Chicago Public Schools | OFFICE FOR STUDENTS WITH DISABILITIES

# Section 504 Procedural Manual 2026

Guidance on Providing Special Education and Related Services to Students with Disabilities Pursuant to the Section 504 of the Rehabilitation Act of 1973 (Section 504)

**Office for Students with Disabilities**

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# Chief's Message

Dear CPS Community,

Welcome to the Office for Students with Disabilities Section 504 Procedural Manual.

Section 504 of the Rehabilitation Act of 1973 protects students with disabilities from discrimination and requires equitable access to educational opportunities. Meeting that responsibility requires us to identify and remove barriers so that eligible students can fully access learning, school programs, activities, and the broader school community.

The laws and regulations governing Section 504 establish important rights and protections for students and families, along with clear responsibilities for school districts. Compliance is essential, but it is only the foundation. Our responsibility is to translate these requirements into thoughtful, individualized decisions that promote meaningful progress and strong outcomes.

This manual is intended to make our Section 504 practices clear, consistent, and transparent. It provides guidance about the procedures that govern Section 504 and serves as a resource for families, educators, advocates, service providers, attorneys, community partners, and others seeking to understand our processes and expectations. A shared understanding of these procedures strengthens collaboration and helps students, families, and schools engage as partners throughout the Section 504 process.

Clear procedures provide consistency across CPS, while meaningful collaboration with students and families helps us understand how disability impacts a student's experience and what is needed to provide equitable access. Both are essential to implementing Section 504 well.

I am proud of the progress we continue to make at CPS. By making our expectations and procedures clear, we strengthen our ability to work together, remove barriers, and remain accountable for students and families we serve.

Thank you for your partnership and continued commitment to students with disabilities.

Joshua Long
Chief Officer
Office for Students with Disabilities

# Introduction

## Purpose

This manual is intended to provide Chicago Public Schools (CPS) stakeholders with guidance and information on best practices regarding supports and services to students with disabilities. The manual has been developed and revised in accordance with the federal and state mandates summarized below, as well as in collaboration with the Illinois State Board of Education (ISBE).

## Section 504 of the Rehabilitation Act of 1973 (Section 504)

This manual is intended to provide CPS stakeholders with guidance and information on best practices regarding Section 504 of the Rehabilitation Act of 1973 (Section 504). Section 504 as it applies to CPS students aims to (1) eliminate discrimination on the basis of disability in any program or activity provided by school districts and other providers that receive federal financial assistance, and (2) ensure that students who are Section 504-eligible have equal opportunities to participate in the district's educational activities and programs that are equivalent to those of their nondisabled peers. Unlike the Individuals with Disabilities Education Act (IDEA), Section 504 does not limit coverage to certain specific categories of disabilities and no categorical labels are necessary. Instead, a student with a disability under Section 504 is defined as one who (1) has a physical or mental health impairment that substantially limits a major life activity, (2) has a record of such an impairment, or (3) is regarded as having such an impairment.

Section 504 is an anti-discrimination statute that protects all students with identified impairments that substantially limit a major life activity, even if the student does not have or require a Section 504 Plan at school or during school events *(see Eligibility Determination section*). A student qualifies for a Section 504 Plan if they require accommodations, related services (except for direct speech therapy), and/or other supports to access, participate in, and derive benefits from the general education program as adequately as non-disabled students (Section 504's definition of a free appropriate public education [FAPE]). Academic accommodations included on a Section 504 Plan are provided by the general education teacher in the student's general education classroom. Section 504 and its implementing regulations provide students with disabilities and their parents/guardians with the *Chicago Public Schools' Notice of Procedural Safeguards and Rights Pursuant to Section 504 of the Rehabilitation Act of 1973* (referred to in this manual as 504 Procedural Safeguards) regarding the identification, evaluation, and educational placement of and the provision of FAPE to students with disabilities. Essential to these *504 Procedural Safeguards*[1] is the involvement of parents/guardians.

[1] Notificación de Salvaguardas y Derechos Procesales de las Escuelas Públicas de Chicago Sección 504 de la Ley de Rehabilitación de 1973.

## Americans with Disabilities Act

The **Americans with Disabilities Act (ADA)** of 1990 provides protection from discrimination in employment, public education, transportation, and public accommodations. The ADA provides civil rights protections for our students to ensure equal access to education. Compliance with the requirements of Section 504 will ensure compliance with the ADA.

## Individuals with Disabilities Education Act

Under the **Individuals with Disabilities Education Act (IDEA)** and its related federal and state regulations that govern special education, students with disabilities have a right to receive a FAPE in the least restrictive environment (LRE). The IDEA defines students with disabilities as students, ages 3 through 21 (day before the 22nd birthday, unless their birthday occurs during the school year, in which case they are eligible for services through the end of the school year) who have been identified with one of the disabling conditions identified in the statute that adversely affect educational performance and requires special education.

The IDEA and its implementing regulations provide students with disabilities and their parents/guardians with procedural safeguards regarding the identification, evaluation, and educational placement of and the provision of a FAPE to students with disabilities. Essential to these procedural safeguards is the involvement of parents/guardians.

**Note:** This manual is intended to provide guidance specifically related to Section 504. Please refer to the *IDEA Procedural Manual* for more information

“Section 504 protects all students with identified impairments that substantially limit a major life activity.”

# Roles and Responsibilities

The following positions represent the CPS staff primarily responsible for supporting students with disabilities; however, this list is not all-encompassing as all school staff support students with disabilities. While individual responsibilities may differ, all are aligned in the greater mission of promoting Rightful Presence and helping students with disabilities achieve success towards the instructional core, in the educational environment, and in life. Rightful Presence is a framework that utilizes an equity lens. It is a cultivation of true belonging, beyond basic inclusion practices, to make substantial and systemic changes for students with disabilities. Rightful Presence is established through partnership and empowerment. True partnership is enhanced by all IEP team members being fully informed to participate in all meetings, where meaningful consensus can be attained. Rightful Presence ensures that every student with a disability experiences success in all academic areas and social settings. Rightful Presence aims to dismantle barriers, encompass equitable access, and assure compliance, guided by high-quality IEPs.

## Principal

As the instructional leader of a school, the principal is responsible for ensuring that all applicable federal and state laws are complied with so that students with disabilities have access to the age/grade-appropriate general education curriculum and all program options available at the school. The principal must oversee and ensure the implementation of each Section 504 Plan. The principal supervises all staff assigned to the school, including the coordination of services between the general education teacher and related service providers (RSPs). The principal must ensure that all staff are aware of the *504 Procedural Safeguards* and parental rights. The principal must also ensure that the Section 504 Coordinator has the time necessary to carry out their responsibilities.

Note: If the principal delegates their administrative duties related to Section 504 to the assistant principal, the following list of responsibilities also applies to the assistant principal. **"School Administrator" refers to either the principal or assistant principal.**

**With regard to students who have Section 504 Plans, a principal's responsibilities include, but are not limited to:**

- Ensuring that the school's case manager/local school district representative for IEP meetings is also identified as the Section 504 Coordinator;
- Designating an individual(s) to be responsible for completing all necessary Section 504 notices and paperwork;

- Ensuring that Section 504 Plans are finalized in Student Services Management (SSM) at the Section 504 meeting;
- Ensuring that students with disabilities who qualify under Section 504 have access to all the school's curricular areas, non-academic areas, and extracurricular activities;
- Ensuring that staff working with the student have access to current Section 504 Plans for all students with disabilities they teach;
- Ensuring that paraprofessionals' schedules match students' Section 504 Plans;
- Ensuring that general educators have uploaded the appropriate data for team consideration of paraprofessional and/or transportation needs;
- Making the necessary arrangements for staff to attend Section 504 meetings;
- Ensuring that all pre-conference activities are completed in accordance with required timelines;
- Ensuring that parents/guardians have access to school personnel who can answer questions related to their child's Section 504 Plan and are involved in developing their child's Section 504 Plan; and,
- Providing Section 504 professional development opportunities for general education teachers, related service professionals, and paraprofessionals, as necessary.

## OSD Special Education Coordinator

The Office for Students with Disabilities (OSD) **Special Education Coordinator (SEC)** is responsible for providing oversight and guidance to networks, schools, and Section 504 teams to develop Section 504 Plans that meet legal requirements.

The OSD Special Education Coordinator's responsibilities regarding students with Section 504 Plans, include but are not limited to:

- Conducting observations and walk-throughs as needed to assist in monitoring and developing Section 504 Plans;
- Attending Section 504 Meetings upon school staff or parent request;
- Troubleshooting major Section 504 issues to ensure all students with disabilities are receiving a FAPE; and,
- Maintaining quality interactions with teachers, students, parents/guardians, and the larger community.

## Section 504 Coordinator

Each local school principal must ensure a staff person has been identified to serve as the local Section 504 Coordinator at Section 504 meetings. The school's case manager/local school district representative for IEP meetings should also serve as the Section 504 Coordinator.

Local school Section 504 Coordinators are responsible for:

- Coordinating all requests for an initial Section 504 Plan evaluation to ensure that all required components are addressed and that the process is completed within 60 calendar days after receiving signed parental consent, including but not limited to, referrals for assistive technology (AT) assessments, or functional behavioral assessments (FBAs);
- Ensuring that all parent/guardian notices and consents are processed and that they are placed in student temporary files;
- Convening and facilitating Section 504 meetings, including but not limited to, annual Section 504 Plan meetings, initial and reevaluation 504 eligibility meetings, and manifestation determination reviews [MDRs];
- Arranging all Section 504 related services for a student within the school in accordance with the student's Section 504 Plan and coordinating all aspects of the Section 504 request and evaluation process;
- Finalizing each student's Section 504 Plan in SSM at the conclusion of the meeting and providing the student's parents/guardians with a copy; and,
- Ensuring that all relevant student data are entered into SSM in a timely manner.

Prior to a Section 504 meeting, the Section 504 Coordinator is responsible for:

- Determining the date, time, and location of the Section 504 meeting by coordinating with parents/guardians and other necessary team members;
- Preparing and sending the written Parent/Guardian Notification of Conference at least 10 calendar days prior to the meeting;
- Providing a copy of the *504 Procedural Safeguards* to parents;
- Determining which Section 504 team member(s) will review previous evaluation reports at the annual review meeting;
- Preparing an agenda for the meeting;

- Arranging accommodations for parents/guardians as necessary (e.g., interpreter); and,
- Upon request from parents/guardians, providing a copy of draft Section 504 materials three days prior to the meeting.

At the Section 504 meeting, the local school Section 504 Coordinator is the chairperson for the conference and is responsible for:

- Starting the meeting with introductions of all Section 504 team members and ensuring that all required participants are present;
- Conducting the meeting by following an agenda and a process based on the purpose of the conference;
- Documenting, or identifying one or more designee(s) to document, 504 Meeting Notes to memorialize discussions during the meeting and summarizing the decisions and decision-making process of the 504 team;
- Ensuring that the parents/guardians either have a paper copy of the draft Section 504 Plan or that the electronic Section 504 Plan is visually accessible during the meeting to enable meaningful parental participation;
- Facilitating the completion of the Section 504 Plan;
- When applicable, uploading into SSM any physician orders and emergency action plans used to develop individualized health care plans and attaching them to the student's Section 504 Plan; and,
- Ensuring the parents/guardians and students have an understanding of the 504 Plan content and its implementation.

Following the Section 504 meeting, the local school Section 504 Coordinator is responsible for:

- Informing all staff involved in the implementation of the Section 504 Plan of their responsibilities to implement the Section 504 Plan as written;
- Monitoring to ensure that all services outlined in the Section 504 Plan are delivered;
- Ensuring all teachers and related service staff who have a responsibility for the education of the student have access to the Section 504 Plan;
- Distributing copies of the completed Section 504 Plan to parents/guardians, teachers, and RSPs at the conclusion of the Section 504 meeting; and,
- Coordinating all meetings related to Section 504.

“

Rightful Presence is a framework that utilizes an equity lens.

”

## Teacher and/or Related Service Provider

The development of the Section 504 Plan, particularly for an initial Section 504 Plan, should be created by at least one RSP (who has the greatest specialized knowledge in the student's area of need) in collaboration with the General Education Teacher to address the student's needs. For example, the school nurse would not be the RSP to best address the needs for a student with ADHD who does not receive medication; rather, the school social worker and/or school psychologist would be the appropriate providers to develop the 504.

**Note:** Special education teachers and speech-language pathologists are NEVER direct service providers on a Section 504 Plan. However, special education teachers and speech-language pathologists may provide consultative services when appropriate.

Per the OSD and the Office of College and Career Success (OCCS)[2], in the vast majority of instances, school counselors should **not** be listed as IEP and/or Section 504 Plan service providers; school social workers and school psychologists are in schools to support students in that capacity. When a school counselor is utilized in such a capacity, it severely impedes their ability to provide appropriate interventions to students who may not otherwise receive those supports (in this case, tier 1 supports).

However, if a school counselor is written into a Section 504 Plan (for example, providing a certain service/frequency, as determined by the Section 504 Plan team) that person must adhere to the same legal and ethical practices as other RSPs, which includes weekly/monthly documentation of the service log via SSM, in-person training by OSD, and participation in annual meetings.

Prior to the Section 504 meeting, the general education teacher and/or RSP(s) are responsible for:

- Communicating with parent/guardian to determine a mutually convenient date and time for the Section 504 meeting;
- Reviewing the current Section 504 Plan to determine the need for related services and/or accommodations or, if this is a conference to determine eligibility, compiling data and anecdotal records, samples of student work, and other information relevant to determine the student's need for related services, and/or academic accommodations;
- Identifying the student's strengths, talents, hobbies, and other interests;
- Compiling data and other information about the student's educational needs;

[2] CPS Staff reference the School Counselors and IEPs/504 Plans 10/3/24 Memo.

- Identifying classroom management strategies that have been successful with the student;
- Suggesting intervention strategies to address the student's behavioral concerns, accommodations that may be necessary for the student to benefit from their education, and supports for school personnel to best assist the student in their educational success;
- Compiling data on student's attendance and class participation;
- Compiling data, if necessary, regarding the need for paraprofessional support and/or transportation and uploading the data; and,
- Conferring with other educators and parents/guardians as needed.

During the Section 504 meeting, the general education teacher and/or RSP(s) are responsible for:

- Sharing information on functional performance in relationship to the general education curriculum;
- Describing strategies that have been utilized with the student, as well as other relevant information regarding the student, such as attendance;
- Describing the student's behavior and interactions with peers in the general education environment;
- Sharing information regarding the effectiveness of accommodations provided for the student in the general education classroom based on previous 504 Plan;
- Explaining the recommendations for proposed accommodations and making recommendations for continuation of those or other accommodations;
- After a Section 504 team discussion, completing academic accommodations, testing accommodations, related services, behavior, transportation, and professional supports; and,
- Finalizing their evaluation reports by the conclusion of the meeting.

Following the Section 504 Plan meeting, the general education teacher and/or RSP(s) are responsible for:

- Reviewing the Section 504 Plan and understanding responsibilities for implementation;
- Implementing the Section 504 Plan;
- Communicating with other service providers and other educators on a regular basis;

- Documenting service delivery;
- Establishing and maintaining effective and positive communication with parents/guardians; and,
- Informing the Section 504 Coordinator when new data, parent/guardian concerns, or changes in the student's needs suggest that a new Section 504 Plan may be necessary prior to the annual review (see Changes to the Section 504 Plan section).

## Paraprofessional

Students with Section 504 Plans may need the support of a paraprofessional during the school day and/or at school activities. Paraprofessional support is a service provided to a student that has a recommended need. Paraprofessional assignments should be fluid, flexible, and interchangeable depending upon the needs of students within the school building. Paraprofessionals servicing students with Section 504 Plans are responsible for:

- Monitoring a student's academic progress and behavior, and providing feedback to teachers/staff;
- Implementing academic accommodations and/or behavioral strategies used in the classroom under the direction of the teacher and/or RSPs;
- Assisting with the personal care needs (e.g., toileting) as identified in the student's Section 504 Plan;
- Assisting the teacher and RSPs in gathering documentation, such as assessment data, work samples, observations and reports from other staff;
- Facilitating communication with linguistically and culturally diverse parents/guardians;
- Collaborating and communicating with appropriate school personnel about the needs of students with disabilities;
- Assisting students with assistive technology, including computers and communication devices;
- Obtaining, preparing, and organizing instructional materials as directed by teacher;
- Working with a variety of students across school settings;
- Providing input to the teacher regarding the student's response to strategies that have been used in instruction or behavior management;

- Lifting and positioning non-ambulatory students as instructed by the physical therapist or teacher and in adherence to written instructions from students' personal physicians;
- Assisting students with orthopedic impairments by arranging and adjusting tools, work aids, and equipment used by students in classrooms, including but not limited to specially equipped worktables, positioning equipment, and wheelchairs; and,
- Maintaining and protecting students' rights to confidentiality.

## Educational Sign Language Interpreter

An educational interpreter is considered a "related service provider" under the Individuals with Disabilities Education Act (IDEA); their involvement goes beyond simply translating words and they must be involved in discussions and decisions regarding the student's educational plan. The educational interpreter's role in an IEP meeting is to provide insights into the student's communication challenges, suggest appropriate accommodations, and contribute to the development of the IEP goals.

Prior to the Section 504 meeting, the Educational Sign Language Interpreter is responsible for:

- Providing assistance in facilitating communication among students who can hear and students who are deaf or hard-of-hearing;
- Providing interpreting services at all school levels, including extracurricular activities, according to the individual needs of the student;
- Providing tutoring assistance (as needed and under the direction of a teacher) for students who are deaf or hard-of-hearing; and,
- Conferring as needed with general educators, bilingual specialists, and other special education providers (e.g., teachers, RSPs. paraprofessionals), and parents/guardians.

During the Section 504 meeting, the Educational Sign Language Interpreter is responsible for:

- Sharing information on the students' communication strengths and areas of growth; and,
- Explaining the recommendations for proposed accommodations that will allow the student to access the general education curriculum.
    - **Note:** Any interpreter participating as a team member in the Section 504 meeting CANNOT be the same individual providing interpreting services during the meeting. Direct interpreting services for DHH students, staff, and guardians attending Section 504 meetings must be delivered separately by interpreters holding an intermediate-level (yellow) license or above.

- **Note:** If the team interpreter is unable to attend the student's Section 504 meeting because a substitute cannot be provided to cover their usual schedule, a meaningful method for documenting and submitting feedback to the team must be provided 3 days prior to the date of the meeting.

