



# **SECTION 504 PLAN**

## **AND COMPLIANCE PROCEDURES**

**Waukeee Community School District**

560 SE University Avenue

Waukeee, IA 50263

515-987-5161 (phone)

515-987-2701 (fax)

[www.waukeeschools.org](http://www.waukeeschools.org)

The Waukee Community School District does not discriminate on the basis of race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability in its educational programs, activities or employment policies as required by Title VI and VII of the 1964 Civil Rights Act, Title IX of the 1972 Educational Amendments, and Section 504 of the Federal Rehabilitation Act of 1973.

Inquiries regarding compliance with these policies may be directed to the Director of Human Resources, Waukee Community School District, 560 SE University, Waukee, IA 50263; or to the Director of the Iowa Civil Rights Commission, Des Moines, IA; or to the Director of the Region VII Office of Civil Rights, Department of Education, Chicago, Illinois.

The Waukee Community School District complaint procedure in its entirety is located in the Board of Directors' Policy Manual. Procedures for staff are outlined in Board policy 405.5. Procedures for parents, students and community members are referred to in Board policy 502.9 and 1003.3. Copies of the Policy Manual are located in each Principal's office, the Administrative Office, the Waukee Public Library and the District's website, [www.waukeeschools.org](http://www.waukeeschools.org).

**Section 504 Plan and Compliance Procedures  
Program Handbook  
Table of Contents**

What is Section 504?	P. 2 - 4
Determining Eligibility	P. 4
Services/Accommodations Under Section 504 (examples)	P. 4 -5
Roles/Responsibilities Under Section 504	P. 5 - 7
Parent/Student Rights Under Section 504	P. 7 - 9
Waukee Schools' 504 Procedure	P. 9 - 12
Waukee Schools' 504 Grievance Procedure	P. 13 - 14
Additional Resources	P. 15

## **WHAT IS SECTION 504?**

Section 504 is the part of the Rehabilitation Act of 1973 that applies to persons with disabilities. Section 504 is a civil rights act that protects the civil and constitutional rights of persons with disabilities.

### **Mandate**

Section 504 states that no person with a disability can be excluded from or denied benefits of any program receiving federal financial assistance.

Section 504 and special education are two separate services. All school districts should have a Coordinator to answer questions about Section 504.

### **Historical Background**

Section 504 of the Rehabilitation Act of 1973 was implemented by Congress in 1977. For many years school districts perceived its main obligation as ensuring physical access to public buildings (i.e., ramps were installed, curbs were cut, elevators were added to multi-level buildings, restroom stalls were enlarged, etc.). Schools were at the same time committed to compliance with special education regulations now referred to as the Individuals with Disabilities Education Act-Amendments of 1997 or IDEA.

With passage of the Rehabilitation Act of 1973, Congress required that school districts make their programs and activities accessible and usable to all individuals with disabilities. The Americans with Disabilities Act of 1990 and its amendment in 2008 added further clarity to the school's responsibility. No longer can schools consider mitigating measures or define substantial limitation as prohibiting a major life function. The determination of a substantial limitation is made on an individual student basis.

### **How Does Section 504 Define "appropriate education"?**

A free appropriate education (FAPE) is one provided by the public elementary or secondary school which includes general or special education and related aids and services that (1) are designed to meet the individual educational needs of persons with a disability as adequately as the needs of the non-disabled persons are met, and (2) are based upon adherence to evaluation, placement and procedural safeguard requirements.

### **How Does Section 504 Define "disability"?**

Section 504 of the Rehabilitation Act of 1973 protects persons from discrimination based upon their disability status. A person is disabled under the definition of Section 504 if he or she:

- has a mental or physical impairment which substantially limits one or more of such person's major life activities; has a record of such impairments; or is regarded as having such impairment.

