



504 DEPARTMENT



2025-2026 504 DEPARTMENT HANDBOOK

LaMont Cole, Superintendent of Schools

The East Baton Rouge Parish School System and all of its entities (including Career and Technical Education Programs) does not discriminate on the basis of age, race, religion, national origin, disability or gender in its educational programs and activities (including employment and application for employment, and it is prohibited from discriminating on the basis of gender by Title IX (20 USC 168) and on the basis of disability by Section 504 (42 USC 794).

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EAST BATON ROUGE PARISH SCHOOL SYSTEM

LaMont Cole
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Tiffany Jenkins
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Section 504 of the Rehabilitation Act of 1973 continues to be a topic of interest for parents and in the East Baton Rouge Parish School System. There have been questions regarding the relationship between the Americans with Disabilities Act of (ADA), Section 504 and the **Individuals with Disabilities Education Act (IDEA)**.

School administrators have asked for guidance on efficient and effective implementation of Section 504 processes that meet the federal requirements. To address these requests, the *EBR Parish School System, Office of Exceptional Student Services, and the 504 Department* have developed this document to assist in the understanding of Section 504 and how this federal law impacts the education of students with disabilities in the East Baton Rouge Parish School System. It is intended to be a resource for school district personnel in complying with the federal and state laws and regulations focusing on the education of students with disabilities in a way that assures a quality education that is in compliance with state and federal laws.

In placing students first in everything we do, all decisions are made in the best interest of every student we serve. It is our mission and belief that all children can and will learn.

Two of the strategic priorities we have put into place in educating our students include:

- Teaching the whole child
- Providing a safe and disciplined learning environment for every student

What Does Section 504 Mean for students in East Baton Rouge Parish School System:

- All of our children are entitled to reasonable accommodations and services so that he/she can participate in and benefit from programs and activities in the general education.
- A child with a disability will not be discriminated against by a public school.

That being said, we, the employees of the East Baton Rouge Parish System will continue to adhere to the **Section 504 of the Rehabilitation Act of 504**.

SCHOOL BOARD MEMBERS

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The East Baton Rouge Parish School System adheres to **Section 504 of the Rehabilitation Act of 1973** and Title II of the Americans with Disabilities Act (ADA) as amended. These major federal legislative acts are designed to protect the civil rights of individuals with disabilities. Their intent is to prevent any form of discrimination based on disabilities. Section 504 Accommodation Plans do not guarantee educational success for students with disabilities; Section 504 Plans guarantees an equal opportunity for educational success. The purpose of this handbook is to provide parents, school personnel and other interested parties with procedures and a summary of specific, practical guidelines for schools to use when working with children who are eligible for protections and services available under *Section 504 and the Americans with Disabilities Act*.

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WHAT IS THE SECTION 504 OF THE REHABILITATION ACT OF 1973?

Section 504 of the Rehabilitation Act of 1973, as amended, is a civil rights law that prohibits discrimination solely on the basis of disability. This law applies to public elementary and secondary schools, among other entities.

DETERMINING ELIGIBILITY

Under Section 504, a person is considered to have a disability if that person (29 U.S.C. Sec. 706 (8):

- (1) has a physical or mental impairment which substantially limits one or more such person's major life activities or bodily functions
- (2) has a record of such impairment, or
- (3) is regarded as having such an impairment

Section 504, with few exceptions, excludes from the definition of a student with a disability, and from Section 504 protection, any student who is currently engaging in the illegal use of drugs when a school district takes action on the basis of such use. Section 504 allows schools to take disciplinary action against students with disabilities using drugs or alcohol to the same extent as students without disabilities.



PHYSICAL OR MENTAL IMPAIRMENT

A physical or mental impairment is defined as follows: (a) 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; genitor-urinary; hemic and lymphatic; skin and endocrine; or

(b) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities

The determination of whether a student has a physical or mental impairment that substantially limits a major life activity must be made on the basis of an individual inquiry. The existence of a physical or mental impairment alone does not mean that the student automatically qualifies as eligible under Section 504 or needs an individualized accommodation plan (IAP).

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MAJOR LIFE ACTIVITIES

Major life activities include functions such as caring for one's self, performing manual tasks, walking, breathing, seeing, hearing, speaking, learning, working, reading, concentrating, thinking, sleeping, eating, lifting, bending, communicating and major bodily functions.

MAJOR BODILY FUNCTIONS

Major bodily functions include the immune system, normal cell growth, digestive, bowel, and bladder functions, respiratory function, circulatory function, endocrine function, reproductive function, brain and neurological function.

Section 504 does not set forth an exhaustive list of specific diseases or categories that may constitute physical or mental impairments. The definition of physical or mental impairment under section 504 is broad, including students with life-threatening health conditions that may pose student health danger during the school day, if medication or treatments are not in place.

If a student does not have a physical or mental impairment, the student does not meet the definition as being disabled under Section 504. **Section 504 does not guarantee educational success for students with disabilities; it guarantees an equal opportunity for educational success.**

RECORD OF OR REGARDED AS

The terms "record of" or "regarded as"

- (a) Requires discrimination as a result of having a record of such a disability
- (b) Requires discrimination as a result of being regarded as having such an impairment in public elementary and secondary schools, unless a student actually has an impairment that substantially limits a major life activity, the mere fact that a student has a "record of" or is "regarded as" disabled is insufficient, in itself, to trigger Section 504 protections that require the provision of a free appropriate public education (FAPE).

