

SAN JOAQUIN S.E.L.P.A.

STUDENT STUDY/ SUCCESS TEAM

HANDBOOK



San Joaquin County
Office of Education
Fredrick A. Wentworth, Supt.

Revised August 2007

CONTENTS OF THIS HANDBOOK

GENERAL INFORMATION

- What is the SST? 3
- The SST • A General Education Function 4
- Response to Intervention (RTI) • A General Education Function 6
- The SST • Fulfilling Legal Requirements 7
- The SST Flowchart 9

INFORMATION OVERVIEW

- Commonly Asked Questions 10
- Suggested Procedure for Parent Referral for Special Education Assessment 13

FORMS

- Referral To The SST 15
 - Letter of Notification to Parent 16
 - SST Summary (Blank) 17
 - SST Summary (Sample Completed) 18
 - Checklist: Can Student's Needs Be Met In General Education Setting? 20
 - Checklist of Elementary Modifications 21
 - Student Strengths 23

COMPLETING THE REFERRAL FORM

- Side by Side Guide 25
- Special Education Referral Process 30

BILINGUAL REFERRALS

- Questions & Answers 32
- Limited English Proficient: Fluent English Proficient (EL:FEP) - The Process 34
- Process for Reclassification of EL Students 36
- Guidelines for Reclassification of English Learners 39
- Home Language Survey Sample 41
- Referral for Culturally, Linguistically Diverse Students 43

MODIFICATIONS/ACCOMMODATIONS TO ASSIST A TEAM

- Modifications/Accommodations 46
- 100 Common Accommodations 48

SECTION 504

- Questions and Answers 54
- SST vs. 504 Team Chart Comparison 56
- SST vs. 504 Team Functions 57
- IEP vs. 504 Plan 58
- 504 General Information 59
- 504 - IDEA - ADA Chart Comparison 61
- 504 Information and Sample Forms 65

ADDITIONAL RESOURCES 87

WHAT IS THE STUDENT STUDY/SUCCESS TEAM?

The purpose of the SST is to problem solve and to find adaptations in the general education setting which allow a student to be successful in that setting.

The Student Study/Success Team (SST) is a SCHOOL SITE TEAM which includes the parent and the student. This team:

- is a function of general education.
- uses a systematic problem solving approach to assist students who are not progressing at a satisfactory rate.
- clarifies problems and concerns.
- develops strategies and organizes resources.
- provides a system for accountability.

A student may be referred to the SST for:

- lack of academic progress.
- increasing behavioral concerns.
- consideration for retention.
- attendance/truancy issues.
- parent concerns which do not appear to be resolved.

STUDENT STUDY/SUCCESS TEAM

A General Education Function

The SST Defined

Student Study/Success Teams (SSTs) have a number of different names. In addition to "Student Success Team," the teams are called "Child Study Team," "Child Success Team," "Child Guidance Team," "Inquiry Team," and "Teacher Assistance Team (TAT)." Throughout this manual, the referent "SST" will designate the team name.

SSTs are school-based problem solving teams utilized to review lack of academic progress, behavioral concerns, attendance/truancy issues, parent and/or teacher concerns, and to recommend alternative strategies/interventions to be implemented in the regular classroom. As such, student success teams are a function of general education.

Team membership may consist of school administrators, classroom teachers, parents, students (fourth grade and above), district support personnel and special education personnel. The composition of the teams may vary according to student needs and the size and personnel resources of the school or the school district. The referring person and administrator (or designee) must always be present.

The Purpose of the SST is:

1. to identify and assist students.
2. to help teachers solve problems with students using the collective expertise of other appropriate professionals.
3. to help parents when they have concerns.
4. to help students who are requesting additional support.
5. to improve communication between staff members and between the school and the home.
6. to increase staff commitment to students and to the educational program.
7. to help facilitate referrals to the general education programs at a school site.
8. to coordinate services a student is currently receiving.
9. to attempt and to document all reasonable interventions before referring a student for assessment for possible special education eligibility.
10. to document the use of scientifically-based interventions and use of peer reviewed research.
11. to explain the RTI model if used and review progress under this model.

STUDENT STUDY/SUCCESS TEAM

A General Education Function

Membership on the SST may vary according to student issues/teacher concerns.

The role of the:

Referring Person

- share goals for student referred
- clearly define a student's strengths
- identify areas of concern
- list attempts to address concerns, implemented over a reasonable period of time
- provide objective feedback regarding success/lack of success of attempts
- solicit additional support/suggestions
- implement additional support/suggestions

Parent

- share personal goals for child
- clearly define a student's strengths
- identify areas of concerns
- partner with the school in solutions
- accept shared responsibility for partnership

Student

- share personal goals
- provide information regarding likes/dislikes
- accept responsibility for suggested change

Administrator

- facilitate collaboration
- offer reasonable alternatives
- provide support to student, teacher and parent
- focus on student involvement in the general education process
- suggest other available general education programs (i.e. Reading Recovery, Title I, etc.)

Additional Staff

- provide specific input regarding identified concerns
- suggest support/modification to be implemented
- provide follow-up support to teacher/parent/student

A WORD ABOUT RESPONSE TO INTERVENTION (RTI)

A General Education Function

The question has arisen: “How does RTI fit in with the SST process?” That answer remains to be seen and will likely be district or SELPA specific.

It has, however, been made clear that RTI is a general education responsibility and must be completed within the context of the general education classroom.

The concept behind the RTI model requires educators to identify specific problems students may be experiencing with academic tasks early and narrow such problems down to skill-specific deficits. In part, it is based on the research of Dr. Reid Lyon, et.al. at the National Institute of Child Health and Human Development at the National Institute of Health.

Dr. Lyon’s research has investigated what specific skills are necessary to learn to read. He found five skills that children must have in order to learn to read effectively;

These include:

- Phonemic Awareness
- Phonics
- Fluency
- Vocabulary
- Comprehension

The RTI model applies to all areas of academic instruction as well as behavioral issues. Under this model general education teachers are asked to monitor their students’ progress frequently, identify those children who need additional instruction in skill-specific areas, and provide instruction to those children in their area of need using scientific, research-based intervention. This intervention must be delivered systematically, for an appropriate period of time, and with fidelity. If this fails to produce positive results, additional interventions should be attempted in general education, which may include increasing the time, frequency, or intensity of skill-specific instruction.

This may be the opportunity for the RTI and SST processes to be melded. The function of the SST team may become the median where data collection and interventions with individual students are reviewed and evaluated by general education teachers and staff prior to making a referral to special education.

THE SST...FULFILLING LEGAL REQUIREMENTS

for Special Education Referrals for Assessment

- 1) If a referral to special education is the outcome, the SST fulfills the legal function of ensuring that documented attempts have been made to modify the general education program before referring the individual for special education, as per (EC56303; 5 CCR 3021).
- 2) If the SST recommends an assessment for special education after attempted systematic and substantiated general education interventions, the assessment questions to be answered focus on: a) whether the child has a disability, b) to determine the educational needs of the child, and c) if the child would educationally benefit from special education services. The SST documentation provides necessary information regarding eligibility criteria:
 - Attendance records
 - Family/student mobility
 - Consistency and fidelity of academic program
 - Behavioral issues
 - Disciplinary records
 - Cultural/linguistic issues
 - Current information regarding vision/hearing/motor problems

The SST needs to take note of all the steps that have been taken by the school to include the student in a general education classroom:

- Supplementary aids and services provided
- Alterations of the regular program already implemented to accommodate the student
- Consistency of interventions and outcomes
- Coordination with other school site programs
- Fidelity of interventions and outcomes

- 3) The general education teacher will be an integral part of the IEP process, and will be able to address the questions posed to assist in determining eligibility as well as answering the concern for referral. Review of the above documented SST information can be used by the team to respond to eligibility issues: (EC 56320, EC 56337(a-c), 5 CCR 3030)

- Is the discrepancy due primarily to limited school experience, poor school attendance, environmental, cultural or economic disadvantages, mental retardation, emotional disturbance, vision, hearing and/or motor problems, or lack of instruction in reading or math or limited English proficiency. (Information requested on the SST referral form.)
- Can this discrepancy be addressed through additional services in conjunction with interventions in the regular program? (Information documented through the SST meetings.)
- Is this discrepancy corroborated by other data? (Information obtained from parent, student, staff).
- Is it possible for the student to succeed in general education for any portion of the academic program? Specify: _____
- Is it possible for the student to succeed in regular nonacademic classes? Specify: _____
- What services will special education provide that the general education setting can not provide?

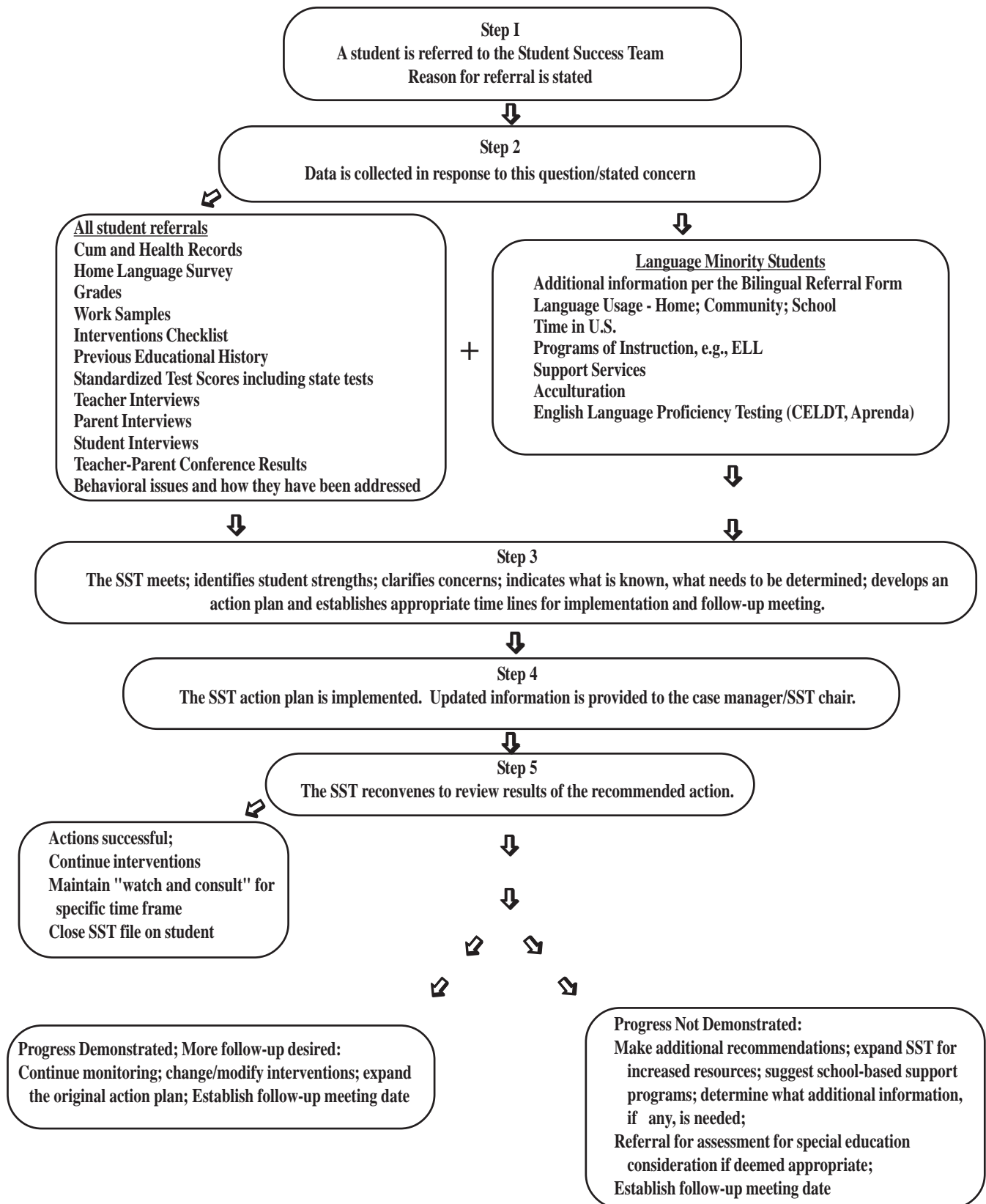
THE SST...FULFILLING LEGAL REQUIREMENTS

for Special Education Referrals for Assessment (continued)

If a student's Home Language Survey indicates a language other than English as the home language, the SST needs to consider the issues discussed in the Bilingual Special Needs Section of this handbook.

- 4) If a student is **REFERRED** for special education assessment and does **NOT** meet eligibility criteria (e.g., including information provided in the above-stated questions and a processing disorder which is determined through formal assessment) the SST may need to:
- a. re-review additional school support programs
 - b. consider referrals to community agencies
 - c. re-review implemented interventions to determine if adjustments to these can be developed/refined
 - d. In some instances, if a student has a physical or mental impairment which may substantially limit a major life event (e.g., learning), the student may be referred for consideration under Section 504. There should be a separate 504 eligibility team. The 504 issues are discussed under the 504 section of this handbook.

STUDENT STUDY/SUCCESS TEAM PROCESS CHART



QUESTIONS & ANSWERS

COMMONLY ASKED QUESTIONS

REFERRAL

1. *Who can refer a student to the SST?*

School staff or parent can refer a student to the SST. The referring person must be in attendance at the SST meeting. If school personnel refer a student, the following should be asked to attend: Parent or person acting as parent, general ed teacher, administrator or designee and student if appropriate.

2. *Does the parent have to be invited to the SST?*

YES. In some instances, the school teams prefer to meet informally to discuss referral concerns. The parent must, however, initially be contacted and advised that there are concerns and that the SST will meet.

3. *Who contacts the parent?*

The classroom teacher (or referring school staff) is the recommended parent contact. It is assumed that the teacher will have been in communication with the parent regarding his/her concerns before the SST referral is initiated.

4. *How do I know if a referral is appropriate?*

Any referral is "appropriate" if a parent, teacher, or student needs support or help in making a student successful. It is better to refer a student at the earliest warning signs or concerns. A supportive team can help reduce frustration that builds when a teacher feels that he/she is not meeting a student's needs and/or when a parent feels his/her concerns are not being heard.

5. *Why do we have to go through filling out vision and hearing screenings?*

It's important to know if these screenings are current. Medical issues which could be impacting a student's learning and/or behavior should not be overlooked. In addition, if the SST decides that a referral for assessment for special education eligibility is necessary after interventions have been systematically attempted. Current vision and hearing screenings are required to be completed prior to additional assessments.

6. *Why do we have to go through the cum folder?*

Again, it is important to know the child's educational history. Valuable information sometimes gets lost; and/or school history often lends an otherwise unknown perspective. Limited or poor school attendance or a multi-school history may indicate the concerns are not related to a specific disability but rather lack of exposure or opportunities.

7. *Who attends the SST?*

Referring person, parent, student when appropriate, administrator or designee, and other staff. Most schools have a "Standing SST" and add team members as appropriate per the referral concerns. An administrator (or designee) and the referring person are required. Research has documented that the Administrator's participation is the key to a successful SST. An Administrator is in the position of effecting change. The referring person is a necessary participant as this is the individual identifying a concern and will be involved in implementing strategies to address the concern.

8. *What if the parent doesn't want to participate in the SST process?*

Each school will have to determine how to handle this situation. Parents must be kept informed of concerns and recommendations. SST members report that when parents realize that the school wants to help, the parent is receptive to participating. There have been schools that have not held the SST unless the parent participated. All information indicates that parent perception of the school improves with participation on the SST.

9. *How long should the SST meeting last?*

Usually 30 to 45 minutes. Sufficient ideas should be generated within that time frame. If brainstorming is not successful within that time, it is probable that the issue needs to be more clearly defined or more information needs to be obtained. (Refer to Page 6 of this manual for information to be addressed.)

10. *How many times does the SST meet regarding a specific child?*

At least 2: the first to determine what interventions need to be put into place and the second to report back on the success of the interventions or suggest other interventions.

11. *When does the SST refer for special education assessment?*

When there is enough data to provide information to the following questions: When is the student able to access general education? What supports and interventions are successful? When is the child not able to access general education? What supports and interventions have been tried? What additional information is needed to help this child succeed? What will be available in special education that is not available in the general education setting? If the SST team feels that a referral to special education or 504 is imminent, then either special education or 504 personnel should be involved in the SST before a referral for assessment is made.

12. *Does the SST information get put in the cum folder?*

Yes. It is recommended that an SST folder be established and placed in the cum folder. This will allow others to see what concerns have surfaced and how those concerns were addressed.

13. *Does a student with ADD/ADHD automatically qualify for special education?*

No. ADD/ADHD is **NOT** a special education eligibility area. The SST might refer to the Special Education or 504 team for eligibility review.

14. *What if the SST doesn't solve the problem?*

Due to the range of concerns that can be presented to the SST, not all student needs may be solved. What can result, however, is ownership of a child by a school-site, which provides teacher/parent support in knowing that all that is currently reasonable and possible is being done. The "problem" may not be solved, but communication and support can be increased.

15. *Can a teacher refuse to implement strategies or interventions for a student.*

No. A student has rights under several different entitlements in the law to an appropriate education. Interventions and strategies do not mean that a student cannot be held accountable for learning a core amount of information considered necessary for success in a class. Interventions and strategies do mean that a student can receive the information and/or demonstrate the competencies in alternative modes of instruction and/or assessment.

