



Provo City School District Policy Series 3000: Students

3440 P1

Educational Accommodations (“504”)

Declaration of Accessibility to a Free Appropriate Public Education

It is the intent of the District to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated, and provided with appropriate educational services. Students may be disabled under this policy even though they do not require services through the Individuals with Disabilities Education (IDEA).

Due process rights of disabled students and their parent(s)/guardian(s) under Section 504 are guaranteed in Provo City School District. Each school has a 504 Coordinator. Provo City School District has a 504 Director who may be contacted by calling the District Office at 801-374-4814.

Legal Overview

With passage of the Rehabilitation Act of 1973, Congress required that federal fund recipients make their programs and activities accessible to all individuals with disabilities. "No qualified individual with disabilities, shall, solely by reason of his or her disability be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." Section 504 protects persons from discrimination based upon their disability status. A person is disabled within the definition of Section 504 if he or she:

1. Has a mental or physical impairment which substantially limits one or more of such person's major life activities;
2. Has a record of such impairments; or
3. Is regarded as having such impairment.

"Major life activities" include functions such as: caring for one's self; performing manual tasks; walking; seeing; hearing; speaking; breathing; learning; and/or working. When a condition does not substantially limit a major life activity, the individual does not qualify under Section 504.

Section 504 has three major areas of emphasis: employment practices; program accessibility; and requirements for preschool, elementary, and secondary education.

Program Accessibility

No qualified person with a disability shall be denied the benefits of, be excluded from participation in, or be otherwise subjected to discrimination under any program or activity because facilities are inaccessible or unusable.

Definitions

Accommodations – adjustments made by classroom teacher(s) and other school staff to enable students to benefit from their educational program. In some cases a plan should be developed outlining services and/or accommodations.

Americans with Disabilities Act - a civil rights law that prohibits discrimination against persons with disabilities in the areas of employment, public services, public accommodations, transportation, and communication. It mandates that any recipient, direct or indirect, of federal funds must make their programs and activities accessible to the disabled.

Contagious Diseases Protected under 504 - Contagious diseases are those that can be transmitted from person-to-person. Included are such diseases as AIDS, HIV, and Tuberculosis.

Disabled (504 Definition) - any student who (1) has a physical or mental impairment which substantially limits one or more major life activities; (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

IDEA - Individuals with Disabilities Education Act. Federal special education law and regulations.

Major Life Activity - functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and/or working.

Office of Civil Rights (OCR) - has three primary responsibilities: investigating complaints; conducting compliance reviews; and providing technical assistance. There are ten regional offices located throughout the United States. The regional office for Utah is in Denver, Colorado Region VIII (Colorado, Montana, North Dakota, Utah, and Wyoming), Office of Civil Rights, 1244 Speer Blvd., Suite 310, Denver, CO 80204-3582.

Physical or Mental Impairment - (1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary, hemic and lymphatic; skin, and endocrine or (2) any mental or physical disorder, such as mental retardation; organic brain syndrome; emotional or mental illness; and/or specific learning disabilities.

The term "physical or mental impairment" includes, but is not limited to such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction, and/or alcoholism.

Program Accessibility - Each school district will ensure programs and activities are accessible to and usable by persons with disabilities. In many instances, programs and activities may be required, but structural change is required only in instances where program accessibility cannot be achieved effectively through other means.

Program or Activity - in the context of Section 504, includes all operations of state and local agencies that receive federal funds. This includes colleges, universities, and/or school systems.

Public Notice - all school districts are required to provide public notice and internal notice (i.e., to staff and students) stating they do not discriminate on the basis of a disability.

Reasonable Accommodation - school districts are required to make adjustments to allow for known physical or mental limitations of a student with disabilities.

Section 504 - the part of the Rehabilitation Act of 1973 that guarantees specific rights in federally funded programs and activities to people who qualify as disabled. Section 504 states: "No otherwise qualified handicapped individual in the United States... shall, solely by reason of his handicap be excluded from the participation in, or be denied the benefits of any activity receiving federal financial assistance..."

