

2260.03 - SECTION 504

1 **Policy**

2
3 It is the policy of the School Board, as provided in Section 504 of the Rehabilitation Act of 1973 ("Section
4 504"), that no otherwise qualified individual with a disability shall, solely by his/her disability, be excluded
5 from participation in, be denied the benefits of, or be subjected to discrimination under any program or
6 activity offered by the Board. The Board shall provide a free and appropriate public education to each
7 student who is disabled within the definition of Section 504 regardless of the nature or severity of the
8 disability and to provide all reasonable accommodations and other applicable rights to both students and
9 employees as needed under Section 504.

10
11 School staff must consider whether to evaluate students for Section 504 eligibility when:

- 12
13 A. a parent requests a Section 504 eligibility evaluation, or Section 504 accommodation
14 plan;
15
16 B. a parent provides medical or psychological documentation of a condition that may
17 constitute a disability;
18
19 C. a student is evaluated and is found not to qualify for Exceptional Student Education
20 (ESE) services under the Individuals with Disabilities Education Act (IDEA);
21
22 D. expulsion is being considered for any student;
23
24 E. a student is dismissed from ESE with continuing need for accommodations.
25

26 School staff may consider whether to evaluate students for Section 504 eligibility when:

- 27
28 A. a student is referred to the school intervention team and it is determined that an
29 evaluation under IDEA is not appropriate;
30
31 B. a disability of any kind is suspected, including temporary injuries;
32
33 C. a student's discipline history is characterized by a pattern of multiple suspensions or
34 reassignments;
35
36 D. a student shows a pattern of not benefiting from the instruction being provided;
37
38 E. a student has a chronic health condition.
39

40 The procedures for Section 504 student eligibility determination are:

- 41
42 A. The school will maintain a plan to monitor Section 504 eligibility, and designate a
43 School Section 504 Coordinator (see below). A School Section 504 Committee
44 determines which evaluations are necessary and who will conduct them. It is
45 recommended that an interim case manager be appointed.
46
47 B. ~~A Section 504 Parent Consent for Evaluation Notice of Proposed Evaluation (PCS~~
48 ~~Form 2-2502) and Notice of Parent and Student Rights will be provided to the parent.~~
49
50 C. Section 504 evaluations will be conducted.
51
52 ~~D. The School Section 504 Committee will meet to review evaluations and determine~~
53 ~~Section 504 eligibility. The parent will be invited to the eligibility determination~~

1 | ~~meeting via the Section 504 Notice of Meeting Notice of Eligibility Determination~~
2 | ~~Meeting (PCS Form 2-2584). The school will schedule the meeting on a mutually~~
3 | ~~agreeable date and time, within reasonable limitations. If the parent is unable to~~
4 | ~~attend, the parent will be informed of the Committee's decision a conference will be~~
5 | ~~scheduled following the meeting.~~

6 |
7 | The School Section 504 Committee must be a multi-disciplinary team. A minimum of
8 | three (3) members must be present, with at least one (1) of the student's teachers,
9 | one (1) student services professional and either the principal or Section 504 school
10 | designee.

- 11 |
12 | E. The Evaluation/Reevaluation Summary and Eligibility Determination (PCS Form 2-
13 | 2503) will be completed. If the student's Section 504 disabling condition substantially
14 | limits a major life activity, a Section 504 school Accommodation Plan
15 | (PCS Form 2-2504) ~~may~~ will be developed and a case manager appointed. The
16 | parent will be provided with a copy of the Eligibility Determination form, Notice of
17 | Parent and Student Rights, and Section 504 Accommodation Plan, if one exists.
18 |
19 | F. Information will be entered into the ~~S~~student ~~I~~nformation ~~S~~ystem. All Section 504
20 | information will be filed in a blue folder.
21 |
22 | G. The Accommodation Plan will be reviewed at least annually and Section 504 eligibility
23 | reviewed at least every three (3) years.
24 |

25 | **District Section 504 Compliance Officer and School Section 504 Coordinators**

26 |
27 | The following individuals are the District-wide Section 504 Compliance Officers responsible for
28 | coordinating the District's efforts to comply with and fulfill its responsibilities under Section 504 and Title II
29 | of the Americans with Disabilities Act ("ADA"):

- 30 |
31 | A. K-12 Educational Section 504 Issues:
32 |
33 | Supervisor, Psychological Services
34 |
35 | 301 Fourth Street S.W.
36 |
37 | P.O. Box 2942
38 |
39 | Largo, FL 33779-2942
40 |
41 | (727) 588-6054424 (p)
42 |
43 | B. Post-secondary Educational and Employment Section 504 Issues:
44 |
45 | Director, Human Resources Assistant Superintendent, Office of Equal Opportunities
46 |
47 | 301 Fourth Street S.W.
48 |
49 | P.O. Box 2942
50 |
51 | Largo, FL 33779-2942
52 |
53 | (727) 588-6368498 (p)

1 Each school or other District work site will have a Section 504 Coordinator. The Section 504 Coordinator
2 shall be the principal or other lead administrator of the work site, or their designee. The Section 504
3 Coordinators shall consult with the appropriate Compliance Officer as needed.