16. *What is 504 and how is it connected to the SST process?*

504 is a section of the Rehabilitation Act of 1973 that insures individuals with disabilities have equal access and opportunities and may not be discriminated against on the basis of their disability. If interventions in the general education environment prove to be insufficient, the SST team may decide to refer the student to the 504 team, to determine if the student may be eligible for services under 504. Please see the 504 section of this handbook (pages 54 - 86) for more information.

If the SST refers a student for special education assessment, and the student does not qualify; (a discrepancy plus a processing problem) a student's 504 eligibility may be considered. Students may be referred for 504 eligibility without going through the SST process. See the 504 section of this handbook.

17. *What if a doctor puts a special education assessment request in writing?*

Anyone can request an assessment and the request must be considered by the LEA. However, only the person who holds educational rights may sign the assessment plan authorizing assessment.

18. *Do I refer a child with speech problems to the SST?*

Within district and/or county guidelines, Language, Speech, and Hearing (LSH) Specialists may complete speech and language screening of students at specific grade levels and students new to the district or site. Contact your LSH Specialist to determine if a recent screening has been completed. This information may answer your concerns. Language concerns should be referred to the SST.

19. *What do we do if a parent requests an assessment for special education? Does this bypass the SST process?*

Not necessarily. See page 13.

20. *Are there more resources available for the SST?*

Yes, contact your District Director of Special Education for additional references regarding the SST implementation and process.

SUGGESTED PROCEDURE FOR PARENT REFERRAL FOR SPECIAL EDUCATION ASSESSMENT

1. Assist the parent in putting the request in writing. This request must include the parents reason for assessment. Time lines begin when the written request is received by LEA staff. An assessment plan must be developed, or a notice of refusal to assess with reasons for refusal and procedural safeguards must be written and offered to the parent within 15 days of receipt of the written for assessment.
2. Concurrently refer the parent to the school psychologist or special education staff person.
Psychologist or special education staff person:
 - can discuss the parents' concerns.
 - ensure that the parent fully understands the referral process.
 - suggest less intrusive interventions to address the student's problems.
 - will, if appropriate, assist the parent in submitting the assessment request in writing.
 - suggest involvement in the SST process if this has not already taken place.
3. If the parent agrees to the SST process, schedule an SST within 15 calendar days of written request for assessment.
 - a) At the SST
 - discuss the parent's concerns.
 - review screening data gathered by site personnel.
 - review the purpose of the special education referral.
 - seek to determine the area of suspected disability.
 - b) If information reviewed by the SST suggests that the student's needs can be met in the regular education program, with or without modifications, special education consideration is probably not warranted.
 - If the parent agrees, interventions need to be documented on an action plan form and a monitoring/ follow-up plan would be proposed. Documentation must indicate that parent agrees with the intervention plan and withdraws request for assessment. If appropriate, the SST might want to consider 504 eligibility which could result in a 504 modification plan.
4. If the school, through the SST process or the written request, does not agree that a special education assessment is necessary, written notice to the parent must be provided, stating the basis for the districts refusal to conduct an assessment. This becomes a special education function.
5. To comply with federal regulations, the letter to the parent must include a:
 - full explanation of all procedural safeguards. (special education information)
 - description of the action proposed or refused by the district; an explanation of such proposals or refusals. (special education function)
 - description of any options considered and reasons for rejection of options. (SST documented information)
 - description of each evaluation procedure, test, record, or report used as a basis for the proposal made or as basis for the refusal for assessment. (SST documented information)
 - description of other relevant factors for the proposal or refusal. (SST documented information)
6. Further, this letter must be in the language or mode of communication used by the parent, unless it is clearly not feasible to do so. The parent can elect a mediation or request due process.
7. If information reviewed by the SST suggests that the student's needs cannot be met in the regular education program, with or without modifications, special education consideration is probably warranted.
 - Follow referral for assessment procedures.

Reminders:

- The SST is not to be used to "stall" a special education referral.
- The SST is not a legal requirement before a special education assessment. Documentation of interventions in general education is.
- The SST is to be used as a forum for problem solving, identification of concerns, opportunity for discussion and communication.
- There should be a full discussion of the student's present levels of performance to determine if assessment is a necessary step.

Adapted from Long Beach Unified School District in its response to a CCR issue.

STUDENT STUDY/ SUCCESS TEAM

F
O
R
M
S

Group Home (LCI) Yes ___ No ___
Foster Home (FFH) Yes ___ No ___

Date Received by
Case Manager

S.S.T. Meeting Date

DISTRICT

REFERRAL TO STUDENT STUDY/SUCCESS TEAM

REFERRED BY: _____
(Name, Title)

Student _____ Birthdate _____

School _____ Teacher _____ Grade _____ Room _____

Parent/Guardian(s) _____ Work Phone: Father _____ Mother _____

Address _____ Home Phone _____
(Street) (City) (Zip Code)

Primary Language of Home _____ Student _____ Student Ethnicity _____

Language Proficiency (CELDT) Scores: Date: _____ Listening: _____ Speaking: _____ Reading: _____ Writing: _____

Rationale for referral: _____

Classroom Teacher / Parent Contact Date(s): _____

Outcome of Contact (s): _____

Health: Vision Date: _____ R: _____ L: _____ Hearing Date: _____ R: _____ L: _____

Special health concerns (if any): _____

Attendance: Current Total Days Absent: _____ Tardy: _____ Attendance History: _____

Description of Social Behaviors: _____

Description of Work Habits: _____

Description of Speech/Oral Language: _____

Description of Classroom Academic Functioning: _____

Standardized Test Scores: CST CAT/6 OTHER: (specify) _____

Reported by: %ile SS GE NCE Total Reading _____ Total Language _____ Total Math _____ Total Battery _____

To be completed by SST Case Manager

See attached SST documentation

Classroom interventions/considered or utilized: _____

Results of interventions: _____

Follow Up: Review Date: ___/___/___ Rationale _____

Follow Up: Review Date: ___/___/___ Rationale _____

Recommended Services: _____

* Referral for assessment to determine possible eligibility for Special Education. Date: _____

* Referral for assessment to determine possible eligibility for 504. Date: _____

* Appropriate personnel must be present if a referral is made.

Distribution: Case Manager, Cum Folder, Parent, District Office as appropriate
SE07-1

DISTRICT

**NOTICE OF STUDENT STUDY/SUCCESS TEAM MEETING
(S.S.T.)**

Date _____

Student _____ Birthdate _____

Parent/Guardian _____ Phone _____

Address _____

School _____

Dear Parents:

This is to request your attendance at a Student Study/Success Team (S.S.T.) meeting which has been scheduled to discuss your child's current school performance. The S.S.T. is a team of teachers and support staff which meets with parents to develop possible strategies for increasing your child's success in school. Your child was referred to the S.S.T. by _____ because of concerns in the following areas: _____.

Meeting Date: _____ **Time:** _____ **Place:** _____

If you have any questions regarding this meeting or need to reschedule, please contact the following person:

_____ Phone _____

Those who have been invited to attend this meeting:

Parent/Guardian: _____

Administrator: _____

Teacher(s): _____

Others: _____

Student: _____

✍----- **CUT AND RETURN** -----
PLEASE RETURN THIS PORTION TO: _____

Student _____ Birthdate _____

I have been informed of the meeting on _____.

_____ Yes, I will be at the S.S.T meeting.

_____ Yes, I would like to participate by phone.

_____ No, I cannot come at the scheduled time. Please contact me at _____ to reschedule.

_____ No, I cannot come at the scheduled time. Please proceed without me.

Parent/Guardian Signature _____ **Phone** _____

(These S.S.T. meetings involve the planning and coordination of many people's schedules. If it does become absolutely necessary to cancel, please call as soon as possible, so all parties involved may be notified.)

STUDENT STUDY/SUCCESS TEAM SUMMARY

Participants Signatures:

Teacher: _____ Date _____
 Parent: _____ Primary Language _____
 Administrator: _____ Current Vision/Hearing _____
 Other: _____ Screening Results: _____
 Other: _____

STUDENT _____ GRADE _____ BIRTHDATE _____ AGE _____ SCHOOL _____

SCHOOL DISTRICT _____

Strengths	Information	Documented Interventions	Areas of Concern/Questions	Action Plan/ Planned Interventions	Person(s) Responsible Who	When

Follow-up
Date:

STUDENT STUDY/SUCCESS TEAM SUMMARY

Participants Signatures:

Teacher: _____ Date _____
 Parent: _____ Primary Language _____
 Administrator: _____ Current Vision/Hearing _____
 Other: _____ Screening Results: _____
 Other: _____

STUDENT _____ GRADE _____ BIRTHDATE _____ AGE _____ SCHOOL _____

SCHOOL DISTRICT _____

Strengths	Information	Documented Interventions	Areas of Concern/Questions	Action Plan/Planned Interventions	Person(s) Responsible Who	When
(See list on p. 22 for ideas)	CAT/6 Grades 3 & 7 Date _____ Reading _____% Language _____% Math _____% Total Battery _____% CST Date _____ For Grades 2-11: English/L.A. _____% Math _____% For Grades 4 & 7: Written Composition _____% For Grade 5: History/Social Science _____% For Grades 8-11: History/Social Science _____% Science _____%					
	Appendix 3 Date _____ For Grades 5-11: Reading _____% Spelling _____% Lang. Arts _____% Math _____% CAHSEE Grades 10-12 Date _____ English/Language Arts: Pass / Fail Math: Pass / Fail					
Other assessment information, preschool experience, previous SST referrals, retention (if any), health history, family history.						
						Follow-up Date:

CHECKLIST: CAN STUDENT'S NEEDS BE MET IN GENERAL EDUCATION SETTING?

Questions the SST should consider before a referral for special education assessment
and following general education interventions.

1A. Steps taken by the school to include the child in a general education classroom in conjunction with supplementary aids and services.

- Has the school considered the whole range of supplementary aids and services, including appropriate site level, programs and services?
 - Yes, Specify _____
 - No, Rationale _____

- Has the school made efforts to modify the general education program to accommodate the child?
 - Yes, Specify _____
 - No, Rationale _____

- Does the child demand so much of the teacher's time for academic or behavioral support, that the teacher is required to ignore the other students academic needs?
 - Yes, Specify _____
 - No, Comments _____

- Is it possible for the child to succeed in general education for some academic programs?
 - Yes, Specify _____
 - No, Rationale _____

- Is it possible for the child to succeed in nonacademic classes?
 - Yes, Specify _____
 - No, Rationale _____

1B. If eligible, what are the expectations of special education designation for this child?

1C. If eligible, what does the SST believe special education services can provide that the general education setting can not provide?

NOTE: Neither a behavior disorder nor a second language development issue alone qualify a student for special education services.

CHECKLIST OF ELEMENTARY INTERVENTIONS/ACCOMMODATIONS

PROGRAM

MODIFICATION: A change in placement, materials, techniques, or an addition or change of services for child having difficulty in the current regular education assignment. "A pupil shall be referred for special education instruction and services only after the resources of the general education program have been considered and, where appropriate, utilized." California Education Code 56303)

INTERVENTIONS: Please use both sides of this sheet to document which modifications have been attempted. Put an X by each Intervention used. Circle each one that has been successful. Use the space on the back for comments.

ENVIRONMENT	MATERIALS	SCHEDULE	ASSIGNMENT
<input type="checkbox"/> Use of study materials <input type="checkbox"/> Change of seating <input type="checkbox"/> Reduce distractions where possible <input type="checkbox"/> Change class assignment etc.) <input type="checkbox"/> Change learning groups <input type="checkbox"/> Create more physical space <input type="checkbox"/> Consider special health problems (vision/hearing) <input type="checkbox"/> Use parent or cross/age tutor <input type="checkbox"/> Use peer tutors <input type="checkbox"/> Special study areas <input type="checkbox"/> Small group for instruction <input type="checkbox"/> Modeling of desired behavior <input type="checkbox"/> Time out stations <input type="checkbox"/> Routine schedules <input type="checkbox"/> Surround student with good role models <input type="checkbox"/> Clarify classroom rules	<input type="checkbox"/> Use different materials (i.e. tapes, slates, lang. master Math Their Way, blocks, task cards, manipulatives) <input type="checkbox"/> Activity break <input type="checkbox"/> Use diagnostic material <input type="checkbox"/> Learning games <input type="checkbox"/> Computer time <input type="checkbox"/> Typewriter <input type="checkbox"/> District continuum <input type="checkbox"/> High Interest/Low vocabulary <input type="checkbox"/> Use concrete ideas/materials <input type="checkbox"/> Use a timer <input type="checkbox"/> Use easier material <input type="checkbox"/> Personalize material <input type="checkbox"/> Other	<input type="checkbox"/> Shorten day/reduce time of work period <input type="checkbox"/> Allow student to change activity sooner <input type="checkbox"/> Buddy System <input type="checkbox"/> Systematic Inclusion (student works in the conference area and goes back to class only when willing to follow the directions) <input type="checkbox"/> Systematic exclusion <input type="checkbox"/> Adjust length of presentation to correspond to the student's attention span <input type="checkbox"/> Supplement regular class (Chapter 1, LSH, RSP, Adaptive PE, remedial class, bilingual class, counseling, etc.) <input type="checkbox"/> Independent Study <input type="checkbox"/> Home study <input type="checkbox"/> Other	<input type="checkbox"/> Simplify assignments <input type="checkbox"/> Shorten assignments <input type="checkbox"/> Individual contracts <input type="checkbox"/> Cooperative lesson group <input type="checkbox"/> Use notebooks for assignments <input type="checkbox"/> Use bold type <input type="checkbox"/> Tracing/copying for visual/motor reinforcements <input type="checkbox"/> Alternative assignment structure (i.e. choice of 3 methods of reporting) <input type="checkbox"/> Break tasks into smaller steps <input type="checkbox"/> Vary material <input type="checkbox"/> Listen and use student interest <input type="checkbox"/> Daily/weekly notes <input type="checkbox"/> Allow for alternative responses (oral/written) <input type="checkbox"/> Other

CHECKLIST OF ELEMENTARY INTERVENTIONS/ACCOMMODATIONS

TEACHING TECHNIQUES	LEARNING	USE OF LEARNING CHANNEL	MISCELLANEOUS
<p>___ "Show Me" cards or other whole class participation</p> <p>___ Vary voice volume as required</p> <p>___ Use eye contact</p> <p>___ Use hand-on-shoulder contact</p> <p>___ Reduce stimulation -amount degree when appropriate</p> <p>___ Teacher circulates around the room</p> <p>___ Repeat instructions</p> <p>___ Reteach/Over learning</p> <p>___ List assignments on board</p> <p>___ Behavior modification</p> <p>___ Use visual aides in giving instruction</p> <p>___ Write instructions/directions</p> <p>___ Don't grade during the learning phase- Do correct, analyze and give feedback</p> <p>___ Teach to student's strength</p>	<p>___ Have learner keep study book</p> <p>___ Agreement on learner's part to accept designated responsibility</p> <p>___ Reward for starting, continuing and completing tasks</p> <p>___ Cooperative learning</p> <p>___ Praise, Prompt and Leave</p> <p>___ Over learning/Practice</p> <p>___ Reinforce correct responses promptly</p> <p>___ Relaxation techniques</p> <p>___ Affirmations</p> <p>___ Increase positive comments</p> <p>___ Other</p>	<p>___ For auditory sequencing problems - limit number of oral instructions</p> <p>___ Note-taking skills</p> <p>___ Auditory channel</p> <p>___ Visual channel</p> <p>___ Kinesthetic channel</p> <p>___ Reduce stimulation (auditory/visual)</p> <p>___ Use auditory materials (tapes, Language Master, etc.)</p> <p>___ Use visual materials (over-head projector, TV, etc.)</p> <p>___ Use concrete manipulative materials</p> <p>___ Other</p>	<p>___ Touch base with other school personnel</p> <p>___ Keep work samples</p> <p>___ Achievement testing</p> <p>___ Referral to Student Success Team</p> <p>___ Parent conferences</p> <p>___ Review cum folder for key information</p> <p>___ Parent support or contract at home</p> <p>___ Daily/weekly reports</p> <p>___ Conference with Principal</p> <p>___ Conference with Psychologist</p> <p>___ Other</p>

ADDITIONAL COMMENTS CONCERNING INTERVENTIONS USED AND THE RESULTS:

Student Strengths

- *Each child has unique strengths that parents and teachers can nurture and build upon.
- *Parents, please help us by circling all the items that apply to your child. Bring this sheet to our Student Success Team meeting to share.
- *Teachers, use this sheet as a reference when writing the student's strengths on the group memory.