**"Major life activities"** includes, but is not limited to: caring for oneself,, performing manual tasks, bending, walking, seeing, hearing, speaking, breathing, learning, eating, sleeping, reading, concentrating, thinking, standing, communicating, lifting, and working. When a condition does not substantially limit a major life activity, the individual does not qualify under Section 504.

An individual does not fall within the definition as someone regarded as having a disability if the physical or mental impairment is transitory (that is, having an actual or expected duration of six months or less) and minor.

## How Does Section 504 Define "substantially limiting"?

Determining if a student is substantially limited by an impairment, in performing a major life activity on an equal basis with non-disabled peers, is a local decision based on the Section 504 Team's collection of data and evidence pertaining to the student.

The Americans with Disabilities Act (ADA) and its 2008 Amendments did not change the "substantially limits" language but it does suggest that while a significant limitation must be present it need not prevent or severely restrict the performance of a major life activity. Another change is that when a district determines limitation they may not consider ameliorative effects of medication or other medical treatments. Contact lenses and ordinary eyeglasses are the only mitigating measures that can be considered to determine whether impairment is substantially limiting. A minor impairment that limits a student, but not substantially so, is not a disability under Section 504.

## What Are Some Differences Between Special Education And Section 504?

	<b>Section 504</b>	<b>Special Education</b>
Type	A Civil Rights Act	An education act
Funding	Local funding	State-federal-local funding
Administration	Section 504 Coordinator	Special Education Director
Provides	Accommodation Services	Specialized instruction Accommodations and Services
Disabilities	Physical or mental impairment	13 federal disabilities
Parents	Should be involved in all team meetings but may proceed if absent	Must be involved in all team meetings
Procedural Safeguards	Notice to parents is required	Parent consent and notice required for initial evaluation & placement
Evaluation and Eligibility	Parental consent for evaluation is necessary before it can be determined if a child is eligible for Section 504.	Disability suspect may precede evaluation. Student must qualify for services.

## Section 504 and Individual Health Plans (IHP)

If a student is eligible under Section 504, the student's health services (described in any health related plan or emergency plan) must be developed under Section 504's regulations for evaluation, placement, and procedural safeguards in addition to the requirements for IHP development. An IHP for a 504-eligible student may not be developed outside of Section 504's requirements.

The IHP should be referenced on the Section 504 plan for a student with both.

## How Are Students With Disabilities Identified?

Section 504 regulations cover a larger group of students with disabilities. The definition of disability under Section 504 includes students who have a physical or mental impairment that substantially limits one or more of life's major activities. The definition of impairment under Section 504 is general. Any physical or mental impairment can qualify students, as long as it substantially limits one or more of their major life activities and requires accommodations or services in the school setting so that a student's needs can be met as adequately as those of his or her peers.

The intent of the Section 504 child find activities and eligibility determination is to identify students who may have a disability that impacts a major life activity during the school day. The law provides no guarantee of achievement or performance, but ensures provision of accommodations and services that will enable the student to have an equal opportunity, and which will be developed in accordance with certain procedural steps and safeguards.

For example, school staff should consider the potential existence of disabilities and possible Section 504 protection for students diagnosed with chronic health conditions, including mental illness.

## Does Section 504 Require Evaluations?

Section 504 requires that a school evaluate "any person who, because of a disability, needs or is believed to need special education or related services." An evaluation is also required prior to any significant change in placement.

## Eligibility

If the school has reason to believe that, because of a disability as defined under Section 504, a student needs accommodations or services in the general education setting in order to participate in the school program, the district must evaluate the student. If it is determined that a student is disabled under Section 504, the district must develop and implement the delivery of all needed services and/or accommodations.

In order to determine eligibility for Section 504 services, a team of people must be involved in the eligibility decision. The team must *collectively*: • know the student, • have expertise in the area of disability, in order to interpret assessment data, and, • be able to commit resources.

