

INSTRUCTION

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 are identified, evaluated, and provided with appropriate educational services. Students may be disabled under this policy even though they do not require services pursuant to the Individuals with Disabilities Education Act (IDEA).

Section 504 of the Rehabilitation Act of 1973 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 (1) has a physical or mental impairment that substantially limits one or more major life activities (such as caring for one's self, 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 (2) is between the ages of 3 to 21 years old.

34 CFR § 104.3

The district will comply with the federal requirements regarding: Free appropriate public education:

- A. Child find;
- B. Equal educational opportunity;
- C. Confidentiality of information;
- D. Parent involvement;
- E. Participation in least restrictive environment;
- F. Evaluations;
- G. Placement;
- H. Reevaluation;
- I. Programming to meet individual needs;
- J. 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 having AIDS or HIV infection, and special issues related to ADD/ADHD students.

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.

Legal Reference	<u>42 USC 12212</u>	Titles I and V of the Americans with Disabilities Act of 1990 (ADA)
	<u>34 CFR Part 104</u>	Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial

34 CFR Part 99
RCW [28A.155](#)
WAC [392-172A](#)

Assistance
Family Educational Rights and Privacy
Special Education
Provision of Special Education Services

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Amended: May 2008
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