

I.D.E.A.: Individuals with Disabilities Education Act

The Individuals with Disabilities Education Act (IDEA) is a United States federal law that was signed into law by President George H. W. Bush in 1990 and had significant amendments in 2004. IDEA regulates how states and public agencies provide educational related services to children ages 0 – 21 who have been diagnosed with a disability. There are currently thirteen categories of disabilities in which a child may fall under and require services under IDEA.

IDEA essentially replaced the Education for All Handicapped Children Act (EHA) that was enacted by Congress in 1975. This act required equal education for children with physical and mental disabilities. Before this law was enacted, only 20% of all children with disabilities were being educated by public schools. Most states had laws that did not allow children with certain disabilities from attending. When EHA was enacted, there were more than one million children who did not have access to public education due to their disability.

Another important component of IDEA is that the law only pertains to states and their local agencies who accept federal funding under IDEA. States who choose not to accept any of these federal monies are not subject to IDEA. However, all states have currently chosen to accept monies and are subject to IDEA.

One of the major facets of the 2004 IDEA amendments was the clarification that each child with a disability will be provided by a Free Appropriate Public Education (FAPE) that prepares them for further education, employment, and independent living. In addition, all qualified children from preschool through age 21 will be provided services specific to their unique learning needs.

Referral of Student for Student Assistance Team (S.A.T.) Review

All of the information in this section can be found on the Creston School district Website under ‘OUR DISTRICT’ and ‘LEARNING PROGRAMS’ at <http://www.creston.wednet.edu/Page/53>.

Section 504

Section 504 — just what exactly is it? You've probably heard about it, but every school district addresses Section 504 in a different manner. Some districts have even been heard to say, “We don’t do that in this district.” But in fact, compliance to Section 504, which is a federal statute, is not optional. This article attempts to answer basic questions pertaining to the implementation of Section 504 in public school systems.

What is Section 504?

Section 504 is a part of the Rehabilitation Act of 1973 that prohibits discrimination based upon disability. Section 504 is an anti-discrimination, civil rights statute that requires the needs of students with disabilities to be met as adequately as the needs of the non-disabled are met.

Section 504 states that:

“No otherwise qualified individual with a disability in the United States, as defined in section 706(8) of this title, shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance...” [29 U.S.C. §794(a), 34 C.F.R. §104.4(a)].

Who is covered under Section 504?

To be covered under Section 504, a student must be “qualified ” (which roughly equates to being between 3 and 22 years of age, depending on the program, as well as state and federal law, and must have a disability) [34 C.F.R. §104.3(k)(2)].

Who is an “individual with a disability”?

As defined by federal law: “An individual with a disability means any person who: (i) has a mental or physical impairment that substantially limits one or more major life activity; (ii) has a record of such an impairment; or (iii) is regarded as having such an impairment” [34 C.F.R. §104.3(j)(1)].

What is an ‘impairment’ as used under the Section 504 definition?