SUBSTANTIAL LIMITATION

The determination of substantial limitation must be made on a case-by-case basis by the Section 504 Team with respect to each qualified student with a disability.

A physical or mental impairment substantially limits a major life activity if the impairment substantially limits the ability of the student to perform a major life activity as compared to most people in the general population. There is no single formula or scale that measures substantial limitation. An impairment need not prevent, or significantly or severely restrict a student in performing a major life activity to be considered substantially limiting. Title II of ADA provides three (3) factors to consider when determining whether the disability substantially limits a major life activity:

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1. **Nature and severity** of the impairment;
2. **Duration or expected duration** of the impairment; AND
3. **Permanent, long-term impact** or **expected impact** of the impairment.

The determination of whether a student has a physical or mental impairment that substantially limits a major life activity or major body function must be made by the Section 504 Team. Section 504 regulations do not define the term “substantial” and therefore have left this interpretation to school districts. Section 504 Teams, use data from a variety of sources to make individual determinations regarding substantial limitation as it relates to a student’s eligibility under Section 504.

Section 504 Teams must be sure that a student’s disability is based on a mental or physical impairment and not a condition such as environmental, cultural, or economic disadvantage. Conditions such as homelessness, limited English ability, attendance, lack of motivation, transiency, or lack of educational opportunity, are not conditions which have as a basis a mental or physical impairment. A condition may trigger an impairment, but the impairment forms the basis for the disability determination and is generally defined through a well documented evaluation.



MITIGATING MEASURES

Mitigating measures are defined as actions or procedures that may be used by a student to manage the impairment or lessen the impact of an impairment. Mitigating measures include medication, medical devices, related aids, and/or services. Mitigating measures must be disregarded when determining a student’s eligibility under Section 504. However, the mitigating measures or supports may be considered when in determining a student’s needs and accommodation/support plan as this information is useful for educational planning.



IMPAIRMENTS THAT ARE EPISODIC OR IN REMISSION

The ADAAA provides that “An impairment that is episodic or in remission is a disability only if it would substantially limit a major life activity when active.” Students who have an impairment that may be considered episodic or in remission may be determined eligible under Section 504 as a student with a disability, but may not need an active Section 504 plan at the time. School teams should monitor these students to develop or activate a plan if the student’s condition becomes active and substantially limits the student’s functioning.

EPISODIC IMPAIRMENTS

Some students have physical or mental impairments that vary in severity and occurrence. Conditions such as seasonal allergies or asthma, migraines, rheumatoid arthritis, and cystic fibrosis are good examples of impairments that may be substantially limiting at times (in hot weather, when the student is stressed, when irritants or trigger factors are present) and have little impact at other times.

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Schools commonly qualify students under Section 504 if their condition, though not constant, episodically rises to the level of substantial limitation of a major life activity. Students should not be denied eligibility simply because the disability, at the moment of evaluation, is not substantially limiting, especially when the school knows from past experience that substantial limitation is likely to occur when the impairment is active. Section 504 Teams should look carefully at the range of data over a period of time and not just the student's current level of performance. The timing of the evaluation should not function to preclude eligibility for students whose impairments are episodic and who are not substantially limited at the time of evaluation.

IMPAIRMENTS IN REMISSION

The ADA language on impairments in remission is the same as episodic impairments: "An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active." An example is a student who had cancer that is now in remission. The student would be eligible if the cancer substantially limited the student when it was active in the past. The student may not need an accommodation plan, but may need to be monitored for a period of time. If the cancer returns and substantially limits a major life activity, a Section 504 plan must be considered.

TEMPORARY IMPAIRMENTS

A temporary impairment is an impairment that is transitory and minor (usually 6 months or less) and there is no substantial residual effect on major bodily functions or life activities. The issue of whether a temporary impairment is substantial enough to be a disability must be resolved on a case-by-case basis, taking into consideration both the expected duration of the impairment and the extent to which the impairment limits a major life activity or bodily function. Section 504 eligibility determination meetings must occur and the Section 504 Team makes the determination of eligibility. Contact the Section 504 Coordinator for further information.

RELATED OR SPECIAL SERVICES:

