



Superintendent's Circular

School Year 2010-2011

NUMBER:

SPE-21

DATE:

September 1, 2010

SECTION 504 ELIGIBILITY GUIDELINES AND PROCEDURES

General Information

The Boston Public Schools is committed to a policy of nondiscrimination against qualified persons with disabilities, in accordance with Section 504 of the Rehabilitation Act of 1973, as amended and the Americans with Disabilities Act of 1990 (ADA). The purpose of this memorandum is to provide specific details of this policy and to outline Boston Public Schools guidelines and procedures to assess and address the individual needs of qualified students with disabilities. This procedure is not meant to address students' entitlement to extended school day and extended school year programs.

Section 504 of the Rehabilitation Act (1973) is a federal civil rights law that protects the rights of individuals with disabilities in programs and activities that receive federal financial assistance. The purpose of Section 504 is to ensure that no individual is excluded from participation in, or denied the benefits of, or denied access to, any program or activity based solely on their disability, regardless of whether or not the program is a direct recipient of federal funds. This includes access for students with disabilities to district before-school, after-school or summer programs. A provision for extended school day and/or school year services in an Individualized Educational Plan(IEP) is not a requirement for participation in any of these programs.

All students who have been identified as eligible for special education services under IDEA/Chapter 766 are also protected by Section 504. However, there are certain students who may not be eligible for services or programs under IDEA, but who still may be determined as having a disability within the definition of Section 504. These students must be afforded, by law, a Free Appropriate Public Education, (FAPE) and services within the regular education setting. This is a regular education responsibility. Section 504 accommodations are appropriate for those students when a particular impairment "substantially limits major life activities such as walking, hearing, speaking, breathing, learning, working, caring for oneself, and performing tasks." (Please note the added emphasis on the words major and substantial, which determine eligibility.) If eligibility is determined, a free and appropriate public education (FAPE) must be provided. The provision of a free and appropriate education is defined as the provision of services within regular education settings as well as special education and related aids and services.

This means that modifications and related services that enable a student with a disability to participate fully in the regular school program must be provided. If school staff has reason to believe that because of a disability as defined under Section 504, a student needs either special accommodations or related services in order to participate in the regular school program, the school must evaluate the student. A group of persons knowledgeable about the student must interpret the meaning of the evaluation and other data, and must document all information considered in order to develop an Accommodation Plan. The school must then implement that plan.

Given the issues cited above, it is anticipated the Free and Appropriate Public Education, (FAPE) necessary for students deemed appropriate will be funded within your regular school budgets, using staff already assigned to your school. Since these are students already being served in your schools, it is expected that the Section 504 decisions made by your school will be able to be implemented at your school. If, on rare occasions, extenuating circumstances may exist, a formal appeal with clear documentation will need to be made to the Chief Operating Officer and the Chief Financial Officer indicating the reasons why such accommodations cannot be made within the already existing allocation made to your school. These two individuals will consult with the necessary parties including, but not

limited to the Senior Officer for Equity, the Senior Director of Special Education and Related Services, and the Director of Medical Services to review the reasons as to why such accommodations can not be made within the current school budget and staffing.

Eligibility

A student is eligible for services under Section 504 when s/he:

1. has a physical or mental impairment
 - (a) 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; genito-urinary; hemic and lymphatic; skin and endocrine or
 - (b) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities
2. has a record of such an impairment
a history of, or has been classified as having, a mental or physical impairment that substantially limits one or more major life activities
3. is regarded as having an impairment
 - (a) has a physical or mental impairment that does not substantially limit major life activities but is treated by a recipient as constituting such as a limitation,
 - (b) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment or
 - (c) has none of the impairments defined but is treated by a recipient as having such an impairment

Major Life activities are identified in Section 504 as: "walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, and performing tasks." Although not exhaustive, examples of the range and variety of disabilities included under Section 504 are provided below.