Section 504 Coordinator - school districts employing 15 or more persons must assign a person to coordinate compliance with Section 504 regulations. It is recommended that all school districts appoint a 504 Coordinator.

Self-Evaluation - Section 504 requires that federal fund recipients evaluate their programs, physical accessibility, and employment practices to determine the extent to which programs and activities require modification to ensure full participation by students with disabilities. These evaluations should be updated frequently.

Students Potentially Eligible for Protection under Section 504

Attention Deficit Hyperactive Disorder (ADHD) - The student does not meet eligibility requirements under IDEA as emotionally disturbed or learning disabled. The student is regarded as having a disability (ADHD) by a doctor or mental health professional. The disability substantially limits the major activity of learning.

Acquired Immunodeficiency Syndrome (AIDS) - The student frequently misses school and does not have the strength to attend a full day. This student has a record of a disability which substantially limits the life activities of learning and working.

Arthritis - A student with arthritis may have persistent pain, tenderness, or swelling in one or more joints. A student experiencing arthritic pain may require a modified physical education program.

Asthma - A student has been diagnosed as having asthma. The doctor has advised the student not to participate in physical activity outdoors. The disability limits the major life function of breathing. The school is required to make reasonable accommodations in the physical education program.

Cancer - A student with a long-term medical problem may be given considerations to accommodate special needs. For example, a student with cancer may need a class schedule that allows for rest and recuperation following chemotherapy in order to access his/her education.

Emotionally Disturbed - A student who is emotionally disturbed may need an adjusted class schedule to allow time for regular counseling or therapy.

Obesity - A student has an extreme eating disorder that may require special accommodations. Obesity may be considered a disability under Section 504 where it substantially impairs a major life activity or is perceived by others as doing so.

Student With Special Health Care Needs - The student has a special health care concern. The school is required to provide trained personnel to perform the procedures, or to provide the student a private location to perform the procedure.

504 Student Eligibility Determination Disability Determination Accommodation Plan

Step I – Pre-Referral to 504 Team

Team should have a completed At-Risk Documentation form with accompanying data or interventions completed by classroom teacher(s).
(Include copy of At-Risk documentation.)

Step II - Evaluation 504 Team Membership

The law requires the following minimum:

1. **Someone knowledgeable of the child** - usually the classroom teacher(s), parent(s)/guardian(s) should also have input.
2. **Someone knowledgeable of the testing** - usually a psychologist, social worker, special education teacher, or school nurse.
3. **Someone knowledgeable of placement/program options** - Usually the building 504 Coordinator and Team Leader. This is typically the principal or a designee.

Parent(s)/guardian(s) should be part of the process but are not required members as they are under IDEA regulations; however, cooperation and collaboration with the parent(s)/guardian(s) is the District's philosophy. Every effort should be made to include the parent(s)/guardian(s).

Step III - Disability Determination

The team should follow the process on the Oracle screen 504 Plan: If the team determines the student qualifies for services the team should complete the Accommodations Section. The team should brainstorm and prioritize those areas of concern which are educationally relevant and specific to the student's disability. The team selects the highest priority accommodations in collaboration with the classroom teacher(s).

Recommended Accommodations

Areas of Concern:

The 504 Plan is not an IEP nor are they required to create undue hardships on teachers. If the team and/or parent(s)/guardian(s) express the need for accommodations which require fiscal resources beyond the scope of the school's budget, the District 504 Director **MUST** be contacted **before** any commitment is made.

Duration of Accommodation

There should be an annual review by the 504 team, particularly at the end of any school year. Teacher notes on what worked and didn't would be helpful for the next year's teacher(s).