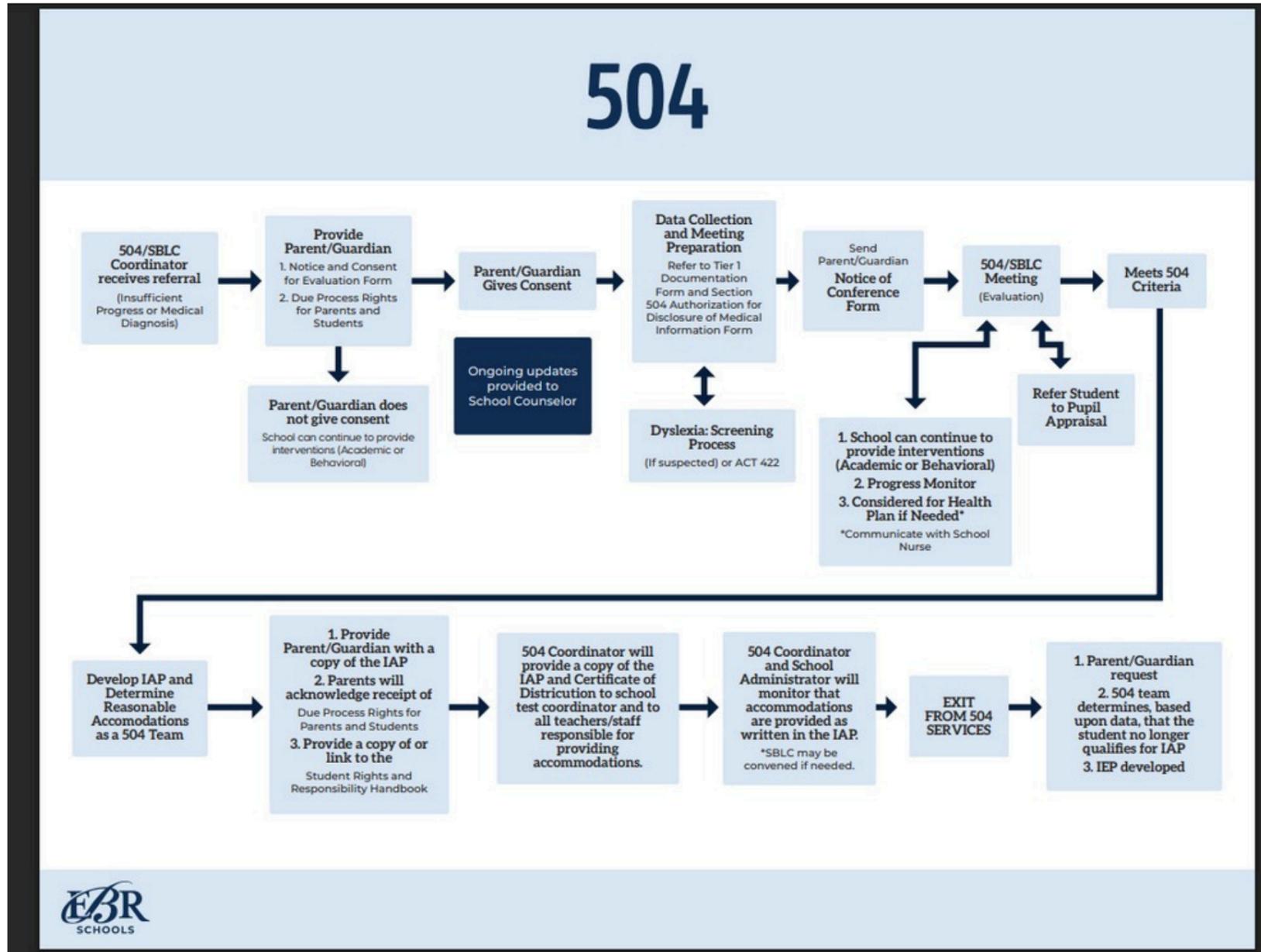
Section 504 requires that related or special services be provided to students with disabilities if these services are essential to meet the students' educational needs. A related service can be provided under Section 504 to eligible students who do not receive any other special education services or interventions. Related services includes such services as physical therapy, occupational therapy, and audiology services. Related or special services staff must be contacted to assist in evaluating a student before services are provided. The school-level Section 504 coordinator will be contacted by the related services staff to schedule the evaluation. Students who receive a related service must receive progress monitoring to determine the effectiveness of the accommodations provided. Monitoring must be completed each quarter and reported to the student's parent or guardian. If a student refuses to use an accommodation or assigned equipment as stipulated in the student's IAP, the parent must be notified and the [Notification of Refusal to Use Section 504 Accommodations](#) form must be completed as indicated.

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Equipment assigned to a student must be maintained in working order. Equipment that is not in working order may compromise the implementation of a student's Section 504 plan. When a problem is noted with any equipment, notify the District Section 504 office or the related service provider immediately.

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GENERAL OVERVIEW OF SECTION 504 PROCESS AND PROCEDURES



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EAST BATON ROUGE PARISH SCHOOL BOARD SECTION 504 DEPARTMENT

SERVICE PROVIDER ACCESS TO INDIVIDUALIZED ACCOMMODATION PLANS

These procedures are established for ensuring that Individualized Accommodation Plans (IAPs) are accessible to regular education teachers, related service providers, and other service providers responsible for IAP implementation. Regardless of whether an educational service provider participates in the IAP meeting for a student, all individuals who are responsible for implementation of an IAP (e.g., regular education teacher, related service provider, and any other service provider) must be informed of (1) his or her specific responsibilities related to implementation of the student's IAP and (2) the specific accommodations and supports that must be provided to the student.

The school Section 504 Coordinator is responsible for distributing copies, providing access to the plan, or otherwise providing needed information to all persons responsible for implementing the respective plans. All individuals who implement (or may implement) the plans must be made aware of the student's disability and their role in implementing student services. This includes, but is not limited to, substitute teachers, bus drivers, cafeteria managers, and employees who provide non-academic and extracurricular programs and activities, if they will have implementation responsibilities. ***A Certificate of Distribution Form must be completed*** at the beginning of every school year, and each time a new IAP is convened, whenever there is a teacher change or when a student transfers to a new school. The form must be signed by all teachers that provide instruction or services to a student. Their signature indicates that they have received a copy of the student's IAP (and, as applicable, Behavior Support Plan and Health Plan) and acknowledge responsibility for implementation. The bus operator may also need a copy of Health Plans and Behavior Support Plans, when applicable.

