

Lindale ISD

SECTION 504

SECTION 504 PLAN

August 2025

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Section 504 Plan

What is Required

A Section 504 Plan is a written document developed by the Section 504 Committee that is designed to ensure that an eligible student has equal access to learning to the same extent as the student's non-disabled peers. It includes the accommodations and services necessary for the individual student to receive a FAPE. See [SECTION 504 ACCOMMODATIONS] and [SECTION 504 SERVICES].

However, not every student with a qualifying disability under Section 504 within the District will require a Section 504 plan. Rather, the District must only develop a Section 504 plan for a student requiring accommodations to access their education. The student's Section 504 Committee, therefore, shall only develop a Section 504 plan for a student following the determination that a student (1) is eligible under Section 504 and (2) requires accommodations or services to meet their disability-related needs.

Required Elements

A Section 504 plan should be individualized to each student's unique needs and provide the necessary supports and services to ensure the student receives a FAPE. It should be designed to meet the individual needs of the student as adequately as the needs of the student's non-disabled peers.

A Section 504 plan shall include, at a minimum, the following information:

- Documentation of all data sources used to build the Section 504 plan;
- Documentation of any discussion by the Section 504 Committee relating to the provision of FAPE and possible referral for special education and related services;
- Description of the physical or mental impairment;
- List of the major life activities that are substantially limited;
- Necessary accommodations, including classroom, assessment, and behavior accommodations, see [SECTION 504 ACCOMMODATIONS];
- Any necessary services, including related services, the student requires, see [SECTION 504 SERVICES];
- Designated individual(s) responsible for implementing and monitoring the Section 504 plan;
- Signatures of participants at the Section 504 Committee meeting;
- Documentation that the parent received the Section 504 Parent Rights; and
- Any necessary addendums.

To ensure that all required elements are included, the Section 504 Committee shall use the form provided by the District's Section 504 Department to complete the Section 504 Plan.

Placement in the Least Restrictive Environment

Similar to placement decisions under the IDEA, placement decisions under Section 504 will be made by the student's Section 504 Committee based on a student's individual needs and included in the student's Section 504 plan. The Section 504 plan must indicate that the student is being placed in the regular education environment unless the District is able to show that the education of the student in the regular education environment with the use of supplementary aids and services cannot be achieved satisfactorily. The Section 504 Committee should indicate the rationale for any decision to place a student in a setting other than the regular education environment in the student's Section 504 plan (such as for small group instruction or related service instruction).

Timelines

The Section 504 Committee may develop the student's Section 504 plan immediately following the determination of eligibility or within a reasonable period of time. See [TIMELINES]. The Section 504 plan should be created no more than thirty (30) days following the completion of the evaluation. Should the Section 504 Committee decide to reconvene to create the Section 504 plan at a later date following the initial meeting regarding eligibility, the Campus Section 504 Chairperson shall invite the parent to the meeting and provide the parent with notice of the meeting.

Parent Participation and Consent for Services

The Campus Section 504 Chairperson shall make reasonable attempts to ensure parental participation in the development of the Student's Section 504 plan. To do so, the Campus Section 504 Chairperson must offer to schedule the meeting at a mutually agreed upon time and place and should attempt to contact the parent at least three (3) times via various forms of communication. However, if the parent fails to respond despite these attempts, the Section 504 Committee may proceed with the meeting to develop the student's Section 504 plan in the parent's absence.

After the creation of the Section 504 Plan, the Section 504 Chairperson shall obtain informed parental consent for the initial provision of Section 504 services. Should the parent refuse consent to the initial provision of Section 504 services, the Section 504 Committee shall indicate this in the student's Section 504 plan. While the District will not provide the accommodations and services under Section 504 without parental consent, the completed Section 504 plan will serve as documentation as to the District's offer of FAPE to the student. The Section 504 Chairperson should continue to reach out to the parent at least once a semester to verify that the parent still declines the provision of

Section 504 services.

Implementation of the Plan

All Campus Personnel identified in the Section 504 plan as responsible for implementing services must do so. Typically, designated services and strategies identified in the student's Section 504 plan will be provided by the student's classroom teacher. The Campus Section 504 Chairperson will ensure that the student's Section 504 Plan is delivered to all Campus Personnel responsible for implementing the plan. Campus Personnel may not unilaterally decline or refuse to implement any component of a student's Section 504 plan.

Campus Personnel implementing the student's Section 504 plan shall maintain documentation demonstrating compliance with the student's Section 504 plan. This documentation shall be kept in a secure file specifically related to the student and reviewed at least annually by the student's Section 504 Committee.

Review of and Changes to the Plan

The Section 504 Committee is responsible for monitoring the student's Section 504 plan through various means, including, but not limited to: parent input, observations by Campus Personnel, review of documentation recorded and maintained by Campus Personnel, and informal checks of student progress by individuals identified in the student's Section 504 plan.

At a minimum, the Section 504 Committee shall convene to review the student's Section 504 plan annually. See [ANNUAL REVIEWS]. Only the student's Section 504 Committee may make changes to or modify the services provided in the student's Section 504 plan. Minor changes may be made through an amendment to the Section 504 plan, but the Section 504 Committee should convene to review and consider any significant changes through a Section 504 meeting. Any concern related to the student's Section 504 plan should be addressed with the Campus Section 504 Chairperson.

Behavior Plans

Section 504 requires the District to accommodate an eligible student's behavioral difficulties that significantly interfere with the student's ability to benefit from his education by developing a Behavior Intervention Plan ("BIP") to be included in the Section 504 plan. Campus Personnel are responsible for implementing interventions contained in the student's BIP. The Campus Section 504 Chairperson will ensure that all Campus Personnel who interact with the student are provided a copy of the student's plan and are familiar with the interventions provided within it.

Evidence of Implementation

- Written Section 504 Plan
- Section 504 Amendment
- Parent Consent for Initial Services
- Behavior Intervention Plan
- Documentation of Implementation of Section 504 Plan
- Service Logs
- Documentation of Communication with Parent
- Invitation for Parent to Attend Section 504 Meeting
- Acknowledgement of Receipt of Section 504 Plan by Campus Personnel
- Annual Review
- Section 504 Notice
- *Section 504 Parent Rights*

Resources

[Title 34, Section 104 of the Code of Federal Regulations \(“Section 504 Regulations”\)
- Electronic Code of Federal Regulations](#)

[Technical Assistance: 504 - Texas Education Agency](#)

[Section 504 Fact Sheet for Parents - Texas Education Agency](#)

[Section 504 - Partners Resource Network](#)

CITATIONS

Board Policy FB; 29 USC 794; 34 CFR 104.3, 104.33, 104.34