Review Dates

Quarterly review dates ensure that implementation of the 504 Plan is progressing smoothly. These review dates should be set at the initial meeting. Secondary schools should ensure teachers who have the student in second semester classes are in-serviced on the Accommodation Plan - adjustments may need to be made at this time. Ensure secondary teachers who have full-year course(s) with ADD/ADHD students maintain continuity and structure.

Signature Section

Have all team members sign the signatory page. This should include the parent(s)/guardian(s), and student, if appropriate.

District Copy

Medical/Education documentation should be kept on file at the school.

New School Year

The 504 Coordinator at each building should provide in-service to teacher(s) before school starts. Adjustments in the plan may need to be made. Folders/Plans should be transferred to next year's school/teacher(s) as appropriate. Additional teacher training may be added at any time as needed during the year.

Re-evaluation

Students receiving accommodations under Section 504 must be re-evaluated every three years. The 504 Accommodation Plan does **not** have the legal requirement for annual review like an IEP, but should be reviewed quarterly to ensure an effective and appropriate service delivery. New teachers (semester) will also need to be in-serviced on the Plan's requirements at the beginning of each school year, and all relevant stakeholders should be in-serviced on the Plan's requirements.

Practical Applications of Reasonable Accommodations

Examples of Reasonable Accommodations

- Provide a structured learning environment;
- Repeat and simplify instructions about in-class and homework assignments;

- Supplement verbal instructions with visual instructions;
- Adjust class schedules;
- Modify test delivery by using tape recorders, computer-aided instruction, and other audiovisual equipment;
- Tailor homework assignments. (see District homework policy);
- Teach and support the use of a homework folder;
- Provide a note taker;
- Possible modification of non-academic times such as lunch, recess, and physical education;
- Change student seating;
- Change instructional materials, pace, and/or methods;
- Provide peer tutoring;
- Implement behavioral/academic contracts;
- Utilize positive behavioral supports to modify student behavior;
- Utilize supplementary materials; and/or
- Administration of medication, as per District Policy.

Examples of Disabilities and Possible Accommodations
Acquired Immune Deficiency Syndrome (AIDS)
Attention Deficit Disorder (ADD) and Attention Deficit Hyperactive Disorder (ADHD)
Arthritis
Asthma
Cancer
Obesity
Parent(s)/guardian(s) with Hearing Impairment
School Employees with Disability
Student with Special Health Care Needs
Temporarily Disabled
Tourette Syndrome
Visually Impaired Students

ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS) – A student who frequently misses school, is a virus carrier, or does not have the strength to attend a full day is regarded as having a condition which substantially limits the life activities of learning or working.

Possible Accommodations:

- Administer medications;
- Adjust attendance policies;
- Adjusted Schedule or shorten day;
- Provide rest periods;
- Adapt physical education curriculum;
- Establish routine communication with health professionals, school nurse, and home;
- Develop health care and emergency plan;
- Meet with doctor, parents/guardians, teachers, and administrators;
- Train teacher(s) for procedures;
- Provide two way audio/video link between home and classroom;
- Arrange for an adult tutor at school or home;
- Modify assignments and tests;
- Provide an extra set of textbooks for home;
- Provide staff training on confidentiality;
- Provide education and support for peers regarding issues of death and dying;
- Provide transportation to and from school;
- Record books or provide a personal reader;
- Provide a home computer with e-mail;
- Arrange for a support group;
- Provide employment transitions for secondary students;
- Develop supportive community attitudes regarding district's need to provide education to HIV positive/AIDS students;
- Develop and promote non-discriminatory classroom climate and supportive student attitudes;
- Promote the most supportive, least restrictive education program for AIDS students;
- Provide in-service on Section 504 ADA;
- Initiate a "Kids on the Block" AIDS program;
- Video-tape the classroom teacher;
- Provide a peer support group to encourage communication;
- Furnish home and hospital care for extended periods of illness; and/or
- Provide technology at home with possible link to the school.