Following the Section 504 meeting, the Educational Sign Language Interpreter is responsible for:

- Reviewing the Section 504 Plan and understanding responsibilities for implementation;
- Implementing the Section 504 Plan by providing sign language interpreting in the appropriate setting;
- Communicating and collaborating with other service providers, including general education teachers;
- Collecting evidence/data regarding progress toward communication needs;
- Establishing and maintaining effective and positive communication with parents/guardians; and,
- Informing the local school district representative when new data, parent/guardian concerns, or changes in the student's needs suggest that a new Section 504 Plan may be necessary prior to the annual review.

## Parent/Guardian[3]

For Section 504 purposes, a "parent" is a:

- Biological or adoptive parent;
- Foster parent;
  - For Youth in Care students who are living in foster homes[4], the educational rights holder is the foster parent.
- Educational surrogate parent[5,6]

[3] A parent/guardian who is a CPS employee must follow the CPS Code of Ethics. For additional information, see CPS Code of Ethics Guidelines.

[4] See Education Resources for Youth in Care and ISBE Youth in Care resources.

[5] See additional information: ISBE Educational Surrogate Parent

[6] Requests for an Educational Surrogate Parent can be made electronically at: https://apps.isbe.net/SEMS/SurrogateRequestPublic.aspx.

  - For Youth in Care who are living in congregate care settings (residential facilities, group homes, transitional living programs, etc.), the educational rights holder is the educational surrogate parent.
- Guardian; or,
- Individual acting in place of a biological or adoptive parent (including grandparents, stepparents, or other relative), with whom the child lives or an individual legally responsible for the child's welfare.

**Note:** DCFS staff (e.g., caseworker or educational liaison) is not the parent for IDEA purposes but can refer a student for a special education evaluation as a state agency.

Parents/guardians are members of the Section 504 team and should be encouraged to actively participate in the discussion and decision-making during all Section 504 meetings.

Prior to the Section 504 meeting, parents/guardians are encouraged to:

- Communicate with school personnel to determine a mutually convenient date and time for the Section 504 meeting;
- Review the current Section 504 Plan;
- Review the most recent progress reports from teachers; and,
- Notify the local school Section 504 Coordinator if they need additional information (e.g., evaluation reports, previous Section 504 Plans or other records or reports, *504 Procedural Safeguards*, etc.), or any special accommodations.

During the Section 504 meeting, parents/guardians should:

- Share the student's strengths and challenges, including the types of activities the student enjoys at home, at school, and in the community;
- Explain the types of rewards and discipline strategies that are effective at home;
- Share relevant information about the student's medical and personal care needs;
- Ask Section 504 team members to clarify, explain, or give examples for any information presented that may be unclear;
- Identify accommodations which have been successful and those which have not;

- Ask questions to clarify any reports or information regarding the student's progress in school (e.g. classwork, behavior, and community activities, as appropriate); and,
- Ask the local school Section 504 Coordinator to review or explain parent/guardian *504 Procedural Safeguards*, if necessary.

Following the Section 504 meeting, parents/guardians should be encouraged to:

- Review the Section 504 Plan to assure that all decisions made at the conference are documented; and,
- Establish and maintain communication with teachers and RSPs.

## Student

Students ages 14 and older and those in high school should attend Section 504 meetings and should be included on the Notice of Conference prior to the Section 504 meetings. Students do not need to stay for the whole meeting, but they are encouraged to express their point of view regarding their needs. However, until the student turns 18 years of age, the parent/guardian will make the final determination as to whether the student will attend the meeting.

**Note:** Nothing precludes a student from attending the meeting prior to high school.

Under Section 504, an adult student is a student who is 18 years of age or older who has not been judged incapacitated by a court of law. The education rights are transferred to the student at the age of 18. An adult student assumes and is entitled to exercise all Section 504 rights, duties, and/or responsibilities that were previously held by their parent/guardian.

Prior to the Section 504 meeting, the student should be encouraged to:

- Think about school activities they enjoy and activities they would like to pursue;
- Think about any concerns or questions with their parents/guardians or teachers;
- Identify accommodations which have been helpful and those that were not useful; and,
- Share an accommodation they would like considered.

During the Section 504 meeting, the student should:

- Identify their own strengths and interests, including the types of activities they enjoy at home and in the community;
- Identify which of the academic and behavioral accommodations and interventions provided in class are the most and least helpful;
- Ask Section 504 team members to clarify, explain, or give examples for any information presented that may be unclear;
- Ask questions to clarify any reports or information regarding their performance in class, behavior, and community activities, as appropriate; and,
- Ask the Section 504 Coordinator to review or explain *504 Procedural Safeguards*, if necessary.

Following the Section 504 meeting, the student is encouraged to:

- Cooperate with teachers, paraprofessionals, RSPs, and parents/guardians in order to improve achievement;
- Tell parents/guardians and teachers about problems encountered and request assistance, as necessary; and,
- Indicate to parents/guardians and teachers which accommodations are helpful or not helpful.

# Evaluation Process

Section 504 requires CPS to locate, evaluate, and determine whether a student requires accommodations and/or other supports in order to access their education, making them eligible for a Section 504 Plan. A request for an evaluation for accommodation or services under Section 504 is made if (1) it is suspected that they have a mental or physical impairment that limits a major life activity, and (2) they need reasonable accommodations, aids, or educational services in order to access the general education curriculum as adequately as their non-disabled peers.

## Requests for a Section 504 Evaluation

The following persons can make a request for a Section 504 evaluation:

- CPS school personnel;
- Parent(s)/guardian(s) of the student; or
- An employee of the Illinois State Board of Education (ISBE); or
- An employee from another state agency;[7] or,
- An employee from a community service agency.[8]

Requests for a Section 504 evaluation from any of the above persons must be submitted to the school principal or local school Section 504 Coordinator in writing (e.g., email and/or paper-based), indicating the sender and date of submission. The request must include:

1. An explanation of the educational and/or medical concerns that suggest the need to evaluate the student under Section 504; and,
2. Any supporting documentation, including any medical or outside evaluation report provided by the parent/guardian.

If the request is communicated verbally, the local school district representative directs them to put the request for evaluation in writing and assist with transcribing if the parents/guardians are unable to write out their request. When a request is submitted in compliance with all requirements, a response must be provided to the parent/guardian **within 14 school days** of its receipt.

[7] For information regarding state agencies, see https://www.ilsos.gov/services/illinks.html.

[8] For information regarding community service agencies, see https://www.dhs.state.il.us/page.aspx?item=29734.

## CPS Staff Requests

CPS staff may request an evaluation under Section 504 for a student by completing a Request for Section 504 Plan in SSM to document the basis for the request and providing the local school Section 504 Coordinator with notice that the request has been completed. Documentation to support the request **must** include the following:

- A description of the health/medical information, academic concerns, and/or behavioral issues that suggest the need to evaluate the student under Section 504;
- A summary of any information from any medical or outside evaluation provided by the parent/guardian; and,
- Current qualitative and quantitative information about the student, including grades, attendance, suspensions, academic performance, behavior, and classroom participation.

**Note:** If school personnel are provided with evidence that a student has a chronic medical condition, they must submit a request for a Section 504 evaluation even if the parent does not submit a signed written request and send parents/guardians the Consent for Initial 504 Eligibility Evaluation form.

If a student is evaluated to determine eligibility for special education (for an IEP) and it is determined that the student either (1) does not have one of the 14 disabling conditions enumerated under IDEA, or (2) does not require direct services from a special education teacher or a speech-language pathologist (SLP) but has a mental or physical impairment which substantially limits a major life activity and may require accommodations and/or other supports, then the Section 504 eligibility process should be started, and the IDEA evaluation data already collected may serve as the Section 504 evaluation data if the team is in agreement that no additional data or other information is needed.

## Parent/Guardian Requests

Requests from parents/guardians should provide supporting documentation and an explanation of the concern and/or suspected disability. If the request does not include the basis for the concern, the local school Section 504 Coordinator should request the parent/guardian to provide the omitted information. If the student is enrolled in the school, then the school should review the student's records and gather information from any CPS personnel who have worked with the student. The local school Section 504 Coordinator should enter the parent/guardian request into SSM using the Request for Section 504 Plan form. If the parent/guardian requires assistance in

completing the request for a Section 504 evaluation, the local school Section 504 Coordinator should provide assistance.

**Note:** If school personnel are provided with evidence that a student has a chronic medical condition, they must submit a request for a Section 504 evaluation even if the parent does not submit a signed written request and send parents/guardians the Consent for Initial 504 Eligibility Evaluation form.

## Requests of Parentally-placed Private School or Home-schooled Students

Requests for Section 504 evaluations must be submitted directly to OSD via email to privateschoolevals@cps.edu if the student attends a private school in the City of Chicago, or lives in Chicago and is home-schooled. These students are considered non-attending. The OSD Citywide Assessment Team will review requests and supporting documentation following the procedures listed below. When warranted, the Citywide Assessment Team will evaluate the student and (if eligible) develop a Section 504 Plan for the student to present to their private school. The parent/guardian must register the child as a non-attending student by completing the form that will be sent by the OSD Citywide Assessment Team.

## Determining Need for a Section 504 Evaluation

Upon receipt of the finalized Request for Section 504 Plan, the school must review the request, including all the supporting information that has been provided, and conduct preliminary procedures. Preliminary procedures may include observations of the student, consultation with the teacher or other individual making the request, and/or a conference with the student to determine if an evaluation is warranted. Parental consent is not required for preliminary procedures. Under Section 504, the district must obtain consent from the parent/guardian before a student's initial evaluation.

**Note:** A student does not require a medical diagnosis and/or a physician's order provided by the parent for an evaluation to occur.

## Section 504 Evaluation Request Denied

If it is determined that the Section 504 evaluation is not warranted, the local school Section 504 Coordinator should notify the parent/guardian of this decision in writing via the Request for 504 Plan document and include the 504 Procedural Safeguards.

## Section 504 Evaluation Request Approved

If it is determined that a Section 504 evaluation is warranted after the review of the request and preliminary procedures, the local school Section 504 Coordinator must notify the parent/guardian of this decision **within 14 school days** of the school's receipt of the request by sending the Consent for an Initial 504 Eligibility Evaluation and *504 Procedural Safeguards*. The evaluations and initial eligibility meeting must be completed in 60 calendar days.

**Note:** The evaluation process may not always involve individually administered tests by school personnel; all necessary data and other relevant information may already be available for review by the Section 504 team.

## Assessment Components

Evaluators must ensure that their assessments are selected and administered in a nondiscriminatory manner. Assessments should:

- Include information from a variety of sources (i.e., A medical diagnosis from a physician or other qualified professional alone is not sufficient);
- Document the date of the assessment, the sources and assessment methods that were used, and the information and results that were obtained;
- Be administered in the child's primary language or use whichever mode of communication is most likely to yield accurate information regarding the child's knowledge and abilities;
- A qualified bilingual specialist or interpreter should assist the evaluator with language and testing;
- Use clear language that both staff and parents/guardians can easily understand (avoid jargon);
- Analyze data, interpret results, and compare any prior assessment results;
- Include recommendations for incorporating curricular accommodations and related services, if needed;
- Document whether any assessment component could not be completed. State what components are missing and why they were not completed. This information is needed so that the team of evaluators can assess how these variances affect the validity and

reliability of the information reported and determine whether additional assessments are needed;

- Indicate whether the assessment was conducted under nonstandard conditions and describe how and the extent to which it varied from standard conditions (For example, the use of a translator when a qualified bilingual professional is not available creates a non-standard condition.); and,
- Behavioral data which includes duration, intensity, and frequency. This data should be collected by either the School Social Worker and/or the School Psychologist.

All test protocols (e.g., consumable test booklets, behavior rating scales, drawings, etc.) must be placed in a sealed envelope and kept in the student's temporary record in a secure and locked location. When a parent/guardian requests a student's educational records, and the records include test protocols with a student's name, or other personally identifiable information, contact the Law Department at (773) 553-1700 for guidance regarding the parent/guardian's right to access the test protocol.

When the parent/guardian has provided a private evaluation report, the appropriate RSP (e.g., school psychologist if the report was from a clinical psychologist, the nurse if the report is from the student's physician) must review the private evaluation and participate in the Section 504 meeting. If the private evaluation report indicates that the student may need direct services from a special education teacher or a speech pathologist, then a referral for an IDEA full and individual evaluation should be initiated.

The local school Section 504 Coordinator should send a Parent/Guardian Notice of Conference for 504 to the parent/guardian 10 calendar days prior to the meeting, and no later than 60 calendar days after receipt of written parental consent, notifying the parent/guardian of the date, time, and purpose of the meeting.

# Eligibility Determination

The initial evaluation must be completed, and the Section 504 team must determine Section 504 eligibility, within 60 calendar days after the date that the parent/guardian provides written consent to evaluate the student. When there are fewer than 60 calendar days left in the school year, and the parent/guardian has provided written consent, the school must attempt to complete the evaluation, eligibility determination, and the Section 504 Plan (if the student is eligible) by the end of the school year.

The 60-calendar-day time frame **does not** apply if the parent/guardian repeatedly fails or refuses to produce their child for the evaluation. The team should still attempt to hold the meeting within the 60 calendar days, and the reason(s) why the evaluation could not be completed should be documented within the Section 504 Plan eligibility section.

**Note:** During an initial Section 504 evaluation, a team may decide during the course of gathering information that an IDEA full individual evaluation is warranted to determine whether the student qualifies for an IEP. If the team suspects the student may qualify under the IDEA, they must commence and comply with all IDEA procedures and timelines.

At every Section 504 meeting, the student's mental or physical impairment should be discussed. Parents/guardians should be strongly encouraged to bring updated medical information and/or evaluation reports annually to help the team determine whether the student still requires a Section 504 Plan, but it is not required, and the team can determine Section 504 Plan services based on the previous medical or evaluation information. If the parent/guardian does not provide updated health/medical information annually, the medical accommodations will remain the same, based on the last medical documentation provided. However, new medical information and/or evaluation reports are required every three years. The purpose of the reevaluation is to determine whether the student continues to qualify for Section 504 services and accommodations because the student continues to have a mental or physical impairment that substantially limits one or more major life activities.

The nature and extent of the information needed to make a Section 504 eligibility decision is determined on a case-by-case basis by a group of persons knowledgeable about the student and the meaning of evaluation data.

A medical diagnosis is not necessary to determine that a student is eligible; however, there must be adequate documentation that the student has a mental or physical impairment in order to be eligible as a person with a disability under Section 504. Likewise, a medical diagnosis or a letter

from a physician or other qualified professional does not automatically qualify a student for a Section 504 Plan.

**The Section 504 team meets to review the evaluation results to determine whether the student qualifies for a Section 504 Plan. The team will determine:**

- Whether the student has a mental or physical impairment;
- Whether the impairment substantially limits one or more major life activities; and,
- Whether the substantial limitation(s) caused by the mental or physical impairment result in the student's need for accommodations and/or other supports during the school day or school activities.

If the team answers "no" to either of the first two questions, the student does not qualify under Section 504. If the team answers "yes" to both of the first two questions, the student is eligible for protection from discrimination under Section 504. The team will then answer the third question to determine whether a Section 504 Plan needs to be developed to identify accommodations and/or other supports necessary during school and at school activities.

If the team answers "yes" to the third question, the team should proceed to develop the Section 504 Plan (see *Section 504 Plan* section). If the team answers "no" to the third question, the student is protected from discrimination under Section 504, but does not require accommodations and/or other supports during the school day or at school activities. In this instance, no Section 504 Plan will be developed. Even without the Section 504 Plan, the student is protected from discrimination based on their disability and must have access to all school-related activities. If the student needs reasonable accommodations and/or other supports to obtain access to school and/or school activities during the school year, a Section 504 meeting should be convened to discuss the possibility of a Section 504 Plan. These students who are eligible under Section 504 but a plan was not developed will appear on the school's tracking form, and an annual Section 504 meeting is required to determine if Section 504 services are necessary for the student to access the school and/or school activities.

**Note:** A student who has a mental or physical impairment that substantially limits a major life activity (i.e., the first two questions are answered "yes") but it has no impact on the student during the school day (i.e., the third question is answered "no") is still afforded *504 Procedural Safeguards* in disciplinary situations (see Discipline section).

Section 504 eligibility is determined through a consensus of the Section 504 team. Consensus is defined as a general agreement, not necessarily unanimous agreement. It is a judgment arrived at by most of those involved. The district is ultimately responsible for ensuring FAPE is provided.

It is not appropriate to make decisions based on a "vote." When the team cannot reach consensus, the 504 Coordinator or the OSD Special Education Coordinator will identify the final recommendation on behalf of the district when the team cannot reach consensus. In this event, the parents/guardians must be provided with a written copy of the school's proposals or refusals, or both, regarding the child's Section 504 Plan via the Section 504 Meeting Notes. If the parents/guardians do not agree with the eligibility determination or proposed Section 504 Plan, they have the right to seek resolution of any disagreements as outlined in the *504 Procedural Safeguards* (see Section 504 Procedural Safeguards section).

## Step One: Determine whether the student has a mental and/or physical impairment.

A mental or physical impairment is defined as any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems:

- Neurological;
- Musculoskeletal;
- Special sense organs;
- Respiratory, including speech organs;
- Cardiovascular;
- Reproductive;
- Digestive;
- Genito-urinary;
- Hemic and lymphatic;
- Skin;
- Endocrine; or,
- Any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, or specific learning disabilities.

# Locate, evaluate, and determine.

**Note:** All IDEA disabilities are also covered by Section 504 (e.g., specific learning disabilities, intellectual impairment, and traumatic brain injury). If a student has a disability covered by IDEA, which requires specialized instruction from a special education teacher or speech-language pathologist, the student MUST be on an IEP. Special education teachers and speech-language pathologists CANNOT provide direct services to students on Section 504 Plans; however, special education teachers and speech-language pathologists may provide consultative services when appropriate.

This definition of physical or mental impairment under Section 504 is broad, and is not limited to any specific diseases or categories of mental or physical conditions. Examples of mental or physical impairments most prevalent on Section 504 Plans in schools are asthma, allergies, diabetes, epilepsy, attention deficit disorder/attention deficit hyperactivity disorder (ADD/ADHD), anxiety, depression, and cerebral palsy.

Section 504 excludes from the definition of a student with a disability and from Section 504 protection any student who is currently engaging in the illegal use of drugs. However, former users or those participating in drug rehabilitation programs may be considered individuals with disabilities and might qualify under Section 504.

Section 504's definition of a student with a disability does not exclude users of alcohol. However, Section 504 allows schools to take disciplinary action against students with disabilities using drugs or alcohol to the same extent as students without disabilities.

## Step Two: Determine whether the mental and/or physical impairment substantially limits one or more major life activities.

