



The Charter Institute at Erskine

Section 504 of the Rehabilitation Act Education Policies and Procedures

School Year: 2020-2021

School Leader: Dr. Brian Newsome

<https://erskinecharters.org>

August 2020

INTRODUCTION

The purpose of this document is to provide the policies and procedures for services to students of the Rehabilitation Act of 1973, Section 504, Subpart D. Section 504 contains other requirements including building accessibility and employment practices concerning persons with disabilities. This system limits itself to the instructional services to students in Subpart D, Preschool, Elementary, and Secondary Education.

Section 504 prohibits discrimination against disabled persons by school districts receiving federal financial assistance. This includes all programs and activities of the school district receiving federal funds, regardless of whether the specific program or activity involved is a direct recipient of federal funds.

All individuals who are disabled under the Individuals with Disabilities Education Act (IDEA) are also protected under Section 504. Their rights, and the necessary services to prevent discrimination, are provided for within the IDEA. However, all individuals who have been determined to be disabled under Section 504 may not be disabled under IDEA. These persons require a response from the regular education staff and curriculum. The IDEA defines as eligible only students who have certain specific types of disabilities and who because of one of those conditions, need special education (specially designed instruction). Section 504 protects the civil rights of all disabled students, defined as those having any physical or mental impairment that substantially limits one or more major life activities (including learning). Section 504 covers all students who meet this definition, even if they do not fall within the IDEA enumerated categories and even if they do not need to be in a special education program.

This document provides The Charter Institute at Erskine's interpretation of various statutory provisions and does not impose any requirements beyond those included in federal regulations and court interpretations. In addition, it does not create or confer any rights for or on any person.

This is a living document and will be updated on a regular basis. The Charter Institute at Erskine receives further guidance from the United States Department of Education, Office of Civil Rights, and results of court decisions.

For the additional guidance on Section 504 regulations, please consult the Office of Civil Rights: <https://www.hhs.gov/ocr/index.html>. For questions concerning this document or questions concerning The Charter Institute at Erskine's Section 504 Programs, please call (803) 849-2462.

The Charter Institute at Erskine does not discriminate on the basis of race, color, national origin, sex, disability, age, religion, or immigrant status in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following persons have been designated to handle the nondiscrimination policies. For questions pertaining to Section 504 contact the Director of Special Education, questions pertaining to Title IX contact the Director of the Charter Institute at Erskine, 1201 Main Street, Suite 300, Columbia, SC 29201, 803-849-2406.

Assurances

The school has developed, adopted, and implemented policies and procedures that are consistent with all requirements of the Rehabilitation Act of 1973, Americans with Disabilities Act, the Americans with Disabilities Amendments Act, South Carolina State Board of Education regulations, and The Charter Institute at Erskine's policies and procedures including, but not limited to, the following:

- The school has district-approved policies and procedures.
- If required, service providers (RN, interpreter) are on staff or under contract and are appropriately credentialed.
- School files are kept confidential, locked, up to date, accessible, and organized with appropriate information stored for the required length of time.
- The school maintains an up-to-date, confidential, and accurate database of students with 504 plans.
- All required information is marked complete and attached in ENRICH in a timely manner.
- All 504 plans are compliant as demonstrated by a review of at least 2 504 plan (transfer, annual, initial evaluation, and/or reevaluations).
- All active 504 plans are reviewed annually.
- All reevaluations have been conducted at least every three years.
- Students receive provision of accommodations and/or services in accordance with their 504 plans and have a means to document.
- Evaluations for initial eligibility are comprehensive, conducted by a multidisciplinary team, and contain evidence of previous research-based interventions.
- The school has a means to track the removal of students for disciplinary reasons and alert school staff when a student is approaching 10 days OSS.
- All disciplinary removals of students with 504 plans are done so in accordance with Section 504 of the Rehabilitation Act and have been appropriately documented in Incident Management in PowerSchool.
- All parents have been notified of their Parent Rights at least annually.
- The school uses all forms required by the Institute.
- The school (brick and motor/virtual) understands it is obligated to serve all students with disabilities under IDEA and Section 504 of the Rehabilitation Act in the same manner as any other public-school district. Budget, staffing availability and administrative convicence do not exempt the site from its legal obligations including, but not limited to students placed on Medical Homebound.


