

**COMPLIANCE PLAN FOR SECTION 504 OF THE
REHABILITATION ACT OF 1973**

This compliance plan serves students, parents, employees, applicants for employment, patrons, and programs within the Broadalbin-Perth Central School District.

1. The Broadalbin-Perth Central School District assures parents, employees, applicants for employment, and patrons that it will not discriminate against any individual.
2. The Section 504 Compliance Coordinator is as follows: Director of Special Programs.
3. Parents are provided procedural safeguards which are included in the "Notice of Parent/Student Rights in Identification, Evaluation, and Placement of Individuals Who are Disabled or Who are Believed to be Disabled".
4. An impartial hearing and review (appeal) are provided upon request. Procedures are detailed in the "Notice of Parent/Student Rights in Identification, Evaluation, and Placement of Individuals Who are Disabled or Who are Believed to be Disabled".
5. Notice to students, parents, employees, and general public of non-discrimination assurances and parent/student rights in identification, evaluation, and placement will be disseminated annually in the following manner:
 - a) Public announcement in annual district calendar,
 - b) Posted notice in each public school building, and
 - c) Included in faculty handbooks.
6. The Broadalbin-Perth School District has established the following grievance procedure to resolve complaints of discrimination:
 - a) An alleged grievance under Section 504 must be filed in writing fully setting out the circumstances giving rise to such grievance.
 - b) Such claims must be made in writing and filed with Broadalbin-Perth Central School District's 504 Compliance Coordinator, the Director of Special Programs.
 - c) Within ten (10) school days after receipt of the written grievance by the 504 Coordinator, the Superintendent will meet with the aggrieved person(s) and his/her designee in an effort to resolve the grievance.

d) If the aggrieved person is not satisfied with the disposition of the grievance or if no decision has been rendered within ten (10) school days after he/she has first met with the Superintendent, the aggrieved person may request the written grievance be forwarded to the Broadalbin-Perth Central School District Board of Education. At its next regularly scheduled Board of Education meeting, the Board of Education will meet with the aggrieved person and his/her designee for the purpose of resolving the grievance.

e) If the aggrieved party is not satisfied with the disposition of the grievance or if no decision has been rendered within fifteen (15) school days after he/she has first met with the Board of Education, the aggrieved person may request an impartial hearing.

f) A hearing will be conducted according to the procedures outlined in the regulations implementing the Family Educational Rights and Privacy Act (FERPA).

g) The Section 504 Coordinator shall give the parent, student, employee, applicant, or patron reasonable advance notice of the date, time, and place of the hearing.

h) The hearing officer shall give the parent, student, employee, applicant, or patron full and fair opportunity to present evidence relevant to the issues raised. The grievant may, at his/her own expense, be assisted or represented by individuals of his or her own choice, including an attorney.

i) The hearing officer shall render a decision in writing and set forth his/her findings and conclusions on the issues submitted. Both parties hereby agree to be bound by the decision of the hearing officer.

j) The total cost of services of the hearing officer will be borne equally by the Board of Education and the aggrieved party.

7. The Broadalbin-Perth Central School District will conduct an extensive annual "Child Find" to locate and identify all Section 504 qualified individuals with disabilities (ages 0 to 21) who resides within the participating school district.

REFERRAL PROCEDURE

A referral for possible 504 eligibility must be initiated by a parent or professional of the school district (even if the student is enrolled in a private school) if it is believed that the student has "physical or mental impairment that substantially limits one or more major life activities". Pertinent information relative to the referral should be documented.

1. The following may initiate a referral:
 - a) Hospitalizations (chronic, not short term)
 - b) Homebound students due to illness or injury (chronic, not short term)
 - c) Homeless migrant or other qualified individuals with disabilities, or individuals who are believed to be disabled who are residing within the district's jurisdiction who are not receiving a public education.
 - d) If the student is found ineligible for special education.
 - e) School concerns that do not appear to need the attention of special education, but may result in identifying the child as disabled.
 - f) Parental concerns frequently expressed.
 - g) Student reentering school after having been temporarily placed in a private setting (i.e. medical facility, rehabilitation center) should have a referral initiated by the students' teacher, guidance counselor, or other school official.
 - h) Students exhibiting a chronic health condition and/or receiving medical attention at school.
 - i) Suspensions approaching an aggregate of ten (10) instructional days.
 - j) The school district is considering the expulsion, exclusion, or retention of the student.
 - k) Students suffering the death of someone close or the separation or divorce of their parents.
 - l) Suspicion of abuse in the home.
 - m) The student's attendance record approaches the school district's limit.
 - n) Student is regarded as a potential drop-out.
 - o) Substance abuse is considered.
2. The Section 504 referral form, along with the pre-referral documentation, should be completed and forwarded to the district's compliance officer for action.
3. The compliance officer will do the following:
 - a) discuss the referral with the regular education teachers
 - b) notify the parent in writing of the referral, the time lines to be followed, and request a meeting

