# RICHFIELD PUBLIC SCHOOLS

# STUDENT DISABILITY NONDISCRIMINATION

## I. PURPOSE

The purpose of this policy is to protect students with disabilities from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973, need special services, accommodations, or programs in order that such learners may receive a free appropriate public education.

## II. GENERAL STATEMENT OF POLICY

A. Richfield Public Schools provides equal educational opportunity to all qualified individuals. The Board of Education is committed to identifying and evaluating qualified individuals within the intent of Section 504 in the District who may need services, accommodations, or programs in order that such individuals may receive equal educational opportunity.

B. It is the responsibility of the school district to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973, need special services, accommodations, or programs in order that such learners may receive a free appropriate public education.

C. A qualified individual may be eligible for Section 504 services, accommodations or programs even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act (IDEA).

## III. DEFINITIONS

A. For this policy, the term “qualified individuals” means a student who:
   1. has a physical or mental impairment that substantially limits one or more major life activity, including learning; or
   2. has a record of such impairment; or
   3. is regarded as having such impairment, and
   4. who is of the age for which persons without disabilities are provided educational services or
   5. who is of an age for which it is mandatory under state law to provide such services to individuals with disabilities; or
   6. who is required to receive a free appropriate public education under the Individuals with Disabilities Education Act (IDEA or Special Education).

B. For this policy, the term "Section 504" means Section 504 of the Rehabilitation Act of 1973, codified at 29 United States Code 794.

## IV. Section 504 COORDINATOR

A. The superintendent shall appoint a District 504 Coordinator.

B. The principal or site administrator of each school shall appoint a Building 504 Coordinator for their school or program.

C. The Building 504 Coordinator will be responsible for appropriate distribution of materials to staff and parents, along with training staff as appropriate.

## IV. RESPONSIBILITIES

a. The superintendent is responsible for appointing the District 504 Coordinator.
b. The superintendent may adopt regulations deemed necessary to implement this policy.
c. The superintendent shall develop a grievance procedure that complies with the requirements of Section 504.
d. The District 504 Coordinator is responsible for the general oversight of identification and evaluation of qualified individuals, training on compliance with Section 504 and implementation of the district's grievance procedure for Section 504 services, accommodations or programming
e. The Building 504 Coordinator is responsible for compliance with Section 504, this policy and District regulations within his or her school or program.
f. Each teacher and staff person is responsible for the implementation of accommodations and services for qualified individuals in their school or program appropriate to their job description.

Persons who have questions or comments should contact the Executive Director of Special Programs, 7001 Harriet Ave, Richfield, MN, (612-798-6041). This is the school district's Americans with Disabilities Act/Section 504 coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may use the accompanying Student Disability Discrimination Grievance Report Form. The form should be given to the ADA/Section 504 coordinator at the district office.

***Legal References:*** Pub. L. 110-325, 122 Stat. 3553 (ADA Amendments Act of 2008, § 7)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

***Cross References:*** MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

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