



FFA Elementary School
170 Lukens Dr.
New Castle, DE 19720
Principal: Mrs. Rachel Valentin

FFA Middle School
1101 Delaware Street
New Castle, DE 19720
Principal: Dr. LaRetha Odumosu

Strive for Excellence

**MEMORANDUM TO ALL ADMINISTRATORS, SCHOOL NURSE, GUIDANCE
COUNSELOR AND SPECIAL EDUCATION STAFF**

To: All Administrators, School Nurse, Guidance Counselor and Special Education Staff
Date: February 3, 2015
From: Ms. Novosel - Director of Curriculum Elementary School
Ms. Connor - Director of Curriculum Middle School
Subject: Obligations under Section 504

This memo is to expressly state the following regarding FFA's evaluation obligations to students under Section obligations:

1. Under Section 504, it is not the responsibility of a student's parent or guardian to provide supporting documentation or paperwork regarding the existence of a disability or establishing the need for services under Section 504.
2. Under Section 504, it is FFA's obligation to conduct an evaluation of any student who, because of their disability, needs or is believed to need special education or related services before taking any action with respect to the initial placement of the person in regular or special education and any subsequent significant change in placement.
3. In the event that a parent or guardian provides a medical evaluation and/or other outside evaluation, the outside evaluation provided by the parent shall be accepted and considered as part of FFA's evaluation process to determine whether a student needs or is believed to need special education or related services.
4. FFA cannot require a parent or guardian to provide a medical diagnosis and/or outside evaluation, including a medical evaluation, as a prerequisite to evaluating and/or identifying a Student as eligible for services under Section 504 and implementing a Section 504 Plan.
5. FFA cannot delay or deny any evaluation pending the provision of a medical diagnosis and/or outside evaluation, including a medical evaluation, by a parent or guardian.
6. In order to ensure that FFA's evaluations comply with FFA's obligations under Section 504, in order to determine whether a student is in need of special education or related services, all evaluations conducted by FFA shall be comprised of the following:
 - i. Tests or other evaluation materials have been validated for the specific purpose for which they used and are administered by trained personnel in conformance with the instructions provided by their producer;
 - ii. Tests or other evaluation materials include those tailored to access specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and
 - iii. Tests are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other relevant factor that test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

Please adhere to these obligations as outlined above. Should you have any questions, please do not hesitate to contact me directly.