Parent Meeting

1. The parents/guardians will be contacted (in verbal and written form) by the 504 Coordinator to attend a meeting with the building principal to discuss the 504 referral.
2. Every attempt to contact the parent for purposes of attending this meeting will be documented and attached to the referral form. (anecdotal notes are sufficient).
3. The reason for the referral will be explained.
4. A determination will be made as to how the evaluation will be conducted. If it is determined that there is no need to evaluate formally and there is sufficient data to proceed, it is advised that the school district offer and explain the rights and options available to the parents.
5. The testing procedures that will be employed (if necessary) will be detailed. This may mean a request for a doctor's input, informal assessment on the part of the teaching staff, or a formal evaluation administered by a school or clinical psychologist.
6. Written permission to evaluate the child will be sought (if appropriate).
7. The Section 504 Notice of Conference will be initiated to detail the intended date of closure to the referral.
8. A request may be made to seek a medical opinion from the parent's physician. (If the district believes that it requires this medical data as part of the evaluation, it is responsible for any costs of obtaining the data).
9. A Release of Information will be obtained so that privately held data can be obtained as part of the evaluation.
10. Parents may be offered a copy of the "Notice of Parent/Student Rights in Identification, Evaluation, and Placement of Individuals Who are Disabled or are Believed to be Disabled".

Evaluation and Data Gathering

1. The compliance officer will coordinate the gathering of relevant information necessary to assist in the identification and/or justification of a possible 504 disability. Information may be collected from the following:
 - a) Private placements previously attended
 - b) Medical information
 - c) Information from school staff
 - d) School psychologist
 - e) School nurse
 - f) Related service providers (e.g. speech, occupational and/or physical therapists)
 - g) Independent evaluations

2. All relevant participants will be notified of the conference.
3. All relevant information will be coordinated prior to this conference.

504 Conference

1. Within a reasonable amount of time (it is recommended that this district follow the time lines established for referrals to the Committee on Special Education) within initiation of the referral, the compliance officer will convene a Section 504 Conference. The purpose of this meeting is to:
 - a) Discuss the information presented and determine:
 1. If an educational evaluation is needed to determine the need for special education.
 2. Whether the student referred is disabled (i.e. has a physical or mental impairment that substantially limits one or more major life activities).
 3. Appropriate placement.
 - b) Develop and implement a documented plan (alternative learning plan) if the student is disabled and determine any reasonable accommodations that may be appropriate.
 - c) Explain verbally and offer a written copy of the "Student/Parent Rights and Options."
 - d) Document the meeting of the Section 504 Committee.
2. The 504 Conference Committee shall include the following individuals: building principal (or designee); regular education teacher(s); assessment team members (or representatives); school nurse (if appropriate); parent/guardian; child (when appropriate); the child, if eighteen years of age and not adjudicated incompetent; other representatives having experience with, or information regarding the referred student; anyone at the discretion of the parents.

Annual Review

Although an annual review is not required under Section 504, it is recommended that a review be held at the building level at the start of each school year to determine the continued appropriateness of accommodations or services being provided.

PARENT NOTICE

SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability in any program receiving federal financial assistance. In order to fulfill obligations under Section 504, the Broadalbin-Perth Central School District has the responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability should knowingly be permitted in any of the programs and practices of the school system.

The Broadalbin-Perth Central School District has the responsibilities under Section 504, which include the obligations to identify, evaluate, and, if the student is determined to be eligible under Section 504, to afford access to appropriate educational services.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing officer.

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records. This Act gives the parent or guardian the right to: (1) inspect and review his/her child's educational records; (2) make copies of these records; (3) receive a list of the individuals having access to these records; (4) ask for an explanation of any item in the records; (5) ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; (6) a hearing on the issue if the school refuses to make the amendment.

If there are any questions, please feel free to contact the Director of Special Education, Section 504 Coordinator for the Broadalbin-Perth Central School District at 883-3445.

SECTION 504 REFERRAL

Personal Information

Student Name: _____ Date of Birth _____

Parent/Guardian _____ Phone: _____

Address: _____ School: _____

Teacher: _____ Grade: _____

Referred by: _____

Referral Information:

Reason for Referral: _____

Strategies/Intervention already initiated (attach copies of intervention documentation):

Referral Person Signature Date

Principal's Signature Date

cc: Parent

- Section 504 Coordinator
- Principal
- Teacher
- Educational Record