

Lindale ISD

SECTION 504

TRANSFERS

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Transfers

What is Required

The District must ensure that students with disabilities transferring to and from another LEA (public school district, public charter school, or other public school system) located within Texas or outside of Texas continue to receive FAPE at all times.

When a student who has been identified as eligible for Section 504 by a previous LEA transfers into the District, the student's Section 504 Committee shall convene within 10 school days after receipt of the previous Section 504 plan by the District. The student's Section 504 Committee will review the previous Section 504 plan and any supporting documentation received by the District. If, after reviewing the previous Section 504 plan and any supporting documentation provided, the Section 504 Committee determines that the plan is appropriate to provide the student FAPE, the District shall adopt and begin implementing the plan.

However, if the Section 504 Committee determines that an additional evaluation is necessary or that the Section 504 plan or supporting documentation is not sufficient to provide the student FAPE, or if the District does not receive the prior Section 504 plan, the District shall reevaluate the student and determine the appropriate educational program for the student. See [REEVALUATION]. The District must conduct the reevaluation without unreasonable delay. Campus Personnel should continue to implement the current Section 504 plan received from the previous LEA to the greatest extent possible in the interim. If there is no previous Section 504 plan received, Campus Personnel shall provide appropriate general education interventions to the greatest extent possible in the interim until an evaluation can be completed and eligibility confirmed.

Transmittal of Records

When a student with a disability eligible for services under Section 504 transfers into the District from another LEA, the Campus Registrar or other Campus Personnel will review all information provided by the parent and notify the Campus Section 504 Chairperson if any information, including parent information, report cards, or other enrollment records, indicate that the student received Section 504 services from the previous LEA. Campus Personnel and/or the Campus Section 504 Chairperson must then take reasonable steps to promptly obtain the student's education records, including the Section 504 plan, any evaluation information, and any other records relating to the provision of Section 504 services to the student. The previous LEA is responsible for providing such records promptly. Campus Personnel and/or the Campus Section 504 Chairperson are not required to obtain parental consent before requesting the student's education records if the records are requested for purposes related to the student's enrollment in the District.

When a student with a disability eligible for services under Section 504 transfers from the District to another LEA, Campus Personnel and/or the Campus Section 504 Chairperson must take reasonable steps to promptly respond to a request from the student's new school for the student's education records, including the Section 504 plan, any evaluation information, and any other records relating to the provision of Section 504 services to the student. Campus Personnel and/or the Campus Section 504 Chairperson should provide these records promptly upon request. Campus Personnel and/or the Campus Section 504 Chairperson are not required to obtain parental consent before providing the student's education records to the new school if the records are requested for purposes related to the student's enrollment in the new school.

For students transferring from the District to a new LEA in Texas, Campus Personnel and/or the Campus Section 504 Chairperson will send documentation through the Texas Record Exchange System (TREx). Any additional records may be mailed, faxed, emailed or hand delivered to the receiving school. However, the District must ensure that the method for sharing student records is done through a secure system to guarantee confidentiality.

Evidence of Implementation

- Communication with Previous LEA for Student Transferring into the District
- Communication with New LEA for Student Transferring out of the District
- Records on Texas Records Exchange System
- Records Received from Prior Schools
- Documentation of All Contacts to Prior School
- Documentation of All Contacts with Parent
- Timely Notice of Section 504 Meeting for Reevaluation
- Section 504 Plan

Resources

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

[Section 504 Technical Assistance – Texas Education Agency](#)

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

[Parent and Educator Resource Guide to Section 504 in Public Elementary and
Secondary Schools - U.S. Department of Education](#)

CITATIONS

Board Policy FB and Board Policy FL; 29 USC 794; 34 CFR 104.35