

Instruction

Education of Students with Disabilities Under Section 504 Compliance of the Rehabilitation Act

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 a qualified disabled person under this policy even though they are not eligible for services pursuant to the Individuals with Disabilities Education Act (IDEA).

The District will provide equal educational opportunity and treatment for all students in all aspects of the academic and activities program without discrimination based on sex, race, creed, religion, color, age, veteran or military status, sexual orientation, gender expression or identity, the presence of any sensory, mental or physical disability, or the use of a trained dog guide or service animal by a person with a disability, and national origin in activities supported by common schools, and which require equal access to any youth groups listed as a patriotic society in Title 36 of the United States Code.

Section 504 of the Rehabilitation Act of 1973 is a civil rights law which protects the rights of the individuals with disabilities in programs and activities that receive federal financial assistance from U.S. Department of Education. A child is a “qualified disabled person” under Section 504 if the student:

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 3-21 years old.

The Superintendent or designee 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:	Policy 2161	Special Education and Related Services for Eligible Students
	Policy 3210	Nondiscrimination
	Policy 3246	Restraining, Isolation and Other Uses of Reasonable Force

Legal References: 42 USC 12101 et seq. Americans with Disabilities Act of 1990
34 CFR Part 104 Section 504 of the Rehabilitation Act of 1973
34 CFR Part 104 Section 504 of the Rehabilitation Act of 1973
34 CFR Part 99 Family Educational Rights and Privacy Act
RCW 28A.600.485 Restraint of students – Use of restraint or isolation specified in individualized education program or plans developed under Section 504 of the Rehabilitation Act of 1973 – Procedures – Summary of incidents of isolation or restraint – Publishing to web site

Classification: Essential

Adopted: August 27, 2003
Revised: January 13, 2021