

TENNESSEE PUBLIC CHARTER SCHOOL COMMISSION

504 Plan Monitoring Procedures

1028

The purpose of this document is to provide procedural information regarding the documentation of student 504 plans for the purpose of 504 plan monitoring. These procedures cover:

- [School Responsibilities](#)
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 - [504 Plans](#)
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School Responsibilities

Under Section 504 of the Rehabilitation Act of 1973 (“Section 504”), a student with a disability is entitled to a free appropriate public education (“FAPE”). Each authorized charter school assumes responsibility for the provision of services, development, and implementation of 504 plans for students identified as eligible for disability accommodations.

Section 504 Coordinator. Each school is required to designate a Section 504 Coordinator (“Coordinator”). The Coordinator may be the Director of Student Supports, Special Education Supervisor, School Counselor, or other personnel with the knowledge necessary to fulfill the following Coordinator duties:

- (1) Facilitate the implementation of the LEA Section 504/Americans with Disabilities Act (“ADA”) policy;
- (2) Develop, revise, and ensure compliance in the implementation of consistent Section 504 procedures;
- (3) Advise the school leader and LEA staff regarding Section 504 compliance issues and needs;
- (4) Provide on-going training and support to school staff regarding Section 504 and the implementation of the Section 504 procedures;
- (5) Serve as a resource to LEA staff, building-level teams, and community members regarding Section 504/ADA issues; and
- (6) Coordinate Section 504/ADA grievance procedures.

504 Plans. 504 plans must document how schools are identifying and addressing the needs of qualified students with disabilities. They must also communicate to school personnel the information needed for successful implementation. Each school is responsible for developing and implementing a 504 plan for students with the following qualifications:

- (1) A physical or mental impairment that substantially limits one (1) or more major life activities;
- (2) A record of such impairment; and/or
- (3) Is regarded as having such impairment.

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Records. Section 504 records, including any evaluation data, shall be kept in a separate Section 504 folder under the control of the Coordinator, as part of the student’s cumulative folder, or in any other location determined to be appropriate by the district or school. Documentation shall be translated, if necessary. Additionally, documentation shall be scanned and uploaded to the student’s electronic Section 504 file in TN Pulse. If documentation is missing from a student’s prior school district, the 504 Coordinator shall make reasonable effort to obtain the missing documentation and shall document efforts to obtain the missing documentation in the student’s Section 504 folder and TN Pulse.

Each school shall maintain the following documentation both on-site and in TN Pulse, all of which require a parent/guardian signature:

- (1) Invitation to Section 504 Meeting;
 - (a) Documentation that the meeting invitation was received by a student’s parent(s)/guardian(s) at least ten (10) days prior to the meeting date. The ten (10) days, which must pass before the meeting may be convened, may be waived by the parent (with documentation) after the parent has received notice that the charter school wants to convene a 504 meeting. If a waiver is obtained, the meeting may be held prior to the expiration of the ten (10) days. If parents/guardians choose to waive the ten (10)-day notice, documentation of this waiver must be noted on the invitation letter.
 - (b) Documentation of meeting date must be within the past calendar year, as each 504 Plan requires revisions at least annually.
- (2) Notice & Consent for Section 504 Evaluation Form;
 - (a) Documentation that the consent for evaluation was received by a student’s parent(s)/guardian(s).
- (3) Eligibility Report;
 - (a) The eligibility report shall contain the following:
 - (i) The educational concern;
 - (ii) The results of the evaluation;
 - (iii) The determination of eligibility; and
 - (iv) Needed educational services and/or reasonable accommodations to be made (if any).
- (4) Re-evaluation Eligibility Report (every three (3) years);
 - (a) Every three (3) years, the 504 Coordinator will convene a meeting to:
 - (i) Review the student’s 504 Plan and determine if the Plan needs to be revised;
 - (ii) Determine if the accommodations/modifications are still appropriate or need to be changed; and
 - (iii) Determine if the student remains eligible for a 504 Plan;
 - a. If the student is no longer eligible, the student will no longer have a 504 Plan and, within 10 days of the meeting, the 504 Coordinator will provide written notice to the parent that the student no longer meets eligibility criteria for a 504 Plan.
- (5) Notice of Procedural Safeguards;
- (6) Service Plan (if student is eligible); and

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- a) If a student is identified for a 504 plan, and is determined to be eligible for a plan in order to have his/her needs met as adequately as those of non-disabled students, the following shall be included:
- (i) The specific accommodations, supports, or services the student will receive;
 - (ii) The names of the school professionals or service providers that will provide each service; and
 - (iii) The name of the person responsible for ensuring the 504 plan is implemented (i.e. the 504 Coordinator);
- (7) Parental Consent for Services (if student is eligible for a service plan).

LEA Responsibilities

504 Monitoring. The Commission shall monitor compliance through an audit of randomly selected student files to ensure schools maintain the proper documentation. The Commission shall utilize the [504 Monitoring Checklist](#) contained within these operating procedures to ensure all documents and signatures are accounted for. If proper documentation is not maintained, the Commission shall notify the appropriate parties utilizing the [Missing 504 Documentation Memo](#).

- (1) Desktop monitoring on TN Pulse will occur once per quarter, at a minimum (additional monitoring may occur as needed); and
- (2) On-site monitoring will occur annually.

The LEA Special Populations Coordinator shall maintain documentation of 504 plan monitoring including the date the monitoring occurred, the number of files monitored, and whether a missing documentation memo was sent to the school liaison as a result of the monitoring.

Grievance Procedures. The U.S. Department of Education Office of Civil Rights (“OCR”) requires LEAs to adopt a grievance procedure for a student, parent, or employee to file a grievance or invoke due process hearing rights concerning alleged violations of Section 504. Please reference Commission LEA Policy 1802 – Americans with Disabilities Act and Section 504 as well as the Commission’s Grievance and Complaint procedures.

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Forms and Appendices

The following forms and appendices are included to supplement these procedures:

- [504 Desktop Monitoring Checklist](#) – *required*
- [Missing 504 Documentation Memo](#) – *required, if applicable*

504 Monitoring Checklist

Student: _____

Date: _____

Monitor Initials: _____

504 Plan	Check if fulfilled
Invitation to 504 Meeting (dated within the past calendar year)	
Notice & Consent for 504 Evaluation	
Initial Eligibility Report	
Re-evaluation Eligibility Report (every three (3) years)	
Notice of Procedural Safeguards	
Service Plan (<i>if eligible</i>)	
Parental Consent for Services (if student has Service Plan)	

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Missing 504 Documentation Memo

To:

From:

Date:

Re: Special Education 504 Monitoring – Missing Documentation

Missing 504 Documentation

This memo is to make notice of missing documents in (student name) 's 504 file. The Commission completed compliance monitoring of these files on (date) and found that the following files are missing online on-site: (file name) .

Please add these documents to the student's file by (date) .

If you have questions, please contact the Tennessee Public Charter School Commission.