Signature by School Leader


Date

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I. FREE AND APPROPRIATE PUBLIC EDUCATION

In accordance with Section 504 regulations at 34 CFR 104.33, The Charter Institute at Erskine ensures that a free appropriate public education (FAPE) is made available to all children with disabilities between the ages of 3 and 21, regardless of the nature or severity of the disability. "Appropriate Education" is defined as the provision of regular or special education and related aids and services that are designed to meet the individual educational needs of people with disabilities as adequately as the needs of individuals without disabilities are met.

II. CONFIDENTIALITY

The Charter Institute at Erskine safeguards the confidentiality of personally identifiable information at use, collection, storage, retention, disclosure and destruction stages. At The Charter Institute at Erskine, The Chief of Student Services, along with each individual school's 504 Coordinator, is responsible for maintaining the confidentiality of personally identifiable information. The Family Educational Rights and Privacy Act (FERPA) specifies rights related to educational records. This Act gives the parent or guardian the right to: (1) inspect and review his/her child's educational records; (2) make copies of these records; (3) receive a list of all individuals having access to those records; (4) ask for an explanation of any item in the records; (5) ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; and (6) receive a hearing on the issue if the school refuses to make the amendment.

A. Access Rights

The Charter Institute at Erskine complies with a request to access records without unnecessary delay and before any meeting regarding a 504 Plan, or any hearing pursuant to South Carolina Board of Education Regulations, and any resolution session pursuant to South Carolina Board of Education Regulations, and in no case more than 45 days.

The Charter Institute at Erskine presumes that a parent has the authority to inspect and review records relative to that parent's child unless The Charter Institute at Erskine has been advised that the parent does not have the authority under applicable state law governing such matters as guardianship, separation, and divorce.

Upon request, The Charter Institute at Erskine provides parents a list of the types and locations of education records collected, maintained, or used by The Charter Institute at Erskine and each of its schools.

B. Amendment of Records/Hearing Process

Parents have the right to request that their child's education records be changed if something is inaccurate, misleading, or in violation of the student's rights of privacy.

If the school does not agree that the education records should be changed, staff must provide an opportunity for a hearing, following the Family Educational Rights and Privacy Act of 1974, August 1974, 20 U.S.C. 1232g (FERPA) requirements. The hearing officer would be the school's hearing officer, not a special education due process hearing officer (34 CFR § 300.618).

C. Parental Consent Prior to Disclosure of Records

The Charter Institute at Erskine obtains parental consent before personally identifiable information is disclosed to parties other than officials of participating agencies in accordance as defined by South Carolina Board of Education Regulations, unless the information is contained in education records and the disclosure is authorized without parental consent under FERPA.

The parent's consent must be in writing, signed, and dated and must:

1. Specify the records to be disclosed;
2. State the purpose of the disclosure; and

3. Identify the party or class of parties to whom the disclosure may be made.

The Charter Institute at Erskine obtains parental consent, or the consent of an eligible child who has reached the age of majority under South Carolina law, before personally identifiable information is released:

1. To officials in another district or school in connection with the child's enrollment in a nonpublic school; and/or
2. For purposes of billing insurance and/or Medicaid.

D. Transfer of Rights at Age of Majority

The Charter Institute at Erskine affords rights of privacy to children similar to those afforded to parents, taking into consideration the age of the child and type or severity of disability. The rights of parents regarding education records under FERPA transfer to the child at age 18.

E. Disciplinary Information and Reports to Law Enforcement

The Charter Institute at Erskine includes in the records of a child with a disability a statement of any current or previous disciplinary action that has been taken against the child and transmit the statement to the same extent that the disciplinary information is included in, and transmitted with, the records of nondisabled children.