Major life activities are defined to include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. This term also includes the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, as well as digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

In considering whether an impairment substantially limits a major life activity, the Section 504 team should consider: (1) the nature and severity of the impairment, (2) the duration or expected duration of the impairment, and (3) the actual or expected impact of the impairment. There is no single formula or scale that measures substantial limitation, and an impairment need not prevent or severely or significantly restrict a major life activity to be considered substantially

limiting. A comparative analysis can help the Section 504 team establish a substantial limitation, such as comparing how a student with an impairment performs a major life activity to how a student without a disability performs the same major life activity. This determination must be made on a case-by-case basis.

Conditions that are episodic or in remission still might qualify, as long as they substantially limit a major life activity when active. Additionally, the fact that an impairment is in remission is irrelevant. An impairment is a disability if, when active, it does or would substantially limit a major life activity. For example, a student with bipolar disorder would be covered if, during manic or depressive episodes, the student is substantially limited in a major life activity (e.g., thinking, concentrating, neurological function, or brain function). Further, if the student needs accommodations and/or other supports at school as a result, they would be entitled to a Section 504 Plan.

**Note:** Learning is only one of the major life activities. For example, a student may be substantially limited in their concentrating, thinking, breathing, communicating, lifting, etc. due to their mental or physical impairment.

### Temporary Impairments

A temporary impairment does not constitute an impairment under Section 504 unless its severity is such that it results in a substantial limitation of one or more major life activities for an extended period of time, generally six (6) months or more. When deciding whether a temporary impairment warrants a Section 504 Plan, the Section 504 team, on a case-by-case basis, must take into consideration the duration or expected duration of the impairment and the extent to which it actually limits a major life activity.

For example, a student who breaks a leg and requires the use of crutches to get around until the cast is removed in three (3) months may not qualify for a Section 504 Plan, taking into consideration the severity, the duration, and the impact on their school environment, if the student can move throughout the building and participate in their classes. However, if a student breaks their writing hand and is in a cast for three (3) months, the duration of the injury may be less important if it occurs at a time when there is high-stakes testing that includes a written portion. In that case, the inability to use their writing hand could substantially limit a major life activity (e.g., performing manual tasks, such as writing).

### Mitigating Measures

When determining whether an impairment is substantially limiting, the team may not consider the positive (or ameliorative) effects of any mitigating measures that the student is using.

**Note:** Mitigating measures include, but are not limited to, medication, medical supplies, equipment or appliances, low-vision devices, prosthetics, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment and supplies, assistive technology, reasonable accommodations or auxiliary aids or services, and learned behavioral or adaptive neurological accommodations. The only exception is ordinary eyeglasses or contact lenses to fully correct visual acuity or eliminate refractive error.

In other words, when completing step two, the 504 team should make its determination as if the student were not using any mitigating measures. If a student's disability substantially limits a major life activity without ameliorative effects of mitigating measures, then the student is a qualified person with a disability under Section 504.

**Note:** Typical supports or interventions provided by the general education teacher to any student in the classroom, whether or not the student has a disability, are not considered "mitigating measures."

## Step Three: Determine whether the substantial limitation caused by the mental or physical impairment results in the student's need for accommodations and/or other supports during the school day or school activities.

If the Section 504 team determines that a student has a mental or physical impairment that substantially limits a major life activity, the team must next determine whether the substantial limitation caused by the mental or physical impairment results in the student's need for accommodations and/or other supports during the school day or school activities.

While the Section 504 team does not consider mitigating measures in step two, the team does consider the effect of mitigating measures in step three. Therefore, if the impairment is well controlled by virtue of some mitigating measure, such as medication, then the student may not need a Section 504 Plan while in school, even though the student is considered disabled and entitled to protection from discrimination under the law.

If the substantial limitation caused by the mental or physical impairment does not result in a need for accommodations and/or other supports during school or at school activities, then the student is NOT eligible for a Section 504 Plan. If there is a need for accommodations and/or supports, then the Section 504 team should identify the student's specific needs and proceed to

drafting the student's Section 504 Plan to determine the appropriate accommodations and/or other supports to address those needs. For example, if a student's ADHD substantially limits their ability to be attentive or to focus (which is considered a major life activity), but they are on medication and do not need any accommodations and/or supports to improve attention or focus at school, then a Section 504 Plan is not warranted; however, if there is a need for accommodations and/or other supports to improve the student's attention or focus at school, even while on medication, then a Section 504 Plan is necessary.

## Parent/Guardian Consent for Initial Services

Schools are required to obtain informed written parental consent before the initial provision of Section 504 Plan services to a student. This consent is only required once. Consent is not required for future changes to a student's Section 504 Plan.

## Adding Additional Related Services

If a Section 504 team would like to determine whether a student is eligible for additional services, they should obtain written consent from the parent. This can be documented through email or in the 504 meeting notes page. If the parent consents via email, the local school Section 504 Coordinator must upload the email from the parent to SSM. If the decision to consider additional services is determined at the 504 meeting, the local school Section 504 Coordinator must ensure that the discussion and parental consent is written in the notes section.

# Section 504 Plan

The Section 504 Plan is a written document required for each student who is eligible to receive accommodations and/or other supports under Section 504. It is provided to a student when the school determines that the student has a physical or mental impairment and needs accommodations and/or other supports at school or a school activity because of the substantial limitation on a major life activity caused by the impairment. A Section 504 Plan identifies a student's unique needs and how a school will strategically address those needs in order for the student to participate in and benefit from the district's educational programs and activities.

It also describes in writing the academic and behavioral support, health/medical support, related services, and/or transportation needs that the Section 504 team determines the student needs in order to receive FAPE and access their education and school activities.

Section 504 Plans are flexible and may change within a school year or between school years as a student's needs change.

**Note:** If a new Section 504 Plan is needed, a new document must be created as there is no "revision" within SSM.

The Section 504 Plan must be sufficiently detailed to allow the general education teachers and RSPs to address the individual needs of the student and should outline the specific accommodations and/or other supports to be provided to the student to ensure access to their education and school activities.

## Section 504 Meeting

The local school Section 504 Coordinator must provide the parents/guardians with written notice of a Section 504 meeting at least 10 calendar days before the Section 504 meeting. The Notice of Conference should indicate whether the Section 504 meeting is for (1) Initial 504 Eligibility/504 Plan Development; (2) 504 Plan Development; (3) 504 Re-eligibility/504 Plan Development; (4) Remote Learning Plan; and/or (5) Public Health Emergency Recovery Services. The parent/guardian may agree; however, waivers are intended strictly for exceptional circumstances and must not be used as a routine mechanism for scheduling 504 meetings.

At the Section 504 meeting, the Section 504 Plan should be visually projected to support meaningful parent/guardian access and participation in the Section 504 Plan discussion. If the Section 504 Plan cannot be projected, the parent/guardian must be given either access to a district computer or a paper copy of the draft 504 eligibility materials, and where applicable, the Section 504 Plan.

All data, evaluations, and progress monitoring should be shared at the meeting, and any parent/guardian questions should be answered to the best of the team's ability.

If the parent/guardian does not attend the scheduled meeting, the meeting must be rescheduled at least once. If the parent/guardian does not attend the second scheduled meeting, the Section 504 team may proceed without them unless the parent/guardian has requested another meeting date. The team may proceed on the third meeting date even if the parent/guardian does not attend or requests a fourth meeting date.

**Note:** For each continued meeting date, 10-calendar-day notice must be given unless the parent/guardian waives in writing the 10-calendar-day notification period.

At the conclusion of the 504 meeting, the Section 504 Plan must be finalized and a copy must be provided to the parent/guardian. If the 504 meeting concludes prior to all areas of the Section 504 Plan being addressed, then the team must reconvene at a later date. The meeting must be scheduled at a mutually agreed-upon date, time, location, and proper notification (i.e., Notice of Conference) must be provided to the parent/guardian. **Both meeting dates must be memorialized on the cover sheet of the Section 504 Plan.**

**Note:** Parents/guardians may choose to receive documents via email. This is to be documented via the Parent/Guardian Authorization to Send IEP/504 Documents and Related Information via Electronic Mail [9]form.

Section 504 team members may participate in the conference by telephone or other alternative means if they cannot attend physically. The mode of participation must be documented on the cover sheet of the Section 504 Plan and/or the Section 504 Notes Page (see Meeting Notes section).

Section 504 meetings may not be recorded unless all 504 team members agree. If any 504 team member, including a parent/guardian, requests an accommodation for a 504 meeting in order to have meaningful participation, they must seek and obtain reasonable accommodation based on a disability by emailing ADA@cps.edu. This email is overseen by the Americans with Disabilities Act and Compliance Office (ADA Office) that is part of the CPS Talent Office. If a 504 meeting is recorded, the 504 Coordinator ensures that a copy of the recording is saved in the student's

[9] For Spanish Version, see Autorización para el Padre/Tutor para mandar documentos del IEP/504 e información relacionada a través de Correo Electrónico (E-mail).

temporary file and maintained by CPS. The 504 Coordinator must ensure that any recording is made using a CPS-issued device.

**Note:** Artificial intelligence (AI) generated transcripts (e.g., Google transcript feature) are considered recordings and are not permissible, unless all IEP team members agree. Additionally, AI transcripts do not reliably capture verbatim notes and, as such, are not recommended.[10]

## Participants

The local school Section 504 Coordinator convenes a Section 504 team based on the student's presenting concerns and the suspected disability area(s). Pursuant to Section 504, the following individuals are required Section 504 team participants:

- Local school Section 504 Coordinator;
- The student's parent(s)/guardian(s);
- General education teacher;
  - The general education teacher should be a teacher who is, or may be, responsible for implementing a portion of the Section 504 Plan, so that the teacher can participate in discussions on how best to accommodate the student.
- RSP(s) when the reason for the Section 504 request is in their area of expertise;
- Every CPS staff person involved in conducting an assessment; and,
- The student, if 14 ½ or older during the life of the Section 504 Plan, or if the parent/guardian chooses to have the child participate at any age.

The Section 504 team may also include:

- At the discretion of the parent/guardian or CPS personnel, other individuals having knowledge or special expertise regarding the child;
- A qualified bilingual specialist or bilingual teacher, if the student is an English Learner (EL)[11], or if the presence of such a person is needed to assist the other participants in

[10] For additional information, see CPS AI Guidebook.

[11] For additional information, see Equal Access to Elementary and Secondary Education for Students Who Are English Learners with Disabilities - November 12, 2024

understanding the child's language and cultural factors as they relate to instructional needs;

- A person knowledgeable about positive behavior strategies, if the child's behavior impedes their learning or the learning of others; and,
- A sign language interpreter for individuals who are deaf or hard of hearing[12] or, upon request from a parent/guardian, an interpreter for individuals who have limited English proficiency.

[12] Under the ADA, a parent/guardian may request a skilled sign language interpreter through the CPS ADA office, ADA@cps.edu.

# Academic Support

Each school must ensure that students with disabilities have an equal opportunity to participate in academic, non-academic, and extracurricular activities with non-disabled peers. The Section 504 team must determine and document the supports required to enable the student to participate in all these programs and school activities.

## Classroom Accommodations

The Section 504 team identifies the needs stemming directly or indirectly from the student's disability and the area(s) in which the student requires support in order to provide the student with access to the general education curriculum. The Section 504 team should consider each subject area in which the student's disability affects their ability to learn or participate and determine whether academic supports are necessary in order for the student to access the curriculum. All academic supports must be provided in the student's general education classroom. Consultation between the general education teacher, RSP(s), and/or special education teacher should be considered.

An accommodation changes how the student accesses information and demonstrates learning. Students with accommodations are expected to meet learning targets for the class. Example accommodations include: preferential seating, visual schedules, motor breaks, extra time on tests, daily check-in/checkout, and assistive technology (AT). AT provides students with the supports needed to allow them to develop, improve, or maintain their functional capabilities in a variety of tasks. An accommodation should be included on a Section 504 Plan only if it is necessary for the student to access their education. The purpose of an accommodation is to mitigate the impact of the student's disability. The test is not what might be beneficial but what is necessary.

Section 504 Plans do not modify a school's standard grading criteria or the Chicago Public Schools' promotion policy criteria. Therefore, students on Section 504 Plans will be graded using the school's standard grading criteria and are expected to meet the Chicago Public Schools' promotion criteria.

## Non-Academic and Extracurricular Accommodations

Non-academic and extracurricular activities in which the student will or may participate should be discussed by the Section 504 team, including any supports or accommodations needed in order to participate in the activities. Extracurricular support should not be limited to students who are currently participating in extracurricular activities; it should also be discussed for all students who may participate. However, if a student cannot participate safely and effectively or the student's participation will pose a risk of harm or injury, even with accommodations and/or

other supports, the Section 504 team, including the parent/guardian, may determine the student will be excluded from participation. Schools can impose eligibility requirements to participate in extracurricular activities as long as they are neutral with respect to disability, essential to the activity in question, and applied equally to both students with and without disabilities.

Generally, schools may not exclude a student with a disability from participating in a field trip for which the student is otherwise eligible to attend unless the school has a legitimate, nondiscriminatory justification for excluding the student. Any decision to exclude a student with a disability from participating in such a field trip must be based upon procedures that satisfy the evaluation, placement, and/or due process requirements of Section 504. For example, if the student's disability needs a nurse to accompany the student on field trips, then the school MUST have procedures in place to ensure that a nurse is available to accompany the student on every field trip (e.g., advance notice of all planned field trips). It is not permissible under Section 504 to exclude a student with a disability from a field trip because:

- The student needs related aids or services (e.g., the administration of medication or the assistance of a school nurse) to participate in the field trip; and/or,
- The student's parent/guardian is unable to attend the field trip, unless the participation of the parent/guardian of non-disabled students is required.

If the student is in a grade which has a standard field trip (e.g., 8th grade trip to Washington D.C.), there should be a discussion regarding what accommodations and/or other supports, if any, are needed to allow the student to participate. Students with disabilities are to be included in all age/grade appropriate field trips unless the Section 504 team, including the parent/guardian, determines that it is not appropriate even with accommodations and/or other supports. A school may never refuse to integrate students with disabilities in lunch, field trips, assemblies, or recess, based on administrative convenience or scheduling; any decisions to exclude a student from participating in such activities should be made by the Section 504 team, including the parent/guardian, on an individualized basis with a focus on the student's needs and safety.

## Testing Accommodations

The Section 504 team should determine if the student requires accommodations when taking classroom and standardized tests. If the team determines that the student requires testing accommodations, they must click "yes" to the question "Does the student require testing accommodations?" This will allow the team to choose what testing accommodations the student requires. If a student does not have a disability-based need (i.e., academic, medical, or other) for testing accommodations, then testing accommodations are not necessary.

Three criteria are essential when considering any classroom assessment accommodations:

1. The accommodation provides the student the same opportunities in the testing situation as those students who receive no accommodation;
2. The purpose of the test is not compromised by the accommodation (example: reading a decoding test to a student would compromise the purpose of the decoding assessment); and
3. Test validity is not compromised by the accommodation.

Accommodations can be organized into six categories: setting, presentation, timing, response, scheduling, and other. They must accurately reflect a student's knowledge and skills and not their disability when taking assessments.

All students with disabilities on Section 504 Plans must be allowed to participate in district and state assessments at the age- or grade-appropriate level. If an identified classroom testing accommodation is not permitted on the district or state assessments because the accommodation invalidates the assessment, the student will not be allowed that accommodation during district/state testing.

**Note:** Students can only receive testing accommodations for district/state assessments in subject areas for which they receive classroom testing accommodations.

# Related Service Providers (RSP)

Related services refer to developmental, corrective, and other supportive services required to assist a student with a disability to access the district's education programs and activities. A student on a Section 504 Plan can receive the following related services: speech-language pathology and audiology services, interpreting services, psychological services, social work services, physical and occupational therapy, counseling services, orientation and mobility services, transportation, and medical services for diagnostic or evaluation purposes. Related services also include school health services and school nurse services, social work services in schools, and parent/guardian counseling and training.

RSPs are specialists who work directly with students and school personnel to improve educational outcomes by helping students benefit from their education and increase their access to the curriculum and learning environment. RSPs collaborate and consult with teachers, school staff, and families to provide instructional strategies, behavioral interventions, and classroom management skills. They also provide a variety of prevention and intervention services, as well as direct and indirect services and supports. These services should be described in sufficient detail to inform the student, parents/guardians, and staff of the direct and indirect services being provided, including frequency, duration, and location(s).

When an RSP supports an English Learner's continued academic development, the RSP must be able to speak with the student in their primary language if necessary to effectively communicate.

- To the maximum extent, monolingual RSPs provide services to English Learners in a classroom with a bilingual/ESL-endorsed teacher; or,
- When providing services in a separate environment, the monolingual RSP may be assisted by a:
    - Bilingual/ESL teaching assistant; or,
    - Bilingual/ESL-endorsed teacher providing consultation.

If the Section 504 team determines that a student needs direct related services, the team should next consider whether there is also a need for an RSP to consult with the classroom teacher(s), paraprofessional(s), and/or others to enhance development and generalization of the skill being addressed through direct service delivery. When a student with disabilities needs related services, the Section 504 team determines whether the related service will be provided in the general education classroom, in a separate location, or in a combination of these locations. The first option considered should be a general education environment. Services provided in a general education setting may meet the needs of students by providing access for all learners to the general education curriculum, promoting their relationships with general education peers,

and eliminating additional transitions during the school day whenever practicable. However, the location of the services is based on the student's individual needs and on the most appropriate environment for skill acquisition. The location for related services may change over time in response to student performance, as determined by the Section 504 team.

**Note:** Related service providers must maintain logs of services provided and a copy of the related services logs must be provided at any time upon parent/guardian request.

## Determining Need for Speech-Language Pathology Services

The development of communication skills is integral for the success of all students. The SLP works with a variety of communication disorders such as articulation (speech sounds), language comprehension (following directions, understanding texts), language expression (putting words together, using correct grammar, word meaning), voice (use of voice to produce sound), pragmatic language (social language), and fluency (rhythm of speech) which adversely impact the academic performance of students. SLPs at schools work with students directly and/or with classroom teachers, families, and administrators to address communication, language, and related literacy needs. SLPs assist with the prevention of communication disorders through implementation of MTSS, identification of at-risk students for academic problems, assessment of students' communication skills, implementation and development of IEPs, and evidence-based interventions. The SLP works collaboratively with school staff, parents/guardians, and the community to support the academic, social, and vocational needs of all students.

**Note:** All IDEA disabilities are also covered by Section 504, including speech-language disorders. If a student has a disability covered by IDEA, which requires specialized instruction from a speech-language pathologist, the student MUST be on an IEP. Speech-language pathologists CANNOT provide direct services to students on Section 504 Plans; however, they may provide consultative services when appropriate.