4 5 **Section 504 Eligibility Criteria**

6
7 Students with qualifying physical or mental impairments that substantially limits one (1) or more major life
8 activities, as those terms are defined and interpreted by law, qualify for Section 504 eligibility. When
9 determining eligibility, the School Section 504 Committee will utilize all data gathered in the evaluation
10 process and other data provided by the parent.

11
12 ~~Section 504 eligibility under medical conditions is not limited to the above list.~~

13 14 **Section 504 Grievance Procedure**

15
16 A. If a parent disagrees with the actions of the school's Section 504 Committee in regard
17 to the child's educational program, the parent may pursue a grievance using the
18 procedure described below. The purpose of this procedure is to secure, at the level
19 closest to the student, fair solutions to complaints that may arise from time to time.
20 Before invoking this formal grievance procedure, the parent should first informally talk
21 to the teacher outside of regular class time (if the matter is classroom related), or the
22 principal or designee (if the matter is not classroom related or the parent does not feel
23 comfortable speaking with the teacher) in an attempt to informally solve the problem.
24 If this informal process does not resolve the issue, then the parent may proceed with
25 the following formal grievance procedure. The parent must follow each level in turn
26 and any complaints made to the Superintendent or Board will be referred back to the
27 appropriate level of the grievance procedure.

28
29 B. Level 1 – Principal: The parent submits a description of the problem in writing, along
30 with a proposed solution, to the Principal within five (5) school days after the informal
31 discussion. The student's parent must sign the grievance. The Principal will
32 investigate and decide how s/he will resolve the problem. The Principal will make
33 his/her decision in writing within five (5) school days after receiving the grievance, and
34 will provide it to the parent.

35
36 C. Level 2 — ~~Regional Area~~ Superintendent or Designee: The parent may request in
37 writing that the ~~Regional Area~~ Superintendent or designee review the decision. The
38 parent must request review within five (5) school days after receiving the Principal's
39 decision. The ~~Regional Area~~ Superintendent or designee will review the Principal's
40 decision and will decide whether to uphold the Principal's decision or to change it.
41 The ~~Regional Area~~ Superintendent or designee will make a decision in writing within
42 five (5) school days after receiving the request for review, and will provide it to the
43 parent. This is the final step of the grievance procedure. The next level of review is
44 the impartial hearing (see below).

45 46 **Impartial Hearing**

47
48 A parent or guardian of a child may request an impartial hearing on a complaint that the child, solely by
49 reason of his/her disability, has been excluded from participation in, been denied the benefits of, or been
50 subjected to discrimination under any of the District's educational programs or activities. The hearing will
51 be conducted by an independent hearing officer. The hearing officer will be appointed, at the election of
52 the Superintendent, either by the Florida Division of Administrative Hearings ("DOAH"), or by the parties
53 in the following manner: selected by the parties in the following manner. The District will offer to the
54 parent the names of three (3) independent persons to act as hearing officer. If the parent agrees to one
55 (1) of the persons offered, then this person shall be the hearing officer. If the parent rejects all names,
56 then the parents shall offer the names of three (3) independent persons to act as hearing officer. If the

1 District agrees to one (1) of the persons offered, then this person shall be the hearing officer. If the
2 District rejects all names, then the District and parent shall each select one (1) person who will then
3 contact one another to agree upon a third person to act as hearing officer. The hearing shall be
4 conducted under the same rules of procedure and evidence as a hearing under F.S. Chapter 120,
5 including the Uniform Rules of Procedures. The hearing officer shall issue a recommended order
6 containing findings of fact, conclusions of law, and a recommended ruling on the dispute, and shall direct
7 the recommended order to the School Board as agency head for final agency action. The School Board
8 shall consider the recommended order in accordance with the procedures contained in section 120.57(l),
9 F.S., and shall issue a final order~~have the power to issue a binding order~~ relating to requested relief other
10 than monetary damages and attorney's fees, which must be sought by the party seeking such in Federal
11 court. Appeals of the final order instituted by either party ~~hearing officer's decision~~ shall be in Federal
12 court.