When a child transfers from The Charter Institute at Erskine, the transmission of any of the child's records includes the child's current 504 Plan, most current evaluation/reevaluation, and any statement of current or previous disciplinary action that has been taken against the child.

A statement of disciplinary action shall:

1. Specify the circumstances that resulted in disciplinary action and provide a description of the disciplinary action taken if the disciplinary action was taken because of the child;
2. Include any information that is relevant to the safety of the child and other individuals involved with the child.

A statement of disciplinary action may include a description of any other behavior engaged in by the child that required disciplinary action, and a description of the disciplinary action taken.

If The Charter Institute at Erskine or school authorized by the district reports a crime to the appropriate law enforcement officials, The Charter Institute at Erskine transmits copies of the special education and disciplinary records of the child to those officials only to the extent that the transmission is permitted by FERPA and any other applicable law. Consistent with Federal Law (34 CFR 300.220 IDEA) The Charter Institute at Erskine assures that all children, ages three to twenty-one, regardless of the nature or severity of the disability, and who are in need of special education and related services, are identified, located, evaluated, and receive a free appropriate public education (FAPE).

III. CHILD FIND

In accordance with Section 504 regulations 34 CFR 104.32, The Charter Institute at Erskine assumes responsibility for the location, identification and evaluation of every qualified person with a disability enrolled in any of the schools chartered with The Charter Institute at Erskine and who reside within the State of South Carolina. Child Find procedures utilized for compliance with the IDEA will be utilized for the identification of students with disabilities who may qualify under Section 504 of the Rehabilitation Act of 1973. In addition, when a student is referred under IDEA and found to be not eligible, and when a student is exited from IDEA services for any reason, consideration for Section 504 protections will be initiated.

The Charter Institute at Erskine is a district of choice and is not a district of residence for any child, therefore The Charter Institute at Erskine is not required to locate, identify, or evaluate children who are placed by a parent in a private school or home schooled. If the parents of a child who is home schooled or placed in a private school has questions about special education, the parents will need to contact their district of residence

A. Referral

A referral should be made anytime it is suspected that a student has a disability that substantially limits a major activity that will require accommodation or special education in order to receive a free and appropriate public education. Parents or school personnel may make the referral. Consideration should be given to referring students under the following circumstances: (this list is not all-inclusive or compulsory)

- When a student is screened or evaluated and found not to qualify under IDEA; and/or
- When a student returns to school after an illness or injury.

IV. EVALUATION

The Charter Institute at Erskine ensures that initial evaluations are conducted and that reevaluations are completed for children who attend a school who has chartered with The Charter Institute at Erskine. The Charter Institute at Erskine uses a referral process to determine whether or not a child is a child with a disability. The Charter Institute at Erskine also provides interventions to assist a child who is performing below grade-level standards. The provision of intervention services is not used to unnecessarily delay a child's evaluation for purposes of determining eligibility for special education services.

A. Eligibility

When all necessary information and evaluation data is gathered, the school Section 504 Team Coordinator will convene the multidisciplinary team to consider:

1. Section 504 eligibility based on evaluation results which indicate that the disability substantially limits a major life activity.

The term "substantially limits" means that the individual is:

- (a) unable to perform a major life activity that the average person in the general population can perform, or
- (b) significantly restricted as to the condition, manner, or duration under which a particular major life activity is preformed as compared to an average person in the general population.

2. Reasonable accommodations based on eligibility.

3. Reasonable accommodations despite ineligibility.

The common theme underlying all decisions of eligibility is that the impairment must be substantial and somewhat unique, rather than common place, when compared to the general population. The multidisciplinary team will determine eligibility for Section 504 protection, document the eligibility on the Section 504 Eligibility Team Review and develop a 504 Plan. The intent of these accommodations is to ensure that the student with a disability has access to a free and appropriate education that is comparable to that education available to non-disabled peers.

B. Re-evaluation

Students receiving accommodations under Section 504 must be re-evaluated at least every three years, and always before any significant change in made, and as needed.

