

Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973

It is the intent of the district 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. Students may be a qualified disabled person under this law even though they are not eligible for services pursuant to the Individuals with Disabilities Education Act.

Section 504 is a civil rights law which protects the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education. A child is a "qualified disabled person" under Section 504 if he or she:

- A. Has a physical or mental impairment that substantially limits one or more major life activities (such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, reading, concentrating, thinking, communicating and working), has a record of such an impairment, or is regarded as having such an impairment; and
- B. Is between the ages of 3 to 21 years old.

The superintendent or designee will establish procedures to ensure that students who are disabled within the definition of Section 504 are educated in full compliance with the law.

The district will comply with the federal policies that require free appropriate public education, childfind, equal educational opportunity, confidentiality of information, parent involvement, participation in least restrictive environment, evaluations, placement, reevaluation, programming to meet individual needs, placement procedures, nonacademic services, preschool and adult education programs, disciplinary exclusion, transportation, procedural requirements, appropriate funding, accessibility, special issues related to drug or alcohol addicted students, special considerations for students with AIDS or HIV infection, and special issues related to students with ADD/ADHD.

The district will ensure that students with disabilities, including those eligible for special education and related services, will be treated the same as non-disabled students with respect to the length of the school day.

Students with disabilities who receive specialized transportation will not arrive to school later or leave school earlier than provided for by the district's general education program, unless such need is individually necessary and documented in a student's IEP or Section 504 plan.

The superintendent will establish procedures to ensure that students who are disabled within the definition of Section 504 are educated in full compliance with the law.

Cross Reference:	Board Policy 2161	Education of Students with Disabilities
	Board Policy 3210	Nondiscrimination
Legal References:	42 U.S.C. 12212	Section 512 Americans With Disabilities Act of 1990
	34 C.F.R. Part 104	Section 504 of the Rehabilitation Act of 1973
	45 C.F.R. Part 99	Family Education and Privacy Act

Adoption Date: 07.30.18

Mabton School District

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