Non-ambulatory Disabilities	Physical impairments, regardless of cause, that require an individual to use a wheelchair. In this category are individuals who are paraplegic, quadriplegic, hemiplegic, or who have had a limb or limbs amputated, etc.
Semi-ambulatory Disabilities	Physical impairments that cause a person to walk with difficulty, perhaps with the assistance of crutches, walkers or braces
Coordination Disabilities	Impairments of muscle control of the limbs, resulting in faulty coordination
Sight Disabilities	Impairments affecting vision totally or partially
Hearing Disabilities	Impairments affecting hearing totally or partially
Speech Impairments	Impairments affecting totally or partially the ability to communicate orally
Mental and Emotional Disabilities	Impairments affecting such as attention deficit disorder or depression

Regulatory Requirements

Section 504 regulations require that all students with disabilities be provided:

- a free and appropriate public education (FAPE), including individually-designed programs
- equal access to programs and services, including non-academic and extra-curricular activities
- notice to parents or guardians with respect to Section 504 procedures
- determination of Section 504 eligibility, done by a group of persons knowledgeable about the student and the results of information gathering or evaluation conducted
- evaluation data based on a variety of sources
- development of a 504 Plan, if deemed appropriate
- periodic reevaluation of the effectiveness of the 504 Plan
- due process/grievance procedures available to parents/guardians

Boston Public Schools does not discriminate in admission to, access to, treatment in, or employment in its services, programs, and activities, on the basis of race, color, or national origin, in accordance with Title VI of the Civil Rights Act of 1964 (Title VI); on the basis of sex, in accordance with Title IX of the Education Amendments of 1972; on the basis of disability, in accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA); or on the basis of age, in accordance with the Age Discrimination Act of 1975 (Superintendent's Circular, Equity, No. 4).

To file a complaint alleging discrimination or harassment by Boston Public Schools on the basis of race, color, national origin, sex, disability, or age, or to make an inquiry concerning the application of Title VI, Title IX, Section 504, the ADA, the Age Discrimination Act, and their respective implementing regulations, please refer to the Uniform Procedures for Student Grievances of Discrimination (Superintendent's Circular, Equity, No. 3). Also see attachment # 1 to this document for Section 504 Student Grievance Procedures.

The United States Department of Education, Office for Civil Rights is responsible for investigating complaints, monitoring compliance and conducting compliance reviews to ensure that local school systems are following the regulations and requirements cited above. Inquiries regarding the applicability of Title VI, Title IX, Section 504, the Americans with Disabilities Act, the Age Discrimination Act, and their respective implementing regulations to Boston Public Schools may be directed to:

U.S. Department of Education
Office for Civil Rights (OCR)
33 Arch Street
Suite 900
Boston, Massachusetts, 02110
(617) 289-0111, TTY 1-877-521-2172

Section 504 Procedures and Person(s) Responsible

All Headmasters, Principals and other Administrative Heads are responsible for ensuring that students with disabilities within their jurisdiction have educational opportunities and benefits equal to those provided to students without disabilities.

School-Based Evaluation Team Facilitators/Department Heads will coordinate the 504 evaluation process by following the procedures outlined below:

1. Initial Intervention

- Students experiencing educational difficulties should be referred to the Student Support Team prior to a referral for a 504 evaluation.
- Students with medical concerns/issues, including medical transportation, should be immediately referred to the school nurse for follow-up and investigation. This may include the development and implementation of an Individual Health Plan. (Specific protocols are in place for requests for medical transportation).
- All Boston Public School policies and procedures regarding issues of confidentiality must be followed.
- Student Support Team members can make suggestions regarding classroom interventions for students having educational difficulties; provide assistance to teachers; identify school based resources and programs; and/or make referrals to appropriate community agencies.

2. 504 Referral

- School-based ETFs can accept completed Section 504 Referral Forms from parents, guardians and/or school personnel (including teachers, counselors, nurses and other professional staff).
- Headmasters/Principals must be made aware of all 504 Referrals.

3. Notification

- Parents must be sent written notice of referral and copies of information regarding Section 504 and Parent/Student Rights upon receipt of the 504 referral (see attachments).

4. Written Consent

- Section 504 does not require written consent for evaluation or implementation of 504 Plans, however, it is considered best practice to obtain written consent whenever possible. Every attempt will be made to keep parents informed of their rights and their involvement in the process.

5. Evaluation

- The School-Based Evaluation Team Facilitator will plan the evaluation process and gather information about the student from a variety of sources. The evaluation process includes the gathering of information and may include assessments conducted by designated individuals.
- Assessors will be selected based on their knowledge and expertise in the area of the referring disability.
- School nurses will gather all medical information relevant to the evaluation process.

6. 504 Evaluation Team

- A 504 evaluation team meeting must be held to review the information and/or the evaluation (assessment) findings and to determine if the student's disability meets the criteria for 504 eligibility.
- Parents/Guardians must be sent written notice of the meeting and an invitation to attend.
- The evaluation team should be comprised of persons knowledgeable about the student and able to understand and interpret evaluation (assessment) data. The School-Based Evaluation Team Facilitator chairs the 504 evaluation meeting.