V. NOTICE OF PARENT RIGHTS

A. Notice of Parent Rights

Parents of a child with a disability are entitled to specific procedural safeguards under Section 504. These safeguards are referred to as parent rights. The Charter Institute at Erskine provides parents with a copy of the notice of parent rights at least once a year during the annual review.

In addition, The Charter Institute at Erskine provides parents with a printed copy of this notice of parent rights in each of the following circumstances:

1. Upon the initial referral or parental request for evaluation;
2. Upon receipt of a grievance;
3. Upon the request of an impartial hearing;
4. Upon a change in placement for disciplinary action; and
5. When requested by the parents or the child who has reached the age of majority.

The school will use the Notice of Parent Rights which is located within the Enrich program for each student.

B. Parental Consent

Consent means that the parents:

- a. Have been fully informed in the parents' native language or other mode of communication of all information relevant to the activity for which consent is sought;
- b. Understand and agree in writing to the carrying out of the activity for which the consent was asked. The consent describes that activity and lists the records (if any) that will be released and to whom they will be released; and
- c. Understand that the granting of consent is voluntary and may be revoked at any time.

The Charter Institute at Erskine does not obtain written parental consent when reviewing existing data as part of an evaluation or reevaluation or when administering a test or evaluation that is given to all children, unless consent is required of all parents. If parents refuse to give written consent, The Charter Institute at Erskine may use due process hearing procedures to seek to override the parents' denial of consent.

C. Conflict Resolution

LEVEL ONE-School 504 Coordinator or Head Administrator

Anyone who has a complaint regarding harassment or discrimination on the basis of disability in relation to Section 504 of the Rehabilitation Act of 1973 shall present to the building 504 Coordinator or Head Administrator such complaints, in writing, in an effort to arrive at a workable solution. The complaint shall be handled promptly, allowing no more than five working days to elapse before a written response is made by the 504 Coordinator or Head Administrator and presented or mailed to the person who issued the complaint.

LEVEL TWO-DISTRICT 504 COMMITTEE

If the person making the complaint is not satisfied with the response from the 504 Coordinator or Head Administrator, that person may appeal, in writing, to the Charter Institute at Erskine 504 Coordinator who will present the matter before the District 504 Committee for consideration and which will respond, in writing, within five working days after notification of such complaint.

LEVEL THREE-DIRECTOR OF THE CHARTER INSTITUTE

If the person making the complaint is not satisfied with the response from the District 504 Coordinator and the District 504 Committee, that person may appeal, in writing, to the Director of the Charter Institute at Erskine. The director of the Charter Institute at Erskine, in conjunction with members of the Central Office Staff, shall respond, in writing, within five working days after notification of such complaint.

LEVEL FOUR-CHARTER INSTITUTE AT ERSKINE BOARD OF EDUCATION

If the solution offered by the Director of the Charter Institute at Erskine is unacceptable to the complaining party, an appeal, in writing, may be made to the Charter Institute at Erskine Board of Education. The Board shall consider the complaint at a regularly scheduled or special Board meeting after receiving the written appeal. A decision reached by the Board shall be considered final and shall be mailed in written form to the complaining party the next working day after the Board meeting is held.

In cases of complaints concerning the identification, evaluation, or educational placement of students with disabilities, the parents, or adult student, also have the right to an impartial hearing to resolve the issue.

If the parents request to inspect and review any education records relating to their child, The Charter Institute at Erskine replies without unnecessary delay and makes the records available before the hearing.

None of the procedures herein in any way deny the right of the grievant to file formal complaints with regulatory agencies. A complainant may file a written complaint at any time with the Office for Civil Rights:

US Department of Education

400 Maryland Ave. SW Washington, DC 20202

Telephone: (202) 453-6020 Email: OCR.DC@ed.gov

F. Child's Status During Code of Conduct Violations

DISCIPLINARY PROCEEDINGS

The Charter Institute at Erskine will consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of South Carolina Department of Education Board of Education Regulations, is appropriate for a child with a disability who violates a code of student conduct.

a. Changes in placement less than 10 consecutive school days

The Charter Institute at Erskine may remove a child with a disability who violates a code of student conduct from the child's current placement to an appropriate alternative setting, or suspension, for not more than 10 consecutive school days (to the extent those alternatives are applied to children without disabilities), and for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct (as long as those removals do not constitute a change of placement).

