix L

Miller County School District

Parent Revocation of Consent to Section 504 Services

Student Name _____

Student Birth Date _____ Grade _____

School _____

I hereby revoke (take back) my consent for the provision of Section 504 programs and services for my child.

· I understand that the School District will discontinue providing Section 504 services upon _____ receipt of this revocation.

· I understand that once I revoke consent for my child's Section 504 programs and services:

- My child will no longer receive the services available under Section 504;
- My child will no longer receive the disciplinary procedural safeguards available under Section 504.

· I understand that after I revoke consent for my child, the School District is not required to amend my child's records to remove any references to my child's receipt of Section 504 programs and services.

· I understand that after I revoke consent for my child, I may subsequently (at any time) refer my child for Section 504 and request an initial evaluation. Any new, initial evaluation would determine whether or not my child meets the requirements outlined in Section 504.

· I further acknowledge that the School District has provided me with a copy of my parental rights under Section 504. I understand that by revoking consent for my child's Section 504 programs and services, my parental rights under Section 504 will end.

Signature of Parent/Guardian _____

Please Print Name _____

Appendix M

MILLER COUNTY SCHOOL DISTRICT

SECTION 504 MANIFESTATION DETERMINATION

Student Name: _____

Student #: _____

School: _____

Grade: _____

Date of Current 504 Plan: _____ Date of Manifestation Determination: _____

Describe the alleged behavior or incident that is subject to disciplinary action:

What relevant evaluation and diagnostic information regarding student's disability was considered by the 504 team?

☐ Students 504 Accommodation Plan ☐ Other

☐ Teacher Observations

☐ Relevant Information Provided by Parent

Manifestation Determination

1. Was the conduct in question caused by or does it have a direct and substantial relationship to the child's disability? ☐ Yes ☐ No

2. Is the conduct in question a direct result of the school's failure to implement the child's 504 Accommodation Plan? () Yes () No

If the answer to either question one or two is YES, the conduct IS a manifestation of the child's disability.

If the behavior was a manifestation of the disability, the following should be considered:

- Has the functional behavioral assessment been conducted? If **NOT**, the 504 team needs to determine if one should be conducted and if a behavioral intervention plan should be developed and implemented.
- If a behavioral intervention plan been developed and implemented, what revisions are necessary to prevent the behavior from occurring again?

If the answer to both questions one or two is NO, then the conduct is not a manifestation of the child's disability. The relevant disciplinary procedures applicable to children without disability may be applied in the same manner to the child with a disability.

Check the following statement that the 504 Team determine to be true:

___ The current behavior under consideration **IS** a manifestation of the student's disability.

___ The current behavior under consideration **IS NOT** a manifestation of the student's disability.

504 Team Participants:

_____	_____
_____	_____
_____	_____
_____	_____

Appendix N

Miller County School District

Notice of Parent/Student Educational Rights under Section 504

If it is determined that a student has a physical or mental impairment that substantially limits a major life activity and, as a result, requires instructional or other appropriate accommodations within the school environment, that student is disabled under Section 504 of the Rehabilitation Act of 1973. In addition, if a student does not have a disability but has a record of a disability or is considered disabled by school personnel, that student is protected from discrimination under Section 504. If a child is disabled or a parent believes that his or her child is disabled or has been discriminated against because of a disability, that parent is entitled to certain rights. This notice is designed to provide Miller County School District's parents and students with information about those rights.

While services provided to qualified students are not required to produce identical results or levels of achievement with non-disabled peers, services must be designed to offer an equal opportunity to gain the same benefit within the least restrictive environment with non-disabled peers to the maximum extent appropriate.