The privacy of each student shall be protected to the maximum extent required under the Federal Education Rights and Privacy Act (FERPA) and applicable Louisiana law. Access to student records, including IAPs and related documents, will be limited to those EBRPSB employees and contractees who have a legitimate educational interest and need to know about a student's disability status and required services in order to carry out their responsibilities to the student.

All EBRPSB staff will implement the IAP as written. No individual staff member has discretion or authority to alter or deny any services outlined in an IAP. All changes to a plan must be determined by a team of individuals knowledgeable about the student and the student's disability, in accordance with applicable laws and regulations. Appropriate 504 Department staff may internally audit a school for compliance with these procedures. There should be available documentation to show that accommodations have been provided.

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CONFIDENTIALITY AND PRIVACY OBLIGATIONS

In accordance with the Family Educational Rights and Privacy Act (FERPA), additional provisions of Louisiana Revised Statute 17:3914, and East Baton Rouge Parish School Board (EBRPSB) policy and procedures, the disclosure of personally identifiable student information (PII) is **strictly limited** to those individuals with a “**need to know**” in order to perform their specific duties related to the student. This includes distribution of IA information and access to EBRPSB computers and other electronic devices where student is maintained. Written documentation (a running record) is required for all disclosures related to a student.



This includes distribution of IA information and access to EBRPSB computers and other electronic devices where student is maintained. Written documentation (a running record) is **required** for all disclosures related to a student. NOTE: Parental consent (or consent of a student of majority age) is required before disclosure of PII to any individual(s) not designated by the EBRPSB as having a legitimate educational interest (“need to know”). **Except under identified circumstances, a person who violates any provision Louisiana’s student privacy laws “shall be punished by imprisonment for not more than six months or by a fine of not more than ten thousand dollars”.** La. R.S. 17:3914(G). Violations of EBRPSB policy may also be grounds for employee termination.

ADDITIONAL INFORMATION

DISCIPLINE AND SECTION 504 STUDENTS

Section 504 requires the implementation of certain procedural safeguards prior to a significant change in placement (a long term suspension or a series of short term suspensions which result in a change in placement) for disciplinary reasons. When a proposed disciplinary consequence results in a significant change in placement, the Section 504 team must convene a Manifestation Determination Review meeting within 10 school days to consider whether:

(1) The conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or

(2) The conduct in question was the direct result of the school district failure to implement the student's Section 504 Plan.

· Under both the ADAAA and Section 504, a student who is currently engaged in the illegal use of drugs is not a "qualified individual with a disability" and is not eligible under either law.

· Neither the ADAAA nor Section 504 prevents a district from applying school disciplinary rules concerning the use or possession of drugs or alcohol.

A. ANNUAL 504 PLAN REVIEWS

The Individual accommodation plan/IAP must be reviewed annually and re-evaluations must occur at least every three (3) years.

For students who may need testing accommodations for statewide accountability tests, the IAP review date must be within one (1) year prior to the scheduled testing date. If an IAP has been reviewed after the Spring testing date, the SBLC would not need to meet again before statewide testing unless changes are being considered. A parent or school personnel can request a review at any time.

NOTE: If an IAP review is scheduled to satisfy statewide testing timeline requirements, the SBLC should check the IAP re-evaluation due date to determine if an IAP review and re-evaluation could be conducted simultaneously.

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B. TRANSFER STUDENTS FROM OTHER DISTRICTS AND/OR STATES

When a student transfers into a school in the district and is identified as a qualified student with a disability under Section 504, the Section 504 Team in the receiving school shall review the student's existing IAP to determine the plan's appropriateness in the student's new educational environment. The 504 Team may accept the plan that was received from an out-of-parish or out-of-state school and transfer the information onto EBR forms, write a new plan more appropriate to the needs of the student in the new educational setting, or re-evaluate the student in order to consider whether the student continues to qualify as disabled under Section 504 or to address other areas of need.

C. HOSPITAL/HOMEBOUND

Homebound is a service for a student who, as a result of a serious physical illness, accident, surgery, pregnancy complications, emotional crisis or the treatment thereof, is precluded from attending school for at least ten (10) school days. A physician must recommend in writing that the student needs homebound services and provide a valid basis for the need. The mere existence of an illness, accident, surgery, pregnancy complication, emotional crisis, or other medical condition does not necessarily preclude school attendance and warrant hospital/homebound services. Students requiring extended homebound assistance due to mental or physical impairment may be referred for evaluation to determine eligibility as a student with a disability and consider the need for supportive educational services.

For additional information regarding Hospital/Homebound services please contact the Exceptional Student Services (ESS) Office located at 6550 Sevenoaks, Avenue, Baton Rouge, LA 70806. The contact number is (225) 929-8600.

D. NON-ACADEMIC AND EXTRA-CURRICULAR PROGRAMS AND SERVICES

Section 504 requires the district to provide eligible Section 504 students "an equal opportunity" for participation in non-academic services and extracurricular activities. If a service/activity is made available to non-disabled students, students with disabilities must be afforded an equal opportunity for participation. This includes opportunities to participate in programs and activities such as counseling services, transportation, health services, recreational activities, special interest groups or clubs sponsored by the school district, and activities related to the employment of students. The Section 504 nondiscrimination requirements also apply to interscholastic, club, or intramural athletics.

