

“Disabled person” means any person who has a physical or mental impairment which substantially limits one or more major life activities, has a record of such an impairment. The term “major life activities” includes several activities, including caring for one’s self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working.

The term “major life activity” includes the operation of a major bodily function, including functions of the immune system, normal cell growth, and digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions.

WHO QUALIFIES UNDER SECTION 504?

Students having the following disabilities may qualify for educational accommodations under Section 504: students afflicted with HIV, hepatitis, kidney disease, asthma, allergies, emotional disorders, drug addiction, accident victims, anorexics, and ADD/ADHD. This list is not exhaustive.

None of the above mentioned diseases or conditions, in and of themselves, qualify a student a student as disabled under Section 504. The conditions must be shown to substantially limit one or more major life activities to qualify the student as disabled under Section 504.

REFERRAL PROCEDURES AND EVALUATION

A parent, teacher, administrator or any other party interested in the student’s education may refer the student to be evaluated to determine the need for accommodations. A referral is made by contacting the school principal. If the student is suspected to have a physical or mental impairment which substantially limits one or more major life activities, he/she is referred for a 504 evaluation.

The evaluation will draw upon information from a variety of sources, which may include, but not be

limited to, aptitude and achievement tests, teacher recommendations, reports on the student’s physical condition, social or cultural background, and adaptive behavior.

The eligibility determination for Section 504 is made by the parents and school staff who are knowledgeable regarding the student, evaluation data and placement options. If the student is found eligible, a 504 plan is written involving teachers, parents and, when appropriate, the student. The school members of the team are responsible for implementing and monitoring the 504 plan for the student. If the team determines that the student does not meet eligibility criteria under Section 504 because the disability does not substantially limit one or more major life activities, no services are developed under a 504 plan.

The team shall conduct a periodic reevaluation of students identified as disabled under Section 504. If the team determines the student continues to qualify under Section 504, a new plan will be developed.

CLASSROOM ACCOMMODATIONS

Accommodations need to take into account both the functional limitations of the student and the alternative methods of performing tasks or activities which would permit a student of varying abilities to participate without jeopardizing learning results.

Examples of accommodations are the following:

- Repeating and simplifying instructions about in class and homework assignments
- Supplementing verbal instructions with visual instructions
- Using behavior management techniques
- Adjusting class schedules
- Modifying test delivery
- Using tape recorders, computer-aided instruction or audio-visual equipment
- Selecting modified textbooks
- Modifying homework assignments

Accommodations must be individualized.

PARENT INFORMATION

SECTION 504

Streetsboro City School District
Mr. R. Michael Daulbaugh, Superintendent
Joseph Petrarca, Director of Student Services
(Compliance Officer)
9000 Kirby Lane
Streetsboro, OH 44241-1725

330-626-4900

SECTION 504

Section 504 of the Rehabilitation Act of 1973 is a civil rights statute which provides that “No otherwise qualified individual with disabilities in the United States shall, solely by reason of his/her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.”

**Streetsboro City Schools
Notice of Parent and Student Rights
Section 504 and the Americans with
Disabilities Act**

You have the right to be informed by the school district of your rights under Section 504 and the ADA.

Your child has the right to an appropriate education designed to meet his or her individual needs as adequately as the needs of nondisabled students are met.

Your child has the right to free educational services except for those fees that are imposed on nondisabled students or their parents.

Your child has a right to facilities, services, and activities that are comparable to those provided nondisabled students.

Your child has a right to an evaluation at no cost to you prior to an initial 504/ADA placement and if eligible under 504/ADA a reevaluation generally every three years, prior to any significant change in placement, or when conditions warrant.

Testing and other evaluation procedures must conform with the requirements of 34 CFR 104.35 including validation, administration, and areas of evaluation. The district shall consider information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition,

social or cultural background and adaptive behavior.

Placement decisions must be made by a group of persons including persons knowledgeable about your child which also includes the parents or guardian, the meaning of the evaluation data, the placement options, and the legal requirements for least restrictive environment, equal opportunity to participate in extra curricular activities and comparable facilities.

If eligible under 504/ADA, your child has a right to periodic reevaluations, generally every three years.

You have the right to notice prior to any action by the district in regard to the identification, evaluation, or placement of your child.

You have the right to examine relevant records.

You have the right to an impartial hearing with respect to the district's actions regarding your child's identification, evaluation, or educational placement, with the opportunity for parental participation in the hearing and representation by an attorney.

If you wish to challenge the actions of the 504 committee in regard to your child's identification, evaluation, or educational placement, you may file a written request for due process with the Superintendent

within 30 calendar days from the time you received written notice of the committee's actions. A hearing will be scheduled before an impartial hearing officer and you will be notified in writing of the date, time, and place for the hearing. Mediation instead of a hearing may occur if mediation is agreed to by the School District and the parent or guardian.

You may discuss any issues informally and on a verbal basis with the District's Compliance Officer, who will review the complaint and attempt a resolution without the necessity of filing a formal complaint. On 504 matters other than your child's identification, evaluation, and placement you have a right to file a complaint with the district's Compliance Officer, who will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution. The address of the Compliance Officer is 9000 Kirby Lane, Streetsboro, OH 44241-1725. The telephone number of the Compliance Officer is 330-626-4900. You also have a right to file a complaint with the U.S. Department of Education, Regional Office for Civil Rights, 600 Superior Avenue East, Suite 750, Cleveland, Ohio 44114-2611.