13 **Discipline: Suspension and Expulsion**

14 A. ~~Introduction: When an Section 504 Accommodation Plan is developed, student~~
15 ~~behavior issues will be discussed by the Committee, as appropriate, and whether~~
16 ~~disciplinary consequences should be modified will be discussed and it will be decided~~
17 ~~whether the disciplinary procedures outlined in the Code of Student Conduct and the~~
18 ~~School Discipline Plan are appropriate for use with the child.~~

19 B. Suspension: Whenever a student with a disability under Section 504 is recommended
20 for suspension, the building administrator should consider whether the behavior
21 exhibited by the student is a manifestation of the disability under Section 504.
22 Schools are strongly encouraged to pursue alternatives to out-of-school suspension
23 for behaviors that may be related to a student's ~~are a manifestation of the~~ disability
24 under Section 504; however, out-of-school suspension may be used if the principal
25 determines it is appropriate. A student may only be suspended for more than 10 days
26 in a school year if the Section 504 Committee conducts a manifestation determination
27 meeting and determines that the behavior is not a manifestation of the student's
28 disability.

29
30 ~~When a student with a disability under Section 504 reaches a cumulative total of eight~~
31 ~~(8) suspension days within one (1) school year, a formal Section 504 Accommodation~~
32 ~~Review meeting as described below is required:~~

33
34 1. ~~The building administrator will schedule the Section 504 Accommodation Review~~
35 ~~meeting. The parent must be notified and invited to attend the meeting.~~

36
37 2. ~~The minimum membership for a review meeting consists of:~~

38
39 a. ~~a building administrator;~~

40
41 b. ~~a teacher who has worked with the student;~~

42
43 c. ~~representative from student services (psychologist, social worker or guidance~~
44 ~~counselor).~~

45
46 3. The committee will review the student's Section 504 Accommodation Plan and
47 amend, where appropriate.

48 C. Expulsion: Section 504 Eligible Student. When a student with a disability under
49 Section 504 is recommended for expulsion, the school Section 504 Committee for the
50 student will conduct a Manifestation Determination ~~Review~~ meeting. If the finding of
51 that meeting is that the behavior is a manifestation of the student's disability under
52 Section 504, the student will not be recommended for expulsion but may be

1 | considered for reassignment by the Area Superintendent~~Director of School~~
2 | ~~Operations~~. If the behavior is not a manifestation, then the normal expulsion
3 | procedures apply. If the behavior is a manifestation, then no expulsion will be
4 | recommended. Students awaiting expulsion hearing may be offered educational
5 | services if the period out-of-school exceeds ten (10) days.
6 |
7 |
8 |

9 | F.S. 1001.32(2), 1001.41, 1001.42, 1001.42(20), 1003.02(2), 1003.43

10 | 29 U.S.C. 794

11 | 34 C.F.R. Part 104

12 |
13 | Adopted 12/9/09; Revised 6/29/10, / /12

8330 – STUDENT RECORDS

1 The rights of students and their parents with respect to education records created, maintained, or used by
2 the District must be protected in accordance with the requirements of the Family Educational Rights and
3 Privacy Act (FERPA). These rights include:

- 4
- 5 A. The right to inspect and review education records;
 - 6
 - 7 B. The right to seek amendments of the student's education records that are inaccurate, misleading,
8 or otherwise in violation of the student's privacy rights;
 - 9
 - 10 C. The right to consent to disclosure of personally identifiable information contained in the student's
11 education records; and
 - 12
 - 13 D. The right to file a complaint concerning alleged failures to comply with the requirements of
14 FERPA

15 | The [Student Education Records Manual](#), adopted July 27, 2010, and amended July 24, 2012, which is
16 incorporated herein by reference, establishes additional guidelines to implement the statutes, regulations,
17 and policies pertaining to education records and the rights of students and parents with respect to those
18 records

19

20 F.S. 1002.22, 1002.221, 1002.225
21 20 U.S.C. Section 1232f through 1232i (FERPA)

22

23 Adopted 12/9/09; Revised 7/27/10

From pg. 10 of the *Student Education Records Manual*

II. DEFINITIONS

O. Guardian

A guardian is a person lawfully invested with the power and responsibility of taking care of, and managing the property and rights of, a student. **For purposes of enrollment**, acceptable proof of guardianship consists of certified, dated court documents awarding guardianship. ~~For information on exceptions to this, contact your director of School Operations.~~

From pg. 23 of the *Student Education Records Manual*

IX. RESPONDING TO A SUBPOENA OR JUDICIAL ORDER

The District is responsible for responding to a subpoena or court order for education records. Only the records specifically mentioned in the order or subpoena will be released. An order or subpoena for any and all education records includes the student's health record, attendance record, transcript of grades, discipline record and all other pertinent information pertaining to the student. In cases where information is developed or summarized from any of the contents of a student's educational record, a copy of that

information and a statement of the purpose for which it was intended must be included in the cumulative folder.