It must be understood that a medical condition in and of itself does not qualify a student for an accommodation plan or service; the condition must limit one or more major life activities. A physician's diagnosis does not automatically qualify a student for an accommodation plan or services. The Section 504 team will consider information from outside sources to determine eligibility for Section 504 and possible need for accommodation.

## Services

The determination of what services and/or accommodations are needed must be made by a group of persons knowledgeable about the student. *The parents should be included in the process whenever possible.* This group must review the nature of the disability and how it affects one of life's major functions. The decisions about Section 504 eligibility and services should be documented in the student's file and reviewed periodically.

It is important to keep in mind that some students who have physical or mental conditions that limit their ability to access and participate in the general education program are entitled to rights under Section 504 even though they may not fall into the IDEA categories and may not be covered by the special education law.

## What Does Making Accommodations Mean?

Accommodations are adjustments or adaptations made by the classroom teacher(s) and other school staff to help students to access or benefit from their educational program.

Accommodations need to take into account both the functional limitations of the individual and the alternative methods of performing tasks or activities to participate without jeopardizing outcomes.

- Accommodations must be individualized.
- The individual needs of the person with a disability should be met to the same extent as the needs of persons without disabilities.
- Adaptations can be made to school and/or classroom programs.
- Accommodations should provide the student with a disability an equal opportunity to participate.

The following is an example of a student who is eligible for Section 504 services and possible accommodations provided by the school.

A student has been diagnosed with asthma. The doctor has advised the student not to participate in physical activity outdoors. The disability limits the major life function of breathing. The school is required to make accommodations in the education program.

Possible Accommodations:

- Allow to self limit activity when experiencing shortness of breath
- Avoidance of allergens.
- Allowed to carry own inhaler.
- Medication administration by trained staff.
- Policy adjustment for personal administration of medications.
- Access to water, gum, etc.
- Curriculum considerations (fumes in science class, activity level in PE, etc.)
- Time of year-Bus transportation in winter.
- Develop individualized health plan (IHP) and emergency plan.

The school would develop a written plan describing placement and services. Placement decisions must be based upon evaluation information and student needs. Placement decisions must be made by a group of persons knowledgeable about the child, the meaning of the evaluation data and about placement options.

### **What Are The School District Responsibilities Under Section 504?**

There has been much confusion over the years regarding the relationship between Section 504 and special education laws and regulations. It must be emphasized that Section 504 falls under the *management responsibility of the general education program*. The school staff and parents need to work in collaboration to help guarantee that the student is provided with the necessary accommodations.

To be in compliance with Section 504, schools must:

1. Provide written assurance of nondiscrimination.
2. Designate a 504 Coordinator to manage the program.
3. Provide grievance procedures to resolve complaints.
4. Provide notice of nondiscrimination in admission or access to its programs or activities. Notice must be included in a student/parent handbook.
5. Annually identify and locate all qualified children with disabilities who are not receiving a public education.
6. Annually notify persons with disabilities and their parents or guardians of the district's responsibilities under Section 504.
7. Provide parents or guardians with procedural safeguards.
8. Conduct a self-evaluation of school district policies, programs and practices to make sure discrimination is not occurring.

### **Director Of Student Services Appointed By The School District As The District Level 504/ADA Coordinator**

- Director of Student Services - Kandi Hensel
  - 515-987-5161 ext 12002
  - khensel@waukeeschools.org
- Recommends to the Superintendent and to the Board of Directors policies and procedures relative to compliance with 504 and ADA.
- Oversees the implementation of a District Compliance Plan and Policy Statement.
- Develops and continually revises consistent procedures to identify and locate students in the District who are disabled according to Section 504 and ADA.

