

## Section 504

### Program Summary:

Section 504 of Rehabilitation Act of 1973 prohibits the discrimination against persons with disabilities. It is a federal civil rights law which requires that students with disabilities be provided with a free and appropriate education. Students who have a physical or mental impairment that limits one or more major life activities may qualify for a 504 plan.

To determine 504 eligibility, a student must demonstrate: as a result of an evaluation, to have a physical or mental disability/impairment (or having a history of a physical or mental disability/impairment) that substantially limits one or more major life activities. A major life activity includes the following: caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning.

At Ethos Classical, we are committed to providing an extraordinary education to all scholars. This policy and procedure manual has been created to assist staff as they work with our families who many need a 504 plan for their child.

### 504 Processes and Procedures

#### *Child Find*

According to Section 504 of the Rehabilitation Act of 1973, Ethos Classical has a responsibility to identify, refer, evaluate and if eligible, provide a free, appropriate public education to disabled students who do not fit the criteria to qualify for Special Education services. For additional information about the rights of parents eligible children, or for answers to any questions you may have regarding eligibility and placement in Section 504 programs, please contact the Director of Scholar and Family Services.

The purpose of the 504 plan is to provide legal accommodations for disabled students who do not fit the criteria to qualify for Special Education services. A student who may need accommodations within the intent of Section 504 is one who:

- Has a physical or mental impairment that substantially limits one or more major life activities, including, but not limited to; learning, reading, thinking, concentrating; and communicating. A major life activity also includes the operation of major bodily function.
- Has a record of such impairment; or
- Is regarded as having such an impairment.

504 services are available to disabled students who are not served under special education and IDEA. To qualify under 504:

- A student must have a documented disability (i.e. a doctor's note regarding ADHD or another physical or mental condition, a psychological report, a vision-eye report, etc.)
- There must be proof this disability substantially limits a major life activity.

Ethos Classical Child Find Procedure Include:

- SchoolMint Registration questions that address previous diagnoses or Section 504 Plans
- Emails to Ethos Classical families.
- Inquiries received from Ethos Classical parents/legal guardians and staff members.

### *504 Referrals*

1. If information comes to a staff member that a child may have a physical or mental impairment, the staff member should find out how this condition is impacting the student's ability to access education.
2. The staff member should email the student's name and homeroom to the Director of Scholar and Family Services to let them know they were informed that the student may have a physical or mental impairment impacting the student's access to learning.
3. The Director of Scholar and Family Services will gather as much information as possible. This information should include but not limited to medical/psychological documentation, test scores, accommodations being made by the lead teacher and instructional team.
4. The Director of Scholar and Family Services will explain the eligibility process and share the Intake Form. Once the required documentation is received, the Director of Scholar and Family Services will submit an initial referral in PowerSchool.
5. Once appropriate medical documentation is received, a meeting will be scheduled within sixty instructional days with the Director of Scholar and Family Services to determine program eligibility.
6. If appropriate medical documentation is not received for a 504 Inquiry within a reasonable amount of time of the original inquiry, a meeting will be scheduled with the parent or legal guardian to explain what is needed for eligibility consideration by the Director of Scholar and Family Services.

### *Requests for 504 Evaluation*

Ethos Classical recommends that the parent should submit appropriate medical documentation of the student's diagnosis(es) which details how the condition

impacts the student's access to learning. The Director of Scholar and Family Services will review all paperwork and submit a 504 Meeting Referral to request a meeting; evaluations can consist of reviews of current student data and/or formal academic and behavioral testing: if no formal testing is required to support eligibility, the Director of Scholar and Family Services should schedule a 504 eligibility meeting.

*Is evaluation or a medical report necessary to determine 504 eligibility?*

Under Section 504, no formal testing or a physician's statement are required. Instead, grades over the past several years, teachers' reports, information from parents or other agencies, state assessments scores or other school administered tests, observations, discipline reports, attendance records, health records and adaptive behavior information will be reviewed.

*Annual Reviews*

An annual review meeting to discuss and document possible updates to the student's accommodation plan. This meeting must occur at least annually. At the beginning of the year, the Director of Scholar and Family Services will schedule meetings with the parent/legal guardians of new students to transfer their 504 accommodation plans to Ethos Classical. Within the first semester of the school year, the Director of Scholar and Family Services will schedule review meetings for all returning Ethos Classical students to review students' progress and accommodations.

*Grievance and Complaints*

It is the policy of Ethos Classical not to discriminate on the basis of disability. Ethos Classical has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973. The Director of Scholar and Family Services is able to answer any questions about the Law and Regulations of this act.

Any person who believes she or he has been subjected to discrimination on the basis of disability may file a grievance under this procedure. It is against the law for Ethos Classical to retaliate against anyone who files a grievance or cooperates in the investigation of a grievance.

**Procedure**

1. Grievances must be submitted to the Director of Scholar and Family Services or Principal within 30 days of the date the person filing the grievance becomes aware of the alleged discriminatory action.

2. A complaint must be in writing, containing the name and address of the person filing it. The complaint must state the problem or action alleged to be discriminatory and the remedy or relief sought.
3. The Director of Scholar and Family Services and/or the Principal (or his designee) shall conduct an investigation of the complaint. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the complaint. The Director of Scholar and Family Services and/or Principal will maintain the files and records of Ethos Classical relating to such grievances.
4. The Director of Scholar and Family Services and/or Principal will issue a written decision on the grievance no later than 30 days after its filing.
5. The person filing the grievance may appeal the decision of the Director of Scholar and Family Services and/or Principal within 15 days of receiving the decision. The Head of School shall issue a written decision in response to the appeal no later than 30 days after its filing.
6. The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination on the basis of disability within the US Department of Health and Human Services, Office for Civil Rights.

Ethos Classical will make appropriate arrangements to ensure that disabled persons are provided other accommodations, if needed, to participate in this grievance process.

*504 Contact Information*

*Director of Scholar & Family Services*

*Kierra Gambrell*

[Kierra.gambrell@ethosclassical.org](mailto:Kierra.gambrell@ethosclassical.org)

470.502.0046