**A 504 team may decide that a student with disabilities needs school speech-language services only if BOTH of the following guidelines are discussed and documented:**

### Guideline 1: Speech-Language Deficit

The student has a speech-language deficit in **one or more** communication areas below:

#### A. Language

The student:

- Has difficulty understanding and applying oral directions according to developmental norms;
- Has difficulty understanding conversations when compared to similarly aged peers;
- Relates stories or events in an illogical, poorly organized manner;
- Has difficulty expressing their needs and ideas at an age-appropriate level;
- Has difficulty adapting language for a variety of social contexts; or,
- Other (must be specified).

### B. Speech or Sound Production

The student:

- Produces speech or sounds that affect intelligibility;
- Has one or more disordered phonological processes;
- Has consistent speech sound errors compared to typically developing students; or,
- Has a feeding disorder due to oral motor dysfunction. If the oral motor dysfunction improves, feeding skills may improve.

### C. Voice

The student:

- Based on medical documentation, has a vocal impairment without short-term physical factors (respiratory virus or infection, allergies, short-term vocal abuse); or,
- Has a vocal disorder due to an impairment in one or more of the five voice characteristics: vocal quality, pitch, range, volume, and/or intensity.

### D. Fluency

The student:

- Has atypical dysfluencies, such as:
  - Hesitations;
  - Repetitions (e,g., sound, syllable repetitions, whole word);
  - Prolongations; and/or

  - Blocks.
- Has secondary behaviors related to dysfluencies, such as:
  - Eye blinking;
  - Facial tension;
  - Facial tics;
  - Poor eye contact;
  - Avoidance;
  - Tremors;
  - Pitch and loudness variability;
  - Facial grimaces; and/or
  - Lip, limb, or torso movements.

### Guideline 2: Speech-Language Services Are Necessary for the Student to Benefit from Special Education

The student's speech issue adversely affects their academic, social performance, and/or postsecondary transition activities; or speech-language services are required to assist the student to benefit from special education.

All of the following guidelines must be discussed and documented. The speech-language services:

- Are required beyond that which is normally available to all students (e.g., tiered supports);
- Will support functional change in speech-language skill;
- Address skills that are significant, constant, and developmentally appropriate;
- Are present regardless of the student's dialectical and/or considerations of an EL;
- Are related to issues other than selective mutism[13] or school phobia;
- Are not contraindicated by medical/physical, dental, or other circumstances that warrant discontinuation of services temporarily or permanently; and

[13] According to the DSM-V, selective mutism is a psychiatric disorder that impacts communication. Therefore, the school SLP can be a part of the 504 team that develops a treatment plan for a student who is selectively mute, but not the sole provider. Given the nature of this disorder, other relevant RSPs include, but are not limited to, the school social worker and school psychologist.

- Are necessary for the student's functional performance and cannot be directly provided by any other school personnel.

## Determining Need for School Audiology Services

An Educational Audiologist helps students with audiological deficits to communicate and connect more effectively with others at school and in school-related settings. An Educational Audiologist conducts audiological evaluations for students with known or suspected hearing loss/disorders and/or central auditory processing disorders (CAPD). The Educational Audiologist also makes recommendations for goals, service delivery, and/or accommodations for students with hearing loss/disorders and/or CAPD to support them in school and school-related settings.

Educational Audiologists deliver a full spectrum of hearing services to all children, particularly those in educational settings. Educational audiologists are members of the school multidisciplinary team who facilitate listening, learning, and communication access via specialized assessments; monitor personal hearing instruments; recommend, fit and manage hearing assistance technology; provide and recommend support services and resources; and advocate on behalf of the students. Educational audiologists provide evidence for needed services and technology, emphasize access skills and supports, counsel children to promote personal responsibility and self-advocacy, maintain student performance levels, collaborate with private sector audiologists, help student transitions and team with other school professions to work most effectively to facilitate student learning.

A Section 504 team may decide that a student with disabilities needs school audiology services only if BOTH of the following guiding principles are met:

### Guideline 1: Hearing Loss/Disorder and/or CAPD

The student must have a Hearing Loss/Hearing Disorder and/or a central auditory processing disorder.

### Guideline 2: Audiology Services are Necessary for the Student to Access the District's Programs and Activities

To determine whether the student needs audiology services to benefit from their education, discuss and document ALL of the following factors. Audiology services:

- Are required and would go beyond that which is normally available to all students;
- Would support:
  - Further functional change in hearing function, and/or,

  - Hearing amplification and/or auditory processing to access education and to participate successfully throughout the day;
- Would not be contraindicated due to medical/physical, psychological, or other circumstances that warrant discontinuation of services temporarily or permanently;
- Are needed to meet all targeted hearing supports, if any; and,
- Are necessary for the student's educational performance and cannot be directly provided by any other school personnel.

## Determining Need for School Social Work and/or School Psychological Services

School Social Workers and School Psychologists are able to assess targeted behaviors. When considering targeted behaviors, it is best practice for both the School Social Worker and School Psychologist to complete assessments to determine the root cause of targeted behaviors in the form of an RSP Report.

General Education teachers are required to provide data to the RSP and the 504 Plan team to support the assessment process, including academic and/or behavioral data which reflect intensity, duration, and frequency for the targeted behavior. In addition, General Education teachers are required to provide MTSS data to the 504 Plan Team. MTSS data should be documented and reported in our CPS MTSS database system.

### School Social Work Supports

School social workers promote academic and social/emotional development by providing a wide array of services to support the social, emotional, and behavioral needs of all students. They provide services to students both in general and special education programs using individual, group, and classroom settings. School social workers support educational outcomes through the implementation of MTSS utilizing evidence-based interventions; the development and implementation of intervention and prevention programs that support at-risk students; and participation on problem-solving teams in the school environment to support student success by providing crisis support, providing evidence-based group practices, supporting school culture and climate, participating in behavioral health teams, and providing individual therapeutic supports. They foster a positive and safe learning environment by facilitating the development of students' prosocial, decision-making, and self-management skills. School social workers act as a liaison between home, school, and the community through collaboration with teachers, parents/guardians, and community agencies.

### School Psychological Supports

School psychologists are qualified members of school teams that support students' ability to learn and teachers' ability to teach. School psychologists provide direct support and interventions to students, consult with teachers, and collaborate with families and other school-based mental health professionals (e.g., school counselors and school social workers). Such collaboration enhances evidence-based support strategies. School psychologists may also work closely with school administrators to improve school-wide practices and policies, and collaborate with community providers to coordinate needed services. They help schools successfully:

- Improve academic achievement;
- Promote positive behavior and mental health;
- Support students with disabilities;
- Create safe, positive school climates;
- Strengthen family-school partnerships;
- Improve school-wide assessment and accountability; and,
- Monitor individual student progress in academics and behavior.

School psychologists serve as members of interdisciplinary teams to address the needs of all students, including involvement in MTSS. They are an integral part of the MTSS, from system-wide program design, consultation, data collection, and analysis, to specific assessment and intervention efforts with individual students. They apply expertise in mental health, learning, and behaviors to help children and youth succeed academically, socially, behaviorally, and emotionally. They also partner with families, teachers, school administrators, and other professionals to create safe, healthy, and supportive learning environments.

A Section 504 team may decide that a student with disabilities needs school social work and/or psychological services only if documentation shows that BOTH of the following guiding principles are met:

# RSPs collaborate and consult.

### Guideline 1: Student Demonstrates Social, Emotional, or Adaptive Skill Deficits and/or Behavior that Impedes their Learning or that of Others

School social work or psychological services are considered if a student has an ongoing or recurring need, including, but not limited to:

- Exhibiting difficulty developing and/or sustaining appropriate social relationships with peers and/or authority figures;
- Requiring support to identify, manage, and regulate feelings/emotions;
- Needing assistance resolving conflicts effectively with peers and/or adults;
- Struggling with responsible decision-making and anticipating the consequences of their behavioral choices;
- Displaying difficulty with knowledge and awareness of their own personality/character;
- Struggling with self-management and taking responsibility for their own actions, behaviors, and well-being;
- Requiring assistance with organization, time management, and planning skills; and
- Employing ineffective problem-solving and coping strategies in response to stressful situations.

### Guideline 2: Social Work and/or Psychological Services Are Necessary for the Student to Access the District's Programs and Activities

ALL of the following guidelines must be discussed and documented. The social work and/or psychological services:

- Are required and go beyond that which is normally available to all students (e.g., tiered supports);
- Will support development or improvement of a student's social/emotional skills in order to access education and participate successfully throughout the day; and,
- Are necessary for the student's educational and/or functional performance and cannot be directly provided by any other school personnel.

## Determining Need for Occupational Therapy Services

The role of the occupational therapist includes providing holistic and therapeutic services to students, and collaborating with and supporting parents/guardians and school support staff. Occupational therapists work with members of the school-based team to break down barriers to

the students' learning environment so that the students can access their education. Occupational therapists support both academic and functional outcomes, including social skills, sensory-related behavior management, recess, participation in sports, self-help skills, and pre-vocational/vocational participation. Occupational therapists are particularly skilled in facilitating student access to curricular and extracurricular activities through supports, designing and planning, and other methods. Additionally, they play a critical role in training parents/guardians, other staff members, and caregivers on educating students with disabilities.

A Section 504 team may only determine that a student with disabilities needs school occupational therapy (OT) services if documentation shows that BOTH of the following guiding principles are met:

### Guideline 1: Motor or Sensory Impairment/Deficit

The student has a sensory or motor impairment/deficit in at least ONE of the following areas:

**A. Motor Impairment/Deficit**
**The student:**

- Needs assistance planning and producing voluntary movement;
- Does not reach for objects with intention;
- Has difficulty grading force and timing movement;
- Needs assistance demonstrating age-appropriate grasp and release;
- Has difficulty carrying objects; or,
- Has difficulty initiating and completing activities of daily living, such as:
  - Arrival/departure;
  - Clothing management;
  - Feeding/eating; or,
  - Other (must be specified).

**B. Sensory Impairment/Deficit**
**The student:**

- Has extensive difficulty interpreting and integrating sensory input; or,
- Has poor sensory processing issues which significantly impact behavior, causing individuals to over-respond (avoid) or under-respond (seek) to environmental stimuli.

### Guideline 2: OT Services Are Necessary for the Student to Access the District's Programs and Activities

ALL of the following must be discussed and documented. The OT services:

- Are necessary for the student to use adaptive devices or assistive technology and access their education;
- Are necessary for the student's motor skill function to improve;
- Are necessary for functional change in motor or sensorimotor skill function;
- Address self-regulatory behavior (e.g., develop strategies to manage incoming sensory information, choose appropriate responses, and maintain levels of arousal) to actively and effectively participate in learning; and
- Are necessary for the student's functional performance and cannot be directly provided by any other school personnel.

Based on Illinois licensure requirements, occupational therapists may evaluate and add services for students without a physician's prescription document. Current physician's prescriptions (within one calendar year) are required by Medicaid when OT services are included on a student's Section 504 Plan.

## Determining Need for Physical Therapy Services

School-based physical therapists evaluate and facilitate the development of functional gross motor coordination and movement skills so that students can access and participate in the educational environment and benefit from their education. The physical therapist is responsible for evaluations, intervention, and participating in team decisions about eligibility and post-secondary transition planning. Physical therapy (PT) interventions are designed to enable the student to move throughout the educational environment, participate in academic and non-academic activities, and maintain and change positions across all educational environments.

A Section 504 team may only determine that a student with disabilities needs school PT services if documentation shows that BOTH of the following guiding principles are met:

### Guideline 1: Physical Impairment

The student has a physical impairment in at least ONE of the following areas:

#### A. Posture and Positioning

The student:

- Needs assistance to participate in activities and routines due to poor postural control; or,
- Needs assistance to sustain proper positioning.

### B. Safe Transfers and Functional Mobility/Movement

The student:

- Needs assistance to keep up with peers due to poor speed and endurance;
- Has limited wheelchair skills;
- Needs assistance to safely transfer; or,
- Needs assistance moving safely within the educational environment.

### C. Gross Motor Activities and Routines

The student needs assistance participating in age-appropriate motor activities and routines, such as:

- Motor groups;
- Physical education; or,
- Recreation with peers.

### D. Self-Care from a Gross Motor Perspective

The student:

- Needs assistance participating safely and/or independently at mealtime (e.g., navigating the lunchroom, carrying a lunch tray);
- Needs assistance participating safely and/or independently in entrance/exit routine due to mobility, transfers, and/or balance concerns;
- Needs assistance participating safely and/or independently in toileting routine due to mobility, transfers, and/or balance concerns; or,
- Needs assistance to safely and/or independently manage classroom materials and personal belongings due to mobility, transfers, and/or balance concerns.

## Guideline 2: PT Services are Necessary for the Student to Access the District's Programs and Activities

ALL of the following must be discussed and documented. The physical therapy services:

- Are necessary for the student to use adaptive devices or assistive technology and access their education;
- Are necessary to support functional change in motor skills;
- Address the student's ability to independently transfer and take care of personal care needs throughout the school day; and
- Are necessary for the student's functional performance and cannot be directly provided by any other school personnel.

Physical therapists may evaluate and provide services without a physician's prescription document (PPD) conditioned upon ability to communicate with the student's health care provider.[14] The physical therapist needs to notify the student's healthcare professional within five business days of initiation of services, and a request for a physician's prescription can satisfy this request. Current physician's prescriptions (within one calendar year) are required by Medicaid when PT services are included on a student's 504 Plan.

[14] Refer to the Illinois Physical Therapy Practice Act.

# Health Medical Support

An essential role of a school nurse is to work to promote the health of the whole child. This is achieved through collaborative relationships with teachers, counselors, and administrative staff to minimize and/or remove physical and mental health barriers to learning. School nurses work to promote student health, thereby increasing instructional time and improving academic outcomes and functional performance. School nurses also provide first aid, emergency care, and chronic condition case management to students.

There are four nursing classifications within CPS:

- Licensed Practical Nurse (LPN)
  - Performs certain direct and indirect clinical care as well as additional nursing duties under the direction and supervision of a registered nurse, as guided by the scope and standards of their professional licensure. LPNs may not write a Section 504 Plan.
- Health Services Nurse (HSN)
  - Registered Nurse
  - Delegates tasks to LPN and unlicensed assistive personnel, performs follow-ups, and implements Section 504 Plans and meetings
  - HSNs may write Section 504 Plans
- Certified School Nurse (CSN)
  - Registered Nurse with School Nurse Certification
  - Delegates tasks, writes Section 504 Plans, and oversees HSN and LPN personnel
- Advanced Practice Registered Nurse (APRN)
  - Develops practice guidelines for nursing department through evidence-based practice and research; and
  - Collaborates with a physician partner and has prescriptive authority.

A CSN or HSN is required to participate at a Section 504 meeting in order to complete the health/medical support section of the Section 504 Plan. However, the CSN/HSN are not necessary 504 team members when the student does not have health and medical needs. For example, the school nurse would not be the RSP to address the needs for a student with ADHD who does not receive medication; rather, the school social worker and/or school psychologist would be the appropriate providers to develop that 504.

A Section 504 team may only decide that a student with disabilities needs school nursing services if BOTH of the following guiding principles are met:

## Guideline 1: Health Condition/Impairment

The student has a health condition/impairment in at least ONE of the following areas:

A. Chronic Health Condition

The student has an ongoing or recurring health issue, such as, but not limited to:

- Asthma;
- Allergies;
- Diabetes (Type 1 or 2);
- Seizure Disorder;
- Sickle Cell Disease;
- Cardiomyopathy;
- Hemophilia;
- Cerebral Palsy; or,
- Spina Bifida.

B. The healthcare provider has prescribed medication and/or a treatment procedure to control a condition, maintain a condition, prevent illness, or restore health; or

C. The student has impaired mobility — chronic or temporary — which requires planning and accommodations in the school environment to assure the student's safety and comfort.

## Guideline 2: Nursing Services are Necessary for the Student to Access the District's Programs and Activities

All of the following guidelines must be discussed and documented. The nursing services:

- Are required and go beyond that which is normally available to all students;
- Will support:

  - The student's ability to self-manage a condition (monitoring of direct services by the school nurse) and safely participate in the educational program to their level of safety and ability; or,
  - Daily functioning such as breathing, nutrition, urination, elimination, pain management, skin integrity, physiological balance, etc.
- Assist with medication per physician or healthcare provider documentation; and,
- Are necessary for the student's educational and/or functional performance and cannot be directly provided by any other school personnel.

**Note:** If attendance is negatively impacted by the health condition/impairment, then the Referral for the Home/Hospital Program should be discussed, and if applicable, provided to the parent.

## Individual Health Care Plan for Diabetes, Asthma, Food/Non-Food Allergies, and Other Health Conditions

A health care plan must be created as part of a Section 504 Plan for students who have diabetes, asthma, and food/non-food allergies. Other conditions such as seizures, which are episodic, may also require an Individual Health Care Plan that is also part of the student's Section 504 Plan. The health care plan must be updated at least annually when the Section 504 Plan is annually reviewed, or as soon as practicable when the school receives updated medical information. When a health care plan is developed, a copy must be provided to the student's parents/guardians and all staff members, including substitutes when applicable, that interact with the student on a regular basis. These staff members may include, but are not limited to: teachers, substitute teachers, paraprofessionals, regular volunteers, administration, lunchroom aides, coaches, recess coordinators, and bus aides. Training for school staff on the health care plan in the student's Section 504 Plan on how to keep the student safe at school and during school activities might also be necessary and should be included in the health care plan.

All health care plans should include a description of the child's symptoms, accommodations, and/or supports needed in the educational setting to address the symptoms, what medications the student takes, and a plan for emergencies. The prevention of symptoms should include steps to keep the child healthy in the long term, and to prevent the child from exposure to triggers that could lead to emergencies. The emergency plan should contain emergency contacts, information on how to immediately treat symptoms when the child has been exposed to triggers, and descriptions of situations that require calling 911 and hospitalization.

“Occupational therapists support both academic and functional outcomes.”

**Note:** When in doubt about how to respond to a medical emergency, always call 911.

The health care plan in the student's Section 504 Plan should also include procedures to be followed during and in preparation for field trips, school parties, extra-curricular activities, and all emergency drills and actual emergencies (including loss of power, fire and tornado drills, active shooter drills, lock-down situations, etc.). For example, it may be necessary to have non-perishable food on hand in case of a drill that would interrupt a student's usual eating schedule.

Additionally, the health care plan must indicate the name of the student's medication; the dosage, route, and frequency; expiration date; parent consent; doctor authorization; and any special instructions necessary for taking the medication. It must also state whether the student self-administers the medication or if staff will have to administer the medication. The health care plan should also indicate where the medication (including emergency medication) is located. This information should be taken verbatim from the completed physician's order forms and/or emergency action plan. Finally, the plan should describe any side effects that the student may experience when taking the medication and how to respond if they occur.