- Develops and disseminates procedural safeguards regarding notice for Section 504 and the Americans with Disabilities Act (ADA).
  - Rights and Options
  - Impartial due process hearing and review
- Coordinates training and personnel development in procedures and practices related to Section 504 and ADA.
- Provides information to the community at large that explains, publicizes and promotes compliance with 504 and ADA.
- Maintains a list of names, addresses and telephone numbers of the District's building level 504/ADA Facilitators.
- Communicates and coordinates with building level 504/ADA Representatives.
- Communicates to principals that it is the responsibility of **ALL STAFF** within a building (teachers, associates, nurse, health associate, playground staff, lunchroom staff, etc) to communicate possible 504 matters to the Building 504 representative.
- Communicates with Superintendent and Board of Directors regarding matters related to 504/ADA.

### Building 504/ADA Representative

- Elementary Level - Building Assistant Principal
- Secondary Level - Building Associate Principal or Assistant Principal
- Coordinates implementation of consistent procedures to identify and locate students in the building who may be disabled according to Section 504 and ADA.
- In cooperation with the District Level 504/ADA Coordinator and administrators, continually monitors and provides for the reduction of architectural barriers at the building level for individuals with disabilities and informs the building administrators.
- Facilitates and/or attends 504 Accommodation Plan meetings at the request of the Building Assistance Team, building administrator and/or the parent.
- Oversees (or assigns a designee that oversees) the development and implementation of a written plan that delineates the accommodations and services required by the 504/ADA eligible student. Holds yearly 504 Accommodation Plan meetings for each eligible student.
- Maintains confidentiality regarding case specific activities/actions.
- Informs all parties of the District's procedures related to the grievance process (parent/student due process rights).
- Engages the support and ongoing communication with staff involved in implementation of 504 Accommodation Plans.
- Oversees that appropriate procedures are implemented at the building level to meet compliance requirements for the collection and storage of 504/ADA data.
- Records include:
  - Referrals
  - 504 Accommodation Plans
  - Progress Monitoring records
  - Documentation of parent notification and involvement
  - Relevant academic, behavioral and health/medical records.
- Provides documentation/communication and/or acts as liaison to parents on the status and effectiveness of the plan and encourages their participation.
- Monitors the 504/ADA eligible student's progress and response to the accommodation plan.
- Oversees the transition of the student from one building to the next within the district.
- Oversees the reassessment, review and re-evaluation at least annually of each 504/ADA eligible student.
- Communicates quarterly with the building administrator.
- Helps provide access of this data to appropriate school personnel.

### Building Staff

- Implements the Section 504 Accommodation Plan with individual students

- Participates as appropriate with the Building 504/ADA Facilitator for the purpose of developing a written individual 504 Accommodation Plan.
- Consults with District and AEA support personnel as needed when their respective expertise is essential in developing the 504 Accommodation Plan.
- Maintains confidentiality regarding case specific activities/actions.

## Student Records

Student and patient records are confidential. School districts and health providers must obtain a written release from parents (guardians) before sharing information.

Releases must be **very specific** in requesting only what is actually related to diagnosis or might contribute to a better understanding of the student's needs in the school setting. All personally identifiable information about students is confidential, except information designated by the District as directory information in its student records policy, and protected by federal law. In order for school districts to release information from student records, parental consent or a subpoena is generally necessary. Health professionals wanting information from school records should ask the parents to release that information. A copy of the release should then be forwarded to the school district.

## Procedural Safeguards

In complying with Section 504, it is important to remember that parents and students have specific rights, and the school district must be careful not to deprive parents or students of those rights or infringe upon those rights.

- The parents have a right to be notified in writing of any decisions made by the school district concerning the identification, evaluations or educational placement of students pursuant to Section 504. While parental consent is not mentioned in Section 504, it is preferable to seek parental support for the evaluation of the student as well as for implementation of the accommodation plan.
- The parents have a right to examine, copy, and request amendments to the student's educational records.
- The parents have a right to an impartial hearing regarding school district decisions. However, parents are encouraged to first attempt to resolve any disputes or conflicts utilizing the Resolution Facilitation process. This statewide mediation process is available through each of Iowa's AEAs. The person acting as the mediator is called the Resolution Facilitator. Parents and guardians can request a Resolution Facilitator from the local AEA or from a non-local AEA. The AEA reserves discretion in providing a Resolution Facilitator.
- The parents have a right to further review the impartial hearing officer's decision and a right to file a formal complaint with the Office of Civil Rights.
- Students who have been evaluated and determined to not need special education services under an Individual Education Program (IEP) should be notified of their potential right to related services and aids under Section 504.