If you are served with a judicial order or subpoena for education records, or receive a judicial order or subpoena by mail, email, or fax, immediately contact the paralegal in the Office of General Counsel for assistance in properly responding to the subpoena. The telephone number is 588-6219 review the procedures located on the Records Management pages on the district Intranet. Contact the Supervisor of Records Management if you have additional questions.

From pg. 34 of the *Student Education Records Manual*

XX. TRANSFER OF STUDENT CUMULATIVE RECORDS

It is not necessary to obtain permission from the eligible student or parent before responding to a request for records from the officials of a school in which the student is enrolled or seeks to enroll. The request is considered evidence of the parent's permission.

Other requests for transfer of education records must be authorized in writing by the parent, guardian, or ~~adult~~ eligible student. File the signed release form in the student's cumulative folder at the school.

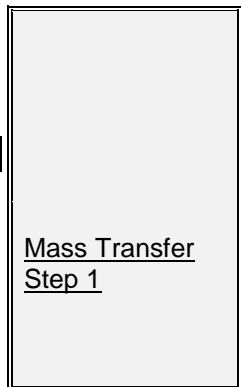
From pg. 36 of the *Student Education Records Manual*

D. Mass Transfer of Education Records

HOME LANGUAGE SURVEY - If more than one completed form is in the cumulative folder, only the ~~newest~~ original one should be kept.

From pg. 37 of the *Student Education Records Manual*

GOOD CAUSE PORTFOLIO – Leave only the data cover page and documentation of promotion or retention. The remainder of the portfolio is purged. Not all students are expected to have this paperwork.



MASS TRANSFER PROCEDURES
~~(for elementary schools only)~~

Separate the records according to the schools to which the students will be transferring. Using a separate **List of Transferring Students** (PCS Form 3-2118) for each receiving school, list the students transferring to that school in alphabetical order.

From pg. 42 of the *Student Education Records Manual*

XXI. RECORDS LOCATIONS

KIND OF RECORD	LOCATION	CONTACT PERSON
Teacher-based: Materials used by the teacher who works with the student	In the school center where the student is enrolled	Principal or designee of the school or center where the student is enrolled
Active Education Records: Contains Category A and Category B information as detailed in records policy.	In the school or center where the student is enrolled	Principal or designee of the school or center where the student is enrolled
Central Files: Contains information and materials about students who are served by the Student Services Department and/or the Exceptional Student Education Department. May include correspondence and reports from agencies and private professionals.	Bernice Johnson Center County Road 193 Clearwater 33759	Supervisor, Records Management
Inactive Education Records, Hard Copy: Inactive cumulative folder records that have been transferred to Central Records for storage or microfilming.	Bernice Johnson Center County Road 193 Clearwater 33759	Records Retention Coordinator, Central Records
Inactive Education Records, Electronic: <u>Inactive Category A and B information maintained on legacy systems.</u>	Pinellas County Schools Administration Building 301 4 th Street SW Largo, 33770	Assistant Superintendent, Management Information Systems
Defunct Private School Education Records: Records from a Pinellas County private school that has closed and turned over its education records to the school district.	Bernice Johnson Center County Road 193 Clearwater 33759	Records Retention Coordinator, Central Records
Microfilmed Records: Inactive records that have been filmed and stored.	Bernice Johnson Center County Road 193 Clearwater 33759	Records Retention Coordinator, Central Records

From pg. 43 of the *Student Education Records Manual*

XXV. RELATED INFORMATION SOURCES

For related information see ~~*A Guide to Managing Schools*~~ Records Management pages and ~~*The Policy Manual of the School Board of Pinellas County.*~~ These resources are available located on the district Intranet.