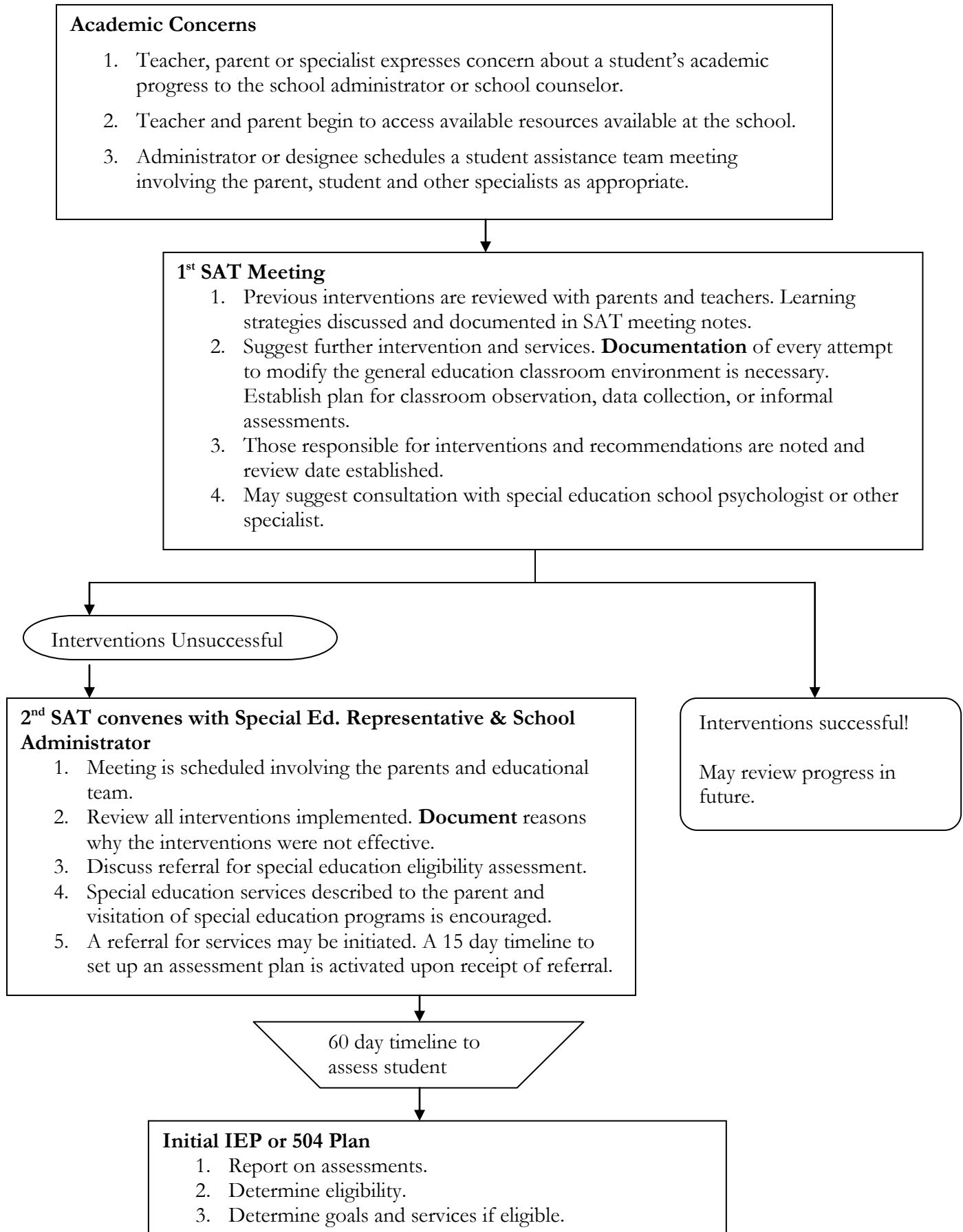
An impairment as used in Section 504 may include any disability, long-term illness, or various disorder that “substantially” reduces or lessens a student’s ability to access learning in the educational setting because of a learning-, behavior- or health-related condition. [“It should be emphasized that a physical or mental impairment does not constitute a disability for purposes of Section 504 unless its severity is such that it results in a substantial limitation of one or more major life activities” (Appendix A to Part 104, #3)].

Many students have conditions or disorders that are not readily apparent to others. They may include conditions such as specific learning disabilities, diabetes, epilepsy and allergies. Hidden disabilities such as low vision, poor hearing, heart disease or chronic illness may not be obvious, but if they substantially limit that child’s ability to receive an appropriate education as defined by Section 504, they may be considered to have an “impairment” under Section 504 standards. As a result, these students, regardless of their intelligence, will be unable to fully demonstrate their ability or attain educational benefits equal to that of non-disabled students (The Civil Rights of Students with Hidden Disabilities under Section 504 of the Rehabilitation Act of 1973—Pamphlet). The definition does not set forth a list of specific diseases, conditions or disorders that constitute impairments because of the difficulty of ensuring the comprehensiveness of any such list. While the definition of a disabled person also includes specific limitations on what persons are classified as disabled under the regulations, it also specifies that only physical and mental impairments are included, thus “environmental, cultural and economic disadvantage are not in themselves covered” (Appendix A to Part 104, #3).