Eligibility as a "qualified" student with a disability does not mean that the student must be allowed to participate in any selective or competitive program offered by a school district; school districts may require a level of skill or ability of a student in order for that student to participate in a selective or competitive program or activity, as long as the selection or competition criteria are not discriminatory.

A school district may offer students with disabilities physical education and athletic activities that are separate or different from those offered students without disabilities only if such action is necessary to provide a qualified student with a disability with aid, benefits, or services that are as effective as those provided to others.

E. RE-EVALUATIONS

At least every three (3) years, the Section 504 Team must meet to conduct a Periodic Reevaluation of students receiving Section 504 services and accommodations through an IAP as well as those students who are eligible under Section 504 but not in need of an IAP at the time. A re-evaluation must also occur prior to any significant change of placement and whenever necessary to ensure the continued provision of FAPE to the student. A review of multi-source information must occur as part of the re-evaluation process. If the Section 504 Team has reached consensus regarding the re-evaluation review questions and is satisfied that there are no significant changes in the student's impairments or the student's need for accommodations and services, it may complete the re-evaluation form, as these review results will be considered as confirmation of continued Section 504 eligibility and the need for services. Should the Section 504 Team, following its completion of the review questions determine that there are significant changes to the student's impairments or need for services, it should conduct a more comprehensive re-evaluation to address the concerns using the appropriate form(s).

Prior to a periodic re-evaluation, the district will provide the parent/guardian with written notice of the time and place of the periodic re-evaluation meeting, requesting the parent/guardian's participation. Written notice is required and can be accomplished utilizing the Notice of Conference form. If the student remains eligible and in need of an IAP, the 504 Team must focus on the student's individual needs. Should the 504 Team determine that the student is no longer eligible, the 504 Team must reevaluate the student, dismiss/exit the student from 504 services following a meeting of the Section 504 Team, and enter the action into the JCampus database. The parent/guardian shall be given written notice of the results of the periodic reevaluation using the re-evaluation form.

NOTE: If an IAP review is scheduled to satisfy statewide testing timeline requirements, the SBLC should check the IAP evaluation due date to determine if an IAP review and re-evaluation can be conducted at the same time.

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INTERACTION WITH REGULAR EDUCATION EARLY INTERVENTION EFFORTS

In an effort to meet the needs of struggling students and to reduce the misidentification of students in both Section 504 and special education, the district uses an early intervention process, referred to as Multi-Tiered Systems of Support (MTSS). This campus-based process is designed to assist students struggling for any number of reasons and in any number of ways (academically, socially, behaviorally) by providing, differentiated instruction, as well as additional regular education intervention programs, services and opportunities. Data from these intervention efforts is shared with the parent, and may become part of any Section 504 initial evaluation.



MTSS is available to all students, including students with disabilities. Should regular education, together with these early intervention efforts be insufficient to meet the needs of the struggling student or there are reasons to suspect that the student has a physical or mental impairment, substantially limiting a major life activity, the district should consider seeking parental consent for an initial evaluation under Section 504. Students with physical or mental impairments whose needs are addressed through early intervention, Multi-Tiered Systems of Support (MTSS), or health care plans will not be excluded from consideration for possible Section 504 referral, even when current interventions, services, or health plans successfully address their impairment-related needs.

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CHILD FIND PROGRAM

EXPLANATION OF EAST BATON ROUGE PARISH SCHOOL SYSTEM'S CHILD FIND PROGRAM AND REQUIREMENTS

A free appropriate public education (FAPE) must be available to all children with disabilities residing in the East Baton Rouge Parish Public School District between the ages of 3 and 21. The process of identifying, locating, and evaluating these children is referred to as Child Find. Child Find also applies to students suspected of having a physical or mental impairment that substantially limits a major life activity, but who are not suspected of being in need of specialized instruction.

In order to comply with the child find requirements, East Baton Rouge Parish School System has procedures in place to ensure that all children with disabilities within its jurisdiction/geographical boundaries, including children with disabilities who are homeless children or are wards of the state, and children with disabilities attending private schools, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated.

In compliance with Child Find provisions of the Individual with Disabilities Education Act (IDEA) and Section 504, the East Baton Rouge Parish School System will, within its jurisdiction/geographical boundaries, identify, locate, and evaluate:



- Children who are suspected of being developmentally delayed
- Children who are suspected of being a child with a disability and in need of special education or Section 504 services, even though they are advancing from grade to grade; and (IDEA)
- Highly mobile children, including homeless and migrant children and Section 504, the East Baton Rouge Parish School System will, within its jurisdiction/geographical boundaries, identify locate and evaluate:

Child Find Questionnaires are delivered to all schools during the fall and spring semester and must be sent home with every student. If you believe a child may have a disability, please return questionnaires to the child's teacher or mail the form to the following address:



Attention: Child Find Program
Exceptional Student Services
6550 Sevenoaks Avenue
Baton Rouge, LA 70806
225-929-8600

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EAST BATON ROUGE PARISH SCHOOL SYSTEM GUIDELINES FOR BULLETIN 1903 (EXCERPT)

REGULATIONS AND GUIDELINES FOR IMPLEMENTATION OF THE LOUISIANA LAW FOR THE EDUCATION OF DYSLLEXIC STUDENTS

It is vital that our state provide an opportunity for all students to reach their maximum potential. This publication represents a major step forward in the implementation of La., R.S. 17:7(11), Louisiana's law for identification and services within the regular education program for students demonstrating characteristics of dyslexia. Louisiana R.S. 17:7(11) requires that the Board of Elementary and Secondary Education (BESE):

- 1. Provide for the screening and assessment of certain students for characteristics of dyslexia and related disorders
- 2. Provide duties for local school boards
- 3. Provide for the remediation of any student determined to have characteristics of dyslexia or a related disorder
- 4. Provide definitions
- 5. Provide guidelines and standards for the implementation of the law.