<p><u>Bodily/Kinesthetic Intelligence</u> good fine motor skills good gross motor skills loves movement athletic/participates in sports dances builds/fixes things likes hands-on experiences enjoys role playing</p>	<p><u>Verbal/Linguistic Intelligence</u> enjoys reading writes well for age spells well/has developmental spelling that is advanced for age listens well likes to tell jokes, stories good memory for names, dates, places well-developed vocabulary uses language fluently</p>
<p><u>Visual/Spatial Intelligence</u> artistic/enjoys drawing likes jigsaw puzzles, mazes designs and builds things with Lego blocks, other material enjoys photographs, illustrations active imagination does well with maps, charts, diagrams</p>	<p><u>Interpersonal Intelligence</u> likes to work and play with others has leadership qualities is well-liked/has many friends sensitive to moods of others communicates well with others enjoys being around others</p>
<p><u>Logical/Mathematical Intelligence</u> likes order, patterns, categories good at chess, checkers, strategy games asks many questions about how things work proficient with computers good at math computations computes math problems in head good at math problem solving reasons things out logically and clearly</p>	<p><u>Intrapersonal Intelligence</u> likes to work independently is self-motivated is confident has many personal interests, hobbies good intuitive ability good at identifying his/her own feelings</p>
<p><u>Musical Intelligence</u> sings plays a musical instrument loves to listen to music remembers melodies of songs is aware of surrounding sounds learns best when music is playing in the background</p>	<p><u>Other strengths to note</u> good attendance returns homework regularly is able to complete in-class assignments parent support puts forth much effort enjoys a challenge follows school rules high self-esteem wants to learn</p>

COMPLETING THE

R
E
F F
F O
E R
R R
R A
L M

REFERRAL TO STUDENT STUDY/SUCCESS TEAM

Group Home (LCI) Yes___No___
 Foster Home (FFH) Yes___No___

LCI: **Licensed Children’s Institute** is a licensed residential facility for children. Placements to an LCI are made through the courts, regional center or public agency other than education. An LCI may be a group home.

EC 56155, 56155.5(a)

FFH: **Foster Family Home** is a state licensed family residence serving six (6) or fewer foster children.

EC 56155.5 (b)

District: This is the student's San Joaquin SELPA School District which is initiating the Student Success Team.

DISTRICT

Date Received by Case Manager: To be completed by Case Manager upon receipt of completed SST form, per site SST procedures.

Date Received by
Case Manager

S.S.T. Meeting Date

SST Meeting Date: To be completed by Case Manager upon receipt of completed SST form, per site SST procedures.

REFERRED BY: _____

Student _____ (Name, Title) Birthdate _____

School _____ Teacher _____ Grade _____ Room _____

Parent/Guardian(s) _____ Work Phone: Father _____ Mother _____

Address _____ (Street) _____ (City) _____ (Zip Code) Home Phone _____

REFERRED BY: This is the name of the person who has academic/educational concerns regarding the student such as classroom teacher, parent, counselor, principal, etc.

Student: This requires a full legal name. In parentheses, list any other known last names used by the student.

Birth date: This can be a numerical entry, e.g., 3/3/98.

School: This is the school which the student is attending as of date of the SST referral.

Teacher: This is the student’s current general education teacher. In a high school setting, this is usually a home room teacher or the teacher submitting the referral.

Grade: This is the student's current grade level.

Room: This is the room number of the teacher identified on the same line.

Parent/Guardian(s): This includes the first and last names of parents, guardians, LCI, or person holding educational rights for the child. If LCI or FFH have been checked, indicate whether this is foster home parent/LCI representative or natural parent.

Work Phone: Father/Mother ... include area code if other than (209).

Address: This information will be used to send parent's written notification of the SST Meeting(s).

Home Phone: Father/Mother ... include area code if other than (209).

Primary Language of Home _____ Student _____ Student Ethnicity _____
Language Proficiency (CELDT) Scores: Date: _____ Listening: _____ Speaking: _____ Reading: _____ Writing: _____

Primary Language of Home/of Student: This information is reported on the *Home Language Survey* as completed by the parent at the time of school enrollment.

LANGUAGE PROFICIENCY SCORE: If Home Language Survey indicates that home language is other-than-English, assessing in English must be completed within 30 days of school enrollment using state approved CELDT (California English Language Development Test). If not English proficient on CELDT test within 90 days, primary language must be assessed. **See Bilingual Referral section of the SST manual for further explanation of this process and for additional SST information requested.**

Student Ethnicity is reported by the parent. Information should be found in the cum folder.

- 100 NATIVE AMERICAN:** A person having origins in any of the original peoples of North America and who maintains cultural identification through tribal affiliation or community recognition.
- 205 ASIAN INDIAN:** A person having origins in any of the original peoples of the Indian subcontinent.
- 600 AFRICAN-AMERICAN:** A person having origins in any of the black racial groups of Africa.
- 207 CAMBODIAN:** A person having origins in any of the original peoples of Cambodia.
- 201 CHINESE:** A person having origins in any of the original peoples of China.
- 400 FILIPINO:** A person having origins in any of the original peoples of the Philippines Islands.
- 302 GUAMANIAN:** A person having origins in any of the original peoples of the Island of Guam.
- 301 HAWAIIAN:** A person having origins in any of the original peoples of the Hawaiian Islands.
- 500 HISPANIC:** A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
- 202 JAPANESE:** A person having origins in any of the original peoples of Japan.
- 203 KOREAN:** A person having origins in any of the original peoples of Korea.
- 206 LAOTIAN:** A person having origins in any of the original peoples of Laos.
- 299 OTHER ASIAN:** A person having origins in any of the original peoples of the other Asian countries not listed above, e.g., Thailand, Indonesia, and Tibet.
- 399 OTHER PACIFIC ISLANDER:** A person having origins in any of the original peoples of the Polynesian, Micronesian, or Melanesian Islands except Hawaiian, Samoan, Guamanian or Tahitian islands. (Excludes the Philippine Islands.)
- 303 SAMOAN:** A person having origins in any of the original peoples of the Samoan Islands.
- 304 TAHITIAN:** A person having origins in any of the original peoples of the Tahitian Islands.
- 204 VIETNAMESE:** A person having origins in the original peoples of Vietnam.
- 700 WHITE:** A person having origins in any of the original peoples of Europe, North Africa, or the Middle East, e.g., England, Egypt, Portugal, and Iran.

ALL REQUESTED INFORMATION FOR REMAINDER OF FORM SHOULD PROVIDE THE SST MEMBERS WITH A "PICTURE" OF THE STUDENT IN THE CURRENT SETTING.

Rationale for referral: _____

Classroom Teacher / Parent Contact Date(s): _____
Outcome of Contact(s): _____

Health: Vision Date: _____ R: _____ L: _____ Hearing Date: _____ R: _____ L: _____
Special health concerns (if any): _____
Attendance: Current Total Days Absent: _____ Tardy: _____ Attendance History: _____
Description of Social Behaviors: _____

Rationale for referral: Must be completed by referring person. This should identify area of concern: e.g.

- Attends school on average of 3 days / week.
- Despite daily math instruction, is not retaining math facts.
- Reads fluently but does not recall information read.
- Complains of headache 2 - 3 times per day. Wants to go home.
- Sent to office almost daily due to behavioral issues.

Classroom Teacher/Parent Contact Date(s): Document contact(s) with the parent prior to the referral; phone (p) or conference (c), as well as indication to parent that SST referral is being made. e.g. (p) 3/24/06: student absent past 3 days; (p) 4/7/06: discuss SST; Mother will come if in early a.m.; (c) 4/10/06 report card conference, set 4/22/06 for SST. (If there are a number of parent contacts, refer to the phone/contact log in front of the cum folder.)

Outcome of Contact(s): Brief, general descriptive statements indicating parent concern, jointly agreed to attempts to solve problem and results of attempts e.g., student had been suffering from allergies; parent letting child sleep late; will get to school more regularly; did; at conference, upset that failing math.

Health: Vision Date/Hearing Date: Information can be obtained from cum ... needs to be within one year. If not, per site policy request updated information. Vision and/or hearing problems can impact learning. Should the SST outcome be a referral for assessment for special education, assessment cannot be completed if information is not current unless parents deny permission for such screening. (5CCR3027)

Special Health Concerns (if any): Information can be obtained from cum. Concerns may indicate that nurse be a part of the SST or that 504 eligibility may need to be considered.

Attendance: Information on this line can be found in the cum folder. School attendance/tardy history can have an important impact on school success/progress. Lack of attendance can be a concern in the SST meeting. Should the SST outcome be a referral for assessment for special education, eligibility addresses school attendance 5CCR3030(j)(j5).

Description of Social Behaviors: Brief statement to be completed by classroom teacher, based on observation and comparison to classmates: e.g., appropriate for age and grade level; frequently in office for talking-back; not following directions; appears well-liked by peers; frequently chosen for activities by others. Should the SST outcome be a referral for assessment for special education, this information can help determine appropriate assessment areas. **NOTE: Social/Behavior concerns are appropriate for an SST referral. However, behavior alone is not a qualifying eligibility category for special education.**

Description of Work Habits: _____

Description of Speech/Oral Language: _____

Description of Classroom Academic Functioning: _____

Standardized Test Scores: CST CAT/6 Aprenda 3 OTHER: (specify)_____

Reported by: %ile SS GE NCE Total Reading_____ Total Language_____ Total Math _____ Total Battery_____

Description of Work Habits: brief statement to be completed by classroom teacher based on observation and comparison to classmates; e.g., completes homework ... does not turn in; completes work quickly but with high rate of error, “sloppy” writing; unorganized; can’t remember routines of classroom; spends 15 minutes “getting started”; prefers group to individual tasks, completes all work assigned within time-frame, but easily distracted and then can’t refocus.

Description of Speech/Oral Language: brief statement to be completed by classroom teacher; based on observation and comparison to classmates. e.g.: loves to tell long stories, but difficult to understand; usually responds with one word only; appears to have difficulty remembering specific word needed; would prefer to give report orally rather than in writing; no noted difficulty.

Description of Classroom Academic Functioning: brief statement to be completed by classroom teacher; based on observation and comparison to classmates, e.g.: inconsistent at best; appears to grasp the concepts quickly ... no follow-through; struggling on a daily basis; does well when here; math seems easier than reading; difficulty spelling.

Standardized test scores: Check appropriate standardized test given. These are group assessments administered according to district policy and compare a student’s abilities against his/her peers. Information can be found in the cum file. **CST:** California Standards Test **CAT/6:** California Achievement Test **SAT:** Stanford Achievement Test **Aprenda 3.**

Reported by: Circle the appropriate measure indicated in cum reporting information:

%ile: indicates the students ranking, e.g.,

- 66th %ile means that 34% of students score above this student, 65% of students score below.
- 1st %ile means that 99% of students score above this student who is in bottom 1% of population for age or grade level.
- 99%ile means 99% of students score below this student who is in the top 1% of population for age or grade level.

SS: Standard Score. This reflects students' performance with a normative SS of 100. Average ability would be considered a SS of between 90 and 110. Below average would be a SS below 90; above average would be indicated by a SS above 110.

GE: Grade Equivalent: The GE indicates at what grade level the student is functioning in a specific area, based on test results. Thus, GE of grade 6 would be the norm for a sixth grade student. A GE of 4 for a 6th grade student would be below expectations. A GE of 9 for a 6th grade student would be above expectations.

NCE: Norm-curved equivalent. The NCE is the student’s ranking based on the bell curve. An NCE of 90 -110 would be within the expectancy range. Below average would be an NCE below 90; above average would be indicated by a score above 110.

Total Reading _____ Total Language _____ Total Math _____ Total Battery _____

Each of the standardized tests yield sub-tests in the areas of reading, language, and math. Within each of these areas, a total score is also provided, which is the average of all sub-tests. These total reading, language, and math scores are averaged for the total battery score. An extremely high or extremely low sub-test score can affect the total score.

To be completed by SST Case Manager <input type="checkbox"/> See attached SST documentation
Classroom interventions/considered or utilized: _____
Results of interventions: _____
Follow Up: Review Date: __/__/__ Rationale _____
Follow Up: Review Date: __/__/__ Rationale _____
<input type="checkbox"/> Recommended Services: _____
* <input type="checkbox"/> Referral for assessment to determine possible eligibility for Special Education. Date: _____
* <input type="checkbox"/> Referral for assessment to determine possible eligibility for 504. Date: _____
* Appropriate personnel must be present if a referral is made.

Distribution: Case Manager, Cum Folder, Parent, District Office as appropriate
 SE07-1

The CASE MANAGER is responsible for completing the remainder of the information following the SST meeting(s).

See attached SST documentation: This information includes the minutes of the meeting and the “Memory Log” and/or “Action Sheet” completed during the SST meeting. Sample forms are provided. Each district/site can adopt forms that meet district/site needs. All forms are provided as samples only. (Since an outcome of the SST may be a referral for assessment for special education, Referral to Student Study/Success Team becomes a part of the official referral process and has been adopted by the districts of the San Joaquin SELPA as the form to be used. If a referral for assessment is made, supporting documentation should be included.)

Classroom interventions, etc.: Single word, short phrase descriptions based on actions recommended by SST team. (These are SST recommendations, not the modifications provided by the referring teacher as a part of the referral process.)

Results of interventions: Is based on SST group memory and action log forms. Indicates success and level of success; additional needed information; “modification” of the interventions, etc.

Follow-Up: Review Date: Is set within a reasonable period of time for implementing interventions and obtaining additional information.

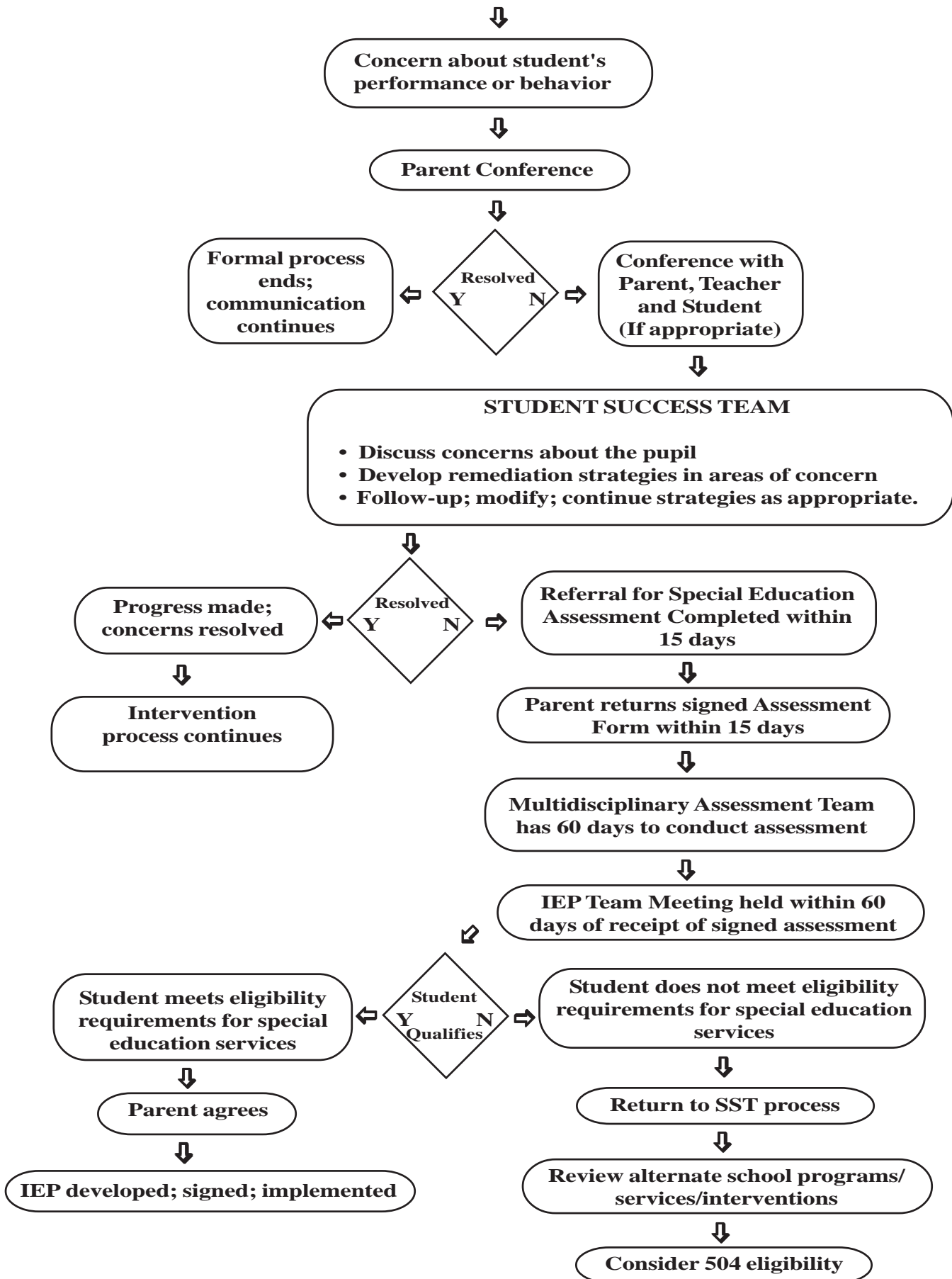
Rationale: Indicates why the team chose that time line as well as why the team is meeting again. e.g., 6 weeks; long vacation; try interventions; adjust if needed to be successful.

Recommended Services: To include any school based programs available for which student might be eligible and might qualify, e.g., Chapter I; peer/cross-age tutoring; counselor appointment; Migrant Services. **NOTE: Commitments cannot be made for persons not in attendance at an SST. Requests for input; attendance at SST can be indicated.**

Referral for assessment: Unless a parent has submitted a request in writing, a referral should not be made unless a site special education person is participating. It should not be necessary to have a special education person attend the first SST. Request for assessment signed and dated by the parent at the SST meeting puts the process into the special education time lines and safeguards with respect to developing an assessment plan.

