

SALEM SCHOOL DISTRICT
Salem, Connecticut

BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

COMPLIANCE WITH SECTION 504

SECTION 504 GUIDELINES

These guidelines shall be used to ensure that the Board's policies on non-discrimination are implemented properly and in compliance with federal and state laws and regulations, particularly Part 104 of Section 504 of 34 CFR. A copy of Part 104 is available in the Superintendent's office.

Notice of the Board's policies on nondiscrimination in employment and education practices shall be posted throughout the district and published in any district statement regarding the availability of employment positions or special education services.

When referred to in policy and in these and other administrative guidelines, "person with disabilities" shall mean any person who meets the following criteria established by federal law:

- A. has a physical or mental impairment which substantially limits one or more major life activities;
- B. has a record of such impairment; and
- C. is regarded as having such an impairment.

Employment

Recruiting and Hiring: No candidate for employment shall be required to answer a question regarding a disability and no such candidate will be discriminated against on the basis of a disability that is not directly related to the essential function of the position for which she/he has applied. However, this provision does not constrain the need to ensure that an applicant is not afflicted with a currently-contagious disease or infection which would constitute a direct threat to staff and students nor to determining if an applicant is an alcoholic or abuser of drugs.

Reasonable Accommodation: It is essential that no discrimination occur in employment, promotion, assignment, or transfer because of a disability. If the person has all of the qualifications required to properly fulfill the job responsibilities, then reasonable efforts must be made to modify the work environment or working conditions to accommodate a particular disability, providing such accommodation does not seriously diminish the quality of programs or services provided by the district.

Each job description should be carefully analyzed to:

- A. identify any environmental factors that could create a barrier for a person with disabilities;
- B. ensure that all essential physical, mental, and intellectual qualifications have been defined and justified; and
- C. identify what types of disabilities would disqualify a person from adequately fulfilling the job responsibilities.

Education

Facilities: The educational program of this district shall be equally accessible to all students at each grade level. All programs need to be designed and scheduled so the location or nature of the facility or area will not deny a student with disabilities the opportunity to participate on the same basis as a non-disabled student. This includes not only academic programs but all extracurricular programs, including athletics.

Program

Screening/Placement: Any student whose current physical, mental, or psychological condition would qualify his/her as disabled under Section 504 but not by special education criteria should be referred to the District 504 Coordinator and be evaluated and placed in accordance with the procedures described in Sub-Part 104.35/36 of the Act.

Instruction: If the least-restrictive-environment placement of the student is the regular classroom, the principal should work with the teacher(s) involved to make sure that she/he (each):

- A. recognizes the requirements of the law and the relationship between the evaluation of the student and his/her instruction.
- B. has made appropriate accommodation in the instructional program and/or classroom environment to make it possible for the student to accomplish the educational objectives of his/her program. Such accommodations could include but not be limited to:
 - 1. preparation of alternate lesson plans;
 - 2. modification of schedules;
 - 3. rearrangement of the students;
 - 4. reorganization of the classroom;
 - 5. guidance of the student on appropriate behaviors;
 - 6. frequency and type of communication with parents;
 - 7. alternate methods of instruction.
- C. understands the needs of the students that need to be met through appropriate instruction.

Evaluation/Change in Placement

Each student is to be evaluated periodically in accordance with the guidelines in Section 104.35. No student's placement may be changed for any reason, including disciplinary actions, without conducting a re-evaluation.

Complaints

All complaints should be handled in accordance with the grievance procedures listed in #0521p – Equal Educational Opportunity.

(cf. 0521 – Nondiscrimination)
(cf. 5145.4 – Equal Educational Opportunities)

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