**Note:** All physician orders and emergency action plans must be uploaded and attached to the Section 504 Plan.

## Diabetes Care Plan (DCP)[15]

### Medications

The DCP/Section 504 Plan should note what kind of device is used to deliver insulin to the student — a syringe, insulin pen, insulin pump, or something else; as well as note what kind of insulin therapy is used at school, and how it is implemented. If the student uses a Continuous Glucose Monitor (CGM), what kind of care does it need? The DCP/Section 504 Plan should also explain where the student's insulin and equipment should be stored. If the student uses syringes or lancets, make sure the plan includes how to properly dispose of them.

### Accommodations

The DCP/Section 504 Plan should also describe what accommodations and/or other supports a student will receive during typical school days, extracurricular activities, field trips, and bus rides. For example, what kind of snacks, drinks, or equipment should be kept on hand in the event of

[15] See the district's Chronic Conditions Management Policy, Section 704.12.

hypoglycemia or hyperglycemia? What are the student's personal food-sharing rules? When and how often do glucose levels need to be checked, and where does the student prefer to be tested? (The side of the fingertip, or somewhere else?) The school should also take into consideration the extent to which the student is independent and can check their own glucose levels. It is important to recognize the student's self-management strengths and weaknesses.

The DCP/Section 504 Plan should also note whether the student's diabetes is impairing or interfering with their school performance. If so, include both which activities are impaired and which other accommodations may be necessary. When developing all DCP/Section 504 Plans, the Section 504 team is required to identify a Delegated Care Aide (DCA) for each student with diabetes to help that student manage their diabetes when the school nurse is not in the building or unavailable. The DCA is a school employee who has agreed to receive training in diabetes care and assist students in implementing their DCP. The parent/guardian must authorize the use of a DCA for their child, and the parent/guardian and CPS must agree to the staff member who volunteered to act as the student's DCA. The Section 504 team must complete the *Diabetes Delegated Care Aide Form*, on which the parent/guardian indicates their agreement to the DCA.

### Safety Procedures

Finally, the DCP/Section 504 Plan should outline what steps to follow in case of an emergency. The plan should describe the student's symptoms of hypoglycemia and hyperglycemia and how to prevent them from occurring. Some symptoms may include, but are not limited to, dry mouth, extreme thirst, nausea or vomiting, severe abdominal pain, heavy breathing or shortness of breath, chest pain, increasing sleepiness or lethargy, and a depressed level of consciousness or unconsciousness, among other symptoms. The plan should indicate the student's target blood sugar range, as well as what is considered low, high, and extremely high. What foods or drinks should the student have on hand to treat hypoglycemia? What other steps should be taken in the event of an emergency? The DCP/Section 504 Plan should also include emergency contacts in addition to 911. After handling an emergency, always contact a student's parent/guardian to inform them of its occurrence and complete an incident report.

**Note:** When in doubt about how to respond to a medical emergency, always call 911.

## Asthma Action Plan[16]

### Medication

The Asthma Action Plan should indicate when and how often the student should use an inhaler, where the inhaler should be kept (e.g. in their pocket, backpack, or desk), and whether the teacher or another adult should have an extra inhaler kept in a safe, locked place.

[16] See the district's Chronic Conditions Management Policy, Section 704.12.

### Accommodations

The Asthma Action Plan should describe what kind of accommodations a student should receive during regular school days, extracurricular activities, field trips, and bus rides. Accommodations should consider how best to prevent acute episodes as well as long-term care and prevention. Prevention measures might include good ventilation, dust control, and humidity control.

> **Note:** whether the student's asthma is in any way impairing or interfering with their school performance. If so, which activities are impaired? In particular, do adjustments need to be made to the student's physical education classes?

### Safety Procedures

Finally, the Asthma Action Plan should outline what steps to take in an emergency, include emergency contacts in addition to 911, and describe what might trigger a student's asthma attack. Common asthma triggers include allergens (like pollen, animal dander, mold, etc.), physical exercise (particularly in cold weather), respiratory infections, and other irritants (like cold air, perfume, chalk dust, etc.). The Asthma Action Plan should also describe the student's symptoms during an asthma attack. Common symptoms include, but are not limited to, excessive coughing, shortness of breath, wheezing, chest tightness, nostrils flaring, hunched-over shoulders, and abnormal anxiety or fear.

In addition to the administration of medication and notifying emergency contacts, the Asthma Action Plan should outline any other necessary steps to take in the case of an emergency. After handling an emergency, always contact a student's parent/guardian to inform them of its occurrence.

> **Note:** When in doubt about how to respond to a medical emergency, always call 911.

## Individual Health Plan for Food/Non-Food Allergies[17]

### Medication

The Individual Health Plan for Food/Non Food Allergies should indicate whether the student requires an EpiPen or any other medications. If the student has an EpiPen, the plan should indicate where the student keeps the EpiPen (e.g., in their pocket, backpack, desk, etc.).

### Accommodations

The Individual Health Plan for Food/Non-Food Allergies should include a list of all the student's allergies and how to prevent the student from having an allergic reaction. Some of the most

[17] See the district's Chronic Conditions Management Policy, Section 704.12.

common food allergies are peanuts, tree nuts (walnuts, cashews, pecans, hazelnuts, almonds, etc.), milk, eggs, fish, shellfish, soy, wheat, and others. Accommodations can include, but are not limited to, putting in place personal food sharing rules for the student to ensure that they do not eat anything that would cause a reaction; identifying substitute foods often prescribed by the student's physician, and/or identifying measures that can be put in place to prevent reactions from occurring, including keeping the student's eating, work, and play areas clean.

**Note:** Lesson plans or art projects should not include food to which the student is allergic. Class rewards should also not include food.

Safety Procedures

The Individual Health Plan for Food/Non-Food Allergies should include what to do in an emergency. The Individual Health Plan for Food/Non-Food Allergies should include the symptoms of a student's anaphylactic shock, what to do if the student goes into anaphylactic shock, where the district-issued EpiPens are kept, and how to use an EpiPen if necessary (as well as how to dispose of a used EpiPen).

In addition to the administration of medication and notifying emergency contacts, the Individual Health Plan for Food/Non-Food Allergies should outline any other necessary steps to take in the case of an emergency. After handling an emergency, always contact a student's parent/guardian to inform them of its occurrence.

**Note:** When in doubt about how to respond to a medical emergency, always call 911.

## Health Care Plan for Other Health Conditions[18]

Health conditions that may require a health care plan can include, but are not limited to:

- Multiple sclerosis;
- HIV/AIDS;
- Chronic fatigue syndrome;
- Migraines;
- Chronic pain; or,

[18] See the district's Chronic Conditions Management Policy, Section 704.12.

- Seizures (including all required components for a Seizure Action Plan under the Seizure Smart School Act[19]).

The Health/Medical section of the Section 504 Plan allows the team to create a health care plan for conditions other than asthma, diabetes, and allergies. If a student has an episodic condition that requires medication during the school day, the team may want to develop a health care plan. The health care plan should describe what types of medication are required during the school day, whether the student can self-administer, where the medication is stored, and any side effects from the medication. The health care plan should also detail any accommodations needed during the school day, school activities, field trips, and on the bus. Finally, the health care plan should outline what steps should be taken in an emergency. After handling an emergency, always contact a student's parent/guardian to inform them of its occurrence.

**Note:** When in doubt about how to respond to a medical emergency, always call 911.

[19] See the Seizure Smart School Act https://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=4002&ChapterID=17.

# Behavioral Support

The Section 504 team must consider whether the student's behavior impedes their learning or that of others. If it does, positive behavioral interventions, strategies, and supports, or a formal functional behavioral assessment (FBA) should be initiated, and a behavior intervention plan (BIP) developed. Before conducting the FBA, parent/guardian consent must be obtained via the standalone Consent for Functional Behavior Assessment document in SSM.[20]

**Note:** The 60-school-day time frame for evaluation applies for completing an FBA upon receiving parent/guardian consent. When considering FBA/BIP, the team must STRONGLY consider a Full and Individual Evaluation (FIE)[21]. **When a student's behavior significantly impedes their learning or that of others, and targeted general education and Section 504 interventions have not sufficiently improved the behavior, the team must consider initiating a Full and Individual Evaluation (FIE) under IDEA to determine whether the student requires special education services.**

An FBA is a problem-solving process for analyzing student problem behavior(s). It is designed to help teams select positive and appropriate interventions that directly address problem behavior; its focus is on identifying significant, student-specific, social, affective, cognitive, and/or environmental factors across school settings and associated with the occurrence and nonoccurrence of specific behaviors. The broad perspective offers a better understanding of the purpose behind the student's behavior and an effective plan for addressing it.

An FBA:

- Involves a systematic process for identifying target behavior(s) and gathering information about when, where, and why a behavior is occurring, which leads to the development of the BIP;
- Is designed to help determine the antecedents and consequences of target behavior(s), as well as the communicative and functional intent of such behaviors;

[20] Parent/guardian consent is not required for completing an FBA at an MDR if the behavior was determined to be a manifestation. The IEP Team is required to address the student's behavior by either conducting a Functional Behavioral Assessment (FBA) and implementing a new Behavioral Intervention Plan (BIP), or by reviewing and modifying an existing BIP. An FBA is not required if the LEA conducted one immediately prior to the change of placement. In all scenarios, the resulting plan must be specifically updated to target the behavior in question.

[21] A Full Individual Evaluation (FIE) is the process used to determine a student's needs and eligibility for special education and related services under IDEA. In conducting the evaluation, a variety of assessment tools and strategies must be used to determine whether the student meets eligibility criteria.

- Leads to more specific and effective behavioral interventions;
- Summarizes prior interventions implemented and indicates which prior interventions were successful and which were not; and,
- Data collection should include frequency, duration, and intensity of target behaviors.

A BIP must:

- Summarize the findings of the FBA;
- Describe the behavioral interventions to be used, including those aimed at developing or strengthening alternative or more appropriate behaviors;
- Identify the measurable behavioral changes expected and methods of evaluation;
- Include a schedule for a review of the interventions' effectiveness; and,
- Include provisions for communicating with the parents/guardians about their child's behavior and coordinating school-based and home-based interventions.

**Note:** CPS staff can visit the CPS Intranet BST and *FBA/BIP Guidance Document*.

# Paraprofessional Support

In addition to the classroom teacher or RSPs, paraprofessionals may be needed to provide a student with support for personal care, or for medical, academic, behavioral, social, communication, or other issues at school, and/or at school-sponsored activities or events. Any member of the Section 504 team, including the parents/guardians, may initiate a request for paraprofessional support to be discussed at the Section 504 meeting and for data to be gathered to support this discussion.

A Section 504 team may decide that the student needs paraprofessional support only if qualitative and quantitative data show that at least ONE of the following guiding principles has been met based on data and other relevant information.

## Guideline 1: Personal Care or Medical Condition

The student's teacher and RSP provide documentation of the student's potential or continuing need for assistance, extending beyond that which is expected for similarly aged peers, in at least ONE of the following specific area(s) of support:

### A. Toileting/Hygiene

The student requires direct services from an adult for moving, transferring, positioning, initiating, or completing toileting/diapering/hygiene activities, such as:

- Cueing and supervising the completion of toileting;
- Diapering or toileting when, for example, the student is:
  - Not toilet trained;
  - Trained, but requires lifting onto toilet; and/or,
  - Not independent with tasks related to personal hygiene.

### B. Mobility

The student requires direct services from an adult to be mobile or maintain mobility in activities, such as:

- Moving from sitting to a standing position and/or standing position to sitting;
- Walking;
- Range of motion; and/or,

- Mobility and/or mobility training as needed when, for example, the student:
  - Is in a wheelchair and unable to navigate independently;
  - Uses a walker or wears orthotics but is unable to navigate independently; and/or
  - Is blind or visually impaired and unable to navigate independently.

### C. Lifting/positioning

The student requires direct services from an adult for lifting/positioning in activities, such as:

- Cueing the student to adjust their positioning to prevent stiff muscles/sores;
- Assisting the student to adjust their positioning to prevent stiff muscles/sores; and/or,
- Moving the student from one position to another.

### D. Feeding

The student requires direct services from an adult for feeding activities, such as:

- Cueing and supervision of eating; or
- Feeding when, for example, the student:
  - Is unable to feed self;
  - Requires prompting to feed self; and/or,
  - Requires assistance with food preparation.

### E. Monitoring and Documenting Medical Conditions

The student requires direct services from an adult for monitoring or documenting medical or health conditions, such as:

- Asthma;
- Diabetes;
- Seizure disorder; or,
- Other medical conditions.

### F. Dressing

The student requires direct services from an adult for dressing activities, such as:

- Dressing when, for example, the student is unable to:
  - Put on or take off own clothing, coat, shoes or boots, etc.;
  - Put on or take off orthotics; and/or,
  - Button or secure buttons, snaps, or zippers.

### G. Other Daily Living Skills

The student requires direct services from an adult for other activities of daily living not listed above.

## Guideline 2: Academic Support

Prior to considering a student's need for paraprofessional support based on academic needs, the student's teacher and/or RSP collects qualitative and quantitative data for:

- Each subject area (e.g., English Language Arts, Math, Science, etc.) in which a paraprofessional may be required and in each setting (i.e., general education class, separate class, and community, where applicable) for each subject area; and/or
- Exploratory classes, regardless of setting.

The student's teacher or RSP, including bilingual- or ESL-endorsed personnel for an English Learner, provides qualitative and quantitative data of the student's potential or continuing need for assistance in **one or more** of the following specific area(s) of support:

### A. Reinforce Instruction That Teacher Has Already Provided

The student requires direct support during instruction, such as:

- Frequent additional explanations concerning assigned work;
- Hand-over-hand assistance, organizational assistance, or other assistance during school activities; and/or
- Practice and repetition of skills.

### B. Review of Directions

The student requires direct assistance in understanding or following directions, such as:

- Repeating directions using their own words;
- Breaking directions down into manageable pieces; and/or

- Providing directions in more than one format (such as verbal, visual, written, or gestures).

### C. Completion of Tasks

The student requires direct support to complete tasks, such as:

- Identifying assignments or tasks to be completed with due date/time identified;
- Breaking down each task/assignment into smaller tasks;
- Developing a rubric or simple checklist; and/or
- Setting up and/or using AT.

### D. Remaining Engaged/On Task

The student requires direct delivery of prompts, which increases the likelihood that the student will emit a correct response and reduces the possibility of errors being made, in forms such as:

- Proximity prompting, which involves positioning oneself or an item in a particular location near the student to encourage desired behavior;
- Gestural prompting, which involves using a direct or indirect physical gesture to encourage desired behavior, such as pointing, nodding, or motioning;
- Verbal prompting, which is a direct or indirect cue or instruction that is given orally before or during the student's action or response. This can include full verbal prompts and partial verbal prompts (e.g., verbally models only part of the desired behavior);
- Visual prompting, which is the use of direct or indirect visuals such as pictures, symbols, and text that can assist a student to respond correctly; and/or
- Physical prompting, which may include full physical assistance (e.g., hand over hand when teaching the child to pick up a cup, the teacher takes the child's hand and guides them to pick it up) or partial physical assistance (e.g., when teaching the child to pick up the cup, the teacher guides the child's hand to the cup by tapping their elbow).

### E. Communication

The student requires direct communication support, such as:

- Visual support, which involves the provision of picture supports for students to answer questions, provide information, and engage in social interactions;
- Total communication support for students to use various modes of communication (e.g., sign language, oral, auditory, written and visual aids, etc.); and/or

- Augmentative and alternative communication device support, which is the support of students as they use a device or communication system. This would be done in conjunction with supervising personnel such as an occupational therapist (OT), speech-language pathologist (SLP), and/or teacher.

## Guideline 3: Behavior, Including Safety and Social Supports

If paraprofessional support may be required for both academic and behavior reasons within the general education classroom setting, there must be qualitative and quantitative data to support both targeted areas. Guideline 2 should be behavior data, which includes frequency, duration, and intensity data.

If paraprofessional support is only being considered for behavior reasons, and not academic reasons, the student's teacher and/or RSP must collect qualitative and quantitative data documenting the student's potential or continuing need for assistance in at least ONE of the following specific area(s) of support:

### A. Physical Aggression

The student, as outlined in the student's BIP:

- Is a safety threat to self;
- Is a safety threat to others; and/or,
- Is a threat to school property or personal property in the school.

### B. Safety/Supervision

The student, as outlined in the student's BIP, requires direct supervision to address the student's potential harm to self or others during activities such as:

- Offsite travel, in unstructured settings, etc.;
- Transition within the classroom;
- Transition across school environments; and/or,
- If the student:
    - Leaves assigned area without permission;
    - Leaves school building without permission (elopement); and/or
    - Attempts to ingest inedible objects.

“(Your) plan should outline specific criteria for reducing support and a quantifiable timeline for fading support.”

### C. Social Support to Model and/or Facilitate Appropriate Social Interactions

The student requires direct support to engage in social interactions appropriately, such as:

- Reinforcing behavioral, interpersonal, and social communication skills;
- Modeling skills necessary to appropriately join, leave, comment, and participate appropriately in a social conversation and encouraging imitation of that behavior; or,
- Reinforcing use of new skills (e.g., self-awareness, conflict resolution, social interactions, etc.)

**Note:** Teams must consider and identify the least restrictive support for students. CPS staff utilize the Guiding Questions to Support Justification and Determination of Paraprofessional Support to identify the least restrictive support. When considering paraprofessional support for behavior, the team must STRONGLY consider an FBA/BIP and/or an FIE. When a student's behavior significantly impedes their learning or that of others, and targeted general education and Section 504 interventions have not sufficiently improved the behavior, the team must consider initiating a Full and Individual Evaluation (FIE) under IDEA to determine whether the student requires special education services.

If the data, other relevant information collected, and Section 504 team discussion support a need for paraprofessional support, the team must then specify on the Section 504 Plan (i) when, where, and for what tasks or activities paraprofessional support is needed; (ii) if the paraprofessional will be shared or dedicated per task/activity; and (iii) any training or other supports that should be provided to the paraprofessional. The Section 504 team must also complete the *Student Independence Paraprofessional Plan* in SSM, in which the team identifies strategies to promote independence as well as to fade the student's need for paraprofessional support across all relevant settings.

## Student Independence Plan

Teams should include a clearly defined plan to gradually fade paraprofessional support in order to promote student independence and avoid long-term over-reliance. This plan should outline specific criteria for reducing support and a quantifiable timeline for fading support. It should also incorporate intentional strategies for decreasing the level of prompting (e.g., moving from verbal and gestural prompts to visual or natural cues) and systematically increasing physical distance or proximity (e.g., the paraprofessional moving from side-by-side support to monitoring from across the room). The plan should ensure that paraprofessional support remains purposeful, temporary, and promotes the student functioning as independently as possible across all settings.