Signature line: Indicating attendance and opportunity to participate.

SPECIAL EDUCATION REFERRAL PROCESS



BILINGUAL STUDENT STUDY/SUCCESS TEAM

R
E
F
E
R
R
A
L

*As a part of
considering
concerns,
has the
district
followed
state
procedures
as follows*

EL/CLD SPECIAL EDUCATION REFERRALS QUESTIONS & ANSWERS

- 1. How can you tell if an EL student is having English language acquisition development issues or needs special education?***

Students with English language acquisition and/or language development issues are very individual in their learning rates, as are all students.

- 2. How long should a student take to learn English?***

The frustration is that each individual learns at a different rate.

- 3. Can't I refer an EL learner if (s)he is not at grade level in two years?***

This was an "old" assumption about English learners. Some districts would not accept referrals unless a student had been in school at least two years. Much is involved in the student's learning and language learning.

- 4. How can I tell if a student really knows more English than (s)he pretends?***

You probably can't. Remember, students learn "social" language more quickly and may appear to be fairly fluent. "Social" language does not meet cognitive, academic demands.

- 5. If a student is redesignated as Fluent English Proficient (FEP), shouldn't (s)he be academically successful?***

You really need to know how the designation was determined. If the student scored well above the minimum standards, then probably the student should be demonstrating adequate academic success. If the student barely made the minimum standards for FEP, then (s)he will probably have more academic difficulty.

- 6. If the Bilingual person at my site can talk with the parent, why do I have to make contact with the home?***

You are the child's teacher. The parent needs to hear from you and develop trust with you. In addition, you can gain much valuable information, as you can from any parent. Ask the bilingual person at your site to assist you. The phone call or home visit will take a little longer. The results should be more positive.

- 7. Do I really have to know more about the EL student's family and educational history?***

Most of the additional history would be good to know about all students. The second language issues do complicate the learning process. Work through the pre-referral with a bilingual translator from your site (if you don't have the language skills) in completing the Referral for SST: For Culturally, Linguistically Diverse Students (CLD).

EL/CLD SPECIAL EDUCATION REFERRALS QUESTIONS & ANSWERS

8. *Why all the concern about English learners and special education?*

Both state-wide and nationally, culturally and linguistically diverse students are over-represented in special education programs. When the Individuals with Disabilities Education Act (IDEA) Amendments were passed in June of 1997, one focus centered on second language learners. The 2004 Reauthorization of IDEA continued these provisions.

9. *Why do I have to do extra forms for the pre-referral process?*

It is imperative that the information requested is collected. Many times the school history, attendance history and/or type of programs offered (or not offered) provide information regarding a student's learning needs. In addition, the information collected will increase the opportunity to talk with the family to obtain the information. Program options may increase with additional information.

EL: English Learner
FEP: Fluent English Proficient

THE PROCESS:

All parents/guardians of students entering the public schools must complete the Home Language Survey. (See sample, page 29)

If the Survey indicates that a language other than English is the primary language of the home, the student's English language proficiency must be assessed using the CELDT (California English Language Development Test.)

Based on the assessment results, a student is designated: EL (English Learner)
FEP (Fluent English Proficient)
ELP (English Language Proficient)

For the Initial Identification: Oral English assessment is mandatory for all students.

- CELDT reading and writing assessments are optional for:
students in grades K-2.
- CELDT reading and writing assessments are mandatory for EL students in grades 3-12

A student is considered FEP ONLY IF:

- the oral language assessment yields FEP results **AND**
- the student scores at or above district established grade level norms in both reading and writing.
- An FEP student is assigned to any appropriate school program.

A student is considered EL if

- that is the designation on an English oral proficiency test **OR**
- the student scores below district established grade level norms in reading and/or writing (regardless of the oral language proficiency designation).

An LEP student is:

- assessed in the primary language (to the extent assessments are available)
- assigned to the bilingual program.
- has a program developed (primary language/English interface)
- placed in district program to address the recommended designated language of instruction.

If a student designated as LEP demonstrates no primary oral language proficiency (no proficiency in the language indicated on the Home Language Survey), classification may be redesignated to English only based on a district process including:

- consultation with
the parent or guardian
classroom teacher
student
others familiar with the student's language ability in various environments.

AND

- the parent concurs in writing.

To make determinations regarding a second language student referred to the SST, you need to know:

1. What is the district/school multilingual program?
2. Who is the instructor?
3. What is the focus of the program?
4. What is the duration of the program? (i.e., number of minutes per day; number of days per week)
5. Has there been an interface with other programs such as Migrant Education?

WHAT THE LAW IS SAYING:

- Initial Identification is in English only.
- Diagnostic Identification is in the primary language and English.
- Redesignation is dependent on CELDT test results.

PROCESS FOR RECLASSIFICATION OF ENGLISH LEARNER (EL) STUDENTS TO FLUENT ENGLISH PROFICIENT (FEP)

Education Code Section 306 defines “English learner” as “a child who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English...” Reclassification is the process through which students who have been identified as English learners are reclassified to fluent English proficient (RFEP) when they have demonstrated that they are able to compete effectively with English-speaking peers in mainstream classes.

This section contains two documents that illustrate the reclassification process:

- The Guidelines for Reclassification of English Learners, which gives detailed information about each of the reclassification criteria
- A Decision Guide: Reclassifying a Student from English Learner to Fluent English Proficient, which is a flowchart schematic of the reclassification process that is based on the order in which data are received by school districts.

RECLASSIFICATION GUIDELINES

The State Board of Education (SBE) has established four reclassification criteria, based on Education Code Section 313(d), for school districts to use in reclassifying students from English learner to fluent English proficient. The Guidelines for Reclassification of English Learners describes these four reclassification criteria. The first criterion is an assessment of English language proficiency, which in California is the CELDT. The next criterion is teacher evaluation of a student’s academic performance, which can be based on the student’s report card grades, grade point average (GPA), or other measure that school districts use to determine students’ academic performance. The third criterion is parent opinion and consultation, which involves parents or guardians, if possible, in a discussion about their student’s English language proficiency and meeting the guidelines for reclassification. The fourth and final criterion is a comparison of performance in basic skills, which the SBE has indicated should be based on results of the student’s latest California English-Language Arts Standards Test, or CST in English-Language Arts.

SUGGESTED STEPS FOR RECLASSIFICATION

The second document in this section is the Reclassification Decision Guide, a flowchart that walks through each step of the reclassification process. At each step, two bullets are listed that tell school staffs (1) where to look for the data to see if the student meets this criterion and (2) what standard the student must achieve to meet this criterion (and whether the school district can set its own policy).

The first step in the reclassification process is to review the comparison of performance in basic skills.* This review focuses on the latest CST in English-Language Arts results for the student. The student must meet a cut point established by the school district’s governing board. The SBE has set a guideline for this cut point at somewhere between basic and midpoint of basic, but it is up to each school district to set an

exact cut point. If the student meets this criterion, move on to the next step in the decision chart. If this criterion is not met, the student should remain an English learner.

The second step in the process is to review an assessment of English language proficiency, which in California is the CELDT. This is a review of the student's CELDT annual assessment results. For this criterion, the student must meet the CELDT definition of proficiency, which is an overall score of early advanced or advanced, and scores are intermediate or above for each of the sub-skill areas: listening, speaking, reading, and writing. If the student meets this criterion, move on to the next step in the chart. If not, the student should remain an English learner.

The third step in the process is a review of the teacher evaluation of student academic performance. This review looks at whether the student meets the academic performance indicators set by the school district. Academic indicators could include the student's grades or whatever criteria the school district has established as its policy for evaluating academic performance. If the student meets the academic performance indicators established by the school district, move on to the next step in the flowchart. If not, the student should remain an English learner.

The fourth step in the process is parental opinion and consultation. If the student has satisfied all criteria for reclassification, then notice should be provided to parents and guardians of their right to participate in the reclassification process. The notice also should encourage them to participate.

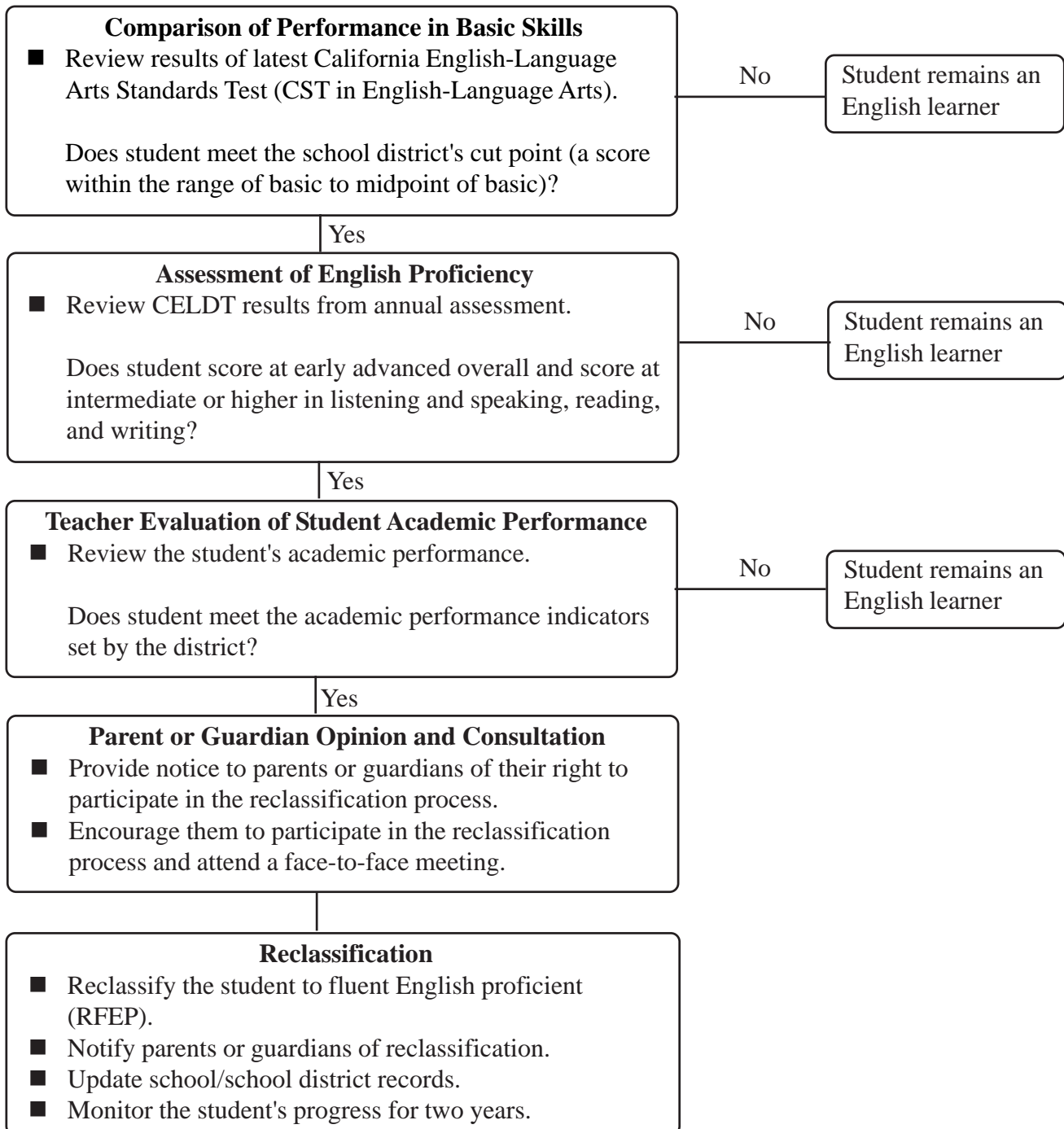
Finally, the student should be reclassified to fluent English language proficient, or RFEP. As part of this process, parents or guardians should be notified, school records should be updated, and the student's progress should be monitored for two years. Monitoring does not mean that the CELDT should be administered again; rather, the student's academic achievement and progress should be monitored to be certain the student is continuing to progress. If the student fails to progress, it is necessary to intervene and not allow him or her to fall behind.

** The review of CST in English-Language Arts results is the first step because these results are received by school districts first in the school year, prior to the release of annual CELDT results.*

Note: The Guidelines for Reclassification of English Learners document is available on the CDE Web site at <http://www.cde.ca.gov/ta/tg/el>.

DECISION GUIDE: RECLASSIFYING A STUDENT FROM ENGLISH LEARNER TO FLUENT ENGLISH PROFICIENT*

School districts are to develop student reclassification policy and procedures based on the four criteria set forth in the reclassification guidelines approved by the State Board of Education (*Education Code Section 313(d)*). The chart below illustrates how the four criteria can be used by school districts/schools when evaluating a student's readiness for reclassification from English Learner (EL) to fluent English proficient (FEP).



* The review of CST in English-Language Arts results is the first step because these results are received by school districts first in the school year, before the release of annual CELDT results.

GUIDELINES FOR RECLASSIFICATION OF ENGLISH LEARNERS*

ASSESSMENT OF ENGLISH LANGUAGE PROFICIENCY

Use the CELDT as the primary criterion. Consider for reclassification those students whose overall proficiency level is early advanced or higher and:

- Listening and speaking is intermediate or higher
- Reading is intermediate or higher
- Writing is intermediate or higher

Those students whose overall proficiency level is in the upper end of the intermediate level also may be considered for reclassification if additional measures determine the likelihood that a student is proficient in English.

- Use most recent available test data.

The above reclassification levels are the same as the initial identification levels specified by the CDE.

TEACHER EVALUATION

- Use student's academic performance.
- Note that incurred deficits in motivation and academic success unrelated to English language proficiency do not preclude a student from reclassification.

PARENT OPINION AND CONSULTATION

- Provide notice to parents or guardians of their right and encourage them to participate in the reclassification process.
- Provide an opportunity for a face-to-face meeting with parents or guardians.

COMPARISON OF PERFORMANCE IN BASIC SKILLS

■ Definitions:

1. "Performance in basic skills" means the score and/or performance level resulting from a recent administration of the California English-Language Arts Standards Test (CST in English-Language Arts).
2. "Range of performance in basic skills" means a range of scores on the CST in English-Language Arts corresponding to a performance level or a range within a performance level.
3. "Pupils of the same age" refers to pupils who are enrolled in the same grade as the student who is being considered for reclassification.

* Approved by the State Board of Education (September 2002)

■ Basic skills criteria:

1. A pupil's score on the CST in English-Language Arts in the range from the beginning of basic level up to the midpoint of the basic level suggests that the pupil may be sufficiently prepared to participate effectively in the curriculum and should be considered for reclassification. School districts may select a cut point in this range.
2. Pupils with scores above the cut point selected by the school district should be considered for reclassification.
3. For pupils scoring below the cut point, school districts should attempt to determine whether factors other than English language proficiency are responsible for low performance on the CST in English-Language Arts and whether it is reasonable to reclassify the student.
4. For pupils in grade twelve, the eleventh grade CST in English-Language Arts results should be used, if available.
5. For pupils in grades one and two, school districts should base a decision to reclassify on CELDT results, teacher evaluation, parent consultation, and other locally available assessment results. Kindergarten students who have been identified as English learners probably should not be reclassified.
6. School districts must monitor pupil performance for two years after reclassification in accordance with existing California regulations and the federal No Child Left Behind (NCLB) legislation.

Date

School

Teacher

Home Language Survey

Dear Parent:

The California Education Code requires schools to determine the language(s) spoken at home by each student. This information is essential in order for schools to provide meaningful instruction for all students.

Your cooperation in helping us meet this important requirement is requested. Please answer the following questions and have your son/daughter return this form to his/her teacher. Thank you for your help.

Name of Student: _____

Last

First

Middle

Grade

Age

1. Which language did your son or daughter learn when he or she first began to talk? _____
2. What language does your son or daughter most frequently use at home? _____
3. What language do you use most frequently to speak to your son or daughter? _____
4. Name the language most often spoken by the adults at home. _____

Signature of parent or guardian

PLEASE RETURN TO YOUR CHILD'S SCHOOL

Additional information is necessary for appropriately considering all aspects of an English language learner's educational progress/lack of progress.

The following is a recommended form. Check with your site/district regarding the Bilingual SST Referral process/forms used in your district.

PRE-REFERRAL DATA COLLECTION FOR SST: FOR CULTURALLY, LINGUISTICALLY DIVERSE STUDENTS (CLD)

Date of Referral: _____

School: _____

This form is to be completed by the referral person prior to referral to the SST for a student whose HLS indicates home language other than English.

