

# Guide to Item 14.1

## Section 504 and Students with Disabilities

### Legal Background

LEAs must:

- Identify, evaluate, and place students with disabilities in compliance with Section 504, as well as implement the legal standards under the ADA Amendments Act of 2008 (such as changes regarding major life activities, mitigating measures, etc.).
- Obtain parental consent before all initial evaluations and initial placements under Section 504.
- Ensure that evaluation and placement decisions are made by a group of persons, including persons who are knowledgeable about the student, the meaning of the evaluation data, and placement options.
- Provide all necessary accommodations, related aids, and services for students with disabilities, including students with health conditions who may also be served by a health plan.

#### OSPI Tools and Resources

[Sample Section 504 Forms](#)

[Sample Notice of Parent Rights & Procedural Safeguards](#) (translated into 11 other languages on our Section 504 [website](#))

*Note: This summary does not include all requirements related to Section 504; however, it is intended to serve as an overview for purposes of Program Review.*

**Legal authority:** [34 C.F.R. Part 104](#); [RCW 28A.642.010](#).

### Student 504 Plans and Related Documentation (14.1.A)

#### Evidence to Provide

- A. Submit the below Section 504 documentation for two students at an elementary school, middle/junior high school, high school, online or ALE program, and alternative school (where applicable). Submitted documentation must include at least one student with a health condition (e.g., diabetes, allergies, etc.).
  1. Parent consent for the initial evaluation.
  2. Evaluation documentation
  3. Parent consent for initial placement
  4. Section 504 plan(s)
  5. Evidence of manifestation determination meeting, if applicable



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## Tips for Program Review

- **There is no need to redact personally-identifiable information** in any student files or documents submitted for this item.
- **OSPI has created sample Section 504 forms** that LEAs may adopt and use to document that they are following the Section 504 process. These forms are available on our website, here: [504 Plans and Students with Disabilities](#).
- **Please notify your OSPI reviewer by email** if:
  - The LEA has not been consistently including each of the requested pieces of documentation in each student's file; or
  - The LEA has not been identifying, evaluating, and placing students with health conditions using Section 504 procedures.

This will allow you and your OSPI reviewer to work together to develop an appropriate action plan.

## Learn More About Section 504

- OSPI [504 Plans and Students with Disabilities](#) webpage (includes guidance, sample forms, resources, etc.)
- Available OSPI trainings on Section 504:
  - [Navigating Section 504 Webinar](#) | [Handout](#)
  - [Section 504: Beyond the Basics Webinar](#) | [Handout](#)