Recommended members for the team include but are not limited to teachers, parents/guardians, nurses, guidance advisors, and/or related service providers.

- If the student meets the criteria for 504 eligibility, the evaluation team determines the services and accommodations needed by the student based on the disability and evaluation data.
- The team also determines how the student will participate in state and district wide testing. The Massachusetts Department of Education has developed an Addendum to the IEP to be used for all Section 504 Plans developed after 1998. The Addendum is designed to guide teams through the process of determining participation in the curriculum and state mandated testing (see attachment).
- If the student does not meet the criteria for 504 eligibility, notice and information regarding Section 504 Eligibility must be sent to the parent/guardian with a copy of the 504 Grievance Procedures (see attachments).

7. 504 Plan

- The evaluation team develops a 504 Plan. (see attachment) The accommodations/modifications must be: a) specific and b) related to an educational need.

8. Implementation

- The School-Based Evaluation Team Facilitator sends a notice of determination of eligibility, a copy of the due process/grievance procedures and a copy of the 504 Plan, if one has been developed, to the child's parent or guardian (see attachments).
- The Headmaster/Principal and all of the student's teachers and other related personnel must receive a copy of the 504 Plan.

9. Periodic Review

- A review of the 504 Plan will be conducted on an annual basis, unless the parent or other team members determines a need to review it sooner or more frequently. Reevaluations should be completed every three years or when a significant change in placement or services is being considered.
- Parents and/or teachers may request a meeting at any time to modify or update the plan. If there are changes to the plan, all teachers and providers responsible for implementation must be notified of any changes to the plan.
- A log of all Section 504 Plans must be kept in the school in a secure location. A copy of the log will be forwarded to the Special Education and Related Services Office on a monthly basis.

For more information about this circular, contact:

Name:	John Verre
Department:	Office of Special Education and Student Services
Mailing Address:	26 Court Street, Boston. MA 02108
Phone:	617-635-8234
Fax:	617-635-9326
E-mail:	jverre@boston.k12.ma.us

Carol R. Johnson, Superintendent

- Attachments:
- Boston Public Schools 504 Grievance Procedure for Student Complaints
 - Section 504 Referral Form
 - Notice of Referral for Section 504 Evaluation
 - Information Regarding Section 504 of the Rehabilitation Act of 1973 and the Family Education Rights and Privacy Act
 - Parent/Student Rights (Section 504 of the Rehabilitation Act of 1973)
 - Invitation to Attend Section 504 Evaluation Team Meeting
 - Notice of Determination of Eligibility
 - Section 504 Plan
 - Notice of No Finding of Eligibility for Section 504
 - Addendum to the IEP/504 Plan

BOSTON PUBLIC SCHOOLS

SECTION 504 – GRIEVANCE PROCEDURE FOR STUDENT COMPLAINTS

According to the Uniform Procedures for Student Grievances of Discrimination, (Superintendent's Circular, Equity, No. 3) before initiating the formal procedure, the individual should, if possible, resolve any complaint regarding an alleged discriminatory practice on an informal basis. The individual will present the complaint to the appropriate department or school administrator who has the authority to resolve the complaint and who shall attempt, within his/her authority, to work with the individual to resolve the complaint fairly and expeditiously before formal grievance procedures are initiated.

GENERAL POLICIES

- a. No reprisals shall be invoked against anyone for processing a grievance or participating in any way in the grievance procedure.
- b. Whenever possible, conferences should be scheduled during mutually convenient times for those expected to attend.
- c. The filing of a complaint shall not be construed as reflecting unfavorably on a student's good standing.

A 504 grievance shall mean a complaint by a parent/guardian and/or student in the elementary or secondary schools operated by the Boston Public Schools in which there is an allegation that educational discrimination on the basis of disability has occurred.

FORMAL GRIEVANCE PROCEDURES

- a. A written complaint shall be forwarded by the parent/guardian/student to the Headmaster/Principal. The complainant shall fully state the facts of the alleged violation and specify the remedy that is being sought. The Headmaster/Principal may request the assistance of the Department Head/Evaluation Team Facilitator to address the complaint. The Headmaster/Principal will review the facts and issue a written response to the complainant within seven (7) school days.
- b. If the complainant is not satisfied with the decision of the Headmaster/Principal, the complainant can appeal the decision to the Section 504 Grievance Committee. The membership of this committee shall be determined by the Superintendent. This committee will review the evaluation data and all previous findings as part of their investigation. The Grievance Committee will issue written findings within ten (10) school days.
- c. If the complainant is not satisfied with the findings of the Grievance Committee, they may request a hearing with a designee of the Superintendent who will set a hearing date. A decision will be rendered within ten (10) school days of the hearing.