ATTENTION DEFICIT DISORDER (ADD) and ATTENTION DEFICIT HYPERACTIVE DISORDER (ADHD)

- A student is diagnosed as having a disability (ADHD) by a doctor, and if this condition also substantially affects the major life activity of learning, he/she will be covered under Section 504/ADA. Some of these students are also covered by special education.

Possible Accommodations:

- Adjust student seating;
- Use simple, concise instructions;
- Provide a peer tutor/helper;
- Teach compensatory strategies;
- Administer medication;
- Monitor stress and fatigue: adjust activities;

- Modify assignments;
- Change instructional pace;
- Provide supervision during transitions, disruptions, field trips;
- Use study guides, organizing tools;
- Modify testing procedures;
- Provide counseling;
- Initiate frequent parent/guardian communication;
- Establish a school/home behavior management program;
- Provide training for staff and parent(s)/guardian(s);
- Have the student use an organizer - show them how to use it. Establish a cue between teacher and student;
- Assign chores/duties around room/school;
- Modify environment to avoid distractions;
- Have child work alone or in a study carrel;
- Highlight required or important information/directions;
- Place assignments, directions on tape for auditory learner;
- Provide a checklist for student, parent(s)/guardian(s), and/or teacher(s) to record assignments or completed tasks;
- Use a timer to assist student to focus on given task or number of problems in time allotted-stress they need to be done correctly;
- Have student re-state or write directions/instructions;
- Allow student to respond in variety of different modes, e.g., may place answers for tests on tape instead of paper;
- Give student opportunity to stand while working;
- Provide additional supervision to and from school;
- In-service other students and staff, with parent(s)/guardian(s) permission;
- Develop a behavior modification plan;
- Supply treats and rewards to promote behavior change;
- Prescribe physical activity, exercise, etc.; and/or
- Determine trigger points and prevent action leading to trigger points.

ARTHRITIS - A student with arthritis may have persistent pain, tenderness, or swelling in one or more joints. A student experiencing arthritic pain may require a modified physical education program.

Possible Accommodations:

- Provide a rest period during the day;
- Accommodate absences for doctor's appointments;
- Provide assistive devices for writing (e.g. pencil grips, non-skid surface, computer, etc.);
- Modify physical education curriculum;
- Administer medication;
- Arrange for assistance with carrying books, lunch tray, etc.;
- Provide book caddy;
- Implement movement plan to avoid stiffness;

- Provide seating accommodations;
- Allow extra time between classes;
- Provide locker assistance;
- Provide modified eating utensils;
- Develop health care plan and emergency plan;
- Accommodate for writing with a computer and note taking with a tape recorder;
- Provide ramps for wheelchair and access from school van;
- Provide time for exercises that may be needed;
- Modify recess time;
- Provide peer support groups;
- Arrange for instructional aide support;
- Arrange for someone else to take notes;
- Install handle style door knobs;
- Record lectures/presentations;
- Have teacher provide outlines of presentations;
- Provide velcro fasteners for bags, shoes, coats;
- Obtain padded chairs;
- Provide a more comfortable style of desk;
- Adjust attendance policy, if needed;
- Provide a shorter school day;
- Furnish a warmer room and sit student close to the heat;
- Modify curriculum for the lab classes;
- Supply an extra set of books for home use and keep a set at school. Let student give reports orally rather than in written format;
- Assign someone to monitor plan;
- Establish an awareness program for other students;
- Monitor any special dietary considerations;
- Modify the school curriculum, as necessary, e.g., in band, assist in selecting instrument student can play; and/or
- Make any needed bathroom accommodations.

ASTHMA - If a student has been diagnosed as having asthma, or a doctor has advised the student not to participate in physical activity outdoors, the student is limited in a major life function: Breathing. The school is required to make reasonable accommodations in his or her physical education program.

