

1028 – 504 Plan Monitoring Procedures

The purpose of this document is to provide information regarding Section 504 plan monitoring procedures.

School Responsibilities

Under Section 504 of the Rehabilitation Act of 1973 ("Section 504"), a student with a disability is entitled to a free appropriate public education ("FAPE"). Each authorized charter school assumes responsibility for the provision of services, development, and implementation of 504 plans for students identified as eligible for disability accommodations.

Section 504 Coordinator

Each school shall designate a Section 504 Coordinator ("Coordinator"). The Coordinator may be the Director of Student Supports, Special Education Supervisor, School Counselor, or other personnel with knowledge of the Section 504 program and how it is unique from the special education program. Every year, the charter school shall notify the Commission of the school's Coordinator by submitting the individual's name and contact information on the master contact list contained within the reporting calendar. The Coordinator will serve as the point of contact for families and students in the school as well as the Commission, and will be responsible for school-level implementation of Section 504 procedures.

Obtaining Student Records

Once a student enrolls in the charter school, the school shall immediately request the student's records from the student's previous school. The school shall then follow the procedures below to obtain documentation and official records for students with Section 504 plans:

- Determine if the child had a Section 504 plan in their previous district.
 - Ask the parent(s)/guardian(s).
 - Check the registration form/records brought by the student/family.
 - Contact the student's last known school/district.
- Contact the school from which the student is transferring to inform them a child with a Section 504 plan is enrolling in your school.
- When the records arrive, the principal must follow the same procedures to review the cumulative record as a general education student. Additionally, the principal must notify the 504 Coordinator that a student with a Section 504 plan has enrolled.



The Coordinator shall request a transfer of the student's Section 504 documentation in TN Pulse by emailing the LEA Exceptional Education Coordinator. Schools shall provide an encrypted email or send a password-protected document containing the student's name, date of birth, prior district, and state ID number.

If documentation is missing from a student's prior school district, the 504 Coordinator shall make reasonable effort to obtain the missing documentation and shall document efforts to obtain the missing documentation in the student's Section 504 folder and in TN Pulse.

Should a student transfer from the authorized charter school, the current school is responsible for sending all documentation to the receiving school.

Maintenance of Student Records

Each authorized charter school shall be responsible for internally auditing student Section 504 records and monitoring for compliance. Please see the 504 Monitoring Checklist at the end of this document for an example form.

At the beginning of each school year, charter schools shall audit existing Section 504 files within the first month of school for all required documentation. Section 504 records, including any evaluation data, shall be kept in a separate Section 504 folder under the control of the Coordinator, as part of the student's cumulative file, or in any other location determined to be appropriate by the district or school. Documentation shall be translated, if necessary. Each school shall also upload student Section 504 records to TN Pulse.

Section 504 Plans

Section 504 plans must document how schools are identifying and addressing the needs of qualified students with disabilities. They must also communicate to school personnel the information needed for successful implementation. Each school is responsible for developing and implementing a Section 504 plan for students with the following qualifications:

- A physical or mental impairment that substantially limits one or more major life activities;
- A record of such impairment; and/or
- Is regarded as having such impairment.

Each school shall maintain the following documentation both on-site and in TN Pulse from a student's current Section 504 Plan:

- Signed Invitation to Section 504 Meeting;
 - Documentation that the meeting invitation was received by a student's parent(s)/guardian(s) at least ten days prior to the meeting date. The ten days,

which must pass before the meeting may be convened, may be waived by the parent (with documentation) after the parent has received notice that the charter school wants to convene a 504 meeting. If a waiver is obtained, the meeting may be held prior to the expiration of the ten (10) days. If parents/guardians choose to waive the ten-day notice, documentation of this waiver must be noted on the invitation letter.

- Documentation of meeting date must be within the past calendar year, as each 504 Plan requires revisions at least annually.
- Notice of Procedural Safeguards;
- Service Plan (if student is eligible); and
 - If a student is identified for a 504 plan, and is determined to be eligible for a plan in order to have his/her needs met as adequately as those of non-disabled students, the following shall be included:
 - The specific accommodations, supports, or services the student will receive;
 - The names of the school professionals or service providers that will provide each service; and
 - The name of the person responsible for ensuring the 504 plan is implemented (i.e. the 504 Coordinator);
- Signed Parental Consent for Services (if student is eligible for a service plan).

