

Turner County Schools 504 Manual



The purpose of this manual is to outline Turner County Schools' process and procedures for the serving of students with disabilities under Section 504.

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SECTION 1: General Information

Important Acronyms:

- 504: Section 504 of the Rehabilitation Act of 1973
- ADA: Americans with Disabilities Act
- TCS: Turner County Schools
- ESS: Exceptional Student Services
- FAPE: Free Appropriate Public Education
- IDEA: (Individuals with Disabilities Education Act)
- IEP: Individualized Education Program
- OCR: Office of Civil Rights
- RtI: Response to Intervention
- SPED: Special Education
- SST: Student Support Team

What is Section 504?

Section 504 is a part of the Rehabilitation Act of 1973, a civil rights statute focused on the prevention of discrimination. The purpose of Section 504 is to prohibit discrimination based on disability. Section 504 has no age limits and serves all disabilities. Section 504 states: *No otherwise qualified individual with a disability in the United States...shall, solely by reason of her or his 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.*

How Does Section 504 Affect Schools?

If a school receives any federal financial assistance, all programs or activities of the school are obligated to abide by Section 504 regulations. The regulation basically says, “If you take our money, you must play by our rules.” Public schools receive federal funds. Therefore, they must comply with this law. Public schools comply by providing a free and appropriate education (FAPE) to each qualified student with a disability.

Accommodations must also be provided to families who need accommodations in order to participate in school activities. For example, a parent who is deaf and requires an interpreter to communicate with the child’s teacher will need to have one provided for parent-teacher conferences and other visits to school.

Who Enforces 504?

The Office of Civil Rights (OCR). The office of Civil Rights has many documents and information available at its website: <https://www.hhs.gov/ocr/index.html>

OCR is a part of the U.S. Department of Education and is headquartered in Washington, DC. OCR has a regional office in Atlanta, Georgia.

OCR enforces civil rights laws prohibiting discrimination in education programs on the basis of: race, color, national origin, disability and age.

What is ADA?

The Americans with Disabilities Act (ADA) of 1990 provides protection from discrimination in employment, public education, transportation and public accommodations.

The ADA was amended by Congress to supersede Supreme Court decisions that had too narrowly interpreted the ADA's definition of a disability. The Amendments Act went into effect on January 1, 2009. Although the Amendments to the ADA did not change the language in Section 504 of the Rehabilitation Act of 1973, the ADA Amendments had implications as to how 504 is interpreted. The Amended ADA is generally considered to have "broadened" Section-504 protections.

Although the ADA provides civil rights protections for our students as well, compliance with the requirements of Section 504 will ensure compliance with the ADA. Accordingly, the District looks to our Section 504 procedures to ensure equal access to education for our disabled students.

How Does Section 504 Define *Disability*?

Section 504 offers a very broad and inclusive definition of *disability*. Under Section 504, a person may be considered disabled if the individual:

- Has a mental or physical impairment, which substantially limits one or more major life activity.

Persons protected from discrimination include those who have:

- A record of such impairment; or
- Is regarded as having such impairment.

What is Considered a Major Life Activity?

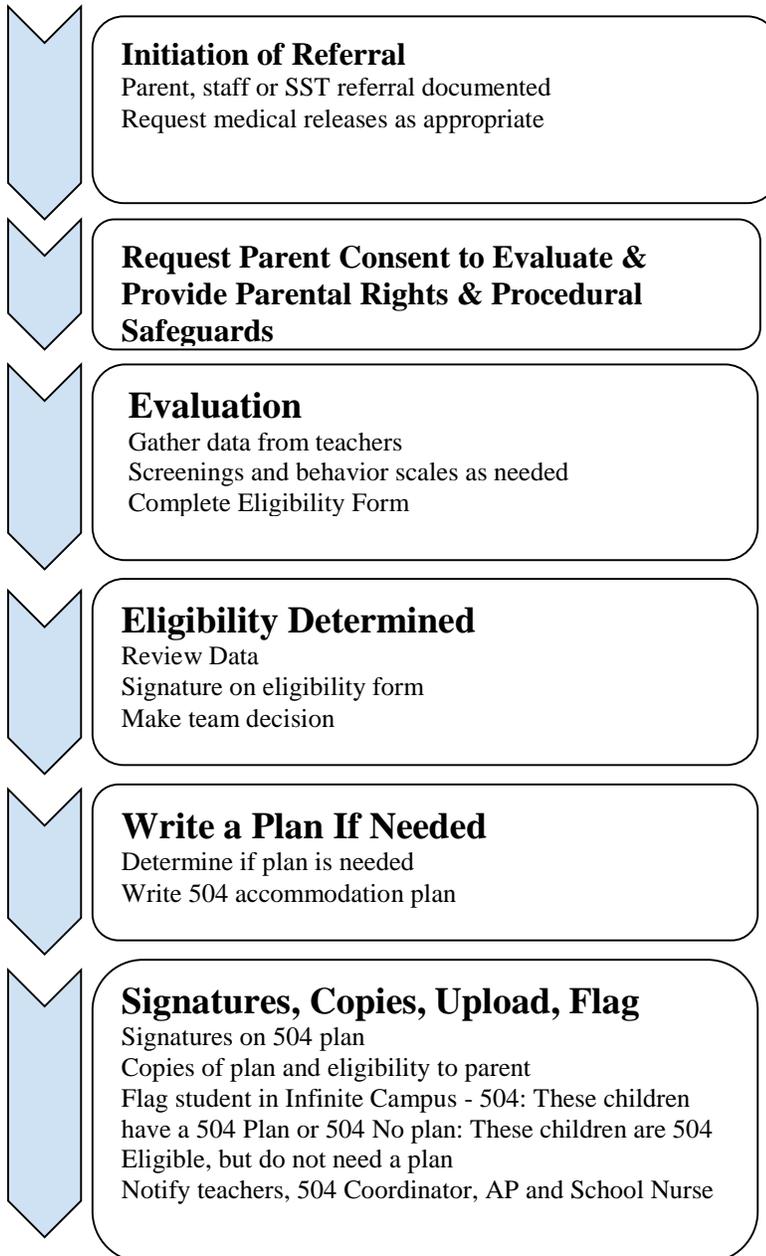
Major Life Activities include, but are not limited to: caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, reading, concentrating, thinking, communicating and working.

Major bodily functions are also included, such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.

What's the Difference between Special Education and 504?

IDEA	SECTION 504
<p>In Georgia, a special education child may have one of the following disabilities AND must be found to need special education services.</p> <ul style="list-style-type: none"> ● Autism Spectrum Disorder ● Emotional and Behavioral Disorder ● Deaf/Hard of Hearing ● Other Health Impairment ● Specific Learning Disability ● Mild, Moderate, Severe Intellectual Disability ● Orthopedic Impairment ● Significant Developmental Delay ● Speech/Language Impairment ● Traumatic Brain Injury ● Blind/Visual Impairment <p>List is from categories of eligibility in Georgia Special Educational Rules/Regulations. http://www.gadoe.org/Curriculum - Instruction-and-Assessment/Special-Education-Services/Pages/default.aspx</p> <p>There are specific guidelines governing special education eligibility and services.</p> <p>IDEA is a funding law. School districts are provided federal funds to provide special education services.</p>	<p>What is considered a disability under 504 is much broader than that of special education. Any individual with a mental or physical impairment that substantially limits a major life activity is <i>disabled</i> under 504.</p> <p>The guidelines governing 504 eligibility and services are less clearly defined than those of special education. Each school district must define its own process and procedures for ensuring 504 compliance.</p> <p>504 is an anti-discriminatory law. All individuals with disabilities are protected from discrimination under 504. Such individuals may or may not need a 504 plan.</p>

Services Flow Chart



Section 2: Steps in the Process

Step 1: Referral

What is the 504 Referral Process?

A 504 referral can be initiated by a parent, a teacher, a Student Support Team, an IEP/Eligibility Team (when a child is found ineligible for special education), or by other school staff as appropriate (such as the nurse or counselor).

Many medical conditions may be “covered” under 504. School nurses work with parents to develop Individualized Health Plan (IHPs) for students as needed. School nurses will work closely with the school’s 504 Coordinator to ensure appropriate referrals for 504 evaluations.

Teachers need to consult with the school’s 504 Coordinator about concerns regarding 504. When a parent expresses a concern to a teacher or school personnel, he/she is directed to the School 504 Coordinator. When parents request a 504 evaluation, they will be asked to complete the “504 Parent Referral Form.” Staff may be asked to complete the “504 Staff Referral Form.”

Parents are provided written notification of the referral for a 504 evaluation. Parents are also provided a copy of 504 Rights and Procedural Safeguards. A copy of Rights and Procedural Safeguards, as well as links to important 504 information and resources, is available on the District’s website.

Referral for 504 versus Special Education Evaluation?

RTI and SST processes guide district intervention decisions and facilitates appropriate referrals for special education evaluations.

An effective SST process should have a high “hit-rate,” meaning that most students referred for special education evaluations should qualify for services. Failure to respond to increasingly intensive interventions, including SST (RTI) Tier 3, is a “trigger” for child-find under IDEA. Remember, IDEA requires the need for special education.

