

NOTICE OF NONDISCRIMINATION AND OBLIGATIONS UNDER SECTION 504 and TITLE II of the ADA

The Elida Local School District does not discriminate on the basis of disability in its programs and activities. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Gwen Johns, Section 504 Coordinator,
Special Education Officer
401 E. North St., Elida, OH 45807
419-338-6801
Gjohns@elida.k12.oh.us

Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act both offer protections from discrimination to persons with disabilities. The District looks to the law or regulation that offers greater or more specific detail of protections when determining its responsibilities in meeting the needs of students with disabilities.

Child Find and Evaluations

Annually the District will undertake to identify and locate every qualified person with a disability residing in the District who is not receiving a public education, and notify the person and their parents or guardians of the District's duties and responsibilities under Section 504. The District has an obligation to evaluate students who, because of a disability, need or are believed to need special education or related services. Referrals may be made by anyone (e.g., parents, teachers, or other knowledgeable professionals).

Eligibility Determinations

A student is disabled within the meaning of Section 504 if he or she has a physical or mental impairment that substantially limits one or more major life activities. The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures. Parents will be afforded the opportunity to meaningfully participate and provide input in the evaluation process. Eligibility is determined by a group of people knowledgeable about the student, the evaluation data, and the placement options available within the District.

Placement and a Free Appropriate Public Education

If a student is identified as disabled pursuant to Section 504, and the student's team determines the student requires special education and/or related services in order to receive FAPE and to access the District's programs and activities on an equal basis to students without disabilities, the team will develop and complete the Section 504 Plan. The District further will provide a free appropriate public education, including the provision of regular or special education and related aides and services that are designed to meet the individual educational needs of students with disabilities as adequately as the needs of non-disabled students are met. This includes providing academic and non-academic services to students with disabilities in the same setting as their non-disabled peers to the maximum extent appropriate.

Re-evaluations

Re-evaluations are not required at specific intervals; however, assessments will be updated so that eligibility and educational planning is based on information that accurately defines the student's disability and reflects the student's current strengths and needs. At least every three (3) years appropriate school staff should determine whether updated evaluations are needed. A re-evaluation will be completed prior to a significant change in placement. Consistent with initial evaluations, parents will be afforded the opportunity to meaningfully participate and provide input in the re-evaluation process.

Procedural Safeguards, Grievance Procedures and Communication

Parents will be given a copy of the Notice of Section 504/ADA Procedural Information Rights for all determinations regarding identification, evaluation or placement of their child. The parents may challenge the actions of the team regarding identification, evaluation or placement of their child by filing a request for an impartial due process hearing. Alternatively, the parents may file an internal complaint or grievance. A parent does not need to first exhaust the internal complaint process in order to file a request for a due process hearing. The parents may also file a complaint with the Office for Civil Rights. Parents or staff members who have questions or concerns regarding Section 504 are encouraged to contact Gwen Johns, Special Education Officer for more information.

Communication

Under Title II, the District has an obligation to ensure that communications with persons with disabilities are as effective as communications with others. This includes furnishing appropriate auxiliary aids and services where necessary to afford qualified individuals with disabilities an equal opportunity to participate in, and enjoy the benefits of, a District service, program or activity.

For more information on Section 504 or the ADA, please see administrative guideline 2260.01A.