Possible Accommodations:

- Modify activity level for recess, physical education, etc. Use air purifier or inhalants;
- Provide inhalant therapy assistance;
- Administer medication;
- Provide homebound instruction;
- Make field trips non-mandatory and supplement with videos, audios, movies, etc.
- Accommodate medical absence;
- Provide education to peers/teachers/others (bus drivers, cooks, etc.). Adjust for personal administration of medications;

- Provide access to water;
- Develop health care and emergency plan;
- Have peers available to carry materials to and from classes (e.g. lunch tray, books);
- Provide rest periods;
- Make school health care needs known to appropriate staff; Modify field trip experiences;
- Provide indoor space for before and after school; and/or
- Have a locker location which is centralized and free of atmosphere changes.

CANCER - A student with a long-term medical problem may be given considerations to accommodate special needs. For example, a student with cancer may need a class schedule that allows for rest and recuperation following chemotherapy.

Possible Accommodations:

- Apply universal precautions;
- Limit number of classes taken; accommodate scheduling (breaks, etc.);
- Send teacher/tutor to hospital/home, as appropriate;
- Take whatever steps are necessary to accommodate student's involvement in extra-curricular activities;
- Adjust activity level and expectations in classes based on physical limitations: don't require activities that are too physically taxing;
- Schedule daily monitoring or distribution of medications;
- Provide appropriate assistive technology;
- Provide dietary accommodations;
- Shorten day, arrange for home tutoring following treatment;
- Provide additional set of texts and assignments to hospital/home school;
- Record lessons;
- Modify schedule to include rest breaks;
- Educate peers;
- Adapt physical education;
- Provide awareness training to staff and students;
- Develop health care emergency plan;
- Provide counseling for other students to deal with cancer student;
- Offer counseling for death and dying;
- Furnish a peer tutor;
- Modify work load; and/or
- Provide teachers with counseling, emphasizing positive attitudes.

OBESITY - A student with an extreme eating disorder may require special accommodations. Obesity may be considered a disability under Section 504 when it substantially impairs a major life activity or is perceived by others as doing so.

Possible Accommodations:

- Provide special seating modifications;
- Make dietary modifications;
- Adapt physical education program;
- Educate peers;

- Adapt restrooms, as needed;
- Allow more passing time;
- Ensure privacy for self-care;
- Provide for elevator privileges or other accommodations, e.g. individuals in wheelchairs or with other disabilities that prevent them from using the stairs;
- Arrange classroom furniture to provide room to negotiate and move around classroom seating;
- Address busing concerns to ensure room on buses for seating;
- Arrange to provide opportunities for the individual to participate in intramural events;
- Have a health nurse administer medications (as per District policy); and/or
- Make any class location changes that may be needed.

PARENT(S)/GUARDIAN(S) WITH HEARING IMPAIRMENT - Hearing impaired parent(s)/guardian(s) are entitled to request access to school sponsored activities. The school district must make accommodations by providing interpreter services for parent(s)/guardian(s) to participate effectively in school-sponsored events or meetings about the student.

Possible Accommodations:

- Provide an interpreter for all school events of expected participation;
- Make arrangements for home-school contacts/communication; and/or
- Use written notes for communication. Provide information on assistive technology.

STUDENT WITH SPECIAL HEALTH CARE NEEDS - The student with special health care concerns may require special procedures in the school setting. School nurses need to provide the appropriate training to all school personnel who are responsible for monitoring or providing health care needs. The student should be provided with a private location to perform health care procedures.

Possible Accommodations:

- Apply universal precautions;
- Provide trained personnel to perform special procedures;
- Provide student with private location and time to perform procedures;
- Involve school nurse, parent(s)/guardian(s), teachers, and staff;
- Allow preferential seating;
- Modify recess/PE/transportation;
- Modify classroom environment;
- Re-evaluate/update periodically;
- Develop health care and emergency plan;
- Establish health alert- every staff member involved with this student is aware of the health problem and of proper procedures;
- Provide a paging system for trained personnel;
- Make homebound services/instruction available;
- Arrange for trained personnel on school field trips; and/or
- Arrange for in-service to other students as appropriate.