504 does not require the need for services. The threshold is “lower” for reasonable suspicion of a disability. Child find may be triggered by the provision of an outside evaluation and/or diagnosis or the presence of certain medical conditions. This may happen at any “Tier” in the pyramid of interventions. Generally, however, the district should not be expected to have reasonable suspicion of a disability when a student has not needed interventions beyond best practices Tier 1 instruction.

Step 2: Evaluation

Is an Evaluation Required for 504 Eligibility?

Yes.

Do We Need Parental Consent?

Yes. OCR frequently opines that Section 504 requires informed parental consent before a student can be evaluated. “Section 504 requires informed parental permission for initial evaluations.”

OCR considers written parent consent as sufficient under 504. Turner County Schools “Parental Consent for 504 Evaluation” form will be used to document written consent.

Confusion about consent when reviewing data: An evaluation for 504 may not always involve individually administered tests by school personnel; all needed data may already be available for review by the team. The cornerstones of Response to Intervention and Student Support Team processes are frequent data collection, data review and analysis, and data-driven instructional decisions. Parent permission is not required when reviewing data for instructional decisions. However, TCS requires written parental consent for evaluation before this same data can be used for the purpose of determining whether or not a child has a disability.

What Happens if a Parent Withholds Consent to Evaluate for 504?

If parental consent is withheld and the school system has reason to believe the child needs special instruction or related services, then both 504 and IDEA afford that districts may use due process hearing procedures to seek to override the parental denial of consent for initial evaluation. However, neither 504 nor IDEA require school systems to initiate due process in the event that parents do not consent to an evaluation.

Does the system have to conduct a 504 evaluation when the parent requests one?

No. If the system has reasons to deny an evaluation, then parents must be notified and due process procedures must be followed.

Verbal parent requests are not, “official.” Only written parent evaluation requests are considered by the school system. E-mail notification is regarded as a written request.

When a teacher or other school official received a written request for an evaluation, the School 504 Coordinator is notified as soon as possible.

Some parental evaluation requests will be honored by offering a special education evaluation and parents will be asked to sign an IDEA consent to evaluate for determining eligibility. Following IDEA procedures shall suffice for a 504 evaluation. In these situations, if a parent refuses to sign the IDEA consent to evaluate, the school system will not be required to conduct a 504 evaluation per parent request “in lieu of” a special education evaluation.

When parents request (in writing) certain types of testing or evaluations, including a psychological, specific tests to determine the presence of a disability, a speech-language evaluation, and occupational therapy evaluations, then these requests will be forwarded to the Special Education Director. Following the process for addressing parent evaluation requests outlined in the system’s Special Education Manual will comply with 504.

How much Information is Needed to Determine 504-eligibility?

A medical diagnosis in and of itself is not enough for a 504 evaluation.

Evaluations must be comprehensive, but are tailored to the specific needs of each child.

OCR maintains that an evaluation under 504 must draw upon a variety of sources so that the possibility of error is minimized. 504 eligibility must be determined by a team. This team must include persons knowledgeable about the child.

The scope of the evaluation is determined by “the multidisciplinary committee gathered to evaluate the student.” Rarely will 504 require the district to conduct a comprehensive psychological evaluation. Comprehensive psychological evaluations are normally completed through the IDEA regulatory process.

Does a Doctor’s Diagnosis or Note Obligate the School to Write a 504?

No. A doctor’s opinion is relevant to eligibility, but it does not determine eligibility.

What should I do if I receive an Outside Evaluation or Medical Information?

Give any received evaluations or medical information to the School 504 Coordinator. “Outside psychological and/or educational evaluations shall be forwarded to the school psychologist for review”.

Remember, IDEA rules and regulations must also be followed when addressing the needs of students who have or may have a disability. Parent provided psychological and educational evaluations might be treated as Independent Educational Evaluations under IDEA and procedures outlined in the District’s Special Education Manual need to be followed.

What is the Timeline for Completing a 504 Evaluation?

TCS will complete initial 504 evaluations within 60 school days after receiving parent consent to evaluate. School days do not include weekends, school holidays, summer breaks or closings.

Does a Special Education Evaluation Fulfill 504 evaluation requirements?

Yes.

What about Reevaluations?

For all students with 504 plans, a reevaluation consideration meeting will occur every three years.

At this meeting, the 504 team will review available data to decide if additional evaluations are needed to re-determine eligibility status.

If no additional evaluations are needed for the team to conclude that the student is still eligible, then the child will still be regarded as a student with a disability under 504. His/her plan will continue as appropriate.

The reevaluation consideration meeting may result in the team deciding that no additional evaluations are needed to determine ineligibility.

Decisions regarding eligibility status will be clearly documented using the states appropriate 504 forms.

Sometimes there may be a need for evaluation more frequently than every three years. The 504 Coordinator will address parent and teacher concerns about 504 eligibility and evaluations as needed.

Step 3: Eligibility Determination

Who determines 504-Eligibility?

A 504 Team.

Who needs to be on the 504 Team?

The OCR requires that a 504 Team consists of persons knowledgeable about the child.

The Team may include parents, the student, school administrators, teachers, counselors, nurses, school psychologists, speech pathologists or other service providers who are able to provide meaningful input.

https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Student-Support-Teams/Documents/Model%20-%20Section%20504%20Team%20Members_Fillable%20Form.pdf

District Requirements:

- The School 504 Coordinator coordinates the development of an appropriate 504 Team.
- 504 Teams shall include general education classroom teachers and appropriate resource/intervention teachers.
- School Administrator (Principal or Assistant Principal)

Are Parents Required to be on the Eligibility Team?

No. However, TCS is committed to promote parent participation in eligibility determinations. Refer to Section 7 for additional information regarding parent participation.

What Does the 504 Eligibility Team Need to Decide?

- 1) Does the student have a physical or mental impairment? The first part of having a disability under 504 is documentation of a physical or mental impairment. School system awareness of a condition often prompts a referral for 504 evaluations.

- 2) Does the impairment substantially limit one or more major life activities or major bodily functions?

How Does the Team Answer the Eligibility Questions?

By reviewing the evaluation data. The TCS “504 Eligibility Determination Form is designed to facilitate the team decision process. The “Eligibility Determination Form” serves as documentation of the team decision as to whether or not the child has a disability under 504; and, if the needs a 504 Accommodation Plan.

Is a Medical Diagnosis Necessary for Documenting a Physical or Mental Impairment?

Although a medical diagnosis is not always necessary, there must be adequate documentation that the student has a mental or physical impairment in order to be eligible as a person with a disability under 504.

In most cases, adequate documentation of a mental or physical impairment will include a diagnosis from a person considered licensed or qualified by the State of Georgia to make the diagnosis.

For all parent medical or psychological conditions, attempts will be made to receive appropriate documentation. Parents/guardians will be asked to sign an authorization to release information. Release forms are kept with the School 504 Coordinator. Turner County Schools “Medical Information Form” is used when appropriate to gather relevant diagnostic information.

What Does Substantially Limited Mean?

This has generally been interpreted as deviating from the average. Does the student’s impairment cause him/her to have much more difficulty with a major life activity or major bodily function compared to the average person without a disability?

There is not numerical formula for deciding substantial limitation. The ADA (Amended 2008) makes clear that the limitation does not have to be severe to qualify.

The team must review the evaluation data to determine if there is substantial impairment in one or more of the major life activities or major bodily functions.

What are mitigating measures?

Why are they Important in the 504-eligibility Determination?

Mitigating Measures are anything used to treat or ameliorate the effects of a physical or mental impairment. With the exception of corrective lenses or ordinary contacts, teams cannot consider mitigating factors when determining if a student is Section 504-eligible.

When determining 504-eligibility, the team must “take out” the mitigating measures, such as medication for the treatment of ADHD, accommodations and assistive technology devices the

student is using, prosthetics, medical supplies and devices, and hearing aids. An intervention provided through the RtI/SST process may be considered a mitigating factor.

When mitigating factors are “taken out” of the eligibility process, an *impairment may be a disability even if there are no current substantial limitations of a major life activity.*

Mitigating factors *are considered when determining if the 504-eligible students actually needs a 504 plan.*

Example scenario (504-eligible students does not need a 504 plan):

Joe with ADHD:

When not on medication, Joe’s ADHD substantially limits the major life activities of learning and concentrating. Therefore he is 504-eligible, meaning that he has a disability. However, Joe is successful with his current medical treatment and standard educational practices (Tier 1). Although Joe is recognized as having a disability under the 504 definition, the 504 team concludes that an individual 504 accommodation plan is not needed.

What About Episodic on in Remission Impairments?

An episodic impairment or impairment in remission may be a disability if it substantially limits a major life activity when active (ADA Amendments Act 2008). Students with these types of impairments, however, may not require a 504 plan because the student’s impairment is intermittent, in remission, or is controlled by medication or other mitigating measures.

What is Not Covered by Section-504?

Only physical and mental disabilities are included. Students with learning problems *resulting from environmental, cultural, or economic disadvantage are not covered under Section 504.*

English Language Learners: A student is not disabled when learning problems are due to lack of English language proficiency. A student’s primary or Native language does not constitute a mental or physical impairment.

Temporary Impairments: A 504 eligibility consideration is generally not necessary if the temporary impairment has an expected duration of 6 months or less. Most cases of broken bones are temporary impairments. The severity of the temporary impairment is taken into consideration when deciding if a 504 referral is warranted. Although not required to consider 504 due to temporary impairments, the school district is not prevented from doing so when needed. Some State mandated tests require a student receiving accommodations to be “coded” as 504 or SPED. When it is likely that an injury or other temporary disability will necessitate accommodations for the student to have equal access to testing, then a 504 referral will be initiated. Example scenario: Student breaks a hand a week before the GMAS. A 504 plan is developed and the student receives a scribe as a testing accommodation.

