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 are not eligible for 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:

A. 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

B. Is between the ages of 3 to 21 years old.

The district will comply with the federal policies that require free appropriate public education, Child Find, 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 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.

Cross References:
- 3247 – Required Notification of Isolation or Restraint of Students with IEPs or Section 504 Plans
- 3210 – Nondiscrimination
- 2161 – Special Education and Related Services for Eligible Students

Legal References:
- 42 USC 12212 Section 512 Americans With Disabilities Act of 1990
- 34 CFR Part 104 Section 504 of the Rehabilitation Act of 1973
- 45 CFR Part 99 Family Education and Privacy Act
- RCW 28A.600.485 Restraint of students with individualized education programs or plans developed under section 504 of the rehabilitation act of 1973 – Procedures – Definitions.
- RCW 28A.600.486 District policy on the use of isolation and restraint – Notice to parents and guardians of children who have individualized education programs or plans developed under section 504 of the rehabilitation act of 1973.

Management Resources:
- 2014 – June Issue
- 2011 – June Issue

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