It is to accompany the SST referral form

Student Name: _____ Age: _____ DOB: _____ Grade: _____

Retained: _____ Referring Person: _____

CURRENT LANGUAGE OF INSTRUCTION: _____

PRIMARY LANGUAGE SUPPORT SERVICES: _____

CURRENT ENGLISH SUPPORT SERVICES: _____

REASON FOR REFERRAL

What questions do I want answered? / What are my concerns?: _____

What do you want the outcome of the SST to be? _____

What are the parent(s)' concerns? _____

What do you know about the child?:

What language is used at home? _____ What is the child's primary language? _____

What is the child's second language? _____ What is the child's dominant language? _____

How did you find out this information? _____

CELDT test results: _____ Date: _____

Speaking _____ Reading _____ Listening _____ Writing _____

What do you know about the child's language interactions?:

- What language does the child use at home? _____
- What language do the parents use in talking with each other? _____
- What language does the mother use in talking with the child? _____
- What language does the father use in talking with the child? _____
- What language do the siblings use in talking with the child? _____
- If there are others living in the home, what language do they use with the child? _____
- Are primary language and English intermixed (code switching) at home? _____
- What language does the child use with peers at home? _____

- Are the parents able to read in their primary language? Yes No Don't Know
- Are the parents able to write in their primary language? Yes No Don't Know
- Are the parents able to read English? Yes No Don't Know
- Are the parents able to write English? Yes No Don't Know

What is the students's history of academic instruction?

Grade	Language of Instruction	School	Location	Year	Days absent
K	_____	_____	_____	_____	_____
1	_____	_____	_____	_____	_____
2	_____	_____	_____	_____	_____
3	_____	_____	_____	_____	_____
4	_____	_____	_____	_____	_____
5	_____	_____	_____	_____	_____
6	_____	_____	_____	_____	_____
7	_____	_____	_____	_____	_____
8	_____	_____	_____	_____	_____
9	_____	_____	_____	_____	_____
10	_____	_____	_____	_____	_____
11	_____	_____	_____	_____	_____
12	_____	_____	_____	_____	_____

How long has the child been in the United States? _____

At what age or grade did the child start learning English? _____

At what age or grade did the child start using English? _____

What supports/programs has the child received to assist him/her in learning English? (eg. Migrant Ed, Title I, etc.)

MODIFICATIONS/ ACCOMMODATIONS

T T
O H
A E
S T
S E
I A
S M
T S

MODIFICATIONS/ACCOMMODATIONS

Modifications/Accommodations Can Be Considered In A Variety of Environments

Environmental Strategies

- " Provide a structured learning environment.
- " Adjust class schedules.
- " Provide classroom aides and note takers.
- " Modify nonacademic times such as lunch room and recess.
- " Modify physical education.
- " Change student seating.
- " Provide use of a study carrel.
- " Alter location of personal or classroom supplies for easier access or to minimize distraction.
- " Provide alternate setting to ensure privacy for medical procedures.

Organizational Strategies

- " Modify test delivery.
- " Use tape recorders, computer-aided instruction, and other audiovisual equipment.
- " Select modified textbooks or workbooks.
- " Tailor homework assignments.
- " Use of one-to-one tutoring.
- " Provide peer tutoring.
- " Set time expectations for assignments.
- " Provide cues such as clock faces indicating beginning and ending times.
- " Provide tests in segments so that student finishes one segment before receiving the next part.
- " Highlight main ideas and supporting details in the book.

Behavior Strategies

- " Use behavioral management techniques.
- " Implement behavioral academic contracts.
- " Utilize positive reinforcements (rewards).
- " Utilize negative reinforcements (consequences).
- " Confer with the student's parents (and student as appropriate).
- " Confer with the student's other teachers.
- " Establish a home/school communication system for behavior monitoring.
- " Post rules and consequences for classroom behavior.
- " Write a contract for student behavior.
- " Offer social reinforcers (i.e., praise, winks) for appropriate behavior.
- " Establish daily/weekly progress report for the student.
- " Implement self-recording of behaviors.

Presentation Strategies

- “ Tape lessons so the student can listen to them again.
- “ Provide photocopied material for extra practice (i.e., outlines, study guides).
- “ Require fewer drill and practice activities.
- “ Give both oral and visual instructions for assignments.
- “ Vary the method of lesson presentation:
 - a. lecture
 - b. small groups
 - c. large groups
 - d. use of technology
 - e. peer tutors or cross-age tutors (i.e., take notes, monitor assignments, read aloud, listen)
 - f. demonstrations
 - g. experiments
 - h. simulations
 - i. games
 - j. 1-to-1 instruction with other adult
- “ Provide for oral testing.
- “ Ask student to repeat directions/assignments to insure understanding.
- “ Arrange for a mentor to work with student in his or her interest area or area of greatest strength.

Methodology Strategies

- “ Repeat and simplify instructions about in-class and homework assignments.
- “ Supplement oral instructions with visual instructions.
- “ Change instructional pace.
- “ Change instructional methods.

Curriculum Strategies

- “ Change instructional materials.
- “ Utilize supplementary materials.
- “ Assess whether student has the necessary prerequisite skills. Determine whether materials are appropriate to the student’s current interest and functional levels.
- “ Implement study skill strategies (survey, read, recite, review). Introduce definition of new terms/ vocabulary and review to check for understanding.
- “ Limit amount of material presented on a single page.
- “ Provide a sample or practice test.
- “ Be aware of student’s preferred learning style and provide appropriate instruction/materials.

100 COMMON ACCOMMODATIONS

Instructional Modification Menu

1. Provide study carrels.
2. Use room dividers.
3. Provide headsets to muffle noise.
4. Seat child away from doors/windows.
5. Seat near model (student or teacher).
6. Provide time-out area.
7. Rearrange student groups (according to instructional needs, role models, etc.).
8. Group for cooperative learning.
9. Vary working surface (e.g., floor or vertical surface such as blackboards).
10. Simplify/shorten directions.
11. Give both oral and written directions.
12. Have student repeat directions.
13. Have student repeat lesson objective.
14. Ask frequent questions.
15. Change question level.
16. Change response format (e.g., from verbal to physical; from saying to pointing).
17. Provide sequential directions (label as first, second, etc.).
18. Use manipulatives.
19. Alter objective criterion level.
20. Provide functional tasks (relate to child's environment).
21. Reduce number of items on a task.
22. Highlight relevant works/features.
23. Use rebus (picture) directions.
24. Provide guided practice.
25. Provide more practice trials.
26. Increase allocated time.
27. Use a strategy approach.
28. Change reinforcers.
29. Increase reinforcement frequency.
30. Delay reinforcement.

100 COMMON ACCOMMODATIONS

31. Increase wait time.
32. Use firm—up activities.
33. Use specific rather than general praise.
34. Have a peer tutor program.
35. Provide frequent review.
36. Have student summarize at end of lesson.
37. Use self-correcting materials.
38. Adapt test items for differing response modes.
39. Provide mnemonic devices.
40. Provide tangible reinforcers.
41. Use behavioral contracts.
42. Establish routines for handing work in, heading papers, etc.
43. Use timers to show allocated time.
44. Teach self-monitoring.
45. Provide visual cues (e.g., posters, desktop number lines, etc.).
46. Block out extraneous stimuli on written material.
47. Tape record directions.
48. Tape record student responses.
49. Use a study guide.
50. Provide critical vocabulary list for content material.
51. Provide essential fact list.
52. Use clock faces to show classroom routine items.
53. Use dotted lines to line up math problems or show margins.
54. Use cloze procedure to test comprehension.
55. Provide transition directions.
56. Assign only one task at a time.
57. Provide discussion questions before reading.
58. Use word markers to guide reading.
59. Alter sequence of presentation.
60. Enlarge or highlight key words on test items.
61. Provide daily and weekly assignment sheets.
62. Post daily/weekly schedule.
63. Use graph paper for place value or when adding/subtracting two digit numbers.
64. Provide anticipation cues.
65. Establish rules and review frequently.
66. Teach key direction words.

100 COMMON ACCOMMODATIONS

67. Use distributed practice.
68. Provide pencil grips.
69. Tape paper to desk.
70. Shorten project assignment onto daily tasks.
71. Segment directions.
72. Number (order) assignments to be completed.
73. Change far-point to near-point material for copying or review.
74. Put desk close to blackboard.
75. Repeat major points.
76. Use physical cues while speaking (e.g., 1,2,3, etc.).
77. Pause during speaking.
78. Use verbal cues (e.g., “Don’t write this down”, “This is important”).
79. Change tone of voice, whisper, etc.
80. Collect notebooks weekly (periodically) to review student notes.
81. Reorganize tests to go from easy to hard.
82. Color code place value tasks.
83. Use self-teaching materials.
84. Do only odd/or even numbered items on a large task sheet.
85. Use a primary typewriter or large print to create written material.
86. Provide organizers (e.g., cartons/bins) for desk material.
87. Teach varied reading rates (e.g., scanning, skimming, etc.).
88. Provide content/lecture summaries.
89. Use peer-mediated strategies (e.g., “buddy system”).
90. Call student’s name before asking a question.
91. Use extra spaces between lines of print.
92. Use computer for writing tasks.
93. Color code materials/directions.
94. Use raised-line paper.
95. Provide calculators.
96. Circle math computation sign.
97. Use hand signals to cue behavior (e.g., attention, responding).
98. Establish a rationale for learning.
99. Help students to develop their own learning strategies.
100. Use peer checkers to review completed work.

* Adapted from Cohen and Lynch

Nine Types of Curriculum Adaptations

Quantity * ●

Adapt the number of items that the learner is expected to learn or number of activities student will complete prior to assessment for mastery.

For example:
Reduce the number of social studies terms a learner must learn at any one time. Add more practice activities or worksheets.

Time *

Adapt the time allotted and allowed for learning, task completion, or testing.

For example:
Individualize a timeline for completing a task; pace learning differently (increase or decrease) for some learners.

Level of Support *

Increase the amount of personal assistance to keep the student on task or to reinforce or prompt use of specific skills. Enhance adult-student relationship; use physical space and environmental structure.

For example:
Assign peer buddies, teaching assistants, peer tutors, or cross-age tutors. Specify how to interact with the student or how to structure the environment.

Input *

Adapt the way instruction is delivered to the learner.

For example:
Use different visual aids, enlarge text, plan more concrete examples, provide hands-on activities, place students in cooperative groups, pre-teach key concepts or terms before the lesson.

Difficulty * ●

Adapt the skill level, problem type, or the rules on how the learner may approach the work.

For example:
Allow the use of a calculator to figure math problems; simplify task directions; change rules to accommodate learner needs.

Output *

Adapt how the student can respond to instruction.

For example:
Instead of answering questions in writing, allow a verbal response, use a communication book for some students, allow students to show knowledge with hands on materials.

Participation *

Adapt the extent to which a learner is actively involved in the task.

For example:
In geography, have a student hold the globe, while others point out locations. Ask the student to lead a group. Have the student turn the pages while sitting on your lap (kindergarten).

Alternate Goals ●

Adapt the goals or outcome expectations while using the same materials. When routinely utilized, this is only for students with moderate to severe disabilities.

For example:
In a social studies lesson, expect a student to be able to locate the colors of the states on a map, while other students learn to locate each state and name the capital.

Substitute Curriculum ●
Sometimes called "functional curriculum"

Provide different instruction and materials to meet a learner's individual goals. When routinely utilized, this is only for students with moderate to severe disabilities.

For example:
During a language lesson a student is learning toileting skills with an aide.

* *This adaptation is an accommodation if the student can demonstrate mastery of the standard on an assessment.* The key concept is: Will the student ultimately master the same material but demonstrate that mastery in alternate ways or with alternate supports? If standards are not fundamentally or substantially altered, then this adaptation is an accommodation to a learning or performance difference. ● *This adaptation is a modification if the student will not demonstrate mastery of the standard on an assessment.* If routinely utilized, these adaptations are modifications and require individualized goals and assessment.

Nine Types of Curriculum Adaptations

Quantity	Time	Level of Support
-----------------	-------------	-------------------------

Input	Difficulty	Output
--------------	-------------------	---------------

Participation	Alternate Goals	Substitute Curriculum
----------------------	------------------------	------------------------------

Diana Browning Wright, *Behavior/Discipline Trainings*, 2001

Adapted from DeSchenes, C., Ebeling, D., & Sprague, J. (1994). *Adapting Curriculum & Instruction in Inclusive Classrooms: A Teachers Desk Reference*. ISDD-CSCI Publication.

SECTION 504 FOR THE

**G
E
N
E
R
A
L**

**E
D
U
C
A
T
O
R**

SECTION 504 IN THE SST HANDBOOK

1. What is Section 504?

Section 504 is the section of the Rehabilitation Act of 1973, Public Law 93-112. This section applies to persons with disabilities. The Office for Civil Rights (OCR) enforces this section which prohibits organizations (schools) that receive federal funds from discriminating against otherwise qualified individuals solely on the basis of a handicap.

2. What does this mean for schools?

It means that a school district must operate academic and extracurricular programs in a manner which provides disabled students equal opportunity to participate. Failure to do so allows OCR to remove or withhold federal funds for noncompliance.

3. How is a student 504 eligible?

A student of school age is eligible if that student has a physical or mental impairment which substantially limits one or more major life activities. While there are several categories, schools are generally concerned with the life activity of learning.

4. What physical or mental disability usually indicates the pursuance of 504 eligibility?

Chronic illnesses such as arthritis and asthma, a medical diagnosis of ADD/ADHD, and physical impairments are often conditions under which 504 accommodations can be explored.

5. If a student is 504 eligible, does the student receive special education services?

Usually not. The 504 student is considered eligible for accommodations in the general education setting (regular classroom). In fact, 34 CFR 104.34, states that a student's education must be provided in the general education environment with supplementary aids and services to the greatest extent possible. Only if it can be demonstrated that such an environment can not be achieved satisfactorily, may other environments be considered.

6. Does 504 eligibility affect student discipline policies?

Yes. If the student is up for expulsion or suspension of more than 10 days either consecutively or cumulatively, the manifestation determination process occurs.

7. Is behavior which interferes with learning considered an appropriate 504 eligibility area?

No. Bad conduct, per se, without another handicapping condition, does not make a student eligible for a 504 plan. However, if any student demonstrates consistent behavioral problems, the student's school staff must have considered and if appropriate, developed behavioral interventions.)

8. *Who determines if a student is 504 eligible?*

Districts/sites have a separate 504 team that determines if the child meets the criteria to be considered for a 504 plan.

9. *How does a team actually determine eligibility?*

There is no clear cut answer. Eligibility is based on the team determination that the child has a disability and the extent to which it is substantially limiting a major life event (learning). Contact your site/district 504 coordinator for your procedures and forms.

10. *Then what is the 504 Plan?*

After determining eligibility, the team develops an accommodation plan to be implemented in the general education setting.

11. *Once determined as eligible, is a student 504 eligible for life?*

Eligibility and the 504 plan are reviewed annually.

12. *If a student has been through the SST process and assessed for consideration for special education but not found eligible, does the SST automatically write a 504 Plan.*

No. There must be a 504 eligibility meeting. All of the information that was gathered during the previous SST meetings, plus any other pertinent data, can be used to determine 504 eligibility by the 504 team. Eligibility is based on a physical or mental impairment which substantially limits a major life event (learning, breathing, walking.)

13. *Must a student go through the usual SST process before a 504 meeting can be held?*

No. Anyone can request a 504 meeting. If there has been an SST, documentation can be used to assist in determining 504 eligibility.

504 TEAM

May convene when

- parent and/or teacher expresses concerns regarding student progress
- suspension or expulsion is being considered
- retention is being considered

Reviews:

- academic skill levels/standardized test scores
- academic productivity/classroom work samples
- attending skills
- social/behavioral skills
- attendance
- medical issues

Implements:

- classroom accommodations/strategies
- student contracts/assignment logs
- parental interventions
- additional information gathering, as appropriate.

Reconvenes:

- reviews effectiveness of implemented recommendations

Recommends:

- continued implementation/adjustment of modifications
- referral to other school programs
- additional modifications/classroom support
- referral for special education assessment
- review for 504 eligibility

Reviews as appropriate, with no mandated time lines

If the RTI model is used:

- results of Tier 1 interventions with supporting data
- results of Tier 2 interventions with supporting data

May convene when student:

- exhibits a chronic health condition (asthma, leukemia)
- is exiting special education
- returns to school following serious illness or injury
- has been medically identified as ADD/ADHD
- has been referred for evaluation under special education, but does not qualify
- has physical or mental impairment or drug abuse history and has completed rehabilitation

AND

- there is concern regarding student progress.

Reviews:

- academic skill levels/standardized test scores
- academic productivity/classroom work samples
- attending skills
- social/behavioral skills
- attendance
- medical issues

Determines 504 eligibility (per district forms and standards)

Develops 504 accommodation plan for the general education setting

- classroom modifications/strategies
- student contracts/assignment logs
- parental interventions
- additional information gathering, as appropriate
- additional support, as appropriate.

Reviews developed plan annually

SST Team

vs.

504 Team

<u>SST</u>	<u>Team Functions</u>	<u>504</u>
N	Mandated by Law	Y
Y	Regular Education Focus	Y
N	Special Education Focus	N
N	Time lines With (Mandated)	N
N	Designated Team Members	N
Y	Consider All District Resources	Y
Y	Parent Involvement	Y
D	Students	D

Y = Yes

N = No

D = Depends

IEP

vs.