Step 4: Placement: Write a 504 Accommodation Plan (If Needed)

Does Everyone who is Eligible under 504 Need a Plan?

No. Recall, 504 is an anti-discriminatory law. Many students will be protected from discrimination by this law; however, not all of these students will require an accommodation plan.

Do We Need to Write 504 Plans for Students Who No Longer Have a Disability?

No. 504 Accommodations are provided for students who currently have a disability and need a plan in order to meet their needs related to their disabilities.

Remember, 504 is an antidiscrimination law. While plans are not written for those who are no longer disabled, individuals with a history of a disability or who are regarded as having a disability are still protected from discrimination.

Who Needs a 504 Accommodation Plan?

While the team “takes out” mitigating measures when determining if the student has a disability; the team considers the present levels of functioning of the child with current interventions and plans in place.

A child does not need a 504 Accommodation Plan when other plans or general education services are currently meeting the student’s needs. Both RTI/SST and Individual Health Plans (IHPs) may be sufficient. However, a student cannot receive state-approved testing accommodations unless he or she has either a 504 plan or IEP.

Who Writes a 504 Plan?

A 504 Plan is constructed by the 504 Team; however, the School 504 Coordinator must assist the team in completing the necessary 504 documentation.

The TCS “504 Individual Accommodation Plan” form is used to facilitate this process.

What Are Appropriate Accommodations, Services and Placements for the 504-Plan?

Accommodations and services required to provide FAPE. Each 504 plan is data-driven and individualized based on the needs of the student. What are the effects of the disability? What barriers to FAPE exist because of the disability? These are the questions that guide the 504-accommodation plan.

Do students with an IEP need a 504 plan?

No. The IEP addresses all needs related to the student’s disability and meets 504 requirements.

Step 5: Implementing the 504 Accommodation Plan

Is the 504 Accommodation Plan Optional?

No. The 504 plan is a legally binding document that spells out what is needed for a student with a disability to have equal access to his/her education and school activities. Choosing not to follow a 504 plan, violates 504 protections and the rights of the student with the disability.

If there are questions about the appropriateness of the 504 plan, then the School 504 Coordinator should be consulted and a 504-Team meeting scheduled as needed to review and revise the plan.

Step 6: Monitoring and Reviewing 504 Plans

How Often Should 504 Plans be Reviewed?

Annual Reviews: Annual reviews are completed for all 504-plans. The team may meet more than once a school year, but must meet within a calendar year from the previous meeting.

Example, if the current 504 Plan has a meeting date of March 13, 2017, then a 504-Team must meet to review the plan by March 12, 2018.

SECTION 3: TRACKING ELIGIBLE STUDENTS

Tracking 504-Eligible Students:

The 504 school coordinator is responsible for ensuring that TCS forms and plans are uploaded to the 504 google shared drive (in an individual student folder labeled: last name, first name DOB) and that 504 students are “flagged” in infinite campus. TCS uses two flags:

- 504 (These children have a 504 Plan)
- 504 No Plan (These children are 504 Eligible, but do not need a plan)

Teachers are responsible for being aware of students in his/her classes who are both 504-eligible and those who have a 504 plan.

Hard copies of eligibility determinations and 504 plans are housed with the School 504 Coordinator, who ensures transition of files from school to school. In the event that school 504 coordinator will be leaving the school system, files are to be transferred to the special education office until the new coordinator is assigned.

504-eligible students will be listed on a google document for progress monitoring purposes with grades reviewed each grading period.

Why is it Important to Track all 504-Eligible Students and Not Just Those who Have a Plan?

A 504-Eligible student, regardless of whether he or she has a plan, is protected from discrimination under 504. The progress of a 504-Eligible student needs to be monitored so that the team can reconvene in a timely manner to reassess the need for a plan.

The 504-Eligible student is entitled to a manifestation hearing even if he/she does not have a current 504 plan.

SECTION 4: TRANSFER PROCEDURES:

What Happens to a 504 Plan When a Student Leaves Turner County Schools?

A copy will be sent to the new school upon receipt of a request for records. Both eligibility determinations and 504 plans are sent.

Do We Practice Reciprocity Upon Receiving a 504?

Any 504 received by another school system will be forwarded ASAP to the School 504 Coordinator.

Reciprocity will be granted for out-of-system 504 eligibilities and plans. However, if the School 504 Coordinator, parent or teacher has concerns about the validity of the eligibility decision and/or appropriateness of the accommodation plan, then a 504 review meeting will be held and the plan amended as needed. Referral for a 504 reevaluation may also be initiated by the review team. The student will continue receiving appropriate accommodations during the evaluation process.

SECTION 5: 504 and DISCIPLINE

504 and IDEA are similar regarding discipline guidelines.

“Before implementing a suspension or expulsion that constitutes a significant change in the placement of a student with a disability, a school district must conduct a manifestation determination to determine whether the misconduct in question is caused by the student’s disability and, if so, whether the student’s current educational placement is appropriate.”

Given the rights, regarding discipline, afforded by Section 504, it is particularly important that school teams develop a Behavioral Intervention Plan for students, who present with behavioral problems. Also, the 504 team should identify the types of problem behaviors that should be considered to be a manifestation of the student’s disability

Manifestation Determination Meeting:

Prior to imposing a suspension (both in school and out of school) beyond 10 days (cumulative) for any student with a disability, the administrator must provide appropriate notification to parent/student and utilize a 504 review committee to conduct a manifestation determination. A manifestation determination must occur within 10 days of any decision to change the child’s placement because of a violation of a code of student conduct.

School Administrators work with the 504 School Coordinator to develop the review committee and schedule the manifestation determination.

Parents must receive prior written and oral (phone or in person) notice of the 504 Manifestation Determination meeting, but are not required to be a part of the review committee. If the

parent/guardian does not attend the review, then he/she must receive appropriate feedback regarding outcomes.

The purpose of the 504 review committee is to determine if the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or, If the conduct in question was the direct result of the school's failure to implement the 504 accommodation plan.

To make these determinations, the group will review all relevant information in the student's file, including the child's 504 plan, any teacher observations, and any relevant information provided by the parents.

The 504 Manifestation Form is completed by the 504 review committee.

The original "Section 504 Manifestation Determination Form" should be placed in the 504 file and copies given to the parent and the School 504 Coordinator.

If the conduct in question is determined not to be a manifestation of the disability, then a copy of the "Section 504 Manifestation Determination Form" must be included with the disciplinary tribunal referral and a copy placed in the Student's 504 folder.

SECTION 6: ROLE OF RTI AND SST

How does 504 fit-in with RTI, SST and the Georgia Pyramid of Interventions?

504 can be thought of as weaving in and out of the Pyramid of Interventions.

Some students with 504 accommodation plans may not need additional education or behavioral interventions. However, any student with a 504 plan shall have full access to general education interventions when needed. Not accessing the Tiers of intervention as needed due to 504 status is viewed as discriminatory and in violation of 504 protections. The same referral procedures for initiating Tier 2 and Tier 3 interventions will be followed for both 504 and non-504 students.

What about SST RTI Tier 3?

It is very important for students with 504 plans to access the SST Tier 3 process as needed.

One function of the Student Support Team is to ensure appropriate referrals for special education evaluations.

The SST rule is the State's permanent commitment to Federal Court after Marshall vs. Georgia, August 1984. The court case involved disproportionate placement of minority students in special education.

Excerpt from the State SST Commitment: "Each local agency shall develop a Student Support Team. The Student Support Team is a joint effort of regular education and special education to

identify and plan alternative instructional strategies for children *prior to or in lieu of a special education referral*. Each building level team is comprised of such persons as administrator, classroom teacher, special education teacher, resource teacher, counselor, and school psychologist. Parental involvement is also a critical part of the Student Support Team process. This interdisciplinary group which plans for modification in a student's education program shall engage in a six step process to include: (1) identification of needs, (2) assessment, if necessary, (3) educational plan, (4) implementation, (5) follow-up and support, and (6) continuous monitoring and evaluation."

The SST process can often fulfill 504 documentation requirement and result in 504 evaluations and appropriate accommodation plans. Sometimes the SST plan will be sufficient for the 504-eligible student and a separate 504 accommodation plan will not be developed. All decisions are handled on a case-by-case basis, are data driven and governed by SST and 504 Team processes. Visit the Georgia Department of Education's website for more information about Student Support Teams: <http://www.gadoe.org/Curriculum-Instruction-and-Assessment/Student-Support-Teams/Pages/default.aspx>

SECTION 7: PARENT PARTICIPATION

Notification Requirements:

Parents must receive prior written notice of any 504-team meetings, including eligibility determinations, annual reviews, reevaluation considerations and manifestation hearings.

Parents must be notified when the student is referred for an evaluation, which is accomplished when requesting parental consent to evaluate. The TCS "Consent to Evaluate Form" includes the Notice of Referral statement.

TCS Meeting and Notification forms will be used to document prior written notice.

Parents must be provided with copies of Parent/Student Rights and Procedural Safeguards with the written notice form.