In the event the complainant feels the decision of the Superintendent is not satisfactory, the complainant may file directly with the Office for Civil Rights.

U.S. Department of Education
Office for Civil Rights (OCR)
33 Arch Street
Suite 900
Boston, Massachusetts, 02110
(617) 289-0111, TTY 1-877-521-2172

A complainant may file a grievance with the Office for Civil Rights:

1. within 180 calendar days of alleged discrimination or harassment, or
2. within 60 calendar days of receiving notice of Boston Public School's final disposition on a complaint filed through Boston Public Schools, or
3. within 60 calendar days of receiving a final decision by the Massachusetts Department of Elementary and Secondary Education, or
4. instead of filing a complaint with Boston Public Schools.

BOSTON PUBLIC SCHOOLS

SECTION 504 - REFERRAL FORM

1. Referral From: _____ Role/Relation to Student: _____
Student: _____ Date of Referral: _____
Address: _____
D.O.B.: _____ Sex: _____ Race: _____
School: _____ Grade: _____ Home Room: _____
Parent: _____
Telephone: (H) _____ (W): _____

2. Reason for Referral

3. Strategies/Interventions to Date (attach copies of documentation)

Signature: _____ Date: _____

Completed Referral Form Received by:

Principal: _____ Date: _____

School-Based Evaluation Team Facilitator: _____ Date: _____

BOSTON PUBLIC SCHOOLS

NOTICE OF REFERRAL FOR SECTION 504 EVALUATION

Student Name: _____ Student #: _____

Date: _____ School: _____

Dear Parent/Guardian,

Please review the enclosed materials regarding Section 504 of the Rehabilitation Act of 1973. Your son/daughter may have a disability as defined by these regulations and has been referred for a 504 evaluation. _____, the
ETF Name
Evaluation Team Facilitator at the _____, will
School Name
coordinate the evaluation process.

Your participation in this process is extremely important. Please indicate your consent for this evaluation by checking the appropriate box below and returning this signed notice to the school. If we do not receive this signed notice within seven (7) school days, we will proceed with the evaluation process. You will receive an invitation to attend a 504 team meeting to discuss the evaluation findings and to determine eligibility for 504 services and accommodations. If you have any questions regarding this referral, please contact _____ at _____.

_____ I want the 504 Evaluation to proceed.
ETF Name Telephone #

_____ I do not want the 504 Evaluation to proceed and need additional information.

Parent/Guardian Signature: _____ Date: _____

Enclosures: Information Regarding Section 504
Parent/Student Rights
504 Due Process/Grievance Procedures

BOSTON PUBLIC SCHOOLS

**INFORMATION REGARDING SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THE
FAMILY EDUCATION RIGHTS AND PRIVACY ACT**

Section 504 is an Act which prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. The Act defines a person with a disability as anyone who:

1. has a mental or physical impairment which substantially limits one or more life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working); or
2. has a record of such an impairment; or
3. is regarded as having such an impairment.

In order to fulfill its obligation under Section 504, the Boston Public School district recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability will knowingly be permitted in any of the programs, services, activities and practices in the school system.

The school district has specific responsibilities under the Act, which include the responsibility to identify, evaluate and if the child is determined to be eligible under Section 504, to afford access to appropriate educational programs, services and activities.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to an impartial due process hearing before the Massachusetts Department of Elementary and Secondary Education, Bureau of Special Education Appeals.

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records. This act gives the parent or guardian the right to: 1) inspect and review his/her child's educational records; 2) make copies of these records; 3) receive a list of all individuals having access to those records; 4) ask for an explanation of any item in the records; 5) ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; and 6) a hearing on the issue if the school refuses to make the amendment.

If there are questions, please feel free to contact _____,

504 coordinator for the school, at _____.