Under Section 504, a student has the right to:

1. Participate in all school activities without discrimination solely on the basis of disability;
2. Be educated in facilities and receive services that are comparable to those provided to non-disabled students;
3. Receive an education designed to meet the student's individual educational needs as adequately as the needs of non-disabled students;
4. Receive free educational services except for those fees that are imposed on non-disabled students or their parents. Insurers and similar third parties who provide services not operated by or provided by the School District are not relieved from an otherwise valid obligation to provide or pay for services provided to a disabled student;

5. To participate in an educational setting (academic and nonacademic) with non-disabled students to the maximum extent appropriate to the student's needs;
 6. To an evaluation prior to a Section 504 determination of eligibility;
 7. If the student is eligible for services under Section 504, the right to periodic reevaluations, including prior to any subsequent significant change of placement; and
 8. A student with a disability may not be discriminated against based solely on the basis of disability with regard to the opportunity to compete for participation in nonacademic and extracurricular activities offered by the District.
- With respect to the provision of educational services under Section 504, a parent has the right to:
1. Notice with respect to actions regarding the identification/eligibility, evaluation or educational placement for your child;
 2. Access all records relevant to decisions concerning identification/eligibility, evaluation or educational placement of your child;

Page 1 of 2

3. Have evaluation, education and placement decisions made based on a variety of information sources, and by persons who know the student and are knowledgeable about the evaluation data and placement options;
 4. To ensure that the School District will consider information from a variety of sources as appropriate, which may include aptitude and achievement tests, grades, teacher recommendations and observations, physical conditions, social or cultural background, medical records, and parental recommendations;
 5. Challenge any action regarding the identification/eligibility, evaluation or educational placement of your child by requesting mediation and/or an impartial hearing;
The procedures and forms for the initiation of an impartial hearing regarding the identification, eligibility, evaluation or educational placement of your child may be obtained from the District's Section 504 Coordinator or your child's principal.
 6. To receive a copy of this notice and a copy of the School District's impartial hearing procedures upon request.
7. Participate in any hearing requested;
 8. Be represented at your expense by counsel at the requested hearing; and
 9. Appeal any decision by the impartial hearing officer to the State Board of Education.

10. With regard to disability discrimination or any other disability issue unrelated to the identification/eligibility, evaluation or placement of the student, a parent has the right to file a local grievance with the District in accordance with Board Policy JCE-R. Board Policy JCE-R may be obtained from the School District's website, from the District's Section 504 Coordinator or your child's principal.

11. The District may not retaliate against any person who has made a complaint, testified, assisted or participated in any manner in an investigation or proceeding under Section 504 of the Rehabilitation Act of 1973. If a parent contends that he or she is or has been retaliated against because of his or her child's disability or because of asserting any rights under Section 504, that parent should notify the District's Section 504 Coordinator listed below.

12. If a parent believes the School District has not acted in compliance with the law, that parent has the right to file a complaint with the Office of Civil Rights at U.S. Department of Education, 61 Forsyth Street SW, Suite 3B70, Atlanta, GA 30303-8927.

If you think your rights or the rights of your child have been violated, you may contact the Section 504 Coordinator for the Miller County School District, Jodi Collins, , for all complaint procedures and forms or at (478) 457-2916 if you have any questions or concerns.

Appendix O

Miller County School District

Section 504 Procedural Safeguards

1. Overview: Any student or parent or guardian (the “Complainant”) may request an impartial hearing due to the School District’s actions or inactions regarding the student’s identification, evaluation, or educational placement under Section 504. Requests for an impartial hearing must be in writing to the School District’s Section 504 Coordinator; however, a Complainant’s failure to request a hearing in writing does not alleviate the School District’s obligation to provide an impartial hearing if the Complainant orally requests an impartial hearing through the School District’s Section 504 Coordinator. The School District’s Section 504 Coordinator will assist the Complainant in completing the written Request for Hearing.

2. Hearing Request: The written Request for the Hearing must include the following:

- a. The name of the student.
- b. The address of the residence of the student.
- c. The name of the school the student is attending.
- d. The decision of the School District that is the subject of the hearing.
- e. The requested reasons for review.
- f. The proposed remedy sought by the Complainant.
- g. The name and contact information of the Complainant.

Within 10 business days from receiving the Complainant’s Request for Hearing, the Section 504 Coordinator will acknowledge the Request for Hearing in writing and schedule a time and place for a hearing. If the written Request for Hearing does not contain the necessary information

noted above, the Section 504 Coordinator will inform the Complainant of the specific information needed and assist in the completion of the Request for Hearing. All timelines and processes will be stayed until the Request for Hearing contains the necessary information noted above.