504 Plan

<u>IEP</u>		<u>504</u>
Y	Mandated by Law	Y
Y	Eligibility Requirements	Y
N	Regular Education Focus	Y
Y	Special Education Focus	N
Y	Time lines (Mandated)	N
Y	Annually Reviewed	Y
Y	Designated Team Members	N
Y	Consider All District Resources	Y
Y	Form Content (Mandated)	N
Y	Parent Involvement	Y
D	Student Involvement	D
Y	Review Requirements	Y

Y = Yes

N = No

D = Depends

SECTION 504 GENERAL INFORMATION

.....

THE FOLLOWING ARE SOME **EXAMPLES** OF DISABILITIES THAT **COULD** FALL UNDER SECTION 504 (Adapted from Materials Produced by John Copenhagen, Logan UT 84321)

ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS): - *EXAMPLE* - Student frequently misses school and does not have the strength to attend a full day. This student has a record of a disability which substantially limits the life activities of learning and working.

ALLERGIES: - *EXAMPLE* - Student has severe allergic reactions to certain pollens and foods.

ARTHRITIS: - *EXAMPLE* - Student has arthritis and experiences persistent pain, tenderness and swelling in one or more joints.

ASTHMA: - *EXAMPLE* - Student has been diagnosed as having asthma. The doctor has advised the student not to participate in physical activity outdoors. The disability limits the major life activity of breathing.

ATTENTION DEFICIT DISORDER (ADD) AND ATTENTION DEFICIT HYPERACTIVITY DISORDER (ADHD): - *EXAMPLE* - Student does not meet eligibility requirements under IDEA as emotionally disturbed, learning disabled or other health impaired. The student is diagnosed as having ADD or ADHD by a doctor, and the disability limits the major life activity of learning. Psychoeducational assessment information may also be considered.

CANCER: - *EXAMPLE* - Student has been diagnosed with brain cancer and is undergoing chemotherapy.

CEREBRAL PALSY: - *EXAMPLE* - Student has serious difficulties with fine and gross motor skills. A wheelchair is used for mobility. Cognitive skills are very good.

DRUGS AND ALCOHOL: - *EXAMPLE* - Student has used drugs and alcohol for many years. This problem has affected the major life activities of learning and caring for one's self. The student is presently not using drugs or alcohol and is in or has completed a rehabilitation program. He/she could qualify for accommodations under Section 504.

EMOTIONALLY DISTURBED: - *EXAMPLE* - Student has experienced periods of depression throughout his life and receives regular outside counseling for the condition. Student does not meet eligibility criteria under IDEA as emotionally disturbed but depression may result in decreased attention or concentration.

EPILEPSY: - *EXAMPLE* - Student is on medication for seizure activity, but experiences several grand mal seizures each month.

LEUKEMIA: - *EXAMPLE* - Student has recently been diagnosed with leukemia and requires frequent hospitalization.

OBESITY: - *EXAMPLE* - Student has an extreme eating disorder that may require special accommodations. Obesity may be considered a disability under Section 504 where it substantially impairs a major life activity.

ORTHOPEDICALLY IMPAIRED: - *EXAMPLE* - Student frequently misses school and does not have the strength to attend a full day. This student has a record of a disability which substantially limits the life activities of learning and working.

PREGNANCY: - *EXAMPLE* - Student is in the 12th grade and expecting a baby in February. She has good grades and has kept up with graduation credit requirements. Student wants to return to school after her baby is born.

SOCIALLY MALADJUSTED: - *EXAMPLE* - Student exhibits severe difficulty with peer interactions, has no friends and isolates himself from group activities.

STUDENT FORMERLY RECEIVING SPECIAL EDUCATION SERVICES: - *EXAMPLE* - Student has been exited from a special education program, but still needs some academic accommodations to function in a regular classroom.

STUDENT WITH SPECIAL HEALTH CARE NEEDS: - *EXAMPLE* - Student has a special health care problem and requires clean intermittent catheterization twice each day. This procedure empties the bladder and helps prevent urinary tract infections. The school is required to provide trained personnel to perform the procedure or to provide the student a private location to perform the procedure.

TEMPORARILY DISABLED: - *EXAMPLE* - Student was in an automobile accident and will be homebound and/or hospitalized for a period of time. The student is considered temporarily disabled under Section 504 and should receive accommodations if this disability limits a major life activity.

TOURETTE'S SYNDROME: - *EXAMPLE* - Student exhibits inappropriate gestures and sounds in the classroom and hallways. Note - IDEA 2004 has clarified that Tourette's Syndrome may result in special education eligibility under the handicapping condition of other health impaired (OHI).

TRAUMATIC BRAIN INJURY: - *EXAMPLE* - Student sustained a brain injury in an automobile accident. Many academic and motor skills have been lost from the injury, however doesn't rise to the level of requiring special education.

TUBERCULOSIS: - *EXAMPLE* - Student contracted tuberculosis two years ago and has been under treatment. The disease is no longer infectious, but the student is still weak.

VISUAL IMPAIRMENT: - *EXAMPLE* - Student has poor vision but only requires large print books.

COMPARISON

ISSUES	SECTION 504	INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT	AMERICANS WITH DISABILITIES ACT
TYPE	A Civil Rights Law	An Education Act	A Civil Rights Law (Post School)
TITLE	The Rehabilitation Act of 1973.	The Individuals With Disabilities Education Act (IDEA).	Americans With Disabilities Act of 1990 (ADA).
PURPOSE	Is a civil rights law that protects the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education.	Is a federal funding statute whose purpose is to provide financial aid to states in their efforts to ensure a free appropriate public education for students with disabilities.	Provides a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities.
RESPONSIBILITY	SHARED General Education-Primary Special Education, if student qualifies or if written in a school-based plan.	SHARED Special Education-Primary General Education.	Public and private schools, business establishments, public transportation, and public buildings. (services)
FUNDING	State and local responsibility (no federal funding).	State, local, and federal. Special education funds cannot be used to serve students eligible only under Section 504.	Public and private responsibility (no federal funding).
ADMINISTRATOR	Section 504 coordinator (Systems with 15 plus employees).	Special education director or designee.	Requirement for school districts of 50 or more employees. Using a 504 coordinator is suggested.
SERVICE TOOL	Accommodations and/or services.	Individualized Education Program (IEP)	Reasonable accommodations and legal employment practices
POPULATION	Identifies student as disabled so long as she/he meets the definition of qualified persons with disabilities; i.e., has or has had a physical or mental impairment that substantially limits a major life activity, or is regarded as disabled by others.	Identifies 13 qualifying conditions: autism, deafness, deaf-blindness, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairment, serious emotional disturbance, specific learning disability, speech or language impairment, traumatic brain injury, and visual impairment.	Identified person as disabled so long as she/he meets the definition of a qualified person with disabilities; i.e., has a physical or mental impairment which substantially limits a major life ability, or is regarded as disabled by others.

ISSUES	SECTION 504	INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT	AMERICANS WITH DISABILITIES ACT
ELIGIBILITY	A student is eligible so long as she/he meets the definition of a qualified person with disabilities, i.e., currently has or has had a physical or mental impairment that substantially limits a major life activity, or is regarded as disabled by others. The student is not required to need special education services to be protected.	A student is only eligible to receive special education and/or related services if the multidisciplinary team determines that the student has a disability under one of the thirteen qualifying conditions and requires special education services.	A person is eligible so long as she/he meets the definition of a qualified person with disabilities, i.e., currently has or has had a physical or mental impairment which substantially limits a major life activity, or is regarded by others as having a disability.
FREE APPROPRIATE PUBLIC EDUCATION	A student could receive related services and/or accommodations.	A student must first be eligible and need special education before they are entitled to a related service.	Addresses education in terms of accessibility requirements. Requires private and public entities not to use employment practices that discriminate on the basis of a disability.
ACCESSIBILITY	Federal regulations regarding building and program accessibility, requires that reasonable accommodations be made.	Facilities must be comparable to those used by students who are non-disabled.	Requires that public programs be accessible to individuals with disabilities.
UNDUE HARDSHIP	Consideration is given for the size of the program, extent of accommodation, and cost relative to the total school budget.	Budget and administrative convenience is never an excuse.	Consideration is given to the size of the business and its budget, type of operation, nature and cost of accommodation.
DRUG AND ALCOHOL USE	Current drug use is not considered a disability. An individual who has stopped using drugs and/or alcohol and is undergoing rehabilitation could be protected.	Drug and alcohol use is not covered under special education.	Current drug use is not considered a disability. Current alcohol abuse that prevents individuals from performing duties of the job or that constitutes a direct threat to property or safety of others is not considered a disability.

ISSUES	SECTION 504	INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT	AMERICANS WITH DISABILITIES ACT
ATTENTION DEFICIT DISORDER	Is a disability if the student meets eligibility as determined by a team of individuals knowledgeable about the student and disability.	Can only be served in special education if the student first qualifies under the disabilities of learning disability, emotionally disturbed, other health impaired or traumatic brain injury.	ADD/ADHD is recognized as a disability under the ADA.
CONTAGIOUS DISEASES	Individual with disabilities excludes any individual with a contagious disease that renders the individual unable to perform the job.	Could be eligible under the category of "other health impaired."	Permits qualification standard requiring that an individual with a currently contagious disease or infection not pose a direct threat to the health or safety of others.
PROCEDURAL SAFEGUARDS	Written notice is required prior to any evaluation or change in placement.	Notice is required before a "significant change in placement." Written consent is required before the initial evaluation and placement.	Makes provisions for public notice and hearings.
EVALUATIONS	<p>Evaluation draws on information from a variety of sources in the area of concern. Decisions are made by a group knowledgeable about the student, evaluation data, and placement options. Requires parental notice.</p> <p>Requires periodic reevaluations.</p> <p>Reevaluation is required before a significant change in placement.</p> <p>No provision is made for independent evaluations at district expense. The school district should consider other evaluations and information regarding the student.</p>	<p>A full comprehensive evaluation is required assessing all areas related to the suspected disability. The student is evaluated by a multidisciplinary team. Written notice must be given to the parent and consent is required before the initial evaluation is conducted. Parent input is a critical component of the assessment information.</p> <p>Requires reevaluations to be conducted at least every three years.</p> <p>A reevaluation is not required before a significant change in placement. A comprehensive evaluation is required every three years. Reevaluations are required every three years, and can be completed sooner if conditions warrant or if the child's parent or teacher requests a reevaluation. Based on review of existing evaluation information, the IEP team, with parent input, can determine the extent of the evaluation. An LEA shall evaluate a child with a disability before determining that a child is no longer a child with a disability.</p> <p>Provides for independent educational evaluation. A due process hearing is available if the school and parent disagree on the need for an independent evaluation.</p>	All schools should conduct or update their Section 504 self-evaluation regarding services, accessibility, practices, and policies to assure discrimination is not occurring with any individual with disabilities.

ISSUES	SECTION 504	INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT	AMERICANS WITH DISABILITIES ACT
PLACEMENT	<p>When interpreting evaluation data and making placement decisions, both laws require districts to:</p> <ul style="list-style-type: none"> • Draw upon information from a variety of sources. • Assure that all information is documented and considered. • The placement decision is made by a group of persons including those who are knowledgeable about the student, disability, the meaning of the evaluation data and placement options. • Ensure that the student is educated with his/her nondisabled peers to the maximum extent appropriate (Least Restrictive Environment--LRE) • Requires notice before any change of placement. An evaluation may be required. 		
REVIEW OF PROGRAM	Services should be reviewed periodically. 504 Plan is reviewed annually.	An IEP review meeting is required at least annually, or before any significant change in the program or placement.	
GRIEVANCE PROCEDURES	Requires districts to provide a grievance procedure for parents, students, and employees.	Does not require a grievance procedure.	Any school district shall adopt and publish grievance procedures for resolution of ADA complaints.
DUE PROCESS	<p>Both statutes require districts to provide impartial hearings for parents or guardians who disagree with the identification, evaluation, or placement of student with disabilities. School districts or parents can initiate due process hearings.</p> <p>Requires that the parent have an opportunity to participate and be represented by counsel. Policy statements should clarify specific details.</p> <p>Delineates specific requirements.</p>		Due process hearings can be initiated by either party. The court may allow a reasonable attorney's fee for the prevailing party.
MEDIATION	Not required, however mediation should always be suggested.	Alternative Dispute Resolution is required unless parents and school districts agree, in writing, to waive this process. Not required, however mediation should always be suggested. Mediation is not binding. Electing mediation does not prevent pursuing due process.	An administrative hearing is not required prior to OCR involvement or court action.
EXHAUSTION	Administrative hearing is not required prior to OCR involvement or court action.	The parent or guardian should exhaust all administrative hearings before seeking court action.	Enforced by the U.S. Office for Civil Rights under an agreement with EEOC.
ENFORCEMENT	Enforced by the U.S. Office for Civil Rights. Regional offices are located throughout the United States.	Enforced by the U.S. Office of Special Education Programs. Compliance is monitored by the State Board of Education and the State Office of Education.	

SECTION 504 OF THE REHABILITATION ACT OF 1973 PUBLIC LAW 93-112

Acknowledgments

The materials for this packet were adapted from 504 documents. The original source for some of the material is from the Office of Civil Rights, and "Student Access: A Resource Guide for Educators," Council of Administrators of Special Education, INC.

Samples provided by Lincoln Unified School District

Please check with your site/district regarding the 504 process/forms that are used in your district.

SECTION 504 OF THE REHABILITATION ACT OF 1973, PUBLIC LAW 93-112

GENERAL INFORMATION

Section 504 is the section of the Rehabilitation Act of 1973, Public Law 93-112, which applies to persons with disabilities. It is a civil rights act which prohibits organizations that receive federal funds from discriminating against otherwise qualified individuals solely on the basis of a handicap. Section 504 is enforced by the Office for Civil Rights (OCR). Its regulations are in 34 Code of Federal Regulations 104. The statute provides:

No otherwise qualified individual with handicaps in the United States shall, solely by reason of heror his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

An antidiscrimination statute, the Act specifies that school districts must operate academic and extracurricular programs in a manner which affords disabled students equal opportunity to participate. It is not a funded mandate, but OCR can remove or withhold federal funds from a district for noncompliance.

It is the intent of _____ Public Schools to identify and provide a free, appropriate public education to all students who are handicapped under Section 504 of the Rehabilitation Act of 1973. It is also our intent to provide reasonable adaptations and interventions whenever necessary in order to help students succeed in the general education program.

504 Eligibility:

For students, eligibility under 504 means a student of school age who has a physical or mental impairment which substantially limits one or more major life activities such as caring for one's self, performing a manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. Schools generally need to concern themselves with the major life activity of learning. Eligible students may include those with learning disorders, communicable diseases, temporary handicapping conditions, ADD/ADHD, chronic illness, or physical handicaps.

The other two criteria as follows **do not apply to public education (as per OCR Senior Staff memorandum 19 IDELR 894):**

- 1) has a record of such an impairment

" . . . has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities". (34 CFR 104.3 {j,2,iii}) and

- 2) is regarded as having such impairment

"... (A) has a physical or mental impairment that does not substantially limit major life activities, but is treated by a recipient as constituting such a limitation; (B) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or (C) has none of the impairments defined in paragraph {j,2,i} of this section, but is treated by a recipient as having such an impairment." (34 CFR 104.3 {j,2,iv})

504 and Special Education:

Section 504 is **not** an aspect of "special education". Rather, it is a responsibility of the comprehensive general public education system. Thus, the building administrator and the superintendent of schools are responsible for its implementation within districts. As a general rule, special educators lead the district efforts in the identification process, while general educators lead the development and implementation of the 504 plan. It is a collaborative effort.

All students who are enrolled in special education are automatically covered by 504 regulations. Normally, a 504 plan is not necessary for special education students, as the Individual Education Plan (IEP) provides a higher level of service than a 504 plan. In regard to the possibility of special education placement for a 504 student, it must be kept in mind that Section 504, along with the Individuals with Disabilities Act (IDEA), and the Americans with Disabilities Act (ADA) were enacted by Congress to end the practice of automatically segregating persons with disabilities on the basis of their labels. A Joint Policy Memorandum, issued by the Assistant Secretaries for the Office of Special Education and Rehabilitative Services; the Office for Civil Rights; and Office of Elementary and Secondary Education, states that the proper placement of a 504 student is in the regular classroom, with a regular educator who has been trained in making necessary adaptations. The child's education must be provided in the regular education classroom unless it is demonstrated that education in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. (34 CFR 104.34)

504 and ADD/ADHD

Section 504 can provide an ideal mechanism for addressing ADD/ADHD through reasonable adaptations and interventions in the regular classroom. If a student who is diagnosed as having ADD/ADHD does not meet legal criteria for special education placement, the district must evaluate the child to determine whether he or she is handicapped as defined by Section 504. Evaluation may include consideration of information from outside resource(s). If the school accepts the outside agency determination of ADD/ADHD, it is still the school personnel's responsibility to determine whether or not the handicap "substantially limits a major life activity." Please note that ADD/ADHD alone is not sufficient for 504 eligibility. The ADD/ADHD must also substantially limit a major life activity (usually learning.)

504 and Student Discipline

The 504 student is subject to normal discipline procedures, unless otherwise noted on the 504 plan. The 504 student may be suspended just as any other student. The district must afford 504 students due process in expulsion cases, by reviewing the 504 plan before a referral for expulsion is made. The review will address whether the misbehavior was a direct manifestation of the handicap, and whether the student was appropriately placed at the time of misconduct.