BOSTON PUBLIC SCHOOLS

PARENT/STUDENT RIGHTS
(Section 504 of the Rehabilitation Act of 1973)

The following is a description of the rights granted by federal law to students found to be eligible under Section 504 of the Rehabilitation Act. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to:

1. Have your child take part in, and receive benefits from public education programs without discrimination because of his/her disability;
2. Have the school district advise you of your rights under federal law;
3. Receive notice with respect to identification, evaluation, or placement of your child;
4. Have your child receive a free appropriate public education. This includes the right to be educated with students without disabilities to the maximum extent appropriate. It also includes the right to have the school district make accommodations to allow your child an equal opportunity to participate in school and school-related activities;
5. Have your child educated in facilities and receive services comparable to those provided students without disabilities;
6. Have your child receive regular and special education and related aids and services;
7. Have evaluation, educational and eligibility decisions made based upon a variety of information sources, and by persons who know the student, the meaning of the evaluation data, and placement options;
8. Have your child be given an equal opportunity to participate in non-academic and extra-curricular activities offered by the district;
9. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program and placement;
10. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records;
11. A response from the school district to reasonable requests for explanations and interpretations of your child's records;
12. Request amendment of your child's educational records if there is cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time, and advise you of the right to a hearing;

Attachment 5

(2 of 2)

13. Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. You and the student may take part in the hearing and have an attorney represent you. Initial complaints or questions should be directed to the Principal/Headmaster or his/her designee.
14. Ask for payment of reasonable attorney fees if you are successful on your claim;
15. File a local grievance through the 504 Grievance Procedure or a complaint with the United States Department of Education, Office for Civil Rights.
16. Request a complaint investigation, mediation, or an impartial due process hearing from the Massachusetts Department of Elementary and Secondary Education.

The school personnel who are responsible for assuring compliance with Section 504 and coordinating the evaluation process are:

Principal/Headmaster: _____

School-Based Evaluation Team Facilitator: _____

They can be reached at _____

BOSTON PUBLIC SCHOOLS

INVITATION TO ATTEND SECTION 504 EVALUATION TEAM MEETING

Student Name: _____ Student#: _____

Date: _____ School: _____

Dear Parent/Guardian,

You are invited to attend a 504 Evaluation Team meeting for your son/daughter

_____. This meeting is scheduled for _____,
Student's Name Day

_____ at _____. The purpose of this meeting is to review the
Date Time

Information gathered, the evaluation findings and to determine eligibility for 504 services
and/or accommodations.

The following assessors will be present at this meeting:

<u>Name</u>	<u>Role</u>
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

If you are unable to attend this meeting or would like the meeting rescheduled, please contact

_____ at _____.
ETF Name School Telephone #

Headmaster/Principal

School Name

BOSTON PUBLIC SCHOOLS

NOTICE OF DETERMINATION OF ELIGIBILITY

Student Name: _____ Student#: _____

Date: _____ School: _____

Dear Parent / Guardian,

Your son/daughter has been determined eligible for services and/or accommodations under Section 504 of the Rehabilitation Act of 1973. A 504 Evaluation Team met on _____ Day _____ Date to review the information gathered and evaluation findings. The team has determined the services and accommodations needed by your son/daughter based on his/her disability and the evaluation data.

Please read the attached 504 Plan carefully. This plan describes the specific services and accommodations which have been recommended by the team. If you have any questions regarding this plan, or need additional information, please contact

_____ at _____.
ETF Name School Telephone #

Please sign the bottom portion of this notice, detach, and return this portion in the enclosed self-addressed envelope. Unless we hear from you within seven (7) days, this plan will be distributed to all of his/her teachers and those individuals necessary for implementation.

I have received and reviewed the attached 504 Plan for my son/daughter

Student's Name

Parent/Guardian Signature _____ Date _____

Enclosure: 504 Due Process / Grievance Procedures

BOSTON PUBLIC SCHOOLS

SECTION 504 PLAN

Student Name: _____ Student #: _____

Date of Birth: _____ Grade: _____ Present School: _____

Date of Meeting: _____ Review/Reassessment Date: _____

Participants:

Print Name and Title

Signature

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

1. Specify the mental or physical impairment:

2. Describe the basis for the determination of impairment (Indicate a variety of sources of evaluation information):

3. Check the major life activity:

_____ seeing _____ hearing _____ walking
_____ learning _____ other

SECTION 504 PLAN

4. Describe how the impairment substantially affects a major life activity: *Focus on the major life activity as a whole (e.g. learning: not in a particular class (e.g. math) or sub area (e.g. socialization)

5. Medication:

Name of Physician: _____ Phone: _____

Medication(s): _____

Schedule: _____

Monitoring of medication(s): _____ Daily _____ Weekly _____ as needed basis

Administered by: _____

SECTION 504 PLAN

SECTION 504 EVALUATION SUMMARY AND EDUCATION PLAN

Student Name: _____

Student # _____

SUMMARY OF EVALUATION DATA

(Information from a variety of sources, including, as relevant, teacher evaluations, medical records and specialist assessments.)

