

**Idaho Department of
Juvenile Corrections
Education
Policy/Procedure**

NUMBER
504

REVISED

EFFECTIVE
09/18/23

REVIEWED
09/18/23

PAGES
3

SUBJECT: SECTION 504 ADMINISTRATION

CATEGORY: EDUCATIONAL SERVICES

Policy

It is the responsibility of the IDJC to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 (Section 504) are identified, evaluated, and provided with appropriate educational services. The purpose of this policy is to provide students who meet eligibility requirements for Section 504 of the Rehabilitation Act of 1973 with a 504 Plan while in Idaho Department of Juvenile Corrections (IDJC) custody.

It is therefore the policy of the IDJC that education staff are aware and uphold the requirements of Section 504 to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education. The IDJC will provide a “free and appropriate education” (FAPE) to each qualified student with a disability consisting of regular education, special education, related aids, and related services to meet the student’s individual education needs.

Operating Procedures

- I. Child Find
 - A. During the observations and assessment (O&A) process, each student is asked to complete the Education Intake Questionnaire (DJC-301) to determine the student’s educational history and needs.
 - B. The education program manager at each site reviews the information compiled from the O&A process to determine if the student should be evaluated for services under the Individuals with Disabilities Education Act (IDEA) or under Section 504.
 - C. The Education Technical Records Specialist requests education records in accordance with the current Idaho Special Education Manual.
 - D. Status of eligible students is updated in the IDJC student information system.
- II. 504 Process and Parent Notice

- A. The IDJC will offer a system of procedural safeguards. The safeguards will cover students' identification, evaluation, and educational placement. Procedural safeguards outlined in the Notice of Parent and Student Rights Under Section 504 (DJC-257) will be presented to parents before considering a student for services under Section 504 and at each annual meeting for a student covered by Section 504. .
- B. An initial evaluation will be conducted when the IDJC has reason to believe a student needs special education, related aids, or related services due to a disability, including when a student's behavior indicates that they may have a disability.
- C. Evaluations must be conducted by trained personnel and interpreted by a group of people, including the student's parents/guardians, whenever possible, who are knowledgeable about the student.
- D. The 504 Team will include: parents/guardians (whenever possible), education program manager, general education teacher, and other staff that can provide meaningful input regarding the student. The 504 Team is responsible for determining the services and supports necessary to be included on the 504 Plan. Section 504 Plans will be housed in the IDJC electronic education records system.
- E. A Section 504 Plan review meeting must be held annually, and generally within one year of the date of the eligibility determination meeting or last annual review meeting. When appropriate, an annual review may be completed without a meeting, with written consent from the parent/guardian.
- F. Students served under Section 504 will not be expelled, suspended for more than 10 days in a row, or suspended for an accumulative period of more than 10 days in one school year without first evaluating the student's behavior in relation to their disability through a manifest determination. If the Section 504 Team determines that the student's behavior **is** a manifestation of a disability, the school may not carry out discipline that will exclude the student. Rather, different, or additional, services may be added such as behavior supports and/or a change in educational setting. If the Section 504 Team determines that the student's behavior was **not** caused by the student's disability, school officials may discipline that student in the same manner in which they would discipline similarly-situated students without disabilities.
- G. Clarifications and or questions regarding Section 504 procedures are to be directed to the Education Program Director, Associate.

Local Operating Procedures

None

Reference: [Glossary of Terms and Acronyms](#)
[Section 504 of the Rehabilitation Act of 1973](#)

Desk Manual(s): *None*

Related Policies: [Special Education and Related Services \(517\)](#)

Related Forms: [Notice of Parent and Student Rights Under Section 504 \(DJC-257\)](#)