TCS has a two-notice guideline. Two written notice attempts are made to involve the parent in the 504-Team process prior to continuing the meeting without them. Generally, 10 calendar days written notice is considered sufficient prior notice to parents/guardians.

Team Participation:

Must Parents attend 504 Team Meetings?

Although parent participation in 504 eligibility and placement is not mandated by 504, it is best practice for parents to participate in this process.

Parent will receive prior written notice of initial 504 eligibility and review team meetings. A follow-up phone call and/or e-mail notification shall be attempted. Parents may participate via phone conference, if necessary. If the parent fails to attend the meeting, another attempt will be

made to schedule the meeting in order to include parents. **The 504 team may proceed with the meeting if parent fails to attend after the second notice.**

The second attempt procedure may be waived under some circumstances due to the need for 100% compliance with evaluation and review timelines.

Must Parents Consent to the 504 Accommodation Plan?

No. Parents must consent to the initial 504 evaluation. However, as long as they have been notified of the meeting, parents are not required to participate in either the 504 team eligibility determination or development of the accommodation plan. While parental consent is not required to implement 504 accommodations, school terms must adhere to the Least Restrictive Environment mandate when developing 504 plans. 504 cannot be used to circumvent IDEA processes or override parent refusal of a special education placement.

Grievance Procedures:

How do Parents Voice a Concern?

It is our hope that we work as a team (school and parents) to best meet the child's needs. We welcome open communication, A parent does have the right to file a formal grievance.

Parent Grievance Procedure

The best solutions to parent concerns often occur at the school level. Therefore, the District encourages parents to attempt to resolve concerns by working with the school principal, school 504 Coordinator and other appropriate staff to reach a joint resolution of the issue. However, if a parent is unable to resolve the issue at the school level, a parent may file a formal complaint under Section 504 through the following process:

1. Parent completes and submits a Section 504 Complaint Form to the District that is available at the district office.
2. The District Section 504/ADA District Coordinator will conduct an investigation. If the Coordinator is the subject of the complaint, the Superintendent will appoint an impartial investigator. The parent and the district staff will have an opportunity to provide evidence, including documents and witnesses.
3. The District Section 504/ADA District Coordinator will issue a written decision about the complaint within 30 calendar days of the complaint, and provide a copy of the decision to the parent. The written decision will contain suggested resolutions to the parents' concerns
4. If the parent is not satisfied with the resolution of his/her complaint, the parent may request a review of the complaint by the Superintendent. The Superintendent will respond to the parent's request for review within 10 days of receiving the request.
5. If the parent is still dissatisfied after the Superintendent's review, or at any time during the District's complaint resolution process, the parent may file a complaint in writing with: U.S. Department of Education, Office of Civil Rights 915 Second Avenue, Room 33109, Seattle, WA 98174-1099

SECTION 8: DUTIES AND RESPONSIBILITIES

Section 504 School Coordinator:

- Maintains compliant school records and documentation for all eligible students.

- Uploads 504 Plans to the 504 Drive in google and make sure flags are added to infinite campus for students with 504 plans and students with no 504 plan but are eligible for 504 plans.
- Ensures the implementation of Section 504 procedures in the school.
 - * Coordinates referrals
 - * Determines appropriate Section 504 team composition
 - * Facilitates evaluation/eligibility determination
 - * Provides notices and consents
 - * Leads Team in the development of Section 504 plans
 - * Monitors the implementation of Section 504 plans
 - * Ensures that annual reviews are scheduled for each Section 504 Student
 - * Ensures 3 year re-evaluations are scheduled for each Section 504 student
- Serves as a resource to the school administrators, teachers and/or parents/guardians.
- Advises the school administrator regarding the discipline issues and procedures for Section 504 eligible students being considered for suspension or expulsion.
- Serves as a liaison between the school building and other district staff regarding Section 504 issues.
- Attends District Section 504 training meetings.
- Provides presentations/training to school/system staff.

Section 504 District Coordinator (the Sped Director is serving in this capacity)

- Maintains compliant district records and documentation for all eligible students through the 504 Drive on google
- Ensures the implementation of Section 504 procedures in the district.
- Facilitates the implementation of the school board approved Section 504/ADA policy.
- Provides ongoing training and support to direct staff.
- Serves as a daily resource to district administrators, building level teams and community members regarding Section 504/ADA issues.
- Coordinates Section 504/ADA grievance procedures.
- Serves as the school district's liaison to the Office for Civil Rights (OCR complaint resolution and correction plan implementation).
- Advises the district superintendent and school board regarding Section 504/ADA compliance issues and need

Section 9:

Forms

REQUIRED Georgia Department of Education Forms

504 Referral Packet:

https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Student-Support-Teams/Documents/Model%20-%20Section%20504%20Referral%20Packet%20_Fillable%20Form.pdf

504 PrePlacement Form

https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Student-Support-Teams/Documents/Model%20-%20Section%20504%20Pre-placement%20Form_Fillable%20Form.pdf

504 Meeting Log:

https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Student-Support-Teams/Documents/Model%20-%20Section%20504%20Meeting%20Log_Fillable%20Form.pdf

504 Plan Form:

https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Student-Support-Teams/Documents/Model%20-%20Section%20504%20Plan_Fillable%20Form.pdf

504 Consent to Evaluation:

https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Student-Support-Teams/Documents/Model%20-%20Section%20504%20Parental%20Consent%20for%20Evaluation_Fillable%20Form.pdf

504 Evaluation Timeline:

https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Student-Support-Teams/Documents/Model%20-%20Section%20504%20Evaluation%20Timeline_Fillable%20Form.pdf

504 Eligibility Determination Form:

https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Student-Support-Teams/Documents/Model%20-%20Section%20504%20Eligibility%20Determination_Fillable%20Form.pdf

504 Manifestation Determination Form:

https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Student-Support-Teams/Documents/Model%20-%20Section%20504%20MDR%20Form_Fillable%20Form.pdf

504 Procedural Safeguards:

<https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Student-Support-Teams/Documents/Model%20Procedural%20Safeguards%20under%20Section%20504.pdf>

504 Student/Parent Rights:

<https://www.gadoe.org/Curriculum-Instruction-and-Assessment/Student-Support-Teams/Documents/Model%20Section%20504%20Student%20Rights.pdf>

Turner County Public Schools

Notice of Rights of Students and Parents Under Section 504

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

For more information regarding Section 504, or if you have questions or need additional assistance, please contact your local system’s Section 504 Coordinator at the following address:

Turner County Schools
423 N Cleveland Street
Ashburn, Georgia 31714
Telephone: 229-567-3338
Fax: 229-567-9243

The implementing regulations for Section 504 and as set out in 34 CFR Part 104 provide parents and/or students with the following rights:

1. Your child has the right to an appropriate education designed to meet his or her individual educational needs as adequately as the needs of nondisabled students. 34 CFR 104.33
2. Your child has the right to free educational services except for those fees that are imposed on nondisabled students or their parents. Insurers and similar third parties who provide services not operated by or provided by the recipient are not relieved from an otherwise valid obligation to provide or pay for services provided to a disabled student. 34 CFR 104.33
3. Your child has a right to participate in an educational setting (academic and nonacademic) with non-disabled students to the maximum extent appropriate to his or her needs. 34 CFR 104.34
4. Your child has a right to facilities, services and activities that are comparable to those provided for nondisabled students. 34 CFR 104.34
5. Your child has a right to an evaluation prior to a Section 504 determination of eligibility. 34 CFR 104.35
6. You have the right to not consent to the school system’s request to evaluate your child. 34 CFR 104.35
7. You have the right to ensure that evaluation procedures, which may include testing, conform to the requirements of 34 CFR 104.35.
8. You have the right to ensure that the school system 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. 34 CFR 104.35
9. You have the right to ensure that placement decisions are made by a group of persons, including persons knowledgeable about your child, the meaning of the evaluation data, the placement options and the legal requirements for least restrictive environment and comparable facilities. 34 CFR 104.35
10. If your child is eligible under Section 504, your child has a right to periodic reevaluations, including prior to any subsequent significant change of placement. 34 CFR 104.35
11. You have the right to any actions by the school system regarding the identification, evaluation or placement of your child. 34 CFR 104.36
12. You have the right to examine your child’s educational records. 34 CFR 104.36
13. You have the right to an impartial hearing with respect to the school system’s actions regarding your child’s identification, evaluation or educational placement, with opportunity for parental participation in the hearing and representation by an attorney. 34 CFR 104.36
14. You have the right to receive a copy of this notice and a copy of the school system’s impartial hearing procedure upon request. 34 CFR 104.36
15. If you disagree with the decision of the impartial hearing officer (school board members and other district employees are not considered impartial hearing officers), you have a right to a review of that decision according to the school system’s impartial hearing procedure 34 CFR 104.36
16. You have the right to, at any time, file a complaint with the United States Department of Education’s Office for Civil Rights.

Escuelas Públicas del Condado de Turner

Aviso de derechos de los estudiantes y los padres bajo la Sección 504

Sección 504 de la Ley de Rehabilitación de 1973, comúnmente conocida como “Sección 504”, es una ley de no discriminación promulgada por el Congreso de los Estados Unidos. El propósito de la Sección 504 es prohibir la discriminación y para asegurar que los estudiantes discapacitados tengan oportunidades y beneficios educativos iguales a los de estudiantes sin discapacidad.