PROCEDURAL SAFEGUARDS

- Yes No Parent sent "Information Regarding Section 504" and copy of Parent/Student's rights before meeting.

- Yes No Parent sent "Invitation to Attend 504 Meeting" on ____/____/____ .

- Yes No Student of age 17 years, parent and student notified of rights that will transfer to student at age 18 years of age.

- Yes No Student at age 18 years, given notice of above procedural safeguards.

DESCRIBE THE ACCOMODATIONS THAT ARE NECESSARY:

A. Learning Environment:

B. Lesson Presentations:

SECTION 504 PLAN

C. Assignments/Test Taking:

D. Related Services:

E. Special Considerations:

Comments:

Facilitator's Signature: _____ Telephone Number: _____

Headmaster/Principal Signature: _____

School Name: _____

Parent/Guardian Signature: _____ Date: _____

Enclosure: Parent/Student Rights (Section 504 of the Rehabilitation Act of 1973)

xc: Assistant Program Director
Student Support Coordinator
Guidance Counselor
Special Education Department Head/ETF

BOSTON PUBLIC SCHOOLS

NOTICE OF NO FINDING OF ELIGIBILITY FOR SECTION 504

Student Name: _____ Student #: _____

School: _____

Date: _____

Dear Parent/Guardian,

It has been determined by a 504 Evaluation Team which met on
_____, _____, that your son/daughter is not eligible for services
Day Date

and/or recommendations under Section 504 of the Rehabilitation Act of 1973.

You have the right to request an explanation for this decision and/or to file a grievance through the 504 Grievance Procedure; file a complaint with the United States Department of Education, Office for Civil Rights; or request assistance from the Massachusetts Department of Elementary and Secondary Education (see attachment).

We are committed to working with you and may be able to identify other instructional strategies to meet the educational needs of your son/daughter. If you would like to discuss these findings, please contact _____ at
ETF Name

School Telephone #

Headmaster/Principal

School Name

Enclosure: 504 Grievance Procedures

BOSTON PUBLIC SCHOOLS

ADDENDUM TO THE IEP/504 PLAN

INSERT THIS ADDENDUM TO THE IEP INTO THE STATE MANDATED IEP FORM. THE ADDENDUM SHOULD BE IN PART B: THE STUDENT SECTION. INSERT AFTER THE PAGE CONTAINING THE STUDENT PERFORMANCE PROFILE & THE STUDENT INSTRUCTIONAL PROFILE AND BEFORE THE PAGE CONTAINING THE GOALS AND OBJECTIVES.

Student Name: _____ Student #: _____

Meeting Date: _____ Meeting#: _____

THE ADDENDUM INCLUDES THESE COMPONENTS:

- DESCRIPTION OF STUDENT'S PARTICIPATION IN THE GENERAL CURRICULUM AND STATE AND DISTRICT-WIDE ASSESSMENTS
- DESCRIPTION OF ACCOMMODATIONS IN SPECIFIC CONTENT AREAS (IF APPLICABLE)
- DESCRIPTION OF PLANNED ALTERNATIVE ASSESSMENT IN SPECIFIC CONTENT AREAS (IF APPLICABLE)
- OTHER ELEMENTS OF THE IEP AS REQUIRED UNDER IDEA-97

FILL OUT THE TABLE BELOW REFLECTING UPON ANY STATE OR DISTRICT-WIDE ASSESSMENT TO BE ADMINISTERED DURING THE TIME SPAN COVERED BY THIS IEP. FOR EACH CONTENT AREA, IDENTIFY THE STUDENT'S **ASSESSMENT PARTICIPATION STATUS** BY PUTTING AN "X" IN THE CORRESPONDING BOX FOR COLUMN 1, 2A OR 2B. PUT "NTS" (NO TESTING SCHEDULED) IN THE SAME COLUMN BOX IF NO STATE OR DISTRICT-WIDE ASSESSMENT IS SCHEDULED FOR THE STUDENT DURING THE TIME SPAN COVERED BY THIS IEP.

PARTICIPATION IN GENERAL CURRICULUM			
	Student receives neither special education nor instructional accommodations as part of a Section 504 Plan in this content area.	Student receives special education or instructional accommodations as part of a Section 504 Plan in this content area.	
	1. Assessment participation: Student participates in on-demand testing under routine conditions in this content area.	2A. Assessment participation: Student participates in on-demand testing with accommodations in this content area (see #1 on p.2)	2B. Assessment participation: Student participates in alternative assessment in this content area (see #2 on p.2)