The Charter Institute at Erskine considers on a case-by-case basis whether a pattern of removals constitutes a change of placement. A change in placement occurs if:

1. The removal is for more than 10 consecutive school days, **or**
2. The child has been subjected to a series of removals that constitute a pattern:
 - a. Because the series of removals total more than 10 school days in a school year;
 - b. Because the child's behavior is substantially similar to the child's behavior in previous incidents that resulted in the series of removals; **and**
 - c. Because of such additional factors as the length of each removal, the total amount of time the child has been removed and the proximity of the removals to one another.

The Charter Institute at Erskine makes use of In School Suspension (ISS) when appropriate. ISS is described as:

- Student is afforded the opportunity to continue to appropriately participate in the general curriculum
- The student continues to receive the accommodations and/or related services specified in the 504 plan; and
- Student continues to participate with nondisabled peers to the extent they would have in their current placement

Describe the school's procedures for the following: monitoring in- and out-of-school suspensions, to include the review of suspension/expulsion data; determining when a pattern of removals constitutes a change of placement; and addressing behavior issues using positive behavior interventions:

If a student approaches his/her 9th day of suspension, the teacher of the student notifies Administration, and the 504 Coordinator. The 504 coordinator will convene a 504 team, review the 504, develop a functional behavior assessment and behavior interventions plan (if necessary). Once the student has been suspended for 10 school days, the school will conduct a manifestation determination meeting, review the 504 and behavior intervention and determine appropriate education placement.

b. Services during removal from current placement

The Charter Institute at Erskine provides services to a child removed from the child's current placement as follows:

1. If the child has been removed from the child's current placement for 10 school days or less in the school year, services are provided only to the extent that services are provided to a child without disabilities who is similarly removed;
2. After a child with a disability has been removed from the child's current placement for 10 school days in the same year (under circumstances in which the current removal is for not more than 10 consecutive days and is **not** a change in placement), The Charter Institute at Erskine provides services, as determined by school personnel in consultation with at least one of the child's teachers, so as to enable the child to continue to participate in the general education curriculum, although in another setting;
3. If the removal is a change in placement, the Team determines appropriate services; and
4. If a child with a disability is removed from the child's current placement for either more than 10 consecutive days for behavior that is determined **not** to be a manifestation of the child's disability, the school may impose disciplinary sanctions aligned with their processes for nondisabled students.

(c) Manifestation determination

Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the school, the parent and relevant members Team members (as determined by the parent and the school district) must review all relevant information in the child's file, including the child's 504 Plan, any teacher observations and any relevant information provided by the parents to determine if the conduct was a manifestation of the child's disability. The Charter Institute at Erskine determines that the conduct is a manifestation of the child's disability:

1. If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability;
or
2. If the conduct in question was the direct result of the school district's failure to implement the 504 Plan (which may or may not include a behavior intervention plan).

If the relevant members of the 504 team, which includes the parents, determine that the conduct in question was NOT the direct result of the school's failure to implement the 504 plan and not a direct/substantial relationship to the child's disability, the school can resume with the course of action based on their code of conduct policy.

If the relevant members of the 504 team, which includes the parents, determine that the conduct in question was the direct result of the school's failure to implement the 504 Plan, The Charter Institute at Erskine takes immediate steps to remedy those deficiencies and return the child to his/her previous placement.

If the manifestation determination indicates that the conduct was related to the student's disability, the district will:

1. Continue educational services that occurred prior to the infraction, unless the parent and The Charter Institute at Erskine agree to a change of placement.