Para obtener más información sobre la Sección 504, o si tiene preguntas o necesita asistencia adicional, por favor contactar al Coordinador de la Sección 504 de su sistema local en la siguiente dirección:

Escuelas del Condado de Turner

423 N. Cleveland Calle

Ashburn, GA 31714

Teléfono: 229-567-3338

Fax: 229567-9243

Las condiciones de aplicación de la Sección 504 y como se establece en 34 CFR Parte 104 proporcionar a los padres y / o estudiantes con los siguientes derechos:

1. su niño tiene derecho a una educación apropiada diseñada para satisfacer su persona necesidades educativas tan adecuadamente como las necesidades de los estudiantes no discapacitados. 34 CFR 104.33
2. Su hijo tiene el derecho a servicios educativos gratuitos a excepción de aquellos cargos que se imponen a los estudiantes sin discapacidades oa sus padres. Las aseguradoras y terceros que prestan servicios similares no operado por o facilitados por el destinatario no están exentos de la obligación de otra forma válida de proveer o pagar por los servicios prestados a un estudiante discapacitado. 34 CFR 104.33
3. Su hijo tiene derecho a participar en un entorno educativo (académico y no académico) con estudiantes no discapacitados en la máxima medida adecuada a sus necesidades. 34 CFR 104.34
4. Su hijo tiene derecho a instalaciones, servicios y actividades que son comparables a las previstas para los estudiantes sin discapacidades. 34 CFR 104.34
5. Su hijo tiene derecho a una evaluación antes de una sección 504 de determinación de elegibilidad. 34 CFR 104.35
6. Usted tiene el derecho de no dar su consentimiento a la petición del sistema escolar para evaluar a su hijo. 34 CFR 104.35
7. Usted tiene el derecho a garantizar que los procedimientos de evaluación, que pueden incluir las pruebas, se ajustan a los requisitos de 34 CFR 104.35.
8. Usted tiene el derecho de garantizar que el sistema escolar considerará la información de una variedad de fuentes apropiadas, que pueden incluir aptitudes y aprovechamiento pruebas, calificaciones, recomendaciones de los maestros y las observaciones, las condiciones físicas, social o cultural, registros médicos y recomendaciones de los padres. 34 CFR 104.35
9. Usted tiene el derecho a garantizar que las decisiones de colocación son hechas por un grupo de personas, incluidas las personas con conocimientos acerca de su hijo, el significado de los datos de la evaluación, las opciones de colocación y los requisitos legales para el ambiente menos restrictivo e instalaciones comparables. 34 CFR 104.35
10. Si su niño es elegible bajo la Sección 504, su hijo tiene derecho a reevaluaciones periódicas, incluyendo antes de cualquier cambio significativo posterior de la colocación. 34 CFR 104.35
11. Usted tiene el derecho a cualquier acción por parte del sistema escolar con respecto a la identificación, evaluación o colocación de su hijo. 34 CFR 104.36
12. Usted tiene el derecho de examinar los expedientes académicos de su hijo. 34 CFR 104.36
13. Usted tiene el derecho a una audiencia imparcial con respecto a las acciones del sistema escolar con respecto a la identificación de su hijo, evaluación o colocación educativa, con la oportunidad de participación de los padres en la audiencia y la representación por un abogado. 34 CFR 104.36
14. Usted tiene el derecho a recibir una copia de esta notificación y una copia del procedimiento de audiencia imparcial del sistema escolar a petición. 34 CFR 104.36

15. Si no está de acuerdo con la decisión del oficial de audiencia imparcial (miembros de la junta escolar y otros empleados del distrito no se consideran oficiales de audiencia imparcial), usted tiene derecho a una revisión de esa decisión de acuerdo con el procedimiento de audiencia imparcial del sistema escolar 34 CFR 104.36
16. Usted tiene el derecho de, en cualquier momento, presentar una queja con el Departamento de Estados Unidos de Educación de la de los derechos civiles.

Turner County Public Schools **Section 504 Procedural Safeguards**

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

2. **Hearing Request:** The 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 that is the subject of the hearing.
 - e. The requested reasons for review.
 - f. The proposed remedy sought by the grievant.
 - g. The name and contact information of the grievant.

Within 10 business days from receiving the grievant’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 grievant of the specific information needed to complete the request. All timelines and processes will be stayed until the Request for Hearing contains the necessary information noted above.

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

4. Hearing Procedures:

- a. The Section 504 Coordinator will obtain an impartial review official who will conduct a hearing within 45 calendar days from the receipt of the grievant’s Request for Hearing unless agreed to otherwise by the grievant or a continuance is granted by the impartial review official.
- b. Upon a showing of good cause by the grievant or school system, the impartial review official, at 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 grievant will have an opportunity to examine the child’s educational records prior to the hearing.
- d. The grievant will have the opportunity to be represented by legal counsel at his or her own expense at the hearing and participate, speak, examine witnesses and present information at the hearing. If the grievant 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 grievant will have the burden of providing any claims he or she may assert. When warranted by circumstances or law, the impartial 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 CFR. 104.34). One or more representatives of the school system, who may be an attorney, will attend the hearing to

present the evidence and witnesses, respond to the grievant testimony and answer questions posed by the review official.

- f. The impartial review official shall not have the power to subpoena witnesses, and the strict rules of evidence shall not apply to hearings. The impartial review official 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.
- g. The impartial review official 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 or oral request for the hearing.
- j. Witnesses will be questioned directly by the party who calls them. Cross-examination of witnesses will be allowed. The impartial review official, at his or her discretion, may allow further examination of witnesses or ask questions of the witnesses.
- k. Testimony shall be recorded by court reporting or audio recording at the expense of the recipient. All documentation related to the hearing shall be retained by the recipient.
- l. Unless otherwise required by law, the impartial review official shall uphold the action of school system unless the grievant can prove that a preponderance of the evidence supports his or her claim.
- m. Failure of the grievant to appear at a scheduled hearing unless prior notification of absence was provided and approved by the impartial review official or just cause is shown shall constitute a waiver of the right to a personal appearance before the impartial review official.

5. Decision: The impartial review official shall issue a written determination within 20 calendar days of the date the hearing concluded. The determination of the impartial review official shall not include any monetary damages or the award of any attorney's fees.

6. Review: If not satisfied with the decision of the impartial review official, 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.

Escuelas Públicas del Condado de Turner

Sección 504 Garantías de Procedimiento

1. **General:** Cualquier estudiante, padre o tutor (“agraviado”) puede solicitar una audiencia imparcial debido a las acciones del sistema escolar con respecto a la identificación de su hijo, evaluación o colocación educativa bajo la Sección 504. las solicitudes de una audiencia imparcial debe ser por escrito al Coordinador de la Sección 504 del sistema escolar; Sin embargo, la falta de un agraviado para solicitar una audiencia por escrito no alivia la obligación del sistema escolar para proporcionar una audiencia imparcial si el agraviado solicita una audiencia imparcial por vía oral a través de la Sección 504 Coordinador del sistema escolar. Coordinador de la Sección 504 del sistema escolar asistirá al agraviado en la realización de la solicitud escrita de audiencia.
2. **Solicitud de audiencia:** La solicitud de audiencia debe incluir lo siguiente:
 - a. El nombre del estudiante.
 - b. La dirección de la residencia del estudiante.
 - c. El nombre de la escuela a la que asiste.
 - d. La decisión de que es el objeto de la audiencia.
 - e. Las razones solicitados para su revisión.
 - f. La solución propuesta solicitada por el demandante.
 - g. El nombre e información de contacto del reclamante.

Dentro de los 10 días hábiles a partir de la recepción de la solicitud del agraviado de audiencia, el Coordinador de la Sección 504 acusará recibo de la solicitud de audiencia por escrito y programar una hora y lugar para una audiencia. Si la solicitud escrita de audiencia no contiene la información necesaria se ha indicado anteriormente, el Coordinador de la Sección 504 informará al reclamante de la información específica necesaria para completar la solicitud. Todos los plazos y procesos se quedaron hasta la solicitud de audiencia contiene la información necesaria se ha señalado anteriormente.

3. Mediación: El sistema escolar puede ofrecer la mediación para resolver los problemas detallados por el agraviado en su Solicitud de audiencia. La mediación es voluntaria y tanto el agraviado y el sistema escolar debe estar de acuerdo en participar. El agraviado fin a la mediación en cualquier momento. Si la mediación ha terminado sin ningún acuerdo, el sistema escolar seguirá los procedimientos para la realización de una audiencia imparcial y sin unaadicional solicitudde audición.