# Transportation

The Section 504 team is responsible for determining if transportation to and from school or school activities is required to assist a student with a disability to benefit from their education, and how the transportation services should be implemented. The Section 504 Plan should describe the transportation services to be provided, including transportation to enable a student with disabilities to participate in non-academic and extracurricular activities in the manner necessary to afford the student an equal opportunity for participation in those services and activities to the maximum extent appropriate for the needs of that student.

When the Section 504 team determines that a student needs transportation services, the parent/guardian must decide whether to accept or decline the services. The parent/guardian's decision must be reflected on the Section 504 Plan. Additionally, if the parent/guardian declines transportation services, the decision must be reflected on both the 504 Plan and the *Parent Declines Section 504 Plan Services Letter,* which will populate as part of the 504 Plan. The signed and dated form must be uploaded in SSM.

If the parent/guardian accepts transportation services, the Section 504 team then determines whether the student needs any accommodations (e.g., bus aide, nurse on the bus, air conditioning, pick-up/drop-off somewhere other than home, presence of an adult at drop-off location not required, car seat, harness, wheelchair lift or other specialized equipment, or other accommodations or supports) while traveling on the bus. The Section 504 team must also decide whether the student needs transportation for the life of the Section 504 Plan, only this school year, only the next school year, or temporarily with specific start and end dates and a justification.

**Note:** If the parent/guardian provides notice (oral or written) to the Section 504 Coordinator after the Section 504 meeting that they have changed their mind, a Section 504 meeting must be held to update transportation to reflect the parent/guardian's new decision.

Once the student has been found eligible for transportation services, the Section 504 Coordinator or principal designee must submit a request for transportation in the Student Information System (i.e., Aspen) within 24 hours (not including weekends). For additional support, contact Student Transportation Services (STS) at stutran@cps.edu or (773) 553-2860.

## Guidelines for Determining Need for Transportation as a Related Service

When determining whether a student needs transportation as a related service, the Section 504 team should provide the applicable justification for why the student cannot self-transport using these guiding questions:

- In what way do non-disabled students of similar age and grade travel to and from school?
- In what way does the student's identified disability impede traveling to school in the same manner as their non-disabled peers?
- Does the student's identified disability impede traveling safely and independently during non-school hours such as weeknights or weekends?
- Does the student have needs related to their identified disability that require specialized transportation?

A Section 504 team may only decide that a student with disabilities needs transportation services if documentation shows that at least **ONE** of the following guiding principles is met:

### Guideline 1: Student in Neighborhood (Zoned) School or School of Choice

Parents/guardians may apply to schools of choice as an alternative to having their children attend the neighborhood school (i.e., zoned school). When the parent/guardian of a student with a disability chooses to send their child to a school of choice (e.g., magnet school, selective enrollment school, charter school, another school that is not the student's neighborhood school, etc.), it is presumed that the student will not receive transportation as a related service. Distance between the home and school of choice, on its own, is not the basis for FAPE-based transportation unless one of the four guidelines or other special circumstances exist (and are documented) supporting the need of an individual student with a disability, as determined by the Section 504 team. The student may qualify for non-FAPE-based transportation if provided for in a Board policy for all students who attend the school of choice.

If a student is attending a charter, contract, or Options school, the OSD Special Education Coordinator MUST be part of the Section 504 team and act as the Section 504 Coordinator at the meeting unless they delegate the role to the local school Section 504 Coordinator.

A student who attends their neighborhood school or school of choice and who has a disability that prevents them from traveling to school in a manner comparable to similarly aged peers without disabilities is eligible for CPS-provided transportation when **at least one** of the following guiding principles is discussed and documented:

**A. The student has a physical or orthopedic condition and, as documented on the Section 504 Plan:**

- Uses a wheelchair to ambulate;
- Uses a walker to ambulate;
- Wears orthotics and is unable to walk the distance from home to school; or,
- Has displayed significant limitations with endurance due to the physical or orthopedic condition when transitioning, when moving throughout the school building, or when participating in P.E. or recess.

**B. The student has a chronic or persistent medical condition and, as documented on the Section 504 Plan:**

- Requires monitoring by a nurse in transit;
- Requires monitoring by a delegated care aide or another adult other than a nurse;
- Relies on specialized medical equipment (e.g., oxygen tank, tracheostomy tube, catheter, etc.) that is not readily transportable in a non-adapted or standard vehicle;
- Requires limited exposure to environmental elements (e.g., extreme temperatures, extreme pollen levels, extended exposure to sun); or,
- Is otherwise unable to walk the distance from home to school.

**C. The student demonstrates a pattern of behavior that is dangerous to the student or others while traveling to and from school and requires constant adult supervision, as documented on the Section 504 Plan.**

**D. The student has a sensory, communication, hearing, vision, or other condition and, as documented on the Section 504 Plan:**

- Is unable to assess risk or advocate for their personal safety;
- Lacks the ability to navigate an established route to and from school;
- Reacts to unwanted stimuli or attention from others in a manner that is dangerous; or,
- Lacks the ability to travel to school without getting lost or avoiding dangerous traffic situations.

“(Your) plan should outline specific criteria for reducing support and a quantifiable timeline for fading support.”

### Guideline 2: OSD-Assigned School

A student who attends an OSD-assigned school is presumed to qualify for transportation services when ALL of the following are met:

A. **OSD personnel assign a student to an ADA-accessible school that the student would not otherwise have attended.**

B. **The assigned school is not located closer to the student's home than their zoned school.**

> **Note:** If the assigned school is located closer to the student's home than their zoned school, the Section 504 team should revisit the student's need for transportation under Guidelines 1 or 4.

### Guideline 3: Students Six Years of Age or Younger

The nature of the student's disability prevents the student from traveling to and from school in a manner comparable to similarly aged students without disabilities. Students age six or younger generally do not have the developmental capacity to travel to school safely without a parent/guardian or caregiver. It is expected that students with disabilities in this age group will travel to and from school with their parents/guardians or caregivers unless the IEP team determines otherwise based on Guidelines 1, 2, or 4.

#### Preschool Student Pick-up/Drop-Off Location

If a **preschool student with a disability** requires transportation as a related service in order to receive a FAPE, transportation may be provided to, from, and between locations other than home. The 504 team is no longer responsible for deciding that a preschool student requires a different pick-up or drop-off location to receive a free appropriate public education. Transportation may be provided between home, the location of the child's 504 services (CPS school), and any other child care setting or community-based early learning program the child may be attending. Transportation services are limited to and from locations within the City of Chicago. Pick-up and drop-off locations may be at different locations; however, the selected location(s) must be the same every day of the week. For example, a parent may elect to have the student picked up at home but dropped off at a child care setting as long as it is consistent each day of the week.

The form can be used for preschool students with disabilities who attend a full-day preschool program in CPS or if the student attends a CPS half-day preschool program. This accommodation must be documented in the IEP as a special accommodation, the location must be identified in the IEP, and a separate form titled "Bus Stop Change Request Form for Eligible Preschool Students with Disabilities" ("Purple Form") must be completed. After this

accommodation is incorporated in the IEP, the "Purple Form" should then be completed and submitted to the CPS Student Transportation Services Department.

For students with disabilities in grades kindergarten and above that require transportation as a related service and would like a pick-up/drop-off location other than the student's home, the parent/guardian can complete the CPS Child Day Care Bus Stop Change Request for Student with Disabilities form ("Blue Form") or the CPS Park Kids Program Request form ("Green Form"). The criteria for "Blue Form" and "Green Form" eligibility are found within the respective forms. The "Blue Form" and "Green Form" should be completed outside of the IEP team meeting process.

### Guideline 4: Special Circumstances

The student has a special circumstance documented and requires transportation services.

## Transportation Accommodations

The following requirements apply to the Section 504 team's determination that one or more of the below services, accommodations, or specialized equipment is required for the student to travel safely to and from school.

| Identified Need | Personnel Required at the 504 Plan Meeting | Action to be Taken |
|---|---|---|
| Bus Aide | Section 504 team | Document the information supporting need for bus aide, such as the student:<br>• Uses a wheelchair or walker to ambulate;<br>• Has a documented medical condition that requires constant monitoring by a delegated care aide or another adult other than a nurse;<br>• Has demonstrated a pattern of behavior that is considered dangerous to self or others while traveling to and from school and/or requires adult supervision; or<br>• Travels with oxygen as required by a doctor's order. |

| | | |
|---|---|---|
| Specialized Equipment | Section 504 team | • Requires a car seat;<br>• Requires a safety harness; or<br>• Requires a wheelchair lift.[22] |
| Nurse on the Bus | CPS nurse | Participate and review documentation of the student's medical needs. |
| Air Conditioning | CPS nurse | Participate and review documentation of the student's medical needs. |
| Presence of Adult at Drop-Off Location Not Required[23] | Parent/guardian | Document in writing the preference for a student who is in the 6th grade or higher. |
| Presence of Adult at Drop-Off Location Not Required | Section 504 team | Approve documentation showing that, in light of factors such as the student's age and their disability, the student has demonstrated the necessary maturity and ability to be dropped off without a receiving adult. |
| Other (Medical) | CPS nurse | Review the documented basis of student need and note agreement with recommendation of other team members. |

The duration of transportation is also identified under transportation accommodations. Transportation can be for the life of the Section 504 Plan, for the current school year, for the next school year, or on a temporary basis with specific start and end dates and a justification.

[22]For car seat or harness accommodation, the *Car Seat and Harness Measurements* form in SSM must be completed The doctor's order must be attached in the IEP and finalized. CPS staff reference the Transportation Car Seat or Harness Measurement in SSM.

[23] When a student receives Section 504-required transportation services, the student's parents/guardians are expected to meet the bus at the curb for pick-up/drop-off.

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Meeting notes are imperative to fully capture the team’s discussion and decision-making process.

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# Section 504 Meeting Notes

Section 504 meeting notes are to be used to record relevant discussions that occurred during the 504 meeting that were NOT memorialized in the Section 504 Plan, such as any parental requests that were discussed but not accepted by consensus of the Section 504 team. In this example, the notes must include an explanation as to why the team decided the requested service was not appropriate and/or not needed to provide the student with equal educational opportunities.

**Meeting notes are *imperative* to fully capture the team's discussion and decision-making process.** Well-drafted meeting notes will help to establish procedural compliance, show meaningful parent/guardian participation, and document when several options were discussed and considered. They may also serve as critical elements in dispute resolution matters.

**Best practices for meeting notes include, but are not limited to:**

- Identify a team member (or members) prior to the meeting to type and track notes;
- Document the date and manner in which the three-day draft materials were provided, if requested;
- Include a statement regarding the offer of *504 Procedural Safeguards* and any parent/guardian questions regarding *504 Procedural Safeguards*;
- Indicate any staff member that has been excused, in part or in whole, for the meeting and document the time/length of participation;
- Include timestamps for: start and end times of the meeting, capturing length of discussions, arrival/departure of participants, etc.;
- Document details regarding meeting participant engagement and all efforts to ensure parent/guardian participation; use quotes to convey the details or tone;
- Include discussions involving multiple perspectives—identify topics and state who expressed opinions/input;
- Summarize issues discussed;
- Identify any reports reviewed by the team (including outside reports), who presented each report by role, and any agreement/disagreement with reports;
- Include discussions reflecting team considerations of any outside, private reports provided by parents/guardians;

- Include any parent/guardian requests during the meeting and the district's response and rationale;
- Indicate areas of significant discussion regarding assessment findings, related services, transportation, etc.;
- Document intended/promised follow-up on agreed-upon items and any next steps;
- Ensure that what is written is consistent with other areas of the document; and,
- Proofread notes before finalizing the document.

# Discipline[24]

Schools are responsible for keeping students and staff safe. If any student engages in actions that are dangerous for the student or others, the school's first priority must be to address that danger and keep everyone safe.

A student with a disability who engages in unsafe behavior or behavior that otherwise constitutes a violation of the *Student Code of Conduct (SCC)* can receive the same consequences as other students, with the exception that a student with a disability has some additional *504 Procedural Safeguards* if they are suspended or removed for more than 10 days in a school year. All students must abide by the SCC.

## Disciplinary Removal of Student from Current Setting

The United States Department of Education's Office for Civil Rights (OCR) has indicated that the discipline-related procedural safeguards for students with disabilities under IDEA also apply to students with disabilities who are protected by Section 504. This includes:

- Students on Section 504 Plans; and,
- Students who have a mental or physical disability that substantially limits a major life activity but do not have a Section 504 Plan because their impairment does not result in a need for accommodations and/or other supports (i.e., the first two eligibility questions were answered "yes" but the third question was answered "no").

If a request is made for a Section 504 evaluation during the time the student is subject to disciplinary removal, the evaluation must be conducted in an expedited manner.

Suspension days that were issued during the current school year prior to the school officials having knowledge that the student has a disability must be counted when considering whether the 10-day limit per school year has been reached.

### Short-Term Removal (Out-of-School Suspension)

School officials may suspend students with disabilities for a total of up to 10 consecutive or cumulative school days in one school year in the same manner as their nondisabled peers. For a single violation, administrators are permitted to suspend students with disabilities for fewer days than the periods set forth in the SCC.

[24] For additional information, see OSEP Positive, Proactive Approaches To Supporting Children With Disabilities: A Guide For Stakeholders, Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973, Section 504 Discipline Fact Sheet and USDOE School Climate and Student Discipline Resources.

**Note:** Section 504 allows schools to take disciplinary action against students protected under Section 504 who use drugs or alcohol in violation of the SCC to the same extent as nondisabled students. Therefore, a manifestation determination review (MDR) and other special education disciplinary procedures do not apply for these SCC violations.

Federal regulations provide some flexibility to suspend students with disabilities in excess of 10 school days in the school year under certain circumstances. To determine whether the circumstances permit a suspension in excess of 10 school days in the school year, the school must discuss with the OSD Special Education Coordinator and, if appropriate, the OSD Special Education Coordinator will consult with OSD Senior Leadership or their designee for review and approval.[25] Without such consultation and approval, the 10-school-day limit on out-of-school suspensions will remain in effect.

**If a suspension is issued that results in more than 10 cumulative or consecutive suspension days in the school year, the school must perform the following:**

- Discuss the circumstances with the OSD Special Education Coordinator and, if appropriate, consult with the Chief of OSD (or their designee). If approved for additional suspension days, the school must:
    - Provide the parent/guardian with written notice that: their child is being suspended; the number of days of the suspension; the fact that it was determined that this suspension would not constitute a "change of placement;" and an explanation of the basis for this determination. In that notice, the parent/guardian is informed of their right to request a Section 504 Plan meeting to discuss this determination, if they disagree;
    - Provide the student with all required 504 services during the time of the suspension. Required services are determined in consultation with at least one teacher so the student can continue participating in the general education curriculum and progress toward the goals contained in their current IEP; and,
    - Schedule a Section 504 meeting within 10 school days of the date that the school notifies the parent/guardian of the suspension. The purpose of the meeting is to

[25] An MDR is not required prior to submitting the request for approval of additional suspension days. The OSD determination letter will detail whether an MDR is required. Additional suspension days beyond the 10 school days allowed by law cannot be issued without written approval from OSD. CPS staff, see Procedure for Requesting Additional OSS or ISS Days for Students with Disabilities who have Exhausted or are Approaching the 10-Day Limit for additional information.

review the student's current FBA and BIP or to initiate an FBA and develop a BIP if none exists.

**Note:** Notifying parents/guardians of a student's behavior during the school day and requiring the parent/guardian to pick up the student from school due to misbehavior and/or crisis behavior counts toward the 10-day maximum, even if the parent/guardian agrees to do so. If a parent/guardian voluntarily picks up their child due to behaviors without being required or encouraged to do so by school staff, this does not count toward the 10-day maximum. Likewise, school staff cannot encourage or imply that a student may voluntarily leave school during the school day after subsequent to a behavioral incident, as this would also count toward the 10-day maximum. *504 Procedural Safeguards* apply for any removals that count toward the 10-day maximum.

### In-School Suspension

In-school suspensions are not included in the 10-day limit on disciplinary removals if the student continues to:

- Participate in the general education curriculum; and,
- Receive 504 services from a certified provider.

**Note:** See Student Code of Conduct for more information regarding discipline.

If the Section 504 services are not provided, the in-school suspension day counts toward the 10-day limit.

### Suspension from the Bus

Suspensions from the bus will count toward the 10-day maximum if the student's Section 504 Plan includes transportation as a related service.

“The school’s first priority must be to address that danger and keep everyone safe.”

## Manifestation Determination Review (MDR)

When a student with a disability engages in behavior that constitutes a violation of the SCC and the school proposes to remove the child (i.e., removal in excess of 10 school days—consecutive or pattern) or change the student's placement to an Interim Alternative Education Setting (IAES) as a result, the school must hold a meeting to determine if the child's behavior was caused by, or substantially related to, their disability, or the direct result of the school's failure to implement the student's Section 504 Plan.[26] This meeting is called the MDR, at which the team reviews all relevant information and the relationship between the student's disability and the behavior.

An MDR must be conducted by the Section 504 team when:

- A student with a disability has been suspended in excess of 10 days during the school year for similar behaviors, as determined by OSD in consultation with school personnel;
- A student with a disability has been suspended for 10 days in a row; or
- School officials initiate a referral for expulsion, including referrals requesting emergency assignment to an IAES pursuant to the SCC.

### MDR Process Checklist

- ☐ Ensure a *Misconduct Report* has been completed and timely provided to the parent/guardian for the behavior leading to the need for an MDR, no later than the date on which the decision to take disciplinary action is made, in addition to a copy of the *504 Procedural Safeguards*.[27]
- ☐ Schedule the MDR within 10 school days of the date of the decision to refer for expulsion hearing or to request an emergency assignment to an IAES. If the MDR is being held to determine if the student can be issued a short-term suspension in excess of 10 school days, the student must be allowed to attend class until a determination is made.

**Note:** At the time of or beforeprior to scheduling an MDR, schools should inform the OSD Special Education Coordinator of the MDR. The OSD Special Education Coordinator may choose to attend the MDR, where appropriate.

[26] For additional information about conducting MDRs for students with IEPs, see the IDEA Procedural Manual.

[27] Additional notice requirements may apply for disciplinary actions involving youth in care. See Youth in Care.