## SECTION 504 OF THE REHABILITATION ACT OF 1973

*The following is a description of the rights granted by federal law to students with disabilities. 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 disabling conditions.
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 non-disabled students to the maximum extent appropriate. It also includes the right to have the school district make reasonable 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 to non-disabled students.
6. Have your child receive special education and related services if he/she is found to be eligible under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.
7. Have evaluation, educational and placement decisions based upon a variety of information sources, and by persons who know the student, the evaluation data and placement and accommodation/intervention options.
8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
9. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district.
10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program and placement.
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
12. A response from the school district to reasonable requests for explanations and interpretations of your child's records.
13. Request amendment of your child's educational records if there is reasonable 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.
14. 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. Hearing requests must be made to \_\_\_\_\_.
15. Ask for payment of reasonable attorney fees if you are successful on your claim.
16. File a local grievance (ask Section 504/Equity coordinator for various options.).

## Discipline

Students who are eligible for Section 504 accommodations and services, as well as services under the IDEA, are disciplined consistent with the IDEA.

The administrator needs to determine whether the student committed the infraction of which the student is accused. The determination of whether the student committed the infraction is not the jurisdiction of the 504 Team.

A disabled student may not be suspended for more than ten days without a manifestation determination. The student's 504 team must make the determination of the relationship between the misconduct and the disability. If the team determines the behavior was not caused by the disability, the student may be disciplined in the same manner as students who do not qualify under Section 504. The student's team may modify the current educational placement when the misconduct is directly caused by the disability. If appropriate, an alternative educational placement may be considered.

Section 504 students who participate in extracurricular activities who violate the district's Good Conduct/Code of Conduct policy are not entitled to the manifestation determination process. The same disciplinary measures should apply to Section 504 students that are applied to non-disabled students.

It is important to note that the Office for Civil Rights advises that Section 504 allows schools to take disciplinary action against students with disabilities using drugs or alcohol to the same extent as students without disabilities.

## Extracurricular Activities

A school district that offers extracurricular activities and sports must do so to allow students with disabilities an equal opportunity for participation. This means districts must make reasonable modifications and provide accommodations that are necessary to ensure an equal opportunity to participate, unless the school district can show that doing so would be a fundamental alteration to its program. A school district may adopt safety standards needed to implement its extracurricular athletic program or activity. A school district, however, must consider whether safe participation by any particular student with a disability can be assured through reasonable modifications or the provision of accommodations.

## **WAUKEE SCHOOLS' 504 PROCEDURE:**

- I. Notice: The district's plan is available for review on the district's website.
- II. Uniform procedures: The following steps will be followed by all schools in the WCSD as we implement 504 Procedures.
  - A. Required
    1. Below are the required forms and resources which must be used when evaluating and serving a student with Section 504.
      - a) Section 504 Notification Letter to Parents/Parental Consent
      - b) Section 504 Eligibility Determination
      - c) Section 504 Student Accommodation Plan
      - d) A Guide to Section 504 of the Rehabilitation Act of 1973
  - B. Optional
    1. The forms below will be used as relevant to the individual case and situation.
      - a) Section 504 Referral Form
      - b) Section 504 Teacher Input Form
      - c) Section 504 Parent Interview Form
      - d) Section 504 Student Interview Form
      - e) Authorization for Release of Health and/or Educational Information
      - f) Section 504 Health Review Information Form
      - g) Support for Accommodation Request (SAR) Form