4. Procedimientos de audiencias:

- a. El Coordinador de la Sección 504 obtendrá un funcionario imparcial revisión que llevará a cabo una audiencia dentro de los 45 días naturales desde la recepción de la solicitud del agraviado de audiencia a menos acordó de otra manera por el agraviado o una continuación es otorgada por el oficial de revisión imparcial.
- b. Tras una justificación suficiente por el agraviado o el sistema escolar, el funcionario de revisión imparcial, a su discreción, podrá conceder un aplazamiento y fijar una nueva fecha de audiencia. La solicitud de aplazamiento debe ser por escrito y con copia a la otra parte.
- c. El agraviado tendrá la oportunidad de examinar los registros educativos del niño antes de la audiencia.
- d. El agraviado tendrá la oportunidad de ser representado por un abogado en su propia cuenta en la audiencia y participar, hablar, los testigos y la información presente en la audiencia. Si el agraviado va a ser representado por un abogado en la audiencia, él o ella debe informar al Coordinador de la Sección 504 de ese hecho por escrito al menos 10 días naturales antes de la audiencia. La falta de notificación de la Sección 504 Coordinador por escrito de la representación por un abogado constituirá causa suficiente para la continuación de la audiencia.
- e. El agraviado tendrá la carga de proporcionar cualquier reclamación que él o ella puede hacer valer. Cuando lo exijan las circunstancias o la ley, el oficial de audiencia imparcial podrá exigir al receptor para defender su posición / decisión con respecto a las reclamaciones (es decir, un receptor se coloca a un estudiante con discapacidad en el entorno educativo regular operado por el receptor a menos que se demuestra por el

destinatario que la educación de la persona en el entorno de regular con el uso de ayudas y servicios suplementarios no puede lograrse satisfactoriamente. 34 CFR. 104.34). Uno o más representantes del sistema escolar, que puede ser un abogado, asistirán a la audiencia para presentar las pruebas y los testigos, responder al testimonio agraviado y responder a las preguntas planteadas por el oficial de revisión.

- f. El oficial de revisión imparcial no tendrá el poder de citar testigos, y las estrictas reglas de evidencia no se aplicará a las audiencias. El oficial de revisión imparcial deberá tener la autoridad para emitir instrucciones anteriores a la audiencia, que puede incluir las partes que requieren para el intercambio de documentos y los nombres de los testigos estén presentes.
- g. El funcionario imparcial de revisión establecerá el peso que se dará ninguna prueba sobre la base de su fiabilidad y valor probatorio.
- h. La audiencia será cerrada al público.
- i. Los temas de la audiencia se limitarán a los planteados en la solicitud escrita u oral para la audiencia.
- j. Los testigos serán interrogados directamente por la parte que les llama. Se permitirá el interrogatorio de los testigos. El oficial de revisión imparcial, a su discreción, puede permitir un nuevo examen de testigos o hacer preguntas a los testigos.
- k. El testimonio será registrado por la información judicial o grabación de audio a expensas del destinatario. Toda la documentación relacionada con la audiencia será retenido por el destinatario.
- l. A menos que sea requerido por la ley, el oficial de revisión imparcial sustenta la acción del sistema escolar a menos que el demandante pueda probar que la preponderancia de la evidencia apoya su reclamo.
- m. Si el demandante que aparezca en una audiencia programada a menos que se presentó la notificación previa de ausencia y aprobado por el oficial de revisión imparcial o causa justa se muestra constituirá una renuncia del derecho a una presentación personal ante el funcionario de revisión imparcial.

5. Decisión: El oficial de revisión imparcial deberá emitir una determinación por escrito dentro de los 20 días naturales siguientes a la fecha de la audiencia concluyó. La determinación del oficial de revisión imparcial no incluirá ninguna compensación monetaria o la adjudicación de honorarios de cualquier abogado.

6. Revisión: Si no está satisfecho con la decisión del oficial de revisión imparcial, cualquier parte puede recurrir a cualquier derecho de revisión, apelación, la causa de acción o reclamación a su disposición en virtud de la ley o las reglas o reglamentos estatales o federales existentes.

***Turner County Forms
to Ensure State &
Federal Guidelines are
met for 504***

- ***Meeting notice***
- ***Evaluation Documentation***

Turner County Public Schools
Parent Notice of 504 Meeting

Eligibility Evaluation/Development of Plan Re-evaluation Consideration

Annual Review Other _____

Date: _____ Student: _____

School: _____ Grade: _____

Dear Parent/Guardian,

We are planning a Section 504 Conference to discuss your child's educational program. The meeting will include a discussion of your child's records, any evaluative data collected, classroom performance and eligibility for disability-related accommodations. If accommodations are indicated, an Accommodation Plan will be developed and/or revised. We request that you attend this meeting to assist us with the discussion and program recommendations.

We expect school staff members who know and work with your child will attend the meeting. You have the right to bring others to the meeting. If there are particular school personnel you wish to have present, please let me know so arrangements can be made, if possible.

The meeting is scheduled for:

Date: _____ Time: _____

Location: _____

If you would like more information prior to this meeting, or if you would like an alternate date, feel free to contact me. Please note that as a parent of a student who is or may be eligible for disability related accommodations, you have specific rights, which are outlined in the enclosed Student and Parent Rights Under Section 504 notice. We look forward to meeting with you.

Sincerely,

504 Coordinator

Enclosed: Student and Parent Rights Under Section 504 and Procedural Safeguards

Turner County Public Schools

Section 504 Eligibility Review

Evaluation Data Reviewed by Team:

Check all that Apply	Summary of Results/Information
<input type="checkbox"/> Medical Information Form Completed by: Date:	
<input type="checkbox"/> Psychological Evaluation Completed by: Date:	
<input type="checkbox"/> Other independent evaluations: Specify:	
<input type="checkbox"/> Medical Records	

<input type="checkbox"/> Behavior Rating Scales	
<input type="checkbox"/> Grades (current and previous school year)	
<input type="checkbox"/> Test Results (School and State)	
<input type="checkbox"/> Intervention Data (RTI)	

<input type="checkbox"/> Discipline Data	
<input type="checkbox"/> Attendance	
<input type="checkbox"/> Observations	
<input type="checkbox"/> Work Samples	
<input type="checkbox"/> Teacher Input	

<input type="checkbox"/> Parent Input	
<input type="checkbox"/> Previous eligibility reports or plans (504 or SPED)	

Turner County Public Schools
Medical Information Form

Student: _____ Date of Birth: _____

Parent/Guardian: _____ School: _____

MEDICAL INFORMATION (to be completed by a licensed physician or school psychologist)

Diagnosis: _____

Prognosis: _____

Medication and Dosage: _____

IMPLICATIONS FOR INSTRUCTION (to be completed by a licensed physician or clinical psychologist)

Please indicate how the medical causes reduce efficiency in the student's school participation/performance in the following area: (include other areas as needed)

Attendance: _____

Attention: _____

Please indicate if the medical condition is expected to decrease performance in any of the following skills related to attention:

Starting, staying on and completing tasks:

- Making transitions between tasks:
- Interacting with others:
- Following directions:
- Producing work consistently:
- Organizing multi-step tasks:

Physical function/ambulation:

Daily living activities:

Academic limitations:

School participation:

Communication abilities:

Other areas:

DATE OF LAST EXAMINATION

SURGERY IF APPLICABLE:

TYPE _____ DATE _____ RESULT

TYPE _____ DATE _____ RESULT

TYPE _____ DATE _____ RESULT

PLEASE ATTACH COPY OF APPROPRIATE MEDICAL RECORDS (If Appropriate).

PHYSICIAN'S OR PSYCHOLOGIST'S NAME (PLEASE PRINT):

PHYSICIAN'S OR PSYCHOLOGIST'S SIGNATURE

DATE

ADDRESS:

PHYSICIAN'S OR PSYCHOLOGIST'S TELEPHONE:

Turner County Public Schools
Parent Planning Notes for Section 504

Date _____

Student Name: _____ School _____

Grade _____

Parent/Guardian _____ Relationship to Student _____

Enclosed is an invitation for your participation in a meeting on your child regarding Section 504. Your participation in the Section 504 meeting is very important for your child and your child's teachers.

Please respond to the questions below and return these notes to _____ prior to the Section 504 meeting if time allows. You may also choose to bring the notes with you to the meeting.

What are your child's strengths?

What are your greatest concerns regarding your child's progress in any of the following areas:

Academic Progress:

Social/Emotional Adjustment (ability to cope, get along with others):

Turner County Public Schools
Section 504 Teacher Input Form #1

Date Completed _____

Student Name: _____ Teacher: _____

School: _____

Grade _____

: _____

Yes No 1. Has the student demonstrated a consistent need for substantially more time to complete in-school assignments than is required by nondisabled students? (if yes, please explain in terms of additional time needed, subject matter and types of assignments)

Yes No 2. Are modified assignments required? (if yes, explain in terms of type of modification required, subject matter and (types of assignments)

Yes No 3. Is modified testing consistently necessary for the student to be able to demonstrate knowledge? (if yes, explain in terms of subject matter, types of assignments and necessary modifications)

Yes No 4. Does the student exhibit frequent behaviors such as drowsiness, impulsivity, inattentiveness or aggressiveness, directly associated with an identified physical or mental impairment and do these behaviors significantly interfere with school performance? (if yes, explain in terms of time of day, frequency, duration - include observation data)

Yes No 5. Does the student exhibit significant difficulty with planning, organization and completion of school-related activities and assignments? (If yes, describe)

Yes No 6. Is the student chronically absent or tardy for reasons related to a diagnosed physical or mental impairment, and are these absences or tardies interfering with school performance? (If yes, explain)

Yes No 7. Are you aware of any health problems that might impact the student in the classroom? (If yes, explain)

8. Additional areas of concern?

9. Student strengths:

Turner County Public Schools
Section 504 Teacher Input Form #2 _____
STUDENT PRODUCTIVITY SCALE

Student Name _____ Grade _____ Date _____

Teacher _____ School _____ Subject _____

Behavior	Almost Always	Frequently	Sometimes	Hardly Ever
Contributes to discussions				
Follows directions w/o prompting				
Keeps pace with lecture/project				
Is able to focus on instructions and classroom activities				
Brings required supplies				
Turns in class/home work				
Work is legible				
Prepares for tests				
Compares to average student in overall productivity				

Overall Academic Performance

(Check One)

Excellent Satisfactory Unsatisfactory Failing

Behavior	Almost Always	Frequently	Sometimes	Hardly Ever
Is disruptive				
Repeatedly breaks school rules				
Rejected/ignored by peers				
Exhibits impulsive behaviors				
Receives poor citizenship grades				

Overall Social/Behavioral Functioning Performance

(Check One) Excellent Satisfactory Unsatisfactory Failing

Turner County Public Schools

Section 504

Eligibility Analysis:

Based on the analysis of evaluation data, does the student have a mental or physical impairment?

