

3 **RICHFIELD PUBLIC SCHOOLS**

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5 **STUDENT DISABILITY NONDISCRIMINATION**

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8 **I. PURPOSE**

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10 The purpose of this policy is to protect students with disabilities from discrimination
11 on the basis of disability and to identify and evaluate learners who, within the intent
12 of Section 504 of the Rehabilitation Act of 1973, need special services,
13 accommodations, or programs in order that such learners may receive a free
14 appropriate public education.
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16 **II. GENERAL STATEMENT OF POLICY**

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18 A. Richfield Public Schools provides equal educational opportunity to all
19 qualified individuals. The board of education is committed to identifying and
20 evaluating qualified individuals within the intent of Section 504 in the District
21 who may need services, accommodations, or programs in order that such
22 individuals may receive equal educational opportunity.
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24 B. It is the responsibility of the school district to identify and evaluate learners
25 who, within the intent of Section 504 of the Rehabilitation Act of 1973, need
26 special services, accommodations, or programs in order that such learners
27 may receive a free appropriate public education.
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29 C. A qualified individual may be eligible for Section 504 services,
30 accommodations or programs even though they are not eligible for special
31 education pursuant to the Individuals with Disabilities Education Act (IDEA).
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33 **III. DEFINITIONS**

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35 A. For this policy, the term “qualified individuals” means a student who:

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37 1. has a physical or mental impairment that substantially limits one or more
38 major life activity, including learning; or
39 2. has a record of such impairment; or
40 3. is regarded as having such impairment; or
41 4. has an impairment that is episodic or in remission and would materially
42 limit a major life activity when active, and
43 5. who is of the age for which persons without disabilities are provided
44 educational services; or
45 6. who is of an age for which it is mandatory under state law to provide
46 such services to individuals with disabilities; or
47 7. who is required to receive a free appropriate public education under the
48 Individuals with Disabilities Education Act (IDEA or Special Education).
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50 B. For this policy, the term "Section 504" means Section 504 of the
51 Rehabilitation Act of 1973, codified at 29 United States Code 794.

52 **IV. SECTION 504 COORDINATOR**

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- 54 A. The superintendent shall appoint a District 504 Coordinator.
- 55 B. The principal or site administrator of each school shall appoint a Building 504
56 Coordinator for their school or program.
- 57 C. The Building 504 Coordinator will be responsible for appropriate distribution
58 of materials to staff and parents, along with training staff as appropriate.

59 **IV. RESPONSIBILITIES**

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- 61 A. The superintendent is responsible for appointing the District 504 Coordinator.
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- 63 B. The superintendent may adopt regulations deemed necessary to implement
64 this policy.
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- 66 C. The superintendent shall develop a grievance procedure that complies with
67 the requirements of Section 504.
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- 69 D. The District 504 Coordinator is responsible for the general oversight of
70 identification and evaluation of qualified individuals, training on compliance
71 with Section 504 and implementation of the district's grievance procedure for
72 Section 504 services, accommodations or programming.
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- 74 E. The Building 504 Coordinator is responsible for compliance with Section 504,
75 this policy and District regulations within his or her school or program.
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- 77 F. Each teacher and staff person is responsible for the implementation of
78 accommodations and services for qualified individuals in their school or
79 program appropriate to their job description.
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81 Persons who have questions or comments should contact the Executive Director
82 of Special Programs, 401 70th Street West, Richfield, MN, (612-798-6041). This is
83 the District's Americans with Disabilities Act/Section 504 Coordinator. Persons
84 who wish to make a complaint regarding a disability discrimination matter may use
85 the accompanying Student Disability Discrimination Grievance Report Form. The
86 form should be given to the ADA/Section 504 Coordinator at the District Office.

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88 **Legal References:**

- 89 Minn. Stat. § 363A.03, Subd. 12 (Definitions)
- 90 Pub. L. 110-325, 122 Stat. 3553 (ADA Amendments Act of 2008, § 7)
- 91 29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
- 92 42 U.S.C. Ch. 126 (Equal Opportunity for Individuals with Disabilities)
- 93 34 C.F.R. Part 104 (Section 504 Implementing Regulations)

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95 **Cross References:**

96 Board Policy 102: Equal Educational Opportunity

97 Board Policy 403: Disability Nondiscrimination

98 Board Policy 608: Education of Students with Disabilities

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