Bad conduct, per se, without another handicapping condition, does not make a student eligible for a 504 plan.]

The 504 Plan:

Once eligibility is determined, "reasonable accommodations" must be provided, as agreed to by the team, or it may be agreed and documented that no accommodations are necessary at that time. The 504 plan is an individualized determination of the child's educational needs, including related aids and services, which are based upon information drawn from a variety of sources. This determination is made by a group of persons knowledgeable about the student. The team should review the nature of the handicap, how it affects the student's education, whether specialized interventions or services are needed, and, if so what those services should be. All information must be considered and documented. The parent must be an integral part of the 504 planning process.

THE 504 PROCESS

PROCEDURAL SAFEGUARDS

To be in compliance with Section 504, school districts must

1. Provide annual written assurance of nondiscrimination;
2. Designate an employee to coordinate compliance. Currently, this person is _____.
3. Provide parents with procedural safeguards (parents rights) when the issue of 504 arises for a particular student; and provide grievance procedures to resolve complaints (Uniform Complaint Procedures)
4. Obtain written consent from the parent prior to evaluation;

REFERRAL PROCEDURES

1. A student may be referred by anyone.
2. The referral is made to the 504 coordinator.
3. The 504 team is assembled. The team will include persons knowledgeable about the student and the student's school history and individual needs, the meaning of the evaluation data, and the placement options. Parents are also a part of the team.
4. The team will review the student's existing records and make a decision as to whether an evaluation under the 504 procedure is appropriate. If a request for evaluation is denied, the 504 team will inform the parents of those decision and the basis for the decision in writing and will provide a copy of parent procedural safeguards.

EVALUATION

1. The 504 team will evaluate the nature of the student's suspected handicap and the impact of that possible handicap upon the student's education. This will include a review of the student's cumulative file, and all pertinent records.
2. Each evaluation is individualized in terms of the possible disability as well as the composition of the evaluation team. The team will be composed of persons knowledgeable about the child, about the meaning of the evaluation data, and about the educational options (34 CFR eligibility and service options (34CFR104.35). The evaluation must be sufficient to accurately and completely assess possible eligibility and service options, but evaluations more limited or different in nature that a full special education evaluation could consist of the school nurse meeting with the parent, reviewing the student's current medical records, and obtaining current information from school staff.
3. A final decision regarding eligibility will be made by the 504 team, which will consider whether or not the handicapping condition substantially limits a major life activity, such as learning.
4. The results of the evaluation will be documented.

**INFORMATION REGARDING SECTION 504
OF THE REHABILITATION ACT OF 1973**

Section 504 is an Act which prohibits discrimination against persons with a handicap in any program receiving federal financial assistance. The Act defines a person with a handicap as anyone who:

1. has mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working);
2. has a record of such an impairment; or
3. is regarded as having such an impairment.

In order to fulfill its obligation under Section 504, the Lincoln Unified School District recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a handicap will knowingly be permitted in any of the programs and practices in the school system.

The school district has specific responsibilities under the Act, which include the responsibility to identify, evaluate, and if the child 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 the right to a hearing with an impartial hearing officer.

The Family Educational Rights and Privacy Act (FERPA) also specified 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 all individuals having access to those 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; and 6) a hearing on the issue if the school refuses to make the amendment.

If there are questions, please feel free to contact the principal of your child's school, or the District's 504 Compliance Officer.

Notice to Parent

RIGHTS AFFORDED BY SECTION 504 OF THE REHABILITATION ACT OF 1973

The following is a description of the rights granted by federal law to students with handicaps. 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 handicapping 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
5. have your child receive services and be educated in facilities which are comparable to those provided to non-handicapped students
6. have evaluation, educational, and placement decisions made based on a variety of information sources, and by persons who know the student and who are knowledgeable about the evaluation data and placement options
7. have transportation provided to and from an alternative placement setting (if the setting is a program not operated by the district) at no greater cost to you than would be incurred if the student were placed in a program operated by the district
8. have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district
9. examine all relevant records relating to decisions regarding your child's identification, evaluation, and placement
10. request to have an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program, or placement. (You and your child may take part in the hearing and be represented by the counsel. Hearing request must be made to our local district superintendent)
11. file a local grievance

If there are questions, please feel free to contact the principal of your child's school, or the District's 504 Compliance Officer.

Parent/Guardian Right of Appeal

(34 C.F.R. Section 104.36.)

The parent or guardian has the right to appeal the final determination of the 504 Team regarding evaluation, eligibility, or services of the procedure for Section 504.

The appeal process is an impartial hearing (Section 504 Due Process Hearing) and the parent or guardian may request a hearing as described below. However, the parent or guardian also may, as an option, first attempt to resolve any disagreement with the team decision through the principal of the school, the administrator assigned by the district to Section 504 issues. The Director for Child Welfare and Attendance is responsible for assuring that the Lincoln Unified School District complies with Section 504.

The parent or guardian may then appeal the decision within ten days to the school board.

The request for appeal must be in writing and must include the factual basis for the appeal.

An appeal or request for a Section 504 Due Process Hearing is to be filed in the Office of Associate Superintendent of Educational Services and will identify the district decision with which the parent disagrees.

- A. Within twenty (20) calendar days of receipt of a written appeal/request for hearing, the Superintendent will select an impartial Section 504 Hearing Officer in each case for which a hearing as been requested.
- B. Within forty-five (45) calendar days of the selection of the 504 Hearing Officer, the hearing on the appeal shall be conducted and a written decision mailed to all parties.
- C. Any Section 504 Hearing Officers selected by the district must satisfy the following requirements:
 - (1) Be qualified to review district decisions relating to Section 504 of the Rehabilitation Act.
 - (2) Be impartial, i.e., not employed by or under contract with the district in any capacity other than that of a hearing officer in the last three years, or by any cooperative program in which the district participates, e.g., the SELPA of which the district is a member, or by any other agency or organization that is directly involved in the diagnosis, education or care of the student, and additionally shall not be a person who has a personal involvement that would affect his or her objectivity in this case.
- D. Any party to the hearing shall be afforded the following rights:
 - (1) The right to be accompanied and advised by counsel and/or by individuals with special knowledge or training relating to the problems of students who are qualified disabled individuals within the meaning of Section 504.
 - (2) The right to present evidence, through documents and/or testimony.
 - (3) The right to question and cross-examine witnesses.
 - (4) The right to written findings of fact, conclusions of law and decisions prepared by the Section 504 Hearing Officer.
- E. In instances where a State fair hearing already has been held under the IDEA concerning issues relevant to the Section 504 proceeding, the Section 504 Hearing Officer shall, at the request of either party, accept into the record as evidence, copies of the transcript of testimony and documents submitted in the State Fair Hearing. The Hearing Officer shall then provide opportunity for the submission of additional evidence by the parties that is relevant to a determination of the issues under Section 504. The Section 504 Hearing Officer's jurisdiction shall be limited to Section 504 issues and shall not extend to a determination of eligibility for special education or special education assessment or placement under the IDEA.

- F. The Section 504 Hearing Officer shall render a decision de nova pursuant to the legal standards set forth in 34 C.F.R. Part 104 and court decisions interpreting those provisions.
- G. Either party may seek review of the decision of the Section 504 Hearing Officer. The parties shall abide by the decision of the Section 504 Hearing Officer unless the decision is stayed, modified or overturned by a court of competent jurisdiction.

The Superintendent will notify the parent/guardian of the date, time, and place of the hearing. The 504 Team representative, parent/guardian, and parent/guardian representative or counsel, if any, will be invited to participate in this hearing. Within forty-five (45) calendar days of the selection of the 504 Hearing Officer, the hearing on the appeal shall be conducted and a written decision mailed to all parties.

The Hearing Officer shall control the conduct of the hearing and reach a determination whether to uphold the decision of the 504 Team. The parties shall abide by the decision of the Hearing Officer unless and until such decision is overturned or modified by a court of competent jurisdiction.

Section 504 CHECKLIST

I. Identification (Transfer students whose records indicate a prior service plan should be referred to the 504 Committee for review.)

Check as each task is completed:

- ___ 1. A student may be referred by staff, parent, self or other interested party by submitting a **Section 504 Referral Form** to site coordinator.
- ___ 2. **Section 504 Referral Form** is completed by 504 site coordinator and a copy of the referral is sent to the district 504 coordinator. Meeting is scheduled by site coordinator. **Notice of 504 Team Meeting** is sent to parent.
- ___ 3. Teacher(s) or other persons with knowledge of the student complete the **504 Checklist-Observable Behaviors** and **Teacher Interventions/Accommodation Record** and bring them to the initial 504 Committee meeting.
- ___ 4. The 504 Committee meets. (Team may meet without parent if parent chooses not to attend.) At this initial meeting the 504 team:
 - Reviews all available data
 - Determines need for action, if any and makes a decision as to whether an evaluation under 504 procedures is appropriate
 - Records any recommendations or accommodations on **504 Team Accommodation Record** to document what has been done or proposed. Copy to CUM.
 - If team determines student is not eligible **504 Team Summary of Findings** is completed and no further action is taken on this referral.

II. Notification (When the 504 Committee determines student is/might be 504 eligible)

- ___ 5. After the initial 504 Committee meeting the site 504 coordinator hands or mails to the parent a copy of the **Notice to Parent Rights Afforded by Section 504 of the Rehabilitation Act of 1973** and invites them to participate in a 504 Committee meeting concerning the 504 Individual Service Plan.

III. Evaluation/Assessment (Informal or Formal)

- ___ 6. By completing steps 2 through 4 of this checklist, the 504 Committee will have developed a student portfolio/profile which includes but is not limited to the following:

health/medical information, observations, anecdotal records, attendance records, achievement test information, records of classroom interventions, discipline records, grades/report cards, parent information, CUM record data, etc.

In most cases this will provide enough data for 504 Committee to evaluate whether or not the student “exhibits a significant limitation in learning or other major life activity which substantially impacts learning.”
- ___ 7. Should formal testing (e.g. Psychological, Social/Adaptive, Speech Therapy, etc.) be necessary the 504 Committee is to follow the Special Education policies and procedures to obtain parent permission, establish timelines, and inform the parent of their due process rights, etc. (Contact the Resource Specialist and/or School Psychologist.)

IV. Placement - Development and Implementation of the **504 Individual Service Plan**

- ___ 8. The 504 Committee meets with parent/guardian (and students, when appropriate) to share information, develop academic and non-academic options and to begin implementation of the service plan (ISP). At this time the following tasks must be completed:
 - Complete the Individual Service Plan
 - Complete the 504 Team Summary of Findings
 - Obtain parent/guardian signature on 504 Team Summary of Findings
 - Give copies of above mentioned forms to the parent.
 - Give one copy of the Individual Service Plan to the teacher(s), Director of Child Welfare and Attendance, and place one copy in the CUM
 - Implement the services called for in the Individual Service Plan. 504 committee teams will insure that eligible students have access to a full spectrum of service offered non-disabled students.

- ___ 9. The site 504 Committee coordinator records the name on the **Record of Eligible 504 Students** form. The purpose of the form is to notify succeeding teachers or sites of the student's service plan as they transition/progress from grade level to grade level. In preparation for the End-of-the-Year Report, case managers should give a copy of the Record of Eligible 504 Students form to the principal or his/her designee and the Director of Child Welfare and Attendance.

* It should be noted that the 504 Committee can proceed with the placement activities without the parent/guardian present and can implement the accommodations without parent consent. The law requires notification only. If a parent fails to participate after being notified as outlined in Step 5, the site 504 Committee coordinator is to mail copies of the 504 Team Summary of Findings and the Individual Service Plan to the parent/guardian. Services can begin at this point.

V. Monitoring (Minimum - A new evaluation every 1 year)

- ___ 10. Review and document student progress periodically.

Review the ISP:

- at parent request
- at normal reporting periods (parent conference)
- at 504 Committee follow-up meetings
- as called for in the Individual Service Plan
- as changes are made in the Individual Service Plan

VI. Options (Always consider these options when developing an Individual Service Plan)

- ___ 11. A process for alerting next year's teacher(s) to the student's Individual Service Plan.
- ___ 12. Establish a criteria/timeline for stopping the services in the Individual Service Plan, when the condition is temporary.
- ___ 13. A process for modifying or changing service(s).
- ___ 14. A process for referring to other services (e.g., home/hospital, alternative education services, Chapter I, etc.)

504 TEAM 504 REFERRAL FORM

Date of Referral _____ School of Attendance _____

Student's Name _____ Teacher/Counselor _____ Grade _____

Birthdate _____ Referred By _____ Position _____

Primary Language: Home _____ School _____

REASON FOR REFERRAL: (Check and describe specific concerns)

Academic Behavior Social Emotional Attendance Health

STUDENT STRENGTHS:

IS THE STUDENT AWARE OF THE PROBLEM? Yes No Comment: _____

DESCRIPTION OF CLASS PERFORMANCE: (Bring samples of work)

TO BE COMPLETED BY 504 SITE COORDINATOR

CUM FOLDER REVIEW:

Parent/Guardian's Name _____ Phone _____

Address _____

Retained: Yes No Grade Retained _____ Attendance: Regular Irregular

How long in current school? _____ in US? _____ in other countries? _____ # of schools attended _____

Services Received: Migrant ESL Speech/Language _____ Special Ed Program _____

Previous 504 Plan Chapter I GATE Counseling-Type _____ Other _____

HEALTH CONCERNS: _____

	Yes	No	
Medication	<input type="checkbox"/>	<input type="checkbox"/>	Comments: _____
Glasses	<input type="checkbox"/>	<input type="checkbox"/>	_____
Hearing Aids	<input type="checkbox"/>	<input type="checkbox"/>	_____

MOST RECENT TEST DATA:

Name of test	Date	Reading G.E.	Language G.E.	Math G.E.
_____	_____	_____	_____	_____

Have test results been consistent? (Check previous years) Yes No

504 Notice of Meeting sent to parent/guardian? Yes No Date of Meeting? _____

504 TEAM CHECKLIST – OBSERVABLE BEHAVIORS

Student Name: _____ Birthdate : _____ Grade: _____

School: _____ Observer’s Name: _____ Title: _____ Date: _____

School Behavior

- | | |
|---|--|
| <input type="checkbox"/> Short attention span, easily distracted | <input type="checkbox"/> Works well independently |
| <input type="checkbox"/> Rarely works to potential | <input type="checkbox"/> Is Cooperative |
| <input type="checkbox"/> Poor test performance | <input type="checkbox"/> Sleeps in class |
| <input type="checkbox"/> Incomplete assignments | <input type="checkbox"/> Inconsistent performance |
| <input type="checkbox"/> Slow to finish work | <input type="checkbox"/> Frequent absences |
| <input type="checkbox"/> Decreased involvement in school activities | <input type="checkbox"/> Frequent referrals/detentions |
| <input type="checkbox"/> Disrupts class | <input type="checkbox"/> Reluctant to speak in front of others |
| <input type="checkbox"/> Daydreaming | <input type="checkbox"/> Lacks pride in work |
| <input type="checkbox"/> Frequently tardy | <input type="checkbox"/> Wastes time |
| <input type="checkbox"/> Physically active | <input type="checkbox"/> Failing grades |
| <input type="checkbox"/> Misinterprets simple directions | <input type="checkbox"/> Feigns illness |
| <input type="checkbox"/> Defies authority | <input type="checkbox"/> Uses obscene language/gestures |
| <input type="checkbox"/> Is easily motivated by: _____ | <input type="checkbox"/> Destroys/abuses property |
| _____ | <input type="checkbox"/> Doesn’t participate in class |

Social/Emotional

- | | |
|---|---|
| <input type="checkbox"/> Is creative | <input type="checkbox"/> Immature |
| <input type="checkbox"/> Has good sense of humor | <input type="checkbox"/> Anxious, tense and nervous |
| <input type="checkbox"/> Shows good curiosity | <input type="checkbox"/> Defensive, resistant |
| <input type="checkbox"/> Seems to feel good about self | <input type="checkbox"/> Passive resistant |
| <input type="checkbox"/> Gets along well with others | <input type="checkbox"/> Outgoing and friendly |
| <input type="checkbox"/> Aggressive, argumentative, fights | <input type="checkbox"/> Overt change of attire |
| <input type="checkbox"/> Negative/refuses to comply | <input type="checkbox"/> Unable to express thoughts orally |
| <input type="checkbox"/> Appears depressed, sad, moody | <input type="checkbox"/> Withdrawn, isolates self from others |
| <input type="checkbox"/> Disrespectful to others | <input type="checkbox"/> Involved in social activities |
| <input type="checkbox"/> Easily manipulated by others | <input type="checkbox"/> Communicates well with adults |
| <input type="checkbox"/> Perfectionist, rigid | <input type="checkbox"/> Cries easily |
| <input type="checkbox"/> Seeks attention | <input type="checkbox"/> Over sensitive to criticism |
| <input type="checkbox"/> Evasive/doesn’t accept responsibility | <input type="checkbox"/> Has extreme fears/frightens easily |
| <input type="checkbox"/> Inappropriate reaction to poor performance | <input type="checkbox"/> Gets picked on by others |
| <input type="checkbox"/> Is generally confident | <input type="checkbox"/> Inappropriate sexual behavior |
| <input type="checkbox"/> Has difficulty relating to adults | |

Health/Physical

- | | |
|---|---|
| <input type="checkbox"/> Is generally healthy and fit | <input type="checkbox"/> Messy with work and belongings |
| <input type="checkbox"/> Fatigued, sleepy | <input type="checkbox"/> Pupils dilated |
| <input type="checkbox"/> Appearance change | <input type="checkbox"/> Eyes red, puffy, bloodshot |
| <input type="checkbox"/> Weight loss/gain | <input type="checkbox"/> Unsteady gait, stumbles |
| <input type="checkbox"/> Lacks bladder/bowel control | <input type="checkbox"/> Slurred speech |
| <input type="checkbox"/> Poor hygiene | <input type="checkbox"/> Loss of inhibitions |
| <input type="checkbox"/> Marks, bruises on arm, legs | <input type="checkbox"/> Odor of alcohol |
| <input type="checkbox"/> Uncoordinated physically | <input type="checkbox"/> Change in extracurricular activities |
| <input type="checkbox"/> Has trouble with fine motor tasks | <input type="checkbox"/> Reported parental concern |
| <input type="checkbox"/> Unclear articulation | <input type="checkbox"/> Reported concern by peers |
| <input type="checkbox"/> Below average language development | <input type="checkbox"/> Talks freely of alcohol/drug use |

List any additional concerns you have about this student on the back of this form.