- ☐ Provide the parent/guardian written notice at least three school days before the date on which the MDR has been scheduled, using the *Section 504 Parent/Guardian Notification of Conference* in SSM. Indicate the purpose of this conference as:
  - Consider relatedness of disability to disciplinary code violation(s);
  - Consider the need for an FBA for the student; and,
  - Review a need to create or revise a BIP for the student.
- ☐ Provide parent/guardian/educational surrogate parent with a written copy of the *504 Procedural Safeguards*.
- ☐ **Conduct the MDR.** The parent/guardian, 504 Coordinator, general education teacher/RSP (whoever is appropriate based on the need for the Section 504 Plan), and any other relevant members of the Section 504 team must be present for and participate in the MDR. The "relevant members of the team" are determined by the parent/guardian and Section 504 Coordinator.

**Note:** If the parent/guardian does not attend the MDR, the school may proceed with the meeting if the parent/guardian was provided proper notification of the meeting. Attempts to contact the parent/guardian must be documented as SSM Events.

At the MDR, the Section 504 team must:

- Determine whether the misconduct is related to the student's disability by reviewing **all relevant** information, including evaluation and diagnostic results, information from the parent/guardian, observations of the student, any previous interventions, and the student's Section 504 Plan. **This review is not to be limited to information contained within the student's Section 504 Plan.** The behavior is a manifestation of the student's disability if:
  - The conduct in question is caused by the student's disability or has a direct and substantial relationship to the student's disability; and/or,
  - The conduct in question is the direct result of the school's failure to implement the student's Section 504 Plan.
- Provide a written narrative substantiating the determination. The written narrative must include a summary of the team's considerations, including the student's eligibility and information known to the school about the student's disability; what supports/services and interventions the student receives or has received to address the behavior, including those provided for in the Student's Section 504 Plan, if any; an explicit statement of why

the team determined the behavior to be, or not to be, a manifestation; and whether there was any disagreement with the team's consensus, including from the student (if present) and the parent/guardian.

- The Section 504 team must review and revise the student's existing BIP to address the misconduct. If no FBA has been conducted for the student prior to the behavior leading to the need for the MDR, the team must complete an FBA. The FBA/BIP must address the behavior(s) which led to the disciplinary action. The team must also review the student's Section 504 Plan to determine whether additional supports or services may be provided to address the misconduct.
- The Section 504 Coordinator must provide the parent/guardian the finalized MDR document. Document when and how the document is provided as an SSM Event. The parent/guardian must be informed of their right to disagree with and/or appeal the MDR outcome.

If the **student's behavior is not a manifestation of the disability,** school officials may implement the SCC, taking into consideration the student's Section 504 Plan services and disciplinary records. However, in no event may the student be suspended for more than 10 consecutive or cumulative school days in a school year without providing Section 504 Plan services.

If the **student's behavior is a manifestation of the disability,** a disciplinary change in placement (e.g., expulsion) cannot occur. The Section 504 team also considers if there is a need for a reevaluation and/or revision of the Section 504 Plan.

Students with disabilities, even if expelled, must be provided with FAPE in an alternative educational setting.

All MDRs are subject to review by the Interdepartmental Expulsion Hearing Review Committee before an expulsion hearing is approved or conducted.

## Removal to an Interim Alternative Educational Setting (IAES) (Emergency Assignment)

Students with disabilities can be removed to an IAES pursuant to the SCC for up to 45 school days under the three special circumstances below, without regard to the MDR outcome:

- The student carries a weapon to school or possesses a weapon at school, on school grounds, or at a school function;
- The student knowingly possesses, uses, sells, or solicits the sale of illegal drugs at school, on school grounds, or at a school function; or

- The student inflicts serious bodily injury on another person at school, on school grounds, or at a school function.

A student with a disability may also be removed for up to 45 school days by order from a hearing officer after a hearing or by a federal or state court judge when it is determined that keeping the student in their former placement is substantially likely to result in danger to self or others.

When removed to an IAES, the student must receive services that enable the student to continue participating in the general education curriculum, although in another setting, and progress toward meeting their Section 504 Plan services.

**Note:** When considering whether to remove a student with a disability to an IAES, schools should first discuss the circumstances with the OSD Special Education Coordinator; where appropriate, schools may then submit a request to the Interdepartmental Expulsion Hearing Review Committee for review. Removals to an IAES are not permitted for district students who attend charter schools. Reintegration of a student subsequent to an IAES includes consideration of whether a Safety Plan may be necessary.

## Anti-Bullying Requirements[28]

According to the U.S. Department of Education's Office of Special Education and Rehabilitative Services, bullying of a student with a disability may result in denial of FAPE if, as a result, they are not receiving educational opportunities equivalent to non-disabled peers.

If a student with disabilities is the victim of bullying, a Section 504 meeting should be scheduled to determine if the student's needs have changed as a result of the bullying. For example, if the student's disability affects social skill development or makes the student vulnerable to bullying, the Section 504 team should consider whether the Section 504 Plan needs to be revised to include accommodations or support from an RSP to develop the student's skills and proficiencies to avoid and respond to bullying.

If the student who engaged in bullying behavior is a student with a disability, the school should also convene the Section 504 team to determine if an evaluation under IDEA is warranted or additional supports and services are needed to address the inappropriate behavior. The team should also consider examining the environment in which the bullying occurred to determine if changes to the environment are warranted. For example, the Section 504 team should consider an FBA/BIP for the student or review a current BIP and revise if necessary. The team should also consider the need for a safety plan for all parties involved.

[28] For more information, see the Addressing Bullying and Bias-Based Behaviors Policy.

# Section 504 Procedural Safeguards[29]

Parents/guardians receive a copy of the *504 Procedural Safeguards* at least once a year, and when:

- There has been an initial request for a Section 504 evaluation;
- There is a disciplinary removal that constitutes a change in placement; and
- A parent/guardian requests an impartial Section 504 hearing.

Parents/guardians must be provided a copy of the *504 Procedural Safeguards* upon request even if the school has already provided them a copy within the year.

## Parent/Guardian Consent

Schools are required to obtain informed written parental consent to conduct an initial Section 504 evaluation and before the initial provision of Section 504 Plan services to a student. This consent is required once at the initiation of a student's Section 504 Plan. However, parents/guardians are members of the Section 504 team and should be encouraged to participate actively in the discussion and decision-making process during all Section 504 Meetings.

**Note:** Consent must be obtained for evaluations to add related services (see Adding Related Services section).

## Revocation of Consent

Parents/guardians may revoke consent for Section 504 Plan services at any time. The parent/guardian must put in writing their intent to revoke consent for a Section 504 Plan and submit it to the local school Section 504 Coordinator.[30] Upon receipt, the local school Section 504 Coordinator will upload the written revocation to SSM and submit a response in writing to the parent/guardian. This response should state that the school is confirming that the parent/guardian is revoking consent and the student will no longer be receiving the accommodations listed on their Section 504 Plan.[31] A copy of the *504 Procedural Safeguards* must also be provided to the parent/guardian.

[29] Section 504 Procedural Safeguards and Sección 504 Salvaguardas y Derechos Procesales.

[30] Parents may utilize the Parent 504 Revocation Letter Sample Template.

[31] CPS staff utilize the Section 504 Revocation Response Letter - EXAMPLE.

If the parent/guardian requests to revoke consent for a student who has a medical condition (e.g., epilepsy, diabetes, asthma, food allergies), the parent/guardian must provide a physician's note that includes an explanation that the student no longer has the medical condition and does not require a Section 504 Plan. If no physician's note is included, the school must continue to provide medically related services until the time a physician's note is received.

Section of the Public Act 104-0314 relevant to Section 504: (2) to the parent or guardian of a student for whom a Section 504 plan under the federal Rehabilitation Act of 1973 is being created at the initial Section 504 meeting or, if the student has an existing Section 504 plan, by providing the informational materials of the Illinois Achieving a Better Life Experience (ABLE)[32] to the parent or guardian of the student using the same distribution methods employed for other communications related to the student's Section 504 plan no later than the 2026–2027 school year.

## Students with Disabilities Transferring from Other School Districts

When a student transfers in from another school district with a Section 504 Plan, the receiving school should review the plan and any supporting documentation. If the school, including persons knowledgeable of Section 504, determines that the plan is appropriate and the school can implement it as written, the school can accept the other school district's Section 504 Plan, which must be uploaded into the student's SSM file. If the school determines that the out-of-district Section 504 Plan is inappropriate or cannot be implemented, the school must begin the initial Section 504 evaluation process (see Evaluation Process section).

## Access to Educational Records

The records of students with disabilities shall be maintained confidentially in accordance with the requirements of the Family Educational Rights and Privacy Act (FERPA), the Illinois School Student Records Act (ISSRA), the Illinois School Code, the Illinois Mental Health and Developmental Disabilities Confidentiality Act and, where applicable, implementing regulations.

Student records are defined as, "any writing or other recorded information, whether in paper or electronic form, concerning a student and by which a student may be individually identified, maintained by a school or at its direction or by an employee of a school, regardless of how or where the information is stored."[33] For a more comprehensive review of the treatment of student records, review the district's policy *on Parent and Student Rights of Access to and Confidentiality of Student Records and Student Records Retention. These* policies include the records of students with disabilities. Outside of the exceptions listed in the policy, student records and the

[32] Illinois Achieving a Better Life Experience

[33] Parent and Student Rights of Access to and Confidentiality of Student Records

information in them must not be released or disclosed to anyone without the authorization of the student's parent/guardian.

**Note:** The *Consent for Release/Exchange of Student Records and Information*[34] must be completed, signed, and uploaded to SSM for student records to be released to any outside party. Consent forms are valid for one year from the signature date.

Each local school principal ensures that the privacy rights of students with disabilities are protected. Without parent/guardian authorization, information about students (including information that identifies students as having a disability) must not be disclosed or posted, publicly or privately.

**Note:** This includes postings online, on whiteboards, bulletin boards, or on paper in public places. For example, a schedule of evaluations or Section 504 Plan meetings that contains student names, student ID numbers, or other information that could identify the students would be considered a disclosure of student record information.

Consistent with state law, each school principal or principal's designee assumes responsibility for ensuring the confidentiality of student information and student records and shall:

- Respond within 10 business days to any request for inspection and review of an education record, including a request for a copy of an education record, subject to certain statutory extensions;
- Respond to any request for an interpretation of an education record;
- Respond to any request to amend an education record;
- Respond to any request to disclose or release student record information;
- Respond to any request to destroy an education record;
- Keep a record of parties obtaining access to education records, including the name of the party, the date access took place, and the purpose of the authorized use;
- Maintain, for public inspection, a current listing of names and positions of the employees who may have access to student record information;

[34] *Consentimiento para la Divulgación/Intercambio de Registros e Información del Estudiante*.

- Provide a parent/guardian, upon request, a list of the types and locations of education records collected, maintained, or used by the district;
- Ensure that confidentiality of student record information at collection, storage, disclosure, and destruction stages is protected; and,
- Ensure that each person collecting or using student information shall receive training or instruction regarding the policies and procedures governing the confidentiality of that information.

The school principal or principal's designee ensures that all student records, including records for students with disabilities, are maintained in a central and secure location. No original records may be removed from the property of CPS.

Each school will maintain a record of all requests to review student records and any disclosure of student records. The record of requests to review and disclose student records must contain the name of the student, the name of the person making the request, the purpose of the request, the date of the request, the date of the review, and the name of the school official with whom the review was made. A notation indicating a student's record has been reviewed must be filed in the student's cumulative folder.

## CPS Section 504 Complaint Resolution Options[35]

If parent/guardian disagrees with a determination by their child's school regarding (a) their child's identification, evaluation, or educational placement; (b) the implementation of their child's Section 504 Plan; (c) the resolution of an accommodation request on behalf of their child; or (d) an adverse result at a manifestation determination review, they may appeal the determination by requesting an informal reconsideration by OSD, mediation, or a Section 504 hearing.

Parent/guardian may also submit a written complaint on behalf of students or expected district students alleging discrimination regarding (a) intentional, unequal, or adverse treatment on the basis of a disability; (b) retaliation or harassment on the basis of a disability; or (c) any other type of disability-based discrimination. Written complaints of discrimination should be sent to Chicago Public Schools, OSD, either by U.S. mail to 42 W. Madison, 3rd Floor, Chicago, IL 60602; by email to section504@cps.edu or by calling 773-553-1800.

If the parent/guardian files a due process complaint and a Section 504 complaint, CPS will stay the Section 504 complaint until the due process complaint is resolved.

[35] https://www.isbe.net/Documents/Comparison-Chart.pdf

> Enables a patient to take control of their medical care while establishing a care plan that aligns with their treatment wishes.

## Request for Reconsideration

A parent/guardian must submit a written request for reconsideration to the Chicago Public Schools, OSD, either by U.S. mail to 42 W. Madison, 3rd Floor, Chicago, IL 60602; by email to section504@cps.edu or by calling 773-553-1800. The request should identify the student, the school, and the exact area of disagreement, such as identification, evaluation, accommodations, implementation, etc.

Once a request for reconsideration is received, OSD will complete its reconsideration and issue a written determination within thirty (30) calendar days of receipt of the written request. If the parent/guardian disagrees with the OSD reconsideration determination, the parent/guardian may request a Section 504 hearing from CPS or choose to file a complaint with the U.S. Department of Education Office for Civil Rights.

A request for reconsideration is optional and is not a required procedure prior to requesting mediation, a Section 504 hearing, or filing a complaint of discrimination with CPS or the Office for Civil Rights.

## Request for Section 504 Mediation

A parent/guardian should submit a written request to the Chicago Public Schools, OSD, either by U.S. mail to 42 W. Madison, 3rd Floor, Chicago, IL 60602, by email to section504@cps.edu or by calling 773-553-1800. The request should indicate whether the request is for mediation and identify the student, the school, and the disagreement, such as identification, evaluation, accommodations, implementation, etc.

If the parent/guardian has requested mediation, CPS will select a neutral mediator to conduct the mediation.

A request for mediation is optional and is not a required procedure prior to requesting reconsideration, or a Section 504 hearing, or filing a complaint of discrimination with CPS or the Office for Civil Rights.

## Request for Section 504 Hearing

A parent/guardian should submit a written request for a Section 504 hearing to the Board of Education of the City of Chicago Law Department, 1 North Dearborn St., Suite 900, Chicago, IL 60602. The request should identify the student, the school, and the disagreement, such as identification, evaluation, accommodations, implementation, etc.

Section 504 hearings are conducted before an impartial hearing officer appointed by CPS. CPS will appoint an impartial hearing officer within 10 calendar days of receipt of the parent's written request.

Prior to a Section 504 hearing, the parent has the right to prior notice of the date/time of the hearing, to inspect the student's records, and to representation by counsel (at their own expense) if they choose. The appointed hearing officer will conduct an initial conference call with both parties to schedule the hearing date. This call will occur within fifteen (15) calendar days of the date of the hearing officer's appointment. All documents to be used during the hearing and witnesses to be presented at the hearing must be disclosed to the other side at least five (5) days prior to the first day of the hearing. The hearing must take place within forty-five (45) calendar days of the date of the hearing officer's appointment unless the hearing officer agrees to extend the hearing beyond forty-five (45) days at the request of one of the parties.

The parent/guardians and CPS will have equal time to present their positions to the impartial hearing officer, including closing arguments. The parent/guardian will present their case first, and CPS will follow. Both parties have the right to dispute the introduction of any evidence at the hearing and witnesses that have not been disclosed to the other party at least five (5) days before the hearing. Both parties have the right to present evidence, including the opinions of qualified experts, to confront and cross-examine all witnesses, and to compel the attendance of school personnel. Parents/guardians who are a party to the hearing have the right to have the student who is the subject present at the hearing.

The hearing officer may make an oral ruling at the conclusion of the hearing or take the case under advisement, but in all cases, the hearing officer shall issue a written opinion within 10 calendar days of the close of the hearing. The hearing officer's written opinion must address and rule on all issues raised by the parties, indicating what corrective action, if any, CPS must take.

If a parent/guardian is dissatisfied with any Section 504 hearing decision, they may submit a complaint to the United States Department of Education Office for Civil Rights.

A request for a Section 504 hearing is optional and is not a required procedure prior to requesting reconsideration, mediation, or filing a complaint of discrimination with CPS or the Office for Civil Rights.

### CPS Section 504 Complaint Process

A request for a CPS Section 504 complaint process is optional and is not a required procedure prior to requesting reconsideration, a mediation, a 504 hearing, or filing a complaint of discrimination with the Office for Civil Rights.

## Section 504 — United States Department of Education Office for Civil Rights (OCR) Complaint Process

If a parent/guardian of a student with disabilities is dissatisfied with any Section 504 hearing decision or final determination of an accommodation request or complaint, they may submit a complaint to the United States Department of Education, Office for Civil Rights (OCR), Chicago

Office by email to OCR.Chicago@ed.gov.[36] A school cannot insist that a parent/guardian utilize the district's complaint process prior to filing a complaint with OCR. A parent/guardian may utilize any of the complaint resolution procedures they deem appropriate to their needs.

OCR enforces civil rights law prohibiting discrimination in education programs on the basis of race, color, national origin, disability, and age.

[36] https://ocrcas.ed.gov/contact-ocr?field_state_value=652

# Additional Guidelines

## Changes to the Section 504 Plan

If changes to sections of the Section 504 Plan are needed during the school year or after an annual Section 504 meeting, the Section 504 team must reconvene. Section 504 Plans cannot be revised in the SSM system, so an entirely new Section 504 Plan must be created. The local school Section 504 Coordinator must ensure that a Section 504 meeting is scheduled and the parent/guardian is sent the Notice of Conference form with at least 10-calendar-day notice, unless the parent/guardian has waived the 10-calendar-day notice in writing.

**Note:** A parent/guardian may participate in a Section 504 Meeting via the telephone if unable to participate in person. A parent/guardian may also waive the 10-calendar-day notice, but the waiver must be in writing, uploaded to SSM, and logged as an SSM Event. If a parent/guardian consents to the Section 504 Meeting and waives their presence, the Section 504 team must document that in the events log and 504 notes page.

## Medicaid Billing Consent

CPS provides health evaluations and related health services to students at no cost to parents. CPS participates in a state program whereby the state makes payment available to CPS for health evaluations and related health services provided to students.

The Medicaid Billing Consent Form is automatically added to 504s when it is indicated that the student is to receive health-related services such as speech, occupational therapy, physical therapy, psychology, social work and/or nursing. CPS may be reimbursed by the State of Illinois for eligible health-related services. In order to facilitate the process, parents must consent in writing using the *Consent for State Reimbursement of Health-Related Services* form. By signing this form, CPS shares student health information with the State of Illinois for billing and payment purposes only. The State of Illinois is legally obligated to maintain confidentiality.

Whether the State of Illinois reimburses CPS does not affect a family's insurance/benefits program. CPS continues to provide students health services whether or not parents provide such consent, which is only required one time. Parents may notify the district at any time should they change their agreement to consent.

