

III. KEY TERMS AND DEFINITIONS

504 Team means the group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options who conduct and interpret evaluations and make placement decisions, as required by Section 504 (34 C.F.R. § 104.35(c)).

Disability means, with respect to an individual, any person who has (1) a physical or mental impairment that substantially limits one or more major life activities of such individual; (2) a record of such an impairment; or (3) is regarded as having such an impairment (34 C.F.R. § 104.3(j)(1)). Unless a student has an impairment that substantially limits a major life activity, the fact that a student has a “record of” or is “regarded as” disabled is insufficient, in itself, to trigger those Section 504 protections that

Placement

C. Evaluation and Eligibility

DCPS must conduct an evaluation of any student who, because of a disability, needs or is believed to need accommodations and services, and DCPS must individually evaluate a student before taking any action with respect to initial placement or any subsequent significant changes in placement.¹⁵ See Section IV.E below for additional information on monitoring, review, and reevaluation.

Upon receipt of any referral, the school-based 504 coordinator will secure written consent from the parent/guardian for the 504 evaluation and schedule the 504 eligibility meeting to be held within fifteen (15) school days of the referral date. The school-based 504 coordinator will attempt to invite the parent/guardian to any 504 meeting at least three (3) different times and make reasonable efforts to convene the meeting at a time that is convenient for the parent/guardian. If the parent is unresponsive or declines to participate, the 504 team may proceed to hold the meeting as long as the student's parent/guardian has previously provided written consent for the 504 evaluation and at least one (1) person knowledgeable about the child, the meaning of the evaluation data, and the placement options are present at the meeting.

Prior to the 504 eligibility meeting, the 504 coordinator will collect the available supporting evaluation documentation. The supporting documentation used in the evaluation process must draw upon information from a variety of sources including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior.¹⁶ DCPS may consider grades, attendance, standardized test scores, teacher/staff reports, evaluations, health/medical records, letters/reports from a doctor, or psychoeducational evaluations. The teacher/staff reports may occur in person, via telephone, or via written testimonial. Information from all sources must be documented and considered, although the weight given to each is determined by the

If the 504 team determines that additional supporting evaluation data is needed in order to make an eligibility determination, then the meeting may be postponed for a maximum of twenty (20) school days from the date of the first eligibility meeting.

A child is eligible for a 504 plan if the 504 team determines, based on available data and documentation, that the student has a physical or mental impairment that substantially limits one or more major life activities. For additional information on developing 504 plans, see Section IV.D below.

1. Physical or Mental Impairment

A physical or mental impairment is:

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

Any mental or psyc (is)9.sro,pait pe8.1 (e)-3 (u6 (r ad)2o)-6.6 (s)-1.3 (a5 (o)-6il (iv)5.3 (t)-2.9g)2.6 (.4 (:)-4.7 (n)(h

are any impairments with an expected duration of six (6) months or less.²⁴ However, in some rare instances of severe temporary impairments, a student may be eligible to receive a 504 plan. These determinations shall be made on a case-by-case basis by the 504 team.

parent's/guardian's preferred correspondence language³¹ meets the covered language threshold³² under the DC Language Access Act, the student's 504 plan must be translated into the parent's/guardian's preferred language in a timely manner. For parents/guardians who do not speak one of the covered languages, translation of the 504 plan will be provided upon request, as capacity allows. For more information about language access, please visit <https://dcps.dc.gov/page/language-access-families>.

E. Monitoring, Review, and Reevaluation

As students with 504 plans are general education students, they receive standard DCPS educational monitoring, including progress reports, report cards, district-wide assessments (e.g., PARCC), and parent-teacher conferences. In addition, the 504 team must reconvene annually and as needed in order to review the 504 plan and triennially in order to review the 504 eligibility determination.

1. Annual Review of 504 Plan

The 504 team must reconvene at least annually in order to review the 504 plan and make any necessary revisions. This meeting shall be held no later than one (1) year minus one (1) day from the date of the most recent 504 plan. Annual review meetings may be conducted as early as desired. At the annual review meeting, the 504 team will consider the available documentation about the student in order to determine whether any of the existing accommodations or related services in the student's 504 plan need to be altered or removed and whether any additional accommodations or related services need

3. Student Becomes Eligible for Special Education under IDEA

If a student becomes eligible for special education under IDEA, the student must be exited from 504 placement. Students who are found eligible for special education will receive all necessary accommodations and modifications through an IEP and shall not

Timelines and Documentation: Ensuring all DCPS Section 504 policy timelines are met and all required information is documented in Frontline/Accelify (the DCPS 504 system of record), Aspen (the DCPS student information system of record), and Student Behavior Tracker (SBT) (the DCPS behavior system of record).

3. Central Services Section 504 and Student Accommodations Team

The Central Services Section 504 and Student Accommodations Team supports schools in the development and implementation of 504 plans. This team also monitors compliance and regularly communicates with schools to provide general and targeted supports and ensure that all 504 plans are implemented and updated as needed.

3. The student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of DCPS.⁴¹

V. POLICY IMPLEMENTATION REQUIREMENTS

All DCPS employees are required to comply with the requirements set forth in this policy. Questions or concerns regarding this policy should be directed to the Central Services Section 504 and Student Accommodations Team by emailing 504@k12.dc.gov. Additional Section 504 forms and resources are available at <https://dcps.dc.gov/page/section-504-resources>. For any concerns about or violations of this directive, contact the Chief Integrity Officer by completing the Online Referral Form⁴² or sending an email to dcps.cio@k12.dc.gov.

VI. DISPUTE RESOLUTION AND COMPLAINTS

For any questions or concerns about a 504 plan or the Section 504 process, parents/guardians and