- C. **Once consent is signed, contact will be made with the student's parents/guardian inviting them to attend the Initial 504 Meeting after the evaluation is complete.** *A 504 Parent Guide is included with the communication.* The Section 504 Evaluation should be completed within 60 calendar days from the date consent was signed. The length of the evaluation will depend on the information needed by the team and the length of time it takes to obtain the information.
- D. **At the 504 Meeting a "Section 504 Eligibility Determination" Form MUST be completed and a copy must be retained as a part of the students' 504 File.** This Eligibility Determination form is the teams' guide to determining if a 504 Plan should be written.
- E. **At the 504 meeting three potential decisions (or combinations of the three) can be made, based upon the documentation and information presented:**
  - 1. The student does not qualify for any special services or accommodations.
  - 2. The student qualifies for a Section 504 Plan. A plan, including appropriate accommodations, will be written and implemented.
  - 3. The student is eligible for 504 protections. At this time the student is not in need of a 504 plan. The building staff will continue to monitor minimally every three years.
  - 4. The 504 team determines there is a need to proceed with the disability suspect process. This process is initiated through a collaborative effort of AEA and LEA staff.
- E. **A review of each student's 504 Plan will be conducted at least annually.** Reviews *may* occur more often at the discretion of staff and parents. At the 504 review meeting, four potential decisions may be made, based upon the documentation and information presented:
  - 1. The 504 team may continue the 504 Plan as written if the team determines the student still qualifies for a Plan and the student is realizing success with the current plan.
  - 2. The 504 team may, based upon changes in the student's circumstances or in the school environment (change in buildings or classrooms), determine that the 504 Plan must be modified. Modifications will be made by writing a new Plan. (Appendix P. 27.)
  - 3. The team may determine that specialized instruction is needed and proceed to a disability suspect meeting and evaluation for special education.
  - 4. The 504 team may determine that the student no longer qualifies for a 504 Plan. In this case, a "Termination of 504 Status" form will be completed and this form will become a part of the student's 504 file.
- F. **It is imperative that there is continuity of services for students with 504 Plans as they move on to a new grade level and/or a new attendance center/building. To ensure this smooth transition, the building 504 Representative must be sure that information is passed along to appropriate staff.**

### III. Evaluation Procedures/Determining 504 Eligibility:

- A. When interpreting evaluation data and making 504 decisions, the following is required:
  - 1. Information from a variety of sources will be used. The Building Level 504 Team will compile relevant information about the student and may include school history, the student's individual needs, reports from physicians, observations from parents, teachers, school personnel, results of standardized tests, etc.
  - 2. All information considered must be documented on the Section 504 Eligibility Determination Form and all documented information must be considered, including information supplied by the parent from outside sources.
  - 3. Eligibility: The eligibility decision will be made by a group of persons including those who are knowledgeable about the child, the meaning of evaluation data and placement options.

### IV. Outcome of 504 Meeting

- A. Once the meeting has ended and the team has determined that a child is eligible, parents will be given a final copy of the 504 Plan. A Section 504 file will be created and include signed parental consent For the evaluation, the Section 504 Eligibility Determination document, the Section 504 Plan, and any supporting documents used to make the eligibility decision.
- B. Once the student has been evaluated and determined to be ineligible for a Section 504 accommodation plan, the parents will be notified in writing of this decision.

- V. Graduation Procedures: For students who have an active Section 504 accommodation plan during high school and plan to attend a junior or 4 year college, the plan facilitator will partner with the student to complete the Student Accommodation Request form.
- VI. Grievance Procedure: An internal grievance procedure to resolve complaints/grievances regarding Section 504 Plan processes or placements is available. The Waukee Community School District has established the following complaint/grievance procedures for the Section 504 Plan processes or placements.

LEVEL ONE:

Within ten (10) working days from the occurrence of the circumstance giving rise to the complaint, the grievant will complete the appropriate section of the Grievance Form and meet with the Building 504 Representative to attempt to resolve the complaint at the building level. The Building 504 Representative will have ten (10) working days to respond to the grievant in writing.