## Practitioner Orders For Life-Sustaining Treatment (POLST)

In the state of Illinois, POLST forms have evolved from previous versions of a do-not-resuscitate (DNR) form. The POLST enables a patient to take control of their medical care while establishing

a care plan that aligns with their treatment wishes. If a student has a POLST on file with the school, the following guidelines must be followed in order to ensure the POLST is carried out, as it is a legally binding document for the student.

Upon receipt and after review of the POLST form, the registered nurse shall initiate the following steps:

1. Notify the principal and 504 Coordinator that the POLST was received.
2. Arrange an in-person conference with the parent, appropriate school staff, and RSPs. The school nurse meets the parent/guardian initially, then allows time for appropriate school staff to meet with the parent/guardian.
3. Prior to the conference, the school nurse will review the student's IEP or Section 504 Plan. If the student does not have an IEP or Section 504 Plan, the nurse will initiate an evaluation to determine whether the Student is eligible for a Section 504 Plan or IEP. A revision to the IEP or Section 504 Plan should be made at the meeting, noting the POLST.
4. This conference aims to outline expectations, procedures, and care goals per parent/guardian wishes. Specific team members and their roles will be identified at the meeting. The student's IEP or Section 504 Plan should be reviewed with emphasis on the POLST. The registered nurse (CSN or HSN) is responsible for communicating with the parent every month for any updates or changes to the student's care plan. All contact information must be confirmed with the parent/guardian at this time. The parent/guardian must sign off on a *Consent for Release/Exchange of Student Records and Information*[37] to initiate communication with the provider.
5. The signed POLST form is uploaded under the designated title in SSM. Any additional medical forms are to be uploaded with current contact information. An additional flag will be noted in ASPEN.
6. Student confidentiality must be maintained at all times. Only staff with a legitimate need to know will be informed of the student's POLST status. These staff members will be trained to follow the expected procedures regarding the student's POLST.

## Implementing the POLST

**If a student with a POLST form experiences a respiratory or cardiac arrest or is in distress, the designated team member should take these steps:**

1. Call RN and the student's parent/guardian.

[37] *Consentimiento para la Divulgación/Intercambio de Registros e Información del Estudiante*.

2. Call the main office to activate 911 immediately.
3. Isolate the student by moving to a private area or screening off the area.
4. Provide access to emergency medical services upon their arrival.
5. Provide emergency medical services with a copy of the student's POLST.

Copy of POLST must be kept:

- In the main office.
- By the RN.
- With the student's homeroom teacher.

**Note:** The POLST must be included with instructions provided to any substitute nurse or teachers working with the student.

### Revocation of a POLST

- A POLST may be revoked at any time with the written consent of the parent/guardian who signed the initial form.
- If the parent/guardian revokes, the revocation must be put in writing and uploaded to SSM. The revocation will be noted in the student's record, and appropriate members of the student's team will be notified.

## Service Animals

If a student with a disability requests the use of a service animal at school, school activities, and/or on the bus to/from school, the parent/guardian must complete the *Service Animal Request - For Students* form found in SSM outside of the Section 504 Plan process.

A service animal is a dog[38] that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

[38] In certain circumstances, entities covered under the ADA must also permit the use of a miniature horse.

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Students have the right to be addressed by a name and pronouns that correspond to the gender identity they assert at school.

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**Note:** Emotional support animals, comfort animals, resident animals, and therapy dogs are not service animals under the ADA and are not allowed in any CPS school, on Board property, or at Board events. Other species of animals, whether wild or domestic, trained or untrained, are also not considered service animals.

A parent/guardian of a student with disabilities (or the student if they are 18 years or older) who wishes for a child with a disability to have the use of a service animal provided by the family during school hours and/or at school activities must contact the Principal, or their designee. The request must be memorialized on the *Service Animal Request - For Students* form found in SSM.

Prior to the service animal entering the school building or attending a school activity, the 504 Coordinator must meet with the parents/guardians and complete the *Service Animal Accommodation* form found in SSM.

As part of the *Service Animal Request — For Students* form and Service Animal Accommodation form, the parent/guardian must identify the work or task the service animal will perform for the student during school and/or at school activities. The work or tasks performed by a service animal must be directly related to the student's disability. Examples of work or tasks include, but are not limited to:

- Assisting students who are blind or have low vision with navigation and other tasks;
- Alerting students who are deaf or hard of hearing to the presence of people or sounds;
- Pulling a wheelchair;
- Assisting a student during a seizure;
- Alerting a student to low blood sugar level;
- Alerting students to the presence of allergens;
- Alerting staff when a student with disabilities is in distress;
- Carrying or retrieving items, such as books, school supplies, or medicine;
- Providing physical support and assistance with balance and stability to students with mobility disabilities; or,
- Preventing or interrupting impulsive or destructive behaviors, including retrieving students who elope.

Work or tasks do **not** include providing therapeutic benefits to the student through emotional support or companionship.

If any accommodations are needed to assist the student in handling the service animal during school hours and at school activities, these accommodations must be listed on the *Service Animal Accommodation* form. Such accommodations may include, but are not limited to, allowing the student a certain time during the school day to take the service animal outside to allow the animal to relieve itself, identifying how/where/when the student will feed the service animal, etc. If the student's age and/or disability make it impossible for the student to act as the dog's handler, this should be noted as an accommodation and identify the person who will act as handler. The adult handler will be expected to comply with the Board's *Volunteer Policy,* including successfully completing a background check.

**Note:** A Board employee must never be identified as the dog's handler.

The Principal must ensure that all necessary school personnel have access to and/or copies of the *Service Animal Accommodation* form. The Principal, as appropriate, should also ensure that other members of the school community are made aware of the presence of the service animal.

**Note:** Service animals do not have to be hypoallergenic. If another student is allergic to dogs and the presence of the service animal is affecting a student in school, the allergic student may require additional evaluations or accommodations. If the allergic student is already on an IEP or Section 504 Plan, their plan should be revised to address any accommodations needed because of the presence of the service animal. If the allergic student is not on an IEP or Section 504 Plan, a Section 504 evaluation should be considered to determine if the student qualifies under Section 504 for accommodations during school because of the presence of the service animal.

## Safety Plans[39]

A Safety Plan is designed to provide special supervision to an individual student (either with disabilities or without disabilities), to minimize the risk of harm to that student or the risk of the student causing harm to others. A Safety Plan addresses safety issues, includes specific interventions that target dangerous or potentially dangerous behavior, and identifies individuals who are responsible for implementing the Plan. A Safety Plan does not require parent/guardian

[39] For additional information, see Office of Student Protections & Title IX (OSP) Procedure Manual - August 2025 and the Crisis Management Manual (2021).

consent and can be developed or revised at any time by a school team without regard to whether a student has or may need an FBA/BIP. A Safety Plan is **not part of a Student's Section 504 Plan** but should be attached to a Student's Section 504 Plan where appropriate. Safety Plans are always uploaded in ASPEN. The Office of Social and Emotional Learning (OSEL), the Office of Student Protections (OSP), and Safety & Security can be partners in developing Safety Plans.

## Physical Restraint and Time Out (PRTO)[40]

The use of physical restraint and/or time out applies to CPS students, with and without disabilities, and must only be used when the student's behavior presents an imminent danger of serious physical harm to the student or others, and other less restrictive and intrusive measures have been tried and proven ineffective in stopping the imminent danger of serious physical harm, there is no known medical contraindication to its use on the student, and the school staff members or members applying the intervention have been fully trained in its safe application of such techniques. A physical restraint must immediately end when the threat of imminent danger of serious physical harm ends, the student indicates the inability to breathe, or staff supervising the student recognize the student may be in respiratory distress.

Staff may employ a brief momentary physical intervention (i.e., 5 seconds or less) with any student (with or without disabilities) using limited force in emergency situations to prevent the student from completing an act that would result in physical harm to themself or another person. PRTO must not be used as a form of discipline or punishment. The use of isolated time out, supine restraint, prone restraint, mechanical/chemical restraint to manage behavior or maintain discipline, and the use of restraints that restrict the student's breathing are prohibited.

All PRTO incidents must be reported in Aspen within 24 hours. The school administration must make every attempt to notify the student's parents/guardians of a PRTO incident by the end of the school day. Within 24 hours after the use of PRTO, the parents/guardians must be sent a copy of the completed ISBE PRTO form, a copy of the standards for when PRTO can be used, information about parent and student rights, information about the state complaint process, and written notice informing the parents/ guardians of their right to meet to discuss the PRTO incident must be sent no later than 2 days after the incident occurred. Parents/guardians needing additional information should email PRTO@cps.edu.

[40] For additional information regarding requirements, restrictions, and procedures related to the use of physical restraints, time out, and momentary physical interventions in CPS schools, see ISBE: Physical Restraint, Time Out, and Isolated Time Out, CPS: Behavioral Interventions, Physical Restraints, Time Outs, and Momentary Physical Intervention for Students, and Reducing PRTO & Increasing PBIS | School Leader Handbook.

## Supporting Gender Diversity[41][42]

Gender Identity should be grounded in Rightful Presence to allow students to experience a true sense of belonging. Students approach Gender Diversity in various aspects that should be addressed in flexible and fluid ways by school teams. The following definitions offer a broad, overarching understanding of terms related to Gender Diversity:

- Gender Expression. An individual's characteristics and behaviors such as appearance, dress, grooming, mannerisms, voice or speech patterns, activities, and social interactions that are perceived as masculine, feminine, both, or neither.
- Gender Identity. A person's internal, deeply held sense or psychological knowledge of their own gender that can include being female, male, another gender, nonbinary, gender nonconforming, or no gender, and is unrelated to the person's sex assigned at birth. Gender identity is an innate part of a person's identity, and the responsibility for determining an individual's gender identity rests with the individual. Unlike gender expression, gender identity is not visible to others.
- Gender Nonconforming or Gender Expansive. Gender expression or identity that falls outside of traditional, societal, or stereotyped expectations based on the sex assigned at birth. Gender expansive individuals may identify as male, female, some combination of both, or neither.
- Gender Pronouns. The set of words used to refer to someone without using their name. Common examples include, but are not limited to, "she/her/hers," "he/him/his," "they/them/theirs," and "ze/zir/zirs."

Students have the right to be addressed by a name and pronouns that correspond to the gender identity they assert at school. Students are not required to obtain a court-ordered name change and/or submit medical or psychological documentation as a prerequisite to being addressed by the name and pronouns that correspond to their gender identity. Parent(s)/guardian(s) consent is not required to address a student by their affirmed name and pronouns. School staff shall comply with the Student Administrative Support Team's recommendations in communicating with parents.[43]

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[41] LGBTQ+ Supportive Environments

[42] ISBE provided resource, Supporting Transgender, Nonbinary and Gender Nonconforming Students

[43] For additional guidance on changing names in the SIS system (Aspen), see Chicago Public Schools Supporting Gender Diversity Toolkit (Updated 2023)

**Note:** The team needs to document the student's affirmed name and gender on the Meeting Notes page. The district maintains a permanent student record, which includes the legal name of the student, as well as the student's legal gender marker. That information will auto-populate into the header of the student's SSM documents, but the team needs to use the student's affirmed name and pronouns throughout the student's documents.

# Appendix A — IDEA vs Section 504

| IDEA | Section 504 |
|---|---|
| 14 specific disability categories | Mental or physical impairment |
| Ages 3 to 22, inclusive | Birth to death |
| FAPE Eligibility — adversely affects educational performance and results in need for special education and related services | FAPE Eligibility — substantially limits major life activity and results in the need for accommodations and/or other supports |
| FAPE — IEP that is reasonably calculated for the student to make progress based on student's unique needs/circumstances | FAPE — Section 504 Plan that meets the needs of students with disabilities as adequately as the needs of nondisabled students |
| LRE — continuum of placement options (general education classroom, separate classroom, separate school, residential) | LRE — Accommodations and/or other supports provided in general education environment |
| ALL IDEA-eligible students are also eligible for protection from discrimination under Section 504 | Students who are eligible for FAPE under Section 504 are NOT necessarily eligible under IDEA |
| Statute authorizes Federal funds for implementation | Statute does not authorize Federal funds for implementation |

# Appendix B — Section 504 Timelines Quick Reference

- **Request Decision:** Within 14 school days of receipt of a request, the local school Section 504 Coordinator, with other school personnel, must determine whether an evaluation is warranted and provide the parent/guardian with a written response.
- **Initial Evaluation:** Completed within 60 calendar days after the date a parent/guardian signed written consent.
- **Reevaluation:** At every Section 504 meeting, eligibility is reviewed. Reevaluations must be conducted periodically, and CPS mandates a reevaluation at least every 3 years.
- **Conference Notice:** At least 10 calendar days prior to the meeting.
- **Parent/Guardian Requests Section 504 Prior to Annual Date:** Within 10 calendar days after receipt of the request, must send either a Conference Notification scheduling the Section 504 meeting or a written explanation as to why no 504 meeting is necessary.

# Appendix C – Acronyms/Abbreviations[44]

| | | | |
|---|---|---|---|
| **ABA** | Applied Behavior Analysis | **IEP** | Individualized Education Program |
| **AAC** | Augmentative and Alternative Communication | **ISBE** | Illinois State Board of Education |
| **ADHD** | Attention Deficit Hyperactivity Disorder | **ISSRA** | Illinois School Student Records Act |
| **AT** | Assistive Technology | **LEI** | Learning Environment Interventions |
| **AUT** | Autism | **LES** | Learning Environment Screening |
| **ATRC** | Assistive Technology Resource Center | **LPN** | Licensed Practical Nurse |
| **APRN** | Advanced Practice Registered Nurse | **LRE** | Least Restrictive Environment |
| **BIP** | Behavior Intervention Plan | **MD** | Multiple Disabilities |
| **BST** | Behavior Support Team (previously SBSS) | **MDR** | Manifestation Determination Review |
| **CAPD** | Central Auditory Processing Disorder | **MTSS** | Multi-Tiered Systems of Support |
| **CAT** | Citywide Assessment Team | **NOC** | Notice of Conference |
| **CPS** | Chicago Public Schools (also referred to as "the district") | **NONI** | Notice of Non-Implementation |
| **CSN** | Certified School Nurse | **OHI** | Other Health Impaired |
| **D-B** | Deaf/Blindness | **OMME** | Office of Multilingual-Multicultural Education |
| **DCFS** | Department of Child & Family Services | **OSD** | Office for Students with Disabilities |
| **DCA** | Delegated Care Aide | **OSEL** | Office of Social Emotional Learning |
| **DCP** | Diabetes Care Plan | **OSP** | Office of Student Protections (Title IX) |
| **DD** | Developmentally Delayed | **OT** | Occupational Therapy and/or Therapist |
| **DHS** | Department of Human Services | **PEL** | Professional Educator License |

[44] Common Special Education Acronyms Special Education Glossary

| | | | |
|---|---|---|---|
| **DRS** | Department of Rehabilitative Services | **PHY** | Physical (Orthopedic) Impairment |
| **DLM-AA** | Dynamic Learning Maps Alternate Assessment | **PLAAFP** | Present Level of Academic Achievement and Functional Performance |
| **EC** | Early Childhood | **PRTO** | Physical Restraint and Time Out |
| **ECSE** | Early Childhood Special Education | **PT** | Physical Therapy and/or Therapist |
| **ED** | Emotional Disability | **PUNS** | Prioritization of Urgency of Need for Services |
| **EI** | Early Intervention | **PWN** | Prior Written Notice |
| **EL** | English Learner | **RSP** | Related Service Provider |
| **ESL** | English as a Second Language | **RTI** | Response to Intervention |
| **ESY** | Extended School Year | **SCC** | Student Code of Conduct |
| **FAPE** | Free Appropriate Public Education | **SEC** | Special Education Coordinator |
| **FBA** | Functional Behavioral Assessment | **SECA** | Special Education Classroom Assistant |
| **FERPA** | Family Educational Rights and Privacy Act | **SEL** | Social/Emotional Learning |
| **FIE** | Full and Individual Evaluation | **SETT** | Student Environment Task Tools |
| **HI** | Hearing Impairment | **SLD** | Specific Learning Disability |
| **HSN** | Health Service Nurse | **SLP** | Speech-Language Pathologist |
| **IAES** | Interim Alternative Education Setting | **SSM** | Student Services Management |
| **ID** | Intellectual Disability - Mild, Moderate, or Severe/Profound | **SW** | Social Worker |
| **IDEA** | Individuals with Disabilities Education Act | **TBI** | Traumatic Brain Injury |
| **IEE** | Independent Educational Evaluation | **VI** | Visual Impairment |

# Appendix D — Other Resources

## Chicago Public Schools

Addressing Bullying and Bias-Based Behaviors Policy

Chicago Board of Education Policies

CPS Section 504 Procedural Safeguards

CPS Transportation

Multi-Tiered System of Supports (MTSS) Department

Office for Students with Disabilities (OSD)

Office of Early Childhood Education

Office of Multilingual-Multicultural Education (OMME)

Office of Social and Emotional Learning (OSEL)

Office of Student Health and Wellness

Office of Student Protections & Title IX (OSP) Procedure Manual

OSD — Parents of Students with Disabilities

OSD — Policies and Procedures

Students in Temporary Living Situations

Student Records and Transcripts

Supporting Gender Diversity Toolkit

Supporting the Mental Health of Young People: Guide for School Staff

## State

DCFS- Education Resources for Youth in Care

Illinois School Code

Illinois Department of Human Services — Family and Community Services

ISBE A Parent Guide: Educational Rights and Responsibilities: Understanding Special Education in Illinois in English

ISBE Educational Surrogate Parent

ISBE Guidance Document: Behavioral Interventions in Schools: Guidelines for the Development of District Policies for Students with Disabilities

ISBE: Physical Restraint, Time Out, And Isolated Time Out

ISBE Youth in Care Glossary

OCR Office for Illinois

Office of the Illinois Secretary of State

## Federal

Equal Access to Elementary and Secondary Education for Students Who Are English Learners with Disabilities

Frequently Asked Questions About Section 504 and the Education of Children with Disabilities

OSEP Policy Support 22-02: Ensuring a High-Quality Education for Highly Mobile Children

OSEP Positive, Proactive Approaches To Supporting Children With Disabilities: A Guide For Stakeholders

Parent and Educator Resource Guide to Section 504 in Public Elementary and Secondary Schools

Section 504 Discipline Fact Sheet

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

USDOE — Office for Civil Rights (OCR)

USDOE — Office of Special Education Programs (OSEP)

USDOE School Climate and Student Discipline Resources

USDOE — Using Functional Behavioral Assessments to Create Supportive Learning Environments