3. **Mediation:** The School District may offer mediation to resolve the issues detailed by the Complainant in his or her Request for Hearing. Mediation is voluntary and both the Complainant and School District must agree to participate. The Complainant may terminate the mediation at any time. If the mediation is terminated without an agreement, the School District will follow the procedures for conducting an impartial hearing without an additional Request for Hearing.

4. Hearing Procedures:

a. The Section 504 Coordinator, with the assistance of the Superintendent, will identify and obtain a Hearing Officer who will conduct a hearing within 45 calendar days from the receipt of the Complainant's Request for Hearing unless agreed to otherwise by the Complainant or a continuance is granted by the Hearing Officer. The Hearing Officer must (i) have knowledge or training in Section 504, (ii) not be an employee of the School District, and (iii) not have a personal or professional interest that would conflict with his/her objectivity in the hearing. It is not required that the Complainant consent to the Hearing Officer who is selected.

b. Upon a showing of good cause by the Complainant or School District, the Hearing Officer, in his or her discretion, may grant a continuance and set a new hearing date. The request for a continuance must be in writing and copied to the other party.

c. The Complainant will have an opportunity to examine the child's educational records prior to the hearing.

d. The Complainant will have the opportunity to be represented by legal counsel at his or her own expense and participate, speak, examine witnesses, and present information at the hearing. If the Complainant is to be represented by legal counsel at the hearing, he or she must inform the Section 504 Coordinator of that fact in writing at least 10 calendar days prior to the hearing. Failure to notify the Section 504 Coordinator in writing of representation by legal counsel shall constitute good cause for continuance of the hearing.

e. The Complainant will have the burden of proving any claims he or she may assert. When warranted by circumstances or law, the Hearing Officer may require the recipient to defend its position/decision regarding the claims (i.e. A recipient shall place a disabled student in the regular educational environment operated by the recipient unless it is demonstrated by the recipient that the education of the person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. 34 C.F.R. §104.34). One or more representatives of the School District, who may be an attorney, will attend the hearing to present the evidence and witnesses, respond to the Complainant's testimony and answer questions posed by the Hearing Officer.

f. The Hearing Officer shall not have the power to subpoena witnesses or require the parties to conduct any discovery. The strict rules of evidence shall not apply to hearings. The Hearing Officer shall have the authority to issue pre-hearing instructions, which may include requiring the parties to exchange documents and names of witnesses to be present and testify.

g. The Hearing Officer shall determine the weight to be given any evidence based on its reliability and probative value.

h. The hearing shall be closed to the public.

i. The issues of the hearing will be limited to those raised in the written Request for Hearing.

j. Witnesses will be questioned directly by the party who calls them. Cross-examination of witnesses will be allowed. The Hearing Officer, at his or her discretion, may allow further examination of witnesses or ask questions of the witnesses. The Hearing Officer retains the right to set time parameters and restrictions on the hearing and the examination of witnesses and presentation of evidence. Either party may request that the witnesses be sequestered.

k. Testimony shall be recorded by court reporting or audio recording at the expense of the School District. All documentation related to the hearing shall be retained by the School District.

l. Unless otherwise required by law, the Hearing Officer shall uphold the action of School District unless the Complainant can prove that a preponderance of the evidence supports his or her claim(s).

m. Failure of the Complainant to appear at a scheduled hearing unless prior notification of absence was provided and approved by the Hearing Officer or just cause is shown, shall constitute a waiver of the right to a personal appearance before the Hearing Officer.

5. Decision: The Hearing Officer shall issue a written determination within 20 calendar days of the date the hearing concluded. The determination of the Hearing Officer shall not include any monetary damages or the award of any attorney's fees. The decision of the Hearing Officer is final and binding unless appealed.

6. Review: If not satisfied with the decision of the Hearing Officer, any party may pursue any right of review, appeal, cause of action or claim available to them under the law or existing state or federal rules or regulations.

Please NOTE the following:

- The School District is responsible for costs directly related to providing impartial hearings described in these procedures, including compensation of the Hearing Officer, transcripts, or recordings of the hearing and other related costs.
- The School District is not responsible for costs of legal counsel or other representatives of the Complainant, or for the costs of producing or reproducing the evidence presented by the Complainant.
- Any timelines specified herein may be extended by agreement between the School District and the Complainant, or by order of the Hearing Officer.