Lincoln Unified School District

504 TEAM ACCOMMODATION RECORD

Student's Name _____ Principal _____ Teacher _____ Resource Specialist _____
 Birthdate _____ Age _____ Sex _____ Date _____ Counselor _____ Nurse _____ Program Specialist _____
 School _____ Grade/Subject _____ Psychologist _____ Parent _____ Other _____
 Case Manager _____ Teacher _____ Adaptive P.E. Teacher _____ Speech/Language Specialist _____

AREA(S) OF DIFFICULTY	ACCOMMODATIONS (Refer to 504 Accommodation Plan)	STARTING DATE	PERSON RESPONSIBLE	OUTCOME

Notification of 504 Team Meeting

To Parent/Guardian of: _____ Date: _____

From: _____

A 504 Team/504 Committee meeting to review information and to consider accommodations and recommendations for your child's school program is planned for:

Time: _____

Date: _____

Place: _____

We encourage you to exercise your right to attend the meeting and provide information to us.

**INFORMATION REGARDING SECTION 504
OF THE REHABILITATION ACT OF 1973**

Section 504 is an Act which prohibits discrimination against persons with a handicap in any program receiving federal financial assistance. The Act defines a person with a handicap as anyone who:

1. has mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working);
2. has a record of such an impairment; or
3. is regarded as having such an impairment.

In order to fulfill its obligation under Section 504, the Lincoln Unified School District recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a handicap will knowingly be permitted in any of the programs and practices in the school system.

The school district has specific responsibilities under the Act, which include the responsibility to identify, evaluate, and if the child 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 the right to a hearing with an impartial hearing officer.

The Family Educational Rights and Privacy Act (FERPA) also specified 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 all individuals having access to those 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; and 6) a hearing on the issue if the school refuses to make the amendment.

If there are questions, please feel free to contact the principal of your child's school.

- | |
|--|
| <ul style="list-style-type: none">• If you are having difficulty understanding these forms, please contact the school for assistance.• Si tiene dificultad comprendiendo estas formas, haga el favor de comunicarse con la escuela para asistencia.• Tumawag sa paaralan kung kailangan ninyo nang paliwanag.• Neu ong hay be co tro ng ai gi ve van thu nay, xin vui long lien lac vol nha truong de duoc huong dan. |
|--|

Lincoln Unified School District

**504 TEAM
SUMMARY OF FINDINGS**

Student's Name _____	Male _____	Female _____
Date of Birth _____ Age _____	Grade or Subject _____	
School _____	Teacher _____	
Section 504 School Liaison _____	Phone No. _____	
Date of Referral _____	Date of Parent Conference _____	
	Annual Review Date for Service _____	

Summary of Review of Records:

Summary of Intellect and Academic Abilities:

Summary of Teacher Information:

Summary of Parent Information:

Summary Statement of Findings/Recommendations:

The 504 Team determined that:

- This student is a Section 504 disabled individual.
- This student is not a Section 504 disabled individual because:
- The student does not exhibit a Section 504 disability.
- The student does not exhibit a significant limitation in learning or other major life activity which significantly impacts learning.

Comments:

Parent has received due process rights (on back of this form).

Members of the 504 Team

_____	Case Manager	_____	Parent
_____	Administrator	_____	Teacher
_____	Other	_____	Other
_____	Other	_____	Other

Lincoln Unified School District
2010 West Swain Road, Stockton, California 95207
504 INDIVIDUAL SERVICE PLAN (ISP)

Student Name: _____ Date: _____
School _____ Date of Birth _____
Teacher _____ Grade _____

INITIAL PLAN FOLLOW UP ANNUAL PLAN

1. Describe the nature of the concern: _____

2. Describe the basis for the determination of handicap (if any): _____

3. Describe how the handicap affects a major life activity: _____

The 504 Team has reviewed the files of the above-named student and concludes that he/she qualifies for accommodation under Section 504 of the Rehabilitation Act of 1973. In accordance with the Section 504 guidelines, the school has agreed to make reasonable accommodations and address the student's individual needs by:

Physical arrangement of room:
Lesson presentation:
Assignment/Worksheets:
Test taking:
Organization:
Behaviors:
Medication:

Name of Physician _____	Phone _____
Medication(s) _____	Schedule _____
Monitoring of medication(s) _____daily _____weekly _____as needed basis	
Administered by: _____	
Special Considerations:	
Discipline (check one):	
<input type="checkbox"/> This student's Section 504 disability (AIDS, asthma, other) would not cause him/her to violate school rules.	
<input type="checkbox"/> This student's Section 504 disability could cause him/her to violate school rules.	
If this is an annual review: will the student continue to be eligible for a 504 Plan? Yes <input type="checkbox"/> No	
Date of next review (Maximum of one year):	
504 Site Coordinator:	
Parent/Guardian:	
Principal/Asst. Principal:	
Teacher: <input type="checkbox"/>	
Other:	

Provide copy to District 504 Coordinator

Lincoln Unified School District
2010 West Swain Road, Stockton, California 95207
504 INDIVIDUAL SERVICE PLAN (ISP)

Student Name: _____ Date: _____
 School _____ Date of Birth _____
 Teacher _____ Grade _____

INITIAL PLAN FOLLOW UP ANNUAL PLAN

1. Describe the nature of the concern: _____

2. Describe the basis for the determination of handicap (if any): _____

3. Describe how the handicap affects a major life activity: _____

The 504 Team has reviewed the files of the above-named student and concludes that he/she qualifies for accommodation under Section 504 of the Rehabilitation Act of 1973. In accordance with the Section 504 guidelines, the school has agreed to make reasonable accommodations and address the student's individual needs by:

Physical arrangement of room:	
<input type="checkbox"/> seating student near the teacher <input type="checkbox"/> standing near the student when giving directions or presenting lessons <input type="checkbox"/> increasing the distance between the desks	<input type="checkbox"/> seating student near a positive role model <input type="checkbox"/> avoiding distracting stimuli (air conditioner, high traffic area, etc.) <input type="checkbox"/> <i>Additional accommodations:</i> _____ _____
Lesson presentation:	
<input type="checkbox"/> pairing students to check work <input type="checkbox"/> providing peer tutoring <input type="checkbox"/> providing peer note taker <input type="checkbox"/> including a variety of activities during each lesson <input type="checkbox"/> providing written outline <input type="checkbox"/> allowing student to tape record lessons <input type="checkbox"/> teaching through multi-sensory modes	<input type="checkbox"/> writing key points on the board <input type="checkbox"/> providing visual aides <input type="checkbox"/> making sure directions are understood <input type="checkbox"/> breaking longer presentations into shorter segments <input type="checkbox"/> using computer-assisted instruction <input type="checkbox"/> having child review key points orally <input type="checkbox"/> <i>Additional accommodations:</i> _____ _____
Assignment/Worksheets:	
<input type="checkbox"/> giving extra time to complete tasks <input type="checkbox"/> requiring fewer correct responses to achieve grade <input type="checkbox"/> giving frequent short quizzes and avoiding long tests <input type="checkbox"/> handing worksheets out one at a time <input type="checkbox"/> shortening assignments; breaking work into smaller segments <input type="checkbox"/> providing study skills, etc. <input type="checkbox"/> reducing homework assignments <input type="checkbox"/> <i>Additional accommodations:</i> _____ _____	<input type="checkbox"/> simplifying complex directions <input type="checkbox"/> reducing the reading level of the assignments <input type="checkbox"/> allowing student to tape record assignments/ homework <input type="checkbox"/> providing a structured routine in written form <input type="checkbox"/> allowing typewritten or computer printed assignments <input type="checkbox"/> using self-monitoring devices <input type="checkbox"/> not grading handwriting

504 INDIVIDUAL SERVICE PLAN (ISP)

Student Name _____ Date of Birth _____ Date _____

Test taking:

- | | |
|--|--|
| <input type="checkbox"/> allowing open book exams
<input type="checkbox"/> giving take home tests
<input type="checkbox"/> allowing extra time for exam
<input type="checkbox"/> allowing student to give test answers on tape recorder

<i>Additional accommodations:</i> _____ | <input type="checkbox"/> giving exam orally
<input type="checkbox"/> using more objective items (fewer essay responses)
<input type="checkbox"/> giving frequent short quizzes, not long exams
<input type="checkbox"/> reading test item to student
_____ |
|--|--|

Organization:

- | | |
|--|---|
| <input type="checkbox"/> providing peer assistance with organizational skills
<input type="checkbox"/> allowing students to have an extra set of books at home
<input type="checkbox"/> sending daily/week progress reports home

<i>Additional accommodations:</i> _____ | <input type="checkbox"/> assigning volunteer homework buddy
<input type="checkbox"/> developing a reward system for in-school work completion
<input type="checkbox"/> providing student with a homework assignment notebook
_____ |
|--|---|

Behaviors:

- | | |
|--|--|
| <input type="checkbox"/> praising specific behaviors
<input type="checkbox"/> making "prudent use" of negative consequences
<input type="checkbox"/> keeping classroom rules simple and clear
<input type="checkbox"/> allowing for short breaks between assignments
<input type="checkbox"/> cueing student to stay on task (nonverbal signal)
<input type="checkbox"/> marking student's correct answers, not his mistakes
<input type="checkbox"/> implementing a classroom behavior management system
<input type="checkbox"/> ignoring inappropriate behaviors and not drastically outside classroom limits <input type="checkbox"/> | <input type="checkbox"/> using self-monitoring strategies
<input type="checkbox"/> giving extra privileges and rewards
<input type="checkbox"/> contracting with the student
<input type="checkbox"/> increasing the immediacy of rewards
<input type="checkbox"/> implementing time-out procedures
<input type="checkbox"/> allowing legitimate movement
<input type="checkbox"/> allowing student time out of seat to run errands, etc

<i>Additional accommodations:</i> _____ |
|--|--|

Medication:

Name of Physician _____ Phone _____
 Medication(s) _____ Schedule _____
 Monitoring of medication(s) daily weekly as needed basis
 Administered by: _____

Special Considerations:

- | | |
|--|--|
| <input type="checkbox"/> suggesting parent program(s)
<input type="checkbox"/> inservicing teacher(s) on child's handicap
<input type="checkbox"/> alerting bus driver
<input type="checkbox"/> developing intervention strategies for transitional periods (e.g., cafeteria, physical education, etc.) | <input type="checkbox"/> monitoring student closely on field trip
<input type="checkbox"/> providing social skills group experience
<input type="checkbox"/> suggesting agency involvement
<input type="checkbox"/> providing group/individual counseling |
|--|--|

Discipline (check one):

- This student's Section 504 disability (AIDS, asthma, other) would not cause him/her to violate school rules.
 This student's Section 504 disability could cause him/her to violate school rules.

If this is an annual review: will the student continue to be eligible for a 504 Plan? Yes No

Date of next review (Maximum of one year): _____

504 Site Coordinator: _____

Parent/Guardian: _____

Principal/Asst. Principal: _____

Teacher: _____

Other: _____

Provide copy to District 504 Coordinator

Lincoln Unified School District

Addendum to 504 Plan

Name: _____ Date: _____
DOB: _____
School: _____
Grade: _____

In accordance with The Americans with Disabilities Act, the 504 team meeting was convened on _____ at _____ for the purpose of determining whether _____ (hereinafter referred to as Pupil) should be considered for expulsion. The 504 team based its decision on the on results of information presented at the meeting. The team also reviewed and considered Pupil's health records, school discipline records, evaluation and diagnostic results, observations of the student, information provided by Pupil's parents. Results of the 504 team meeting indicate that Pupil's identified disability is: _____.

The 504 team has determined:

1. in relation to Pupil's alleged misconduct, that Pupil's placement and 504 plan or status *were/were not* appropriate at the time the misconduct occurred.
2. that 504 services, aids and strategies specified in Pupil's 504 plan *were/were not* provided.
3. that the disability *did/did not* impair Pupil's ability to understand the impact and consequences of the alleged misconduct.
4. that the disability *did/did not* impair Pupil's ability to control the alleged misconduct.

Therefore, Pupil *shall/shall not* be subject to the applicable discipline action and procedures prescribed under Education Code §48900 et seq.

Principal

Psychologist

Assistant Principal/Principal's Designee

Counselor

Teacher

Student

Other

Parent

_____ Check if a dissenting statement is attached.

ADDITIONAL

**R
E
S
O
U
R
C
E
S**

Videos, books and other materials from the San Joaquin Special Education Local Plan Area (SELPA) Office are available for checkout, contact your District Director of Special Education.

Available from the California Department of Education

A resource published by the California Department of Education describes strategies to ensure that all students can be successful in the general education program. Entitled *Student Success Teams: Supporting Teachers in General Education*, the publication details what has been learned in schools throughout California that have provided assistance in the regular classroom for students at risk of school failure: when a site-based, collaborative team of teachers, specialists, parents, and the student meet to focus on the needs of the students, a path to successful learning is created.

Student Success Teams: Supporting Teachers in General Education illustrates how teachers can work with local experts, students, and parents to develop tactics that empower students to play an active role in their education. Thoughtful implementation of Student Success Plans can mean the difference between a student "slipping through the cracks" and successfully learning the curriculum.

For more information, contact:

**The California Department of Education
Publications Division, Sales Office
P.O. Box 271
Sacramento, CA 95812-0271
(916) 445-1260
FAX (916) 323-0823**

Cost is \$15.00 plus tax and shipping

Addressing Learning Disabilities and Difficulties: How to Reach and Teach Every Student (Paperback)

Edited by: Gilbert Guerin & Mary C. Male, San José State University
Paperback ISBN: 9781412925624

Description: *Help children with learning difficulties or learning disabilities excel in the general education classroom!*

Help struggling students avert failure before it becomes chronic and destructive to their self-esteem and motivation! Drawing from the collective experience of professionals and parents who have successfully worked with students with learning disabilities and difficulties, and including the latest information from IDEA 2004 and NCLB, this revised edition of *I Can Learn* provides a wealth of best practices and policies specifically designed to help these students not only participate in but also excel in the general education classroom. Readers will discover:

- Characteristics of specific learning and performance difficulties and disabilities
- Strategies to improve learning skills such as listening comprehension, ability to pay attention, mathematical reasoning, and reading word recognition
- Strategies to enhance spelling, verbal and written expression, test-taking, and appropriate social behavior
- Information about the referral process, determination of eligibility for special services, and provision of services to students with specific learning disabilities
- School practices that support the success of all students

This clear and concise reference offers educators and parents the support and tools they need to reduce special education referrals and help all students experience successful outcomes!

PREFACE

Addressing Learning Disabilities and Difficulties was first published in 1994 as *I Can Learn: A Handbook for Parents, Teachers, and Students* with the intention that, while providing guidelines for children and youth with learning disabilities, it would also be applicable for any student. It included good teaching practices and an emphasis on the role of the classroom teacher “in creating an environment in which all students could succeed,” as the book said. To achieve those ends, the project incorporated the shared experiences of teachers and, to ensure usefulness, had teachers critique the manuscript. The book was an overwhelming success.

This revised edition preserves the original intention of the handbook; provides new information; and updates laws, strategies, and procedures. It is organized and written to be “friendly” and useful to teachers, parents, and students. It is designed as a quick reference to critical topics of instruction, learning, and special education procedures. It reflects changes in law that resulted from the 2004 amendments to the Individuals with Disabilities Education Act (IDEA) and reflects developments in effective practices with children and youth with learning disabilities and learning differences.

Learning problems seldom arrive unannounced, and they have a tendency to generalize across related areas of learning. Problems in learning can build slowly, and their progression is predictable. For instance, poor reading skills can result in limited access to the information needed to complete other assignments, such as writing, discussing, and test taking. As a result, a child with otherwise good thinking ability can develop a generalized low self evaluation because of failures in related areas. Effective strategies can improve performance and help prevent further failure.

Addressing Learning Disabilities and Difficulties provides useful strategies and promotes procedures to improve student success and to reduce subsequent failure. This book is for those who raise or instruct children or youth who struggle to learn in school.