Referral of Student for Student Assistance Team (S.A.T.) Review

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Referral for Special Education Assessment Flowchart



STUDENT ASSISTANCE TEAM REPORT

STUDENT INFORMATION

Student:		DOB:		Age:	
Teacher:		Grade:		Gender:	
Parents:					
Other:					

REASON FOR REQUEST

1. A review of available information suggests that this student's problem is **PRIMARILY** (check one):

<input type="checkbox"/>	Academic	<input type="checkbox"/>	Behavioral	<input type="checkbox"/>	Speech/Language	<input type="checkbox"/>	O.T.
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2. Identify any areas in which the student displays a significant strength (**S**) or weakness (**W**). Gather work samples that illustrate the student's weaknesses.

	READING		MATHEMATICS
	sight word recognition		computation
	phonics skills		reasoning
	comprehension		
	WRITTEN LANGUAGE		ORAL EXPRESSION
	sentence structure		communicating with peers
	vocabulary		communicating with adults
	organization		comprehension of oral language
	spelling and/or punctuation		oral expression
			communicating with peers
			following verbal directions

3. Identify areas in which the student displays significant difficulties or functions significantly below the expected level.

	LEARNING BEHAVIORS		ADAPTIVE SKILLS
	working in a group		socially immature
	working independently		immature language
	distractibility		delayed self-help skills
	impulsivity		
	energy level too high		
	energy level too low		
	frustration tolerance		
	organization		
	PROCESSING		SOCIAL ADJUSTMENT
	fine motor skills/eye-hand coordination		develops appropriate friendships
	gross motor skills/general clumsiness		relates appropriately to teachers - adults
	reversals/transpositions (letters, words, numbers)		emotional outbursts
	manuscript		withdrawal
	cursive writing		chronic lying
	copying from board		chronic cheating
	copying from book or paper		chronic absences
	visual memory		stealing
	right/left confusion		bullying
	auditory memory		difficulties at home
	sequencing		

Appendix J: Student Special Services

4. Based on classroom performance, estimate the student's grade equivalent for each area:

	READING		MATHEMATICS		WRITTEN LANGUAGE
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5. Attach copies of test reports or a profile for most recent standardized testing. (If appropriate)

Please provide a commentary concerning the academic performance indicators for the student:

SPECIAL SERVICES HISTORY

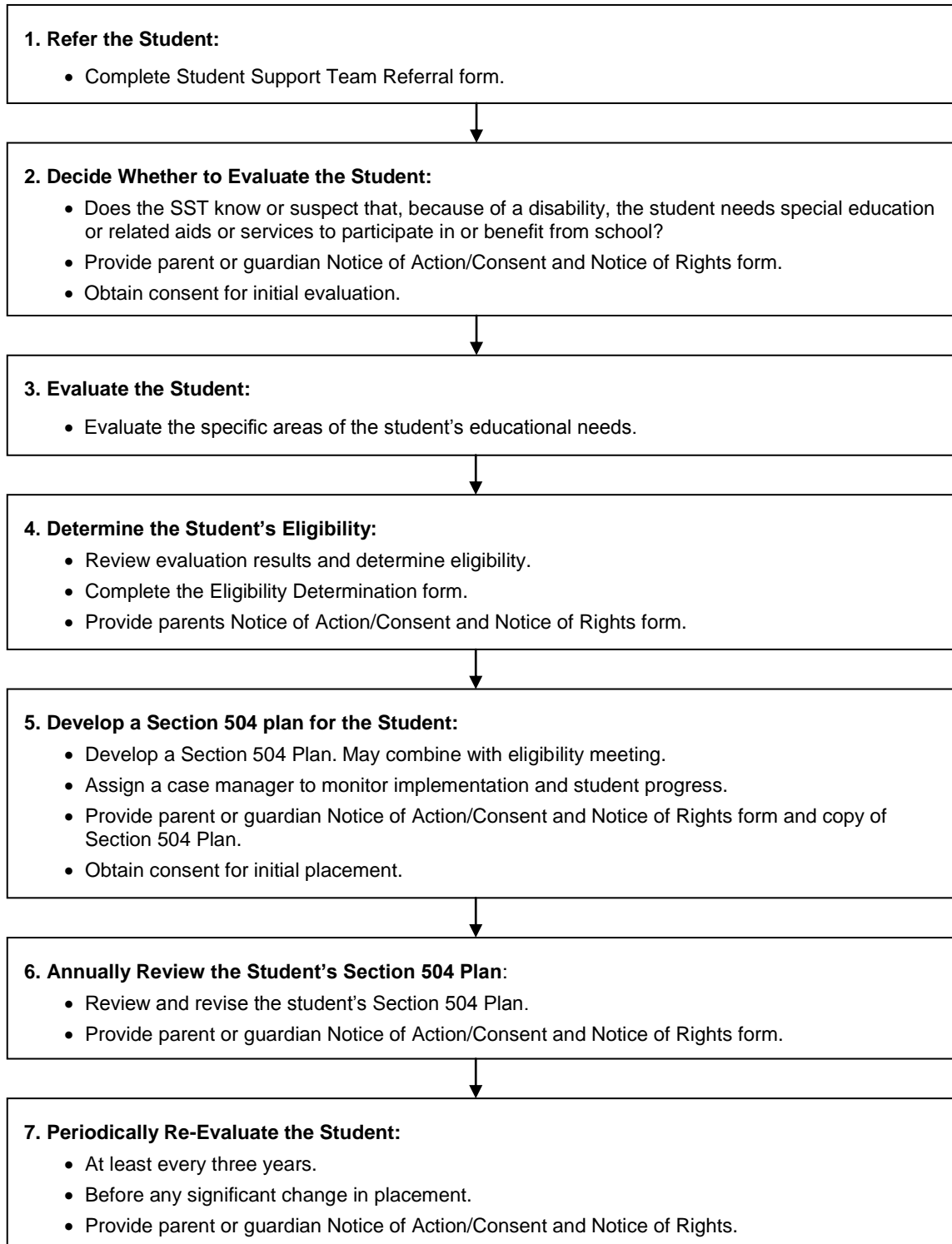
	Special Education		Title IA		ESL
	S.L.P.		O.T.		Other: (I.D.):

INTERVENTIONS RECORD PRIOR TO SAT REQUEST

	Intervention	Outcome of Intervention
	Student conference	
	Parent contact	
	Referral to counselor	
	Consultation with colleagues	
	Adjusted workload	
	Alternative teaching methods	
	Modified materials	
	Modified presentations	
	Change in text/materials	
	Change in grouping	
	Change in seating	
	Behavior contract	
	Token system	

If there is additional information that will be helpful in making a determination by the Student Assistance Team (S.A.T.), please attach to this report.

Section 504 Process Flow Chart



**Individual Accommodation Plan (IAP)
Section 504 of the Rehabilitation Act of 1973**

Student Name _____ Grade _____ Date _____

School _____ Birth Date _____

Teacher(s) _____

Describe educational, related aids, and services the student requires to receive a free appropriate education:

Instructional:

Environmental/Accessibility:

Behavioral/Social:

Assessment/Testing/MSP:

Other:

Implementation Date _____ Review Date _____

Team Members:

NAME	ROLE	NAME	ROLE
NAME	ROLE	NAME	ROLE
NAME	ROLE	NAME	ROLE

Copies: 504 Team, Student's cumulative file, student support services, parent/guardian

Attach: Procedural Safeguards/Parent Rights