Yes (continue with eligibility) No (student is not 504-eligible)

What is the physical or mental impairment?

Is the student using any mitigating measures or other modifications to reduce or control the effect of the impairment? _____ Yes _____ No

List/describe the mitigating measure(s):

Based on an analysis of the evaluation data, **without the use of mitigating measure(s)**, does the student have a disability that substantially limits a major life activity or major bodily function?

Yes: the student is Section 504 eligible **No:** the student is not eligible

If Yes:

What major life activities or bodily functions are substantially limited?

Physical	Cognitive/Learning/ Communication	Multiple/Activities of Daily Living	Bodily Functions
<input type="checkbox"/> Bending <input type="checkbox"/> Hearing <input type="checkbox"/> Lifting <input type="checkbox"/> Seeing <input type="checkbox"/> Standing <input type="checkbox"/> Walking <input type="checkbox"/> <hr/>	<input type="checkbox"/> Communicating <input type="checkbox"/> Concentrating <input type="checkbox"/> Learning <input type="checkbox"/> Reading <input type="checkbox"/> Speaking <input type="checkbox"/> Thinking <input type="checkbox"/> <hr/>	<input type="checkbox"/> Caring for oneself <input type="checkbox"/> Eating <input type="checkbox"/> Performing manual tasks <input type="checkbox"/> Sleeping <input type="checkbox"/> Working <input type="checkbox"/> <hr/>	<input type="checkbox"/> Bowel and bladder functioning <input type="checkbox"/> Breathing/respiratory system <input type="checkbox"/> Circulatory system <input type="checkbox"/> Digestive system <input type="checkbox"/> Endocrine system <input type="checkbox"/> Immune system <input type="checkbox"/> Neurological and brain functioning <input type="checkbox"/> Normal cell growth <input type="checkbox"/> Reproductive system <input type="checkbox"/> <hr/>

Describe limitations:

Based on an analysis of evaluation data, does the eligible student require a 504 Plan?

Initial Eligibility Determination

Based on an analysis of the evaluation data, does the student have a disability that **substantially** limits a major life activity?

Yes, the student is Section 504 eligible but does not require a Section 504 Plan because of the corrective effects of mitigating measures or the impairment is in remission. The Section 504 Committee will be reconvened at least annually, or more frequently if requested by school personnel or parents, to review the need for a Plan.

Yes, the student is Section 504 eligible and requires a Section 504 Plan in order for his/her educational needs to be met as adequately as those of nondisabled peers.

No, the student is not eligible

The next annual review date is: _____ • Students will be re-evaluated every three years.

Note: Section 504 does not guarantee equal outcome but provides equal opportunity, so that if appropriate effort is applied, a student will benefit the same as nondisabled peers.

If you disagree with the Section 504 Committee's decision, please contact the System 504 Coordinator, Sonya Mizell at (229) 567-4377.

Signatures:

Date:

School Section 504 Chairperson

Gen Ed Teacher

Parent

Student

Nurse

Administrator

Other: _____

Other: _____

Turner County Public Schools
Section 504 Behavior Intervention Plan

(Complete this form only if Behavior Intervention Plan is needed)

Student _____ Date of Birth _____
School _____ Grade _____

The behavior intervention outlined below will begin for the above student as of (date): _____

Behavior(s) of the student that are targeted for intervention:

Types of appropriate behavioral interventions for the student:

- Set clearly defined limits
- Seat student near teacher
- Use predetermined signaling device to cue student that a specified behavior is desired
- Supervision during unstructured time
- Reduce distracted stimuli
- Use praise to reinforce appropriate behaviors
- Assign peers to work with student
- Give frequent reminder of rules
- Use journal of daily or weekly behaviors
- Prompt student to go to a quiet area in class where noise and activity are not allowed
- Provide student with a consistent routine (daily or weekly schedule of events)
- Other intervention(s) Specify: _____

Should a behavioral contract with the student be provided? YES NO

If so, specify below the type of behavior expected and the type of reinforcement to be used:

Should a system of rewards/affirmations for desired behaviors and consequences for opposite behaviors be provided? YES NO

Desired Behavior	Rewards/Affirmations for Desired Behavior	Consequences for Undesirable Behavior	Personnel Responsible
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Specify the form of communication to be used to advise parent(s)/guardian(s) of progress or lack of progress made:

- Daily Tracking Form
 Weekly Tracking Form
 Emails
 Phone Calls
 Parent Conference

I am in agreement with the Behavior Intervention Plan specified above.

Date	Signature	Position
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Turner County Public Schools
Section 504 Reevaluation Committee Meeting

Date: _____

Student Information:

Student's Name _____ **Grade** _____

School _____

Committee Members Present:

NAME	TITLE	SIGNATURE

Parent Notified of Meeting (Documentation in File)

Parent provided copy of 504 Rights and Procedural Safeguards

Parents did not attend the meeting.

504 reevaluation committee decision, rights and procedural safeguards sent to the parent.

Date Sent: _____ **By:** _____

The 504 Committee has reviewed the following information:

- | | |
|--|--|
| <input type="checkbox"/> Previous eligibility reports or plans (504 or SPED)
<input type="checkbox"/> Grades (current and previous school year)
<input type="checkbox"/> Test Results
<input type="checkbox"/> Work Samples
<input type="checkbox"/> Discipline data | <input type="checkbox"/> Attendance
<input type="checkbox"/> Medical Information
<input type="checkbox"/> Intervention data
<input type="checkbox"/> Other: _____ |
|--|--|

Teacher input (Summarize):

Parent Input (Summarize):

Based on this review, the team has determined that:

No additional information is needed to determine eligibility. The student continues to be eligible under 504.

No additional information is needed to determine the need for an accommodation plan. The student will continue to have a Section 504 Individual Accommodation Plan.

More information needed to:

- Determine if the student continues to have a disability?
- Determine if the student still needs a 504 accommodation plan?
- Determine the present levels of performance and educational needs of the student?

If more information is needed to determine eligibility and/or educational needs of the student, then Notice/Consent for Evaluation Under Section 504 must be obtained and meeting concluded until further information is collected. Students remains eligible and plan is continued during the course of the evaluation.

Turner County Public Schools
Authorization to Release Confidential Information

Student _____ DOB _____

School _____ Date _____

I hereby authorize (Name of Doctor, Medical Institution, etc.)

to release the records listed below on my child, _____
to:

Attention: System 504 Coordinator/Sped Director

Turner County Schools
423 N. Cleveland Street
Ashburn, GA 31714

Phone: 229-567-3338
Fax: 229-567-9243
Email: sonya.mizell@turner.k12.ga.us

It is understood that the party to whom this information is released will not release it to a third party. These records are needed for the following reasons:

Educational program planning

Records to be released:

- | | |
|--|--|
| <input type="checkbox"/> All information listed | <input type="checkbox"/> IEP |
| <input type="checkbox"/> Student Support Team Information | <input type="checkbox"/> 504 Eligibility and Accommodation Plan |
| <input type="checkbox"/> Vision/Hearing Report | <input type="checkbox"/> Placement Committee Minutes |
| <input type="checkbox"/> Educational Screening Dates and Results | <input type="checkbox"/> Program Eligibility Report |
| <input type="checkbox"/> Psychological Evaluation | <input type="checkbox"/> Complete Individualized Health Plan (IHP) |
| <input type="checkbox"/> Medical Evaluation | <input type="checkbox"/> Other |

I understand and agree to the above statement.