MEMBERSHIP

1 0149.4

Public Communication to the Board

2
3 ~~With the exception of e-mail or mail containing confidential student or employee~~
4 ~~information, all e-mail or mail received in the School Board office may be subject to a~~
5 ~~public records request. Like all other documents received or produced by a public entity,~~
6 ~~Board e-mail or mail may be subject to a public records requests. Unless the General~~
7 ~~Counsel's office states otherwise, all E-mail or mail received in the Board office is shall~~
8 ~~be forwarded to each of the seven (7) Board members, placed in a press folder for review~~
9 ~~and retained by the Board office as provided in State statute; provided, however that-~~
10 ~~E-mail or mail raising concerns about employee or student conduct will be withheld from~~
11 ~~the Board members pending a determination by the Superintendent whether forwarded to~~
12 ~~the General Counsel's office to determine if an investigation leading to a recommendation~~
13 ~~for discipline of the employee or expulsion of the student is pending or, if not pending,~~
14 ~~whether such investigation is warranted. If so, the e-mail or mail will not be forwarded to~~
15 ~~the Board members because the Board members they may have to take action sitting in~~
16 ~~their quasi-judicial role at the conclusion of any hearing resulting from the~~
17 ~~recommendation. The original e-mail or mail will not be provided to the Board~~
18 ~~members until after the investigation has concluded, or until after disciplinary or expulsion~~
19 ~~proceedings have concluded, whichever last occurs. If it is review by the General~~
20 ~~Counsel's office determined that no investigation is warranted, the e-mail or mail will be~~
21 ~~forwarded to the Board members immediately.~~

6320 - PURCHASING AND BIDDING

1 **GENERAL PURCHASING RULES**

2
3 This policy shall govern purchases of commodities and contractual services. Contractual services shall
4 include construction projects, which terms shall be deemed to include a single contract or group of
5 contracts with the same provider which is directly connected in terms of time, location, or services such
6 that a reasonable person would consider the services to be provided as a single project.

7
8 District purchasing practices and procedures shall be governed by State Board Rule F.A.C. 6A-1.012.

9
10 The "[Purchasing Handbook: The Key to Best Purchasing Practices, Part A, General Bid Terms &](#)
11 [Conditions 2003 Edition](#)" as amended December 8, 1998, February 25, 2003, April 10, 2007, December
12 8, 2009, and March 20, 2012, and July 24, 2012 is hereby adopted by the School Board as a rule and is
13 incorporated in this policy by reference.

14
15
16
17 **Page A-6 of the *Purchasing Handbook: The Key to Best Purchasing Practices, Part A, General Bid***
18 ***Terms & Conditions 2003 Edition***

19
20 ~~**44. INSURANCE AND INDEMNIFICATION/HOLD HARMLESS AGREEMENT:** The bidder agrees to~~
21 ~~indemnify and save harmless the Board, its officers, agents and employees, from and against any and all~~
22 ~~claims and liabilities of any nature or kind, including attorneys' fees and costs, which arise out of or relate~~
23 ~~in whole or in part to any act or omission on the part of the bidder, its agents, employees, or~~
24 ~~representatives, or to any bidder furnished goods or services, except to the extent that such claim or~~
25 ~~liability is attributable solely and directly to the negligence of the Board. Awarded bidders/bidders shall, in~~
26 ~~addition to any other obligation to indemnify The School Board of Pinellas County, Florida, and to the~~
27 ~~fullest extent permitted by law, protect, defend, indemnify and hold harmless the Board, its agents,~~
28 ~~officers, elected officials and employees from and against all claims, actions, liabilities, losses (including~~
29 ~~economic losses), costs arising out of any actual or alleged:~~

- 30
31 1. bodily injury, sickness, disease or death, or injury to or destruction of tangible property
32 including the loss of use resulting therefrom, or any other damage or loss arising out of, or
33 claimed to have resulted in whole or in part from any actual or alleged act or omission of
34 the contractor, subcontractor, anyone directly or indirectly employed by any of them, of
35 anyone for whose acts any of them may be liable in the performance of the work; or
36 2. violation of law, statute, ordinance, governmental administrative order, rule or regulation by
37 contractor in the performance of the work; or
38 3. liens, claims or actions made by the contractor or any subcontractor or other party
39 performing the work.

40
41 The indemnification obligations hereunder shall not be affected by any limitation on the amount, type of
42 damages, compensation or benefits payable by or for the contractor of any subcontractor under workers'
43 compensation acts; disability benefit acts, other employee benefit acts or any statutory bar. The bidder
44 will carry comprehensive general liability insurance, including contractual and product liability coverage,
45 with minimum limits acceptable to the Board, and will, at the request of the Board, supply certificates
46 evidencing such coverage.

47
48 This article will survive the termination of the Contract.