2. Conduct a reevaluation within 10 days of the MDR to determine if the eligibility and/or placement is appropriate; this may also include conducting a functional behavioral assessment. The team needs to complete the assessment(s) as soon as practical.

G. Transfer of Parental Rights at Age of Majority/Student Notification

Once a child reaches the age of majority, The Charter Institute at Erskine sends all required notices to both the student and parent, unless the student has been determined incompetent under state law. The Charter Institute at Erskine will obtain informed written consent, as required by the South Carolina Board of Education regulations, from the student, unless the student has been determined incompetent under state law. Once rights have been transferred to the student, he or she may be able to execute a power of attorney under S. C. Code Ann. § 62-5-501 (Supp. 2008).

H. Surrogate Parents

The Charter Institute at Erskine ensures that the rights of a child are protected when:

1. No parent can be identified;
2. The Charter Institute at Erskine, after making reasonable efforts, cannot locate a parent;
3. The child is a ward of the state; or
4. The child is an unaccompanied homeless youth as defined in section 725(6) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. §11434a(6)).

One way in which The Charter Institute at Erskine protects the rights of such children is through the assignment of surrogate parents where appropriate. The Charter Institute at Erskine has a method for determining when a child needs a surrogate parent, for assigning a surrogate parent to the child and for the training of the surrogate parents that complies with the requirements of South Carolina Board of Education regarding surrogate parents.

VI. 504 Plans

The Charter Institute at Erskine ensures that a 504 Plan is developed and implemented for each child with a disability (under Section 504), ages 3 through 21, inclusive, who requires accommodations and/or related services and who attends one of the schools that is currently chartered with The Charter Institute at Erskine. For all children with disabilities who attend one of the schools who has chartered with The Charter Institute at Erskine, The Charter Institute at Erskine is responsible for ensuring that the requirements of South Carolina Board of Education Regulation 43-243 are met.

The Charter Institute at Erskine ensures:

1. The 504 Plan is implemented as soon as possible following its development;
2. The parents receive a copy of the child's plan at no cost to the parents. This copy will be provided at the conclusion of the meeting or within 7 calendar days of the meeting.

Describe the school's procedures of providing the parents a copy of the 504 Plan:

For meeting in which the parent is physically present, every effort will be made to provide a copy of the 504 plan and any related documents at the close of the meeting. If circumstances delay the printing of these documents, the documents will be sent home with the student at the end of the day or emailed to the parent, whichever the parent requests.

OR

After each 504 meeting the 504 coordinator will complete the following: Save all signed pages in the (Insert Program Name/Blackboard room) in PDF form, attach all forms/pages in Enrich (i.e. signature pages), send a password protected copy of the 504 plan and any other documents discussed with the Parent/Student through e-mail if permission is given, and US mail if requested by a parent or permission was not granted to send the 504.

A. Members of the 504 Team

The team includes persons knowledgeable about the meaning of the evaluation data, student performance, and knowledgeable about the placement options. The Charter Institute at Erskine highly values parent involvement in this process and will actively pursue parental participation. This may occur through identification of mutually agreeable meeting times and/or scheduling meetings in advance to ensure parent is available. Additionally, student participation, when deemed appropriate and with parental consent, is encouraged.

Describe the school's procedures for notifying the parents/adult student of an upcoming 504 meeting to ensure an opportunity to participate:

1. Before scheduling a meeting, a phone call will be placed to the parent to find an agreeable time. This will be documented in Enrich in the program portion under notice of meetings.
2. After the phone call to find an agreeable time, prior to the meeting, a week at minimum, a meeting notice is sent home with the student. This will also be documented within Enrich.
3. The 504 coordinator will either send home a second letter via mail to remind the parent and/or call the parent to notify and the meeting notice will be read to remind them of the purpose and times of the meeting. If there is no answer, an email will be sent with the meeting notice attached (if available) and this will also be documented in Enrich by the 504 coordinator.