Each school shall maintain the following documentation both on-site and in TN Pulse regarding a student's Section 504 evaluation and eligibility:

- Signed Notice & Consent for Section 504 Evaluation Form;
 - Documentation that consent for initial evaluation or re-evaluation was obtained from a student's parent(s)/guardian(s).
- Signed Initial Eligibility Report;
 - The eligibility report shall contain the following:
 - The educational concern;
 - The results of the evaluation;
 - The determination of eligibility; and
 - Needed educational services and/or reasonable accommodations to be made (if any).
- Signed Re-evaluation Eligibility Report (every three years);
 - Every three years, the 504 Coordinator will convene a meeting to:
 - Obtain consent for reevaluation;
 - Determine if the student remains eligible for a Section 504 Plan;



- a. If the student is no longer eligible, the student will no longer have a Section 504 Plan and, within 10 days of the meeting, the 504 Coordinator will provide written notice to the parent that the student no longer meets eligibility criteria for a Section 504 Plan.
- Review the student's Section 504 Plan and determine if the Plan needs to be revised

Additional documentation may be relevant to a student's Section 504 Plan and should be included in the student's cumulative file and uploaded to TN Pulse. This documentation could include, but is not limited to, medical forms, a student's Individualized Health Plan, and a Functional Behavior Assessment and Behavior Intervention Plan.

LEA Responsibilities

504 Monitoring

The Commission shall monitor compliance through an audit of randomly selected student files to ensure schools maintain the proper documentation. The Commission shall utilize the 504 Monitoring Checklist to complete desktop monitoring. If proper documentation is not maintained, the Commission shall notify the appropriate parties utilizing the Missing 504 Documentation Memo. Charter schools shall complete any corrective actions outlined in the memo.

- Desktop monitoring in TN Pulse will occur between one to three times a year as determined by a school's tier of risk outlined in the Commission's Risk Assessment Procedures; and
- On-site monitoring will occur annually at minimum.

The Commission shall maintain documentation of 504 plan monitoring including the date the monitoring occurred, the number of files monitored, and whether a missing documentation memo was sent to the school liaison as a result of the monitoring.

Grievance Procedures

The U.S. Department of Education Office of Civil Rights ("OCR") requires LEAs to adopt a grievance procedure for a student, parent, or employee to file a grievance or invoke due process hearing rights concerning alleged violations of Section 504. Please reference Commission LEA Policy 1802 – Americans with Disabilities Act and Section 504 as well as the Commission's Grievance and Complaint procedures.



Forms and Appendices

The following forms and appendices are included to supplement these procedures:

- 504 Desktop Monitoring Checklist
- Missing 504 Documentation Memo

504 Monitoring Checklist

Demographic Information

Student:	Date of Review:	Monitor:
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Current 504 Plan

Required Documentation	Yes/No
Signed Invitation to 504 Meeting	
Service Plan	
Parental Consent for Services, Including Notice of Procedural Safeguards	

Evaluation

Required Documentation	Yes/No
Signed Notice & Consent for Initial 504 Evaluation	
Signed Initial Eligibility Report	
Signed Notice & Consent for 504 Reevaluation (if applicable)	
Signed Reevaluation Eligibility Report (if applicable)	

Other Documents (if applicable)

Recommended Documentation	Yes/No
Medical Documentation, including Student Health Plan	
Homebound Documentation	
Functional Behavior Assessment (FBA) and Behavior Intervention Plan (BIP)	



Missing or Inappropriate 504 Documentation Memo

To:

From:

Date:

Re: 504 Monitoring – School Abbreviation

Missing or Inappropriate 504 Documentation

This memo is to notify (School Name) of missing or inappropriate documentation in TN Pulse. In accordance with the Commission's 504 Plan Monitoring Procedures, Commission staff completed desktop monitoring of one student's file on MM/DD/YYYY. The findings of the (Annual/Quarter #) desktop monitoring process are outlined below.

Next Steps

Complete the required corrections by the deadlines indicated. If you have questions, please contact the Commission.