WHAT IS DYSLLEXIA?

Dyslexia is a language processing disorder which may be manifested by difficulty processing expressive or receptive, oral or written language despite adequate intelligence, educational exposure, and cultural opportunity. Specific manifestations may occur in one or more areas, including difficulty with the alphabet, reading, comprehension, writing, and spelling.

UNIVERSAL DYSLLEXIA SCREENING

- ACT 266 requires dyslexia screening for ALL kindergarten students during the second half of the school year.
- The statute only requires a universal kindergarten screening; however students in other grades should be screened upon request or when deemed appropriate.
- Parents must be notified within 30 days of at-risk screening results.

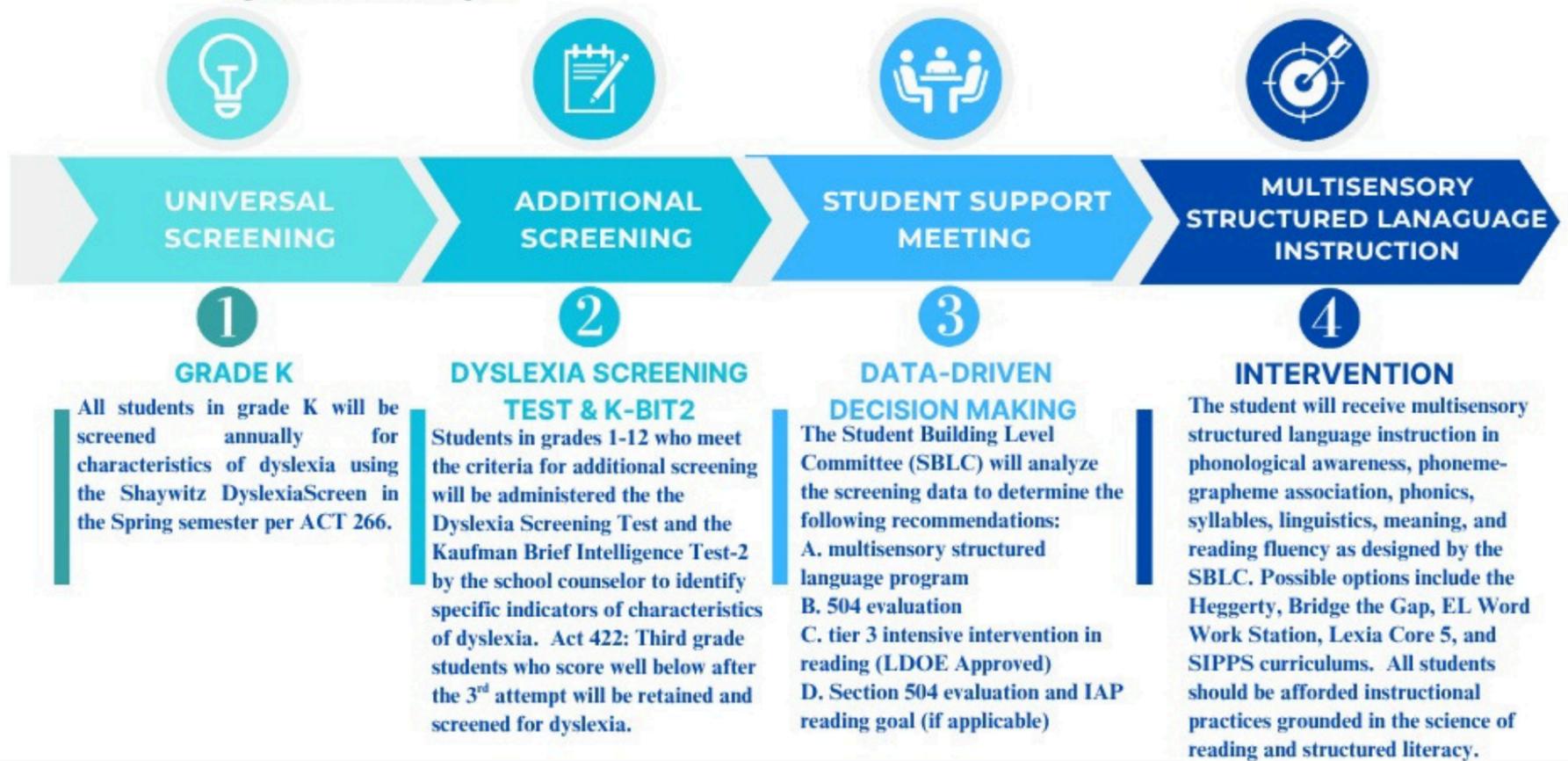




504 DEPARTMENT

Dyslexia Resource Guide

"Dyslexia" means an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader, most commonly caused by a difficulty in phonological processing, which affects the ability of an individual to speak, read, and spell.