Parent _____

Date

Appendix

Allowable Plan Accommodations for Students with Disabilities

Setting Accommodation	GMAS EOG Paper	GMAS EOG Online	GMAS EOC Paper	GMAS EOC Online	GKIDS	ACCESS	NAEP
1. Special Education Classroom	S	S	S	S	S	*	S
2. Special or adapted lighting	S	S	S	S	S	*	S
3. Small group	S	S	S	S	S	*	S
4. Preferential seating	S	S	S	S	S	*	S
5. Sound field adaptations	S	S	S	S	S	*	S
6. Adaptive furniture (e.g. slant board)	S	S	S	S	S	*	S
7. Individual or study carrel	S	S	S	S	S	*	S
8. Individual administration	S	S	S	S	S	*	S
9. Test administered by certified educator familiar to student	S	S	S	S	S	*	S
Presentation Accommodation	GMAS EOG Paper	GMAS EOG Online	GMAS EOC Paper	GMAS EOC Online	GKIDS	ACCESS	NAEP

10. Large print/Large Font	S	S	S	S	S	S	S
11. Sign the directions	S	S	S	S	S	S	S
12. Sign test questions	S	S	S	S	S		S
13. Sign English Language Arts (ELA) passages	C1	C1	C1	C1	C1		
14. Oral reading of test questions in English	S11	S11	S11	S11		S3	S
15. Oral reading of English Language Arts (ELA) passages in English	C1	C1	C1	C1		S3	
16. Explain or paraphrase the directions for clarity (in English only)	S	S	S	S	S	*	
17. Braille	S		S		S		S
18. Color overlays, templates, or place markers	S	S	S	S	S	S2	S

Response Accommodations	GMAS EOG Paper	GMAS EOG Online	GMAS EOC Paper	GMAS EOC Online	GKIDS	ACCESS	NAEP
19. Use of highlighter by student						S2	S
20. Low vision aids (e.g. CCTV, magnifying equipment)	S	S	S	S	S	S2	S
21. Repetition of directions (in English only)	S	S	S	S	S	*	
22. Audio amplification devices or noise buffer/listening devices	S	S	S	S	S	S2	S
23. Use directions that have been marked by teacher						S	
24. Technology applications, such as a Braille, word processor or other communications device with grammar and spell checks disabled; Internet disabled for device	S	S	S	S	S	S	S
25. Student marks answers in test booklet	S		S			S12	
26. Student points to answers	S	S	S	S	S	S12	S
27. Verbal response in	S	S	S	S	S	S4	S

English only							
28. Scribe	S6	S6	S6	S6	S6	S6,7	S8
29. Braille writer	S		S		S		S
30. Abacus	S9		S9				
31. Basic function calculator or adapted basic calculator (e.g. Baille or talking calculator)	C1	C1					S5
32. Adapted Writing tools (e.g. pencil grips, large diameter pencil)	S	S	S	S	S	S2	S
33. Adapted/lined paper	S	S	S	S			
Scheduling Accommodations	GMAS EOG Paper	GMAS EOG Online	GMAS EOC Paper	GMAS EOC Online	GKIDS	ACCESS	NAEP
34. Frequent monitored breaks	S	S	S	S	S	*	S
35. Optimal time of day for testing	S	S	S	S	S	S	S
36. Extended time	S	S	S	S	S	S	S
37. Flexibility in the order of administration for content areas	S	S	S	S		S13	
38. Extending sessions over multiple days						S10	

- For ACCESS for ELLs, these are considered test administration procedures allowable for all ELs.

Footnotes
1 Restricted to eligible students only; see guidance for eligibility. For oral reading, screen reader is the preferred method of administration (except Signing of ELA Passages). Where a human reader delivers the accommodations, examiners must adhere to directions provided in the Read Aloud Guidelines.
2. If prescribed as an accommodation, allowable for all ACCESS domains. Allowable as an accessibility tool for all students.
3. Allowed for ACCESS Writing, Listening and Speaking only.
4. Allowed for ACCESS Listening, Reading, Speaking; not allowed for ACCESS Writing.
5. Only NAEP calculator active blocks will be given to students who need this accommodation.
6. Use of a scribe is allowable if guidelines are followed exactly.
7. Use of a scribe is not allowed for ACCESS Speaking.
8. Accommodation is not allowed on NAEP Writing assessments.
9. Allowed for students with visual impairments only
10. Paper-Pencil Mode: Allowed for ACCESS Listening and Reading; not allowed for ACCESS Writing and Speaking. Not allowed for any domain via online testing mode. 11. Screen reader is the preferred method of administration. Where a human reader delivers the accommodation, examiners must adhere to directions provided in the posted Read-Aloud Guidelines.
12. Paper-Pencil Mode: Allowed for ACCESS Listening, Reading and Writing; not allowed for ACCESS Speaking. Online Mode is not recommended for students requiring this accommodation.
13. Listening and Reading must be administered prior to Speaking and Writing.

Eligibility Guidelines: Reading of English Language Arts (ELA) Passages.

Guidance for Use of Conditional Accommodation 13: Sign ELA passages.

The use of this conditional accommodation for the English Language Arts Georgia Milestones, *regardless of grade level*, must be restricted to only those students with IEPs who meet **ALL** eligibility criteria outlined below:

1. The student is deaf and has a specific documented disability that severely limits or prevents his or her ability to decode text at any level of difficulty, even after varied and repeated attempts to teach the student to do so; **and**
2. The student has access to printed materials only through a sign-language interpreter or is provided with signed text or other electronic format during routine instruction; **and**

3. There are clear and specific goals within the student's IEP addressing the deficits which necessitate the need for this conditional accommodation.

Under secure conditions, supervised by the School or System Test Coordinator, the sign interpreter may review test materials prior to the test administration to plan appropriate signing.

Guidance for Use of Conditional Accommodation 15: Oral Reading of English Language Arts (ELA) passages.

The use of this conditional accommodation for the English Language Arts Georgia Milestones, *regardless of grade level*, must be restricted to only those students with IEPs who meet **ALL** eligibility criteria outlined below:

1. The student has a specific documented disability that severely limits or prevents his or her ability to decode text at any level of difficulty, even after varied and repeated attempts to teach the student to do so (i.e., the student is a non-reader, not simply reading below grade level); **and**
2. The student has access to printed materials only through a reader or other electronic format during routine instruction; **and**
3. There are clear and specific goals within the student's IEP addressing the deficits which necessitate the need for this conditional accommodation.

NOTE: The preferred method of administration for this conditional accommodation is the screen reader. Where a human reader delivers the accommodation, examiners must adhere to directions provided in the posted Read Aloud Guidelines.

Eligibility Guidelines: Calculator Usage

Guidance for Use of Conditional Accommodations 31: Basic function calculator or adapted basic calculator.

The use of this conditional accommodation for the Mathematics Georgia Milestones for students in **grades 3- 5** must be restricted to only those students with IEPs who meet **ALL** eligibility criteria outlined below:

1. The student has a specific disability that prohibits him or her from performing basic calculations (i.e., addition, subtraction, multiplication and division), even after varied and repeated attempts to teach the student to do so; **and**
2. The student is unable to perform calculations without the use of a calculation device, which the student uses for routine classroom instruction; **and**
3. There are clear and specific goals with the student's IEP addressing the deficits which necessitate the need for this conditional accommodation.

NOTE: Only a basic function or basic adapted calculator may be used; scientific and other advanced calculators are strictly prohibited. The test administrator may not provide any assistance or direction to the student regarding the use of the calculator.

Allowable Accommodations for English Learners

Setting Accommodations	GMAS EOG Paper	GMAS EOG Online	GMAS EOC Paper	GMAS EOC Online	GKIDS	NAEP
1. ESOL classroom	S	S	S	S	S	S
2. Small group	S	S	S	S	S	S
3. Preferential seating	S	S	S	S	S	S
4. Individual or study carrel	S	S	S	S	S	S
5. Individual administration	S	S	S	S	S	S
Presentation Accommodations	GMAS EOG Paper	GMAS EOG Online	GMAS EOC Paper	GMAS EOC Online	GKIDS	NAEP
6. Explain or paraphrase the directions for clarity (in English only)	S	S	S	S	S	
7. Oral reading of test questions in English only	S5	S5	S5	S5		S
8. Oral reading of English Language (ELA) passages in English only	C1	C1	C1	C1		
9. Repetition of directions (in English only)	S	S	S	S	S	
Response Accommodations	GMAS EOG Paper	GMAS EOG Online	GMAS EOC Paper	GMAS EOC Online	GKIDS	NAEP
10. Students marks answers in test booklet	S		S			
11. Verbal response in English only to Scribe	S2	S2	S2	S2	S2	S2
12. Word-to-Word Dictionary	S3	S3	S3	S3	S3	S3
Scheduling Accommodations	GMAS EOG	GMAS EOG	GMAS EOC	GMAS EOC	GKIDS	NAEP

	Paper	Online	Paper	Online		
13. Frequent monitored breaks	S	S	S	S	S	S
14. Extended time	S	S	S	S	S	S

Footnotes
1 Restricted to eligible EL students only; see guidance for eligibility. For oral reading, screen reader is the preferred method of administration. Where a human reader delivers the accommodation, examiners must adhere to directions provided in the Read-Aloud Guidelines. May not be used with EL-M students.
2. Use of a scribe is allowable only if guidelines are followed exactly.
3. Only words may be translated; definitions are not permitted.
4. Accommodation is not allowed on NAEP Writing Assessment.
5. Screen reader is the preferred method of administration. Where a human reader delivers the accommodation, examiners must adhere to directions provided in the posted Read-Aloud Guidelines.

Eligibility Guidelines: Reading of ELA Passages

Guidance for Use of Conditional Accommodations 8: Reading of English Language Arts (ELA) passages

The use of this conditional accommodation for the English Language Arts Georgia Milestones, *regardless of age level*, must be restricted to only those EL students who meet **ALL** eligibility criteria outlined below:

1. The student’s English proficiency scores and performance in the classroom indicate that the student cannot access, retain or comprehend text without the assistance of a reader (i.e., the student is unable to access English text due to their language proficiency, not simply reading below grade level); **and**
2. The student is not poised to exit language services within the current school year; **and**
3. There are clear and specific goals within the student’s educational plan addressing the deficits which necessitate the need for this conditional accommodation

NOTE: The preferred method of administration for the conditional accommodation is the screen reader. Where a human reader delivers the accommodation, examiners must adhere to directions provided in the posted Read-Aloud Guidelines.