A written notice to a parent of a 504 meeting is required:

1. Indicates the purpose, date, time and location of the meeting and which individuals will be in attendance;
2. Informs the parents of their right to invite additional participants;
3. Informs the parents of their right to have an interpreter if required and the timeframe to communicate this need to the school;
4. Informs the parents of their right to bring information (formal or informal) to the meeting which will aid in the discussion
5. Informs the parent of their right to have their minor child attend

The Charter Institute at Erskine conducts 504 team meetings without a parent in attendance only if it cannot convince parents that they should attend. Before 504 team meeting is held without a parent, The Charter Institute at Erskine makes at least two contact attempts using two different methods to contact a parent to arrange a mutually agreed on time and place and records its attempts to do so.

B. Contents of a 504 Plan

In developing each child's 504 Plan, the team considers:

1. The strengths of the child;
2. The concerns of the parents;
3. The results of the initial or most recent evaluation of the child;
4. The results of the child's performance on any state or district-wide assessment programs, as appropriate; and
5. The academic, developmental and functional needs of the child.

The Charter Institute at Erskine's written 504 plans are developed, reviewed and revised in the context of the 504 meetings. The Charter Institute at Erskine's 504's includes all of the following:

- a. Outline of 504 plan dates including initiation, ending, initial evaluation, and reevaluation;
- b. Student's disability and a statement on how the disability substantially limits a major life activity (a minimum of score of 4 is required to be eligible or initially placed for a 504;

- c. A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child in the classroom and on state/district wide assessments consistent with Section 612(a)(16) of the IDEA;
- d. Participants in the meeting along with their role;
- e. Signatures of all meeting participants (a participant may contribute via phone and noted in the signature section)

C. Review of a 504 Plan

The Charter Institute at Erskine ensures that the 504 team:

1. Reviews the child's 504 periodically, but not less than annually, to determine whether plan is providing FAPE; and
2. Revises the 504 plan, as appropriate, to address staff, student, and/or parent concerns in the plan
- 3.

Describe the school process for monitoring annual and re-evaluation review timelines.

The 504 coordinator will utilize a spreadsheet to monitor the annual review and reevaluation review due dates by reviewing their caseloads and setting annual/reevaluation meetings prior to the due (expiration) date. The 504 coordinator will ensure that Enrich documentation is correct and up-to-date.

D. Transfers Within the State and From Out-of-State

When a student moves into The Charter Institute at Erskine, the individual school must take reasonable steps to promptly obtain the child's records, including the 504 plan and supporting documents and any other relevant records from the previous district in which the child was enrolled. Regardless of how the parent completes the enrollment information regarding previous 504 eligibility/plan, it is the responsibility of the new school to verify whether or not the student had a 504 Plan in the previous district. Since this is a transfer of educational records from the child's previous district to The Charter Institute at Erskine, no consent for release of documents is required.

The Charter Institute at Erskine will not delay the implementation of the transfer 504 plan. If a student transfers in with an expired 504 plan that plan will be implemented until data can be collected and a team convene to create a new annual plan.

If a student transfers into The Charter Institute at Erskine and persons knowledgeable of the student, previous evaluation data, and placement options determine that the student's 504 plan is no longer appropriate for the student and additional data is required, the team must consider evaluating the student consistent with the Section 504 procedures at 34 C.F.R. 104.35 and determine which educational program is appropriate for the student.

If a reevaluation is past due on a transfer student, the 504 Team must convene and hold a reevaluation meeting.

If parent transferring into a charter school does not want their child to continue with a 504 Plan, the 504 Team must convene and reevaluate to determine eligibility.

Description of how the school's 504 Coordinator is notified when students with 504 Plans enroll:

Student Enrollment forms explicitly ask if the enrollee has a 504. If it indicates the student does have an 504, the school registrar forwards that student's information within 24 hours by email or paper copy to the 504 coordinator. When made aware of a student who has a 504 and has enrolled, a fax requesting the 504 will be sent by the 504 coordinator or register to the student's previous school and/or district within 24 hours. All information received, and fax requests are dated and filed for when they are both sent and received. If available, the school 504 coordinator will meet with the parent during enrollment to gather information.