<https://dyslexiada.org>

<https://www.louisianabelieves.com/docs/default-source/academics/a-guide-to-dyslexia-in-louisiana.pdf>

NOTICE OF PARENT AND STUDENT RIGHTS/ PROCEDURAL SAFEGUARDS UNDER SECTION 504 REHABILITATION ACT OF 1973



Section 504 of the Rehabilitation Act of 1973 is a non-discrimination statute barring discrimination on the basis of one's disability. Section 504 states: *No otherwise qualified individual with a disability shall solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination any program or activity receiving federal financial assistance.* School districts are required to establish and implement procedural safeguards that include notice, an opportunity for parents to review relevant records, an impartial hearing with opportunity for participation by the student's parents or guardian, representation by counsel and a review process. Under Section 504, a person is considered a qualified person with a disability if s/he has a physical or mental impairment that substantially limits one or more major life activities, including but not limited to learning, walking, breathing, eating, working, and seeing.

The purpose of this notice is to inform parents and students of their entitlement to the following rights under Section 504:

1. You have a right to be informed by the school district of your rights under Section 504. (The purpose of this document is to advise you of those rights.)
2. If determined eligible through the evaluation process, your child has the right to a free appropriate public education designed to meet his/her individual educational needs as adequately as the needs of non-disabled students are met.
3. Your child has the right to free educational services except for those fees that are imposed on non disabled students or their parents.
4. Your child has a right to be educated with children who do not have disabilities, to the maximum extent appropriate.
5. Your child has a right to facilities, services and activities that are comparable to those provided for students without disabilities.
6. Your child has a right to an evaluation prior to an Initial Section 504 placement and any subsequent significant change in placement. You also have the right to request such an evaluation.
7. You have the right to receive notice and offer consent with respect to decisions regarding formal identification, evaluation and placement of your child.

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NOTICE OF PARENT AND STUDENT RIGHTS/ PROCEDURAL SAFEGUARDS UNDER SECTION 504 REHABILITATION ACT OF 1973

(Continued)

8. Evaluation and placement decisions must be made by a group of persons (i.e., the Section 504 Team), including persons knowledgeable about your child, the meaning of the evaluation data, the placement options, the requirements for least restrictive environment and comparable programs and facilities.

9. If eligible under Section 504, your child has a right to periodic formal or informal re-evaluations, generally every three years.

10. You have the right to be notified prior to any action by the district regarding the identification, evaluation, or placement of your child.



11. You have the right to examine relevant records and documents regarding your child.

12. You have the right to file a grievance (complaint) with the Section 504 Coordinator if you believe that your child is being discriminated against based on disability. The district's Section 504 Coordinator (or designee), will investigate the allegations and communicate with you in an effort to reach a prompt and equitable resolution of your grievance. Additional grievance procedures are included in this Handbook for your convenience. For information and assistance, please contact the Section 504 Coordinator.

The 504 Coordinator for the East Baton Rouge Parish Schools:

Ms. Danielle Staten
12000 Goodwood Boulevard
Baton Rouge, LA 70815
Phone: 225-930-5350

EAST BATON ROUGE PARISH SCHOOL SYSTEM

13. You have the right to an impartial due process hearing in regardt o your child’s identification, evaluation, or educational placement under Section 504. You and your child may take part in the hearing and may be represented by legal counsel, if you choose to hire one. To request a hearing, you should file a written Notice of Appeal with the Superintendent’s designee after you receive written notice of the Section 504 Coordinator’s investigative response. If you need assistance in filing an appeal, please contact the Superintendent’s designee.

The Superintendent’s designee:

**Mr.Gwynn Shamlin
1050 South Forster Drive
Baton Rouge, LA 70806
Phone:225-922-5400**

14. You have a right to file an appeal in accordance with the following East Baton Rouge Parish School System Policy.

15.You also have a right to file a complaint with the Office for Civil Rights.



**Office for Civil Rights, Kansas City
U.S. Department of Education
One Petticoat Lane
1010 Walnut Street, 3rd floor, Suite 320
Kansas City, MO 64106
Telephone: 816-268-0550
Fax: 816-268-0599
E-MAIL: OCR.KANSASCITY@ED.GOV**

In compliance with federal and State laws and School Board policy, the East Baton Rouge Parish School System administers all educational programs, employment activities, and admissions without discrimination because of race, religion, national or ethnic origin, color, age, military service, disability, or gender, except where exemption is appropriate and allowed by law.

