

## **Evaluation Standards and Procedures under Section 504**

The Section 504 coordinator should ensure that the following process has occurred:

### **Referral to the Section 504 Team**

- A referral for a 504 evaluation is accepted from parents, professional staff, students, and/or community agencies. Regardless of whether a parent requests an evaluation, the District is obligated to refer a student who, because of disability, needs or is believed to need special education or related services.
- The Section 504 Team generally consists of the parent(s)/guardian, teacher(s), evaluators, and others. At a minimum, the team *must* include persons knowledgeable about the student, the meaning of the evaluation data, and the placement options.
- The 504 Team reviews any regular education intervention strategies previously used to assist the student. If the student may need special education or related aids and services or modification to regular education because of a possible disability, the Team will proceed with requesting parental consent (see below) and if consent received, an evaluation. This process requires, at a minimum, an initial determination of whether the problem identified at referral, suggests an impairment of a major life activity.
- The Team decides further course of action including whether to conduct an evaluation and if so, what types of evaluation(s) are necessary in order to assist the Team with appropriate planning to provide the student with a free, appropriate public education.

### **Timelines**

- Although the Section 504 Regulations do not specify timelines, Lynn Public Schools will adhere to the timelines outlined in the state special education regulation pertaining to referral through the development of a plan. As such, once a consent form is signed, the school district will have 30 school days to conduct the evaluation(s) and 45 school days to convene the 504 Team to determine eligibility, and if eligible, make placement decisions.

### **Notification and Written Consent**

- The school district notifies the parent(s) or guardian(s), in writing, of the school's reason and intent to conduct an evaluation or refuse the evaluation. The notice should include a description of the evaluation and procedural safeguards.
- The school district requires that the Parent(s) and/or adult student must consent in writing to a Section 504 evaluation that is proposed by the school district.

### **Evaluation Procedures**

- Upon receipt of the parental and/or adult student consent, the school initiates the required evaluations. As with special education evaluations, these evaluations must:

- (a) draw from a variety of sources so the possibility of error is minimized.
  - (b) have been validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer;
  - (b) include those tests or evaluations tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
  - (c) are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).
- The amount of information required is determined by a team comprised of the necessary participants. The team members must decide if they have enough information to make an individualized and knowledgeable decision as to whether or not the student has a disability. The information obtained from all such sources must be documented and all significant factors related to the student's learning process, and access to the school's programs, must be considered.
  - It is the District's obligation to provide, or pay for, the evaluation of a student under Section 504.
  - The school district evaluates a student before making an initial eligibility determination or placement or any subsequent, significant change in the student's placement.
  - It is not appropriate to keep the same Section 504 plan in place indefinitely after a student has been identified. At a minimum, the school district will re-evaluate the student every three years, or more frequently if new information about the student is presented that may raise questions about whether the current plan provides the student with a free appropriate public education or if there are questions about the student's continued eligibility.
  - It is not appropriate to automatically place a student on a Section 504 Plan if that student was found to be ineligible under state and federal special education laws.
  - Section 504 Teams must also consider outside evaluations (i.e. neuropsychological, speech, etc), however a letter from a doctor does not suffice as an evaluation that is sufficient on its own to find a student eligible under Section 504.