LEVEL TWO:

If the complaint is not satisfactorily resolved at the building level, the grievant may file a written grievance with the Director of Student Services appointed by the district as the District Level 504 Coordinator. This shall be done within ten (10) working days. The Director of Student Services will have ten (10) working days to respond to the grievant in writing.

LEVEL THREE:

If the complaint is not satisfactorily resolved at Level II, the grievant may file a written request with the Superintendent for grievance mediation. This shall be done within ten (10) working days of the Director of Student Service's response. The Superintendent shall arrange for an impartial mediator within ten (10) working days of receiving the request.

1. The grievant may, at personal expense, be represented by counsel at mediation.
2. The mediation recommendations must be based solely on the evidence presented at the mediation conference and shall include a summary of the evidence and reasons for the recommendations.
3. The mediator can be any impartial person that is mutually acceptable to the grievant and the Superintendent.

LEVEL FOUR:

If the complaint is not satisfactorily resolved through mediation, the grievant may file a written request with the Superintendent for a hearing with an impartial hearing officer. This shall be done within ten (10) working days of the end of mediation. The Superintendent shall arrange for an impartial hearing officer within (10) working days of receiving the request. The hearing officer shall make a recommendation in writing within ten (10) working days after the hearing.

1. The grievant may, at personal expense, be represented by counsel at the hearing.
2. The hearing officer's recommendations must be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the recommendations.
3. The hearing officer can be any impartial person that is mutually agreed upon by the grievant and the Superintendent. It is recommended that the person have a legal background and knowledge of educational issues.

LEVEL FIVE:

An external grievance procedure is always available. At no time shall the internal grievance procedure prevent a grievant from contacting the

Director of the Iowa Civil Rights Commission  
Grimes State Office Building  
400 E 14th Street

Des Moines, IA 50319  
Phone 1.800.457.4416

or

Director of the Region VII Office of Civil Rights  
Department of Education, Citigroup Center  
500 W. Madison Street, Suite 1475  
Chicago, IL 60661-7204  
Telephone: (312) 730-1560  
Fax: (312) 730-1576  
Email:OCR.Chicago@ed.gov

SECTION 504 GRIEVANCE FORM

**Waukeew Community Schools**

Name of Grievant: \_\_\_\_\_ Student \_\_\_\_\_ School \_\_\_\_\_  
Address \_\_\_\_\_ City \_\_\_\_\_ Phone \_\_\_\_\_

Please write the complaint/grievance (you may attach other documentation if it is necessary for understanding the complaint):

What remedy is requested?

Signed \_\_\_\_\_ Date \_\_\_\_\_

**DO NOT WRITE BELOW THIS LINE**

**FOR OFFICIAL USE**

Date Received \_\_\_\_\_ Signed \_\_\_\_\_

**LEVEL ONE CONFERENCE:** Date: \_\_\_\_\_

Disposition/Outcome: \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

Date Received \_\_\_\_\_ Signed \_\_\_\_\_

**LEVEL TWO CONFERENCE:** Date: \_\_\_\_\_

Disposition/Outcome: \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

Date Received \_\_\_\_\_ Signed \_\_\_\_\_

**LEVEL THREE MEDIATION:** Date: \_\_\_\_\_

Disposition/Outcome: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

Date Received \_\_\_\_\_ Signed \_\_\_\_\_

**LEVEL FOUR ARBITRATION:** Date: \_\_\_\_\_

Disposition/Outcome: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

## Additional Section 504 Resources

- [Office of Civil Rights \(OCR\) Section 504](#)
- [Questions and Answers on the ADA Amendments Act of 2008 for Students with Disabilities Attending Public Elementary and Secondary Schools](#)
- [Iowa Department of Education - Section 504](#)
- [Parent and Educator Resource Guide to Section 504 in Public Elementary and Secondary Schools](#)