TEMPORARILY DISABLED - A student for whom a health condition may require homebound and/or school services for several months is considered disabled under Section 504 and should receive special accommodations.

Possible Accommodations:

- Provide duplicate sets of texts;
- Provide assignments to hospital school;
- Record lessons;
- Provide homebound instruction;
- Schedule periodic home-school meetings;
- Arrange for student to leave class early to get to next class;
- Provide access to elevators;
- Excuse from or adapt physical education program;
- Arrange for a peer to assist student in getting from class to class (support network);
- Provide a cordless telephone;
- Provide an interactive system- computer, email, T.V.;
- Arrange for a tutor;
- Arrange for peer notes;
- Provide help with getting lunch tray;
- Change seating arrangements to accommodate needs;
- Modify assignments depending on disability;
- Modify completion of assignment;
- Allow more time for test completion;
- Allow shortened days, adjust attendance policy;
- Address special accommodations for wheelchair usage;
- In-service staff and class(es) and prepare an emergency care plan;
- Switch classrooms to main floor;
- Test verbally; and/or
- Provide peer assistance for social involvement (keep child informed of social activities).

VISUALLY IMPAIRED STUDENTS - A student who is visually impaired may use print in some other form as their main reading mode, others use Braille. Some of these adaptations may be needed by both groups; some will be needed by certain individuals.

Possible Accommodations:

- Student may need a peer to help him/her get to his next class (secondary school);
- May need help of peer or teacher in unfamiliar places, field trips, darkened auditorium, during fire drills, etc.;
- Blind secondary student may need to leave class 5 minutes early to travel in the halls before the crowds and may need a seat near the door to enter and leave more easily;
- May need peer help to find restroom, go through cafeteria line, read posted menus;
- May need desk copy of overhead transparencies and things written on the board;
- Teachers may need to provide copies of tests, worksheets, assignment lists several days ahead to the vision staff so that they can be brailled or enlarged for the student;
- If assignments are usually written on the board, they must be made available to the visually impaired student in some manner, also, teachers need to make sure that the

student knows and has easy access to whatever place completed assignments are to be turned in;

- Student should be allowed to touch displays or demonstration objects, if practical, and be allowed to leave seat to go closer to the board, posters, wall maps, etc.;
- Alternate assignments may need to be given if the assignment would be impossible or meaningless, (for example, having a totally blind student draw a picture);
- Worksheets or printed papers may need to be enlarged, brailled, or modified for more contrast, darker print, simpler format, or better background color to meet the visual needs of the student;
- May need a copy of a peer's notes;
- Often cannot use "bubble sheets" for test answers. May need to write directly on the test;
- Alternatives may need to be found for copying from the board;
- Maps need to be tactile or larger and darker; Student may need to sit close to the board and/or on his/her best side, or where there is the least glare;
- Teacher(s) need to verbalize what has been written on the board or held up for display;
- Extra time may be needed by the student for him/her to get materials ready, find correct page, etc.;
- Locker may need padlock with a key rather than a combination lock;
- In P.E., colorful or patterned balls or balls with beepers may be needed, poles for nets or goals may need bright colored stripes, alternate activity may be needed if games using a small ball are unsafe;
- As a general rule on tests, a large print reader is given time and a half and a Braille reader is given double time;
- Extra work and storage space are often needed for books and equipment; and/or
- Types of equipment sometime needed: braille or large print or recorded textbooks; braille note taking device; printer for above device; brailers; attachment for brailier to translate into print; talking calculator, abacus; dark-lined paper; markers; bookstands, computer monitor stands to bring monitor closer, enlarging or talking software, hand-held or glasses-mounted magnifiers, monoculars for longer distances, CCTV for enlarged viewing of print, pictures, and maps.

Approval Date:

September 2002

Revised:

March 12, 2013