SECTION 504 GRIEVANCE PROCEDURES

East Baton Rouge Parish School System (EBRPSS) acknowledges the dignity and worth of all students and employees and strives to create a safe, orderly, caring and inviting school environment to facilitate student learning and achievement. EBRPSS does not tolerate any form of harassment or discrimination on the basis of disability in its educational or employment activities. EBRPSS has adopted an internal grievance procedure for providing prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

Danielle Staten, Section 504 Coordinator, has been designated to coordinate the efforts of EBRPSS to comply with Section 504. Ms. Staten can be reached at (225) 930-5350, any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for EBRPSS to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

PROCEDURE

- Grievances must be submitted to the Section 504 Coordinator within ten (10) calendar days of the date the person filing the grievance becomes aware of the alleged discriminatory action.
- A grievance must be submitted in writing, including the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
- The Section 504 Coordinator (or her/his designee) shall promptly, and impartially conduct an investigation of the complaint. This investigation may be informal, but it must afford all interested persons an opportunity to submit evidence relevant to the complaint. The Section 504 Coordinator will maintain the files and records of EBRPSS relating to such grievances.
- The Section 504 Coordinator will issue a written decision on the grievance no later than 30 (30) days after its filing.
- The person filing the grievance may appeal the decision of the Section 504 Coordinator by writing to the Superintendent's designee, Mr. Gwynn Shamlin, 1050 South Forest Drive Baton Rouge, LA 70806, Phone: 225-922-5400 within 15 (15) days of receiving the Section 504 Coordinator's decision. The superintendent's designee shall issue a written decision in response to the appeal no later than 30 days after its filing.
- The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability with the Office for Civil Rights- Kansas City, U.S. Department of Education, One Petticoat Lane, 1010 Walnut Street, 3rd floor, Suite 320, Kansas City, MO 64106. Telephone: 816-268-0550

EBRPSS will make appropriate arrangements to ensure that persons with disabilities are provided accommodations, if needed, to participate in this grievance process. The Section 504 Coordinator will be responsible for making any such arrangements.

EAST BATON ROUGE PARISH SCHOOL SYSTEM

SECTION 504 GRIEVANCE FORM

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You have the right to file a grievance if you believe that your child is being discriminated against on the basis of a disability. You may file a grievance with the district's Section 504 Coordinator (or designee), who will investigate the allegations in an effort to reach a prompt and equitable resolution of your concerns. The Section 504 Coordinator for the East Baton Rouge Parish School System is:

Ms. Danielle Staten
East Baton Rouge Parish School System
12000 Goodwood Boulevard, Baton Rouge, LA 70815
Phone: 225-930-5350 Email: dstaten@ebrschools.org

Student Name: _____ School: _____
Parent/Guardian: _____ Address: _____
Phone Number(s): (____) _____

1. Summary of Grievance: What is the problem? What are the facts?

2. How can the problem be solved?

3. Who have you spoken to or met with at the school to address this situation? What was the result of this contact?

4. Please describe any corrective action you wish to see taken with regard to this grievance.

Please attach any additional information or documentation you wish the district to consider. You also have the right to file a complaint with the regional office of the U. S. Department of Education's Office for Civil Rights (OCR) without going through the district's grievance procedures.

Signature of Parent: _____ Date: _____

Received by: _____ Date: _____

cc: Parents, Student File, District and School Section 504 Coordinator File



Terminology



Accommodation – any technique that alters the academic setting or environment. An accommodation generally does not change the information or amount of information learned. It enables students to show more accurately what they actually know

Dysgraphia – difficulty with producing written symbols, usually resulting in slow, poor quality handwriting.

Dyslexia – is a language processing disorder which may be manifested by difficulty processing expressive or receptive, oral or written language despite adequate intelligence, educational exposure, and cultural opportunity. Specific manifestations may occur in one or more areas, including difficulty with the alphabet, reading, comprehension, writing, and spelling.

Phonological Awareness – an understanding that words are made up of individual speech sounds distinct from their meaning and that those sounds can be manipulated.

Procedural Safeguards – The rights and procedural protections available under Section 504, including:

1. Written notice of rights
2. Right to evaluation and eligibility determination
3. An opportunity to review relevant student records
4. An impartial hearing regarding the identification, evaluation, or educational placement of students with disabilities; A review procedure, if parents disagree with the impartial hearing decision.

Screening – a brief examination/review of available multi-source information which may be used to determine continued eligibility under Section 504 and/or nature of needed services.

Notice: Written communication to the parent or guardian (or student of majority age), including: continuing steps to notify individuals that the school/school district does not discriminate on the basis of disability; 1) notice of the school/school district's legal obligations under section 504; 2) notice of parent/student rights under Section 504; and 3) prior notice of any proposed or refused action regarding the identification, evaluation, or placement of a student with a disability.



Evaluation—the process of review, examination, and interpretation of intervention efforts, test results, interviews, observations, and other assessment information relative to the determination of eligibility as a qualified student with a disability and need for accommodations and services. Reevaluations are required at least every three years.

Section 504 Plan—Once a student is evaluated, the Section 504 Team determines the accommodations or other services needed by the student, if any, as a result of the disability. The services are documented in a written Section 504 Plan. Section 504 Plans must be reviewed at least annually, and more frequently, if needed.

Acronyms

ADA – Americans with Disabilities Act

ADAAA – Americans with Disabilities Act Amendments Act

ADD – Attention Deficit Disorder

ADHD – Attention Deficit Hyperactivity Disorder

FAPE – Free, appropriate public education

IAP – Individual Accommodation Plan (Section 504 Plan)

IDEA – Individuals with Disabilities Education Act

LD – Learning disability

LRE – Least-restrictive environment

OCR – Office for Civil Rights

Additional Resources

[Protecting Students With Disabilities](#)

Frequently Asked Questions About Section 504 and the Education of Children with Disabilities <https://www2.ed.gov/about/offices/list/ocr/504faq.html>

Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline Under Section 504 of the Rehabilitation Act of 1973

<https://www2.ed.gov/about/offices/list/ocr/docs/504-discipline-factsheet.pdf>