Don't Condition 504 Evaluations on Completion of Response to Intervention (RTI)

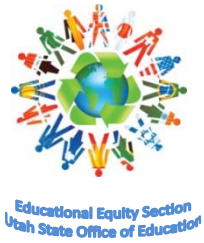
- **Err on the side of caution: Be responsive to parent requests to evaluate and carefully document. Ensure that your district's RTI practices do no conflict with Section 504.**

1. **Know when it is appropriate to evaluate -**
   - Ensure staff members know when they absolutely would not try RTI
     Example: A student with unilateral hearing loss will not have better hearing no matter what RTI intervention you may try.

2. **Shine a light on key federal guidance –**
   - OSEP, stated districts ***must not deny referrals*** or ***delay initial evaluations*** for students suspected of having disability on the basis that the district is using an RTI approach.

3. **Collect data under RTI even as you meet evaluation timelines –**
   - School staff may use the RTI process to monitor progress and collect data during the 60-day evaluation timeline.
   - Section 504 uses the same 60 day timeframe.
   - If you suspect that a student's impairment substantially limits a major life activity, such as learning, concentrating, or reading, move forward with the evaluation, while you continue to collect data under the RTI model.

4. **Carefully handle evaluation requests if a student is progressing under RTI.**
   - If a parent requests an evaluation during the RTI progress, remind the parent that your data indicates that their child is showing steady improvement and progress, that you would like to continue doing interventions and an evaluation is not appropriate at this time.
   - If parent(s) insists on an evaluation, best practice would include moving forward with the evaluation.



Adapted and condensed from: Sec. 504 Compliance Advisor, June 2011