



SPECIAL POPULATION SERVICES  
4901 S. Bryant Ave, Oklahoma City, OK 73129  
405-595-2213, [tim.lankford@metrotech.edu](mailto:tim.lankford@metrotech.edu)

**SECTION 504 OF THE REHABILITATION ACT OF 1973 / TITLE II OF THE AMERICANS WITH DISABILITIES ACT INFORMATION**

Section 504 of the Rehabilitation Act of 1973 requires that *“No otherwise qualified individual with a disability in the United States...shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance...”* Title II of the Americans with Disabilities Act has a similar anti-discrimination requirement.

To be protected under Section 504, a student must be determined to:

- have a physical or mental impairment that substantially limits one or more major life activities; or
- have a record of such impairment; or
- be regarded as having such impairment.

A student determined to meet one or more of the above criteria is referred to as a qualified student with a disability.

Section 504 applies to preschool, elementary, and adult education programs and activities that receive or benefit from Federal financial assistance for the operation of such programs or activities. At the secondary education level, a “qualified student with a disability” is a student with a disability who is:

- of an age at which students without disabilities are provided secondary educational services;
- of an age at which it is mandatory under state law to provide secondary educational services to students with disabilities; or
- a student to whom a state is required to provide a free appropriate public education under the Individual with Disabilities Education Act (IDEA).

At the post-secondary education level, a “qualified student with a disability” is a student with a disability who meets the academic and technical standards requisite for admission or participation in the institutions educational program or activity.

Secondary education institutions receiving Federal assistance are required to provide a free appropriate public education to qualified students with disabilities. Such an education consists of regular or special education and related aids and services designed to meet the individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met.

Post-secondary education institutions receiving Federal assistance are required to provide academic adjustments and auxiliary aids and services that are necessary to afford an individual with a disability an equal opportunity to participate in a school’s program. Post-secondary institutions are not required to make adjustments or provide aids or services that would result in fundamental alteration of an institution’s program or impose an undue burden.

As long as a student remains eligible, once they are identified for services under Section 504, they are always entitled to such services. Evaluation and reevaluation criteria are found in 34 C.F.R. 104.35. Evaluation and reevaluation requirements are different between secondary and post-secondary institutions. However, educational and ethical best practices suggest similar processes for all levels. Regardless of a students’ educational level, the ameliorating effects of any mitigating measures (i.e. the use of medication) for their qualifying disability may not be used to deny qualification, requalification, or access to services.

For more information on the differences between secondary and post-secondary services under Section 504 refer to: [www2.ed.gov/about/offices/list/ocr/504faq.html](http://www2.ed.gov/about/offices/list/ocr/504faq.html)



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**METRO TECHNOLOGY CENTERS GENERAL STATEMENT ON SPECIAL EDUCATION  
 (POPULATIONS) SERVICES AND NONDISCRIMINATION STATEMENTS**

Metro Technology Centers is a non-degree granting, post-secondary institution governed by the Oklahoma Department of Career and Technology Education with an independent career tech district and adherent policies. Regarding special education and disability services, Metro Technology Centers falls under the Office of Civil Rights of the Department of Education at the federal level. Metro Technology Centers’ special education and disability policies are aligned with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973. When partnered with sending, secondary education institutions, Metro Technology Centers is to be involved with any special populations services’ planning that a student may receive in order to help align their Individual Education Plan (IEP) or Section 504 plan to their needs within Metro Technology Centers’ program of study. This coordinated planning for a student with a disability who receives services is required under OAC §780:20-3-1 and various § of Title 70 O.S.

Metro Technology Centers provides reasonable accommodations and support for students with disabilities covered by the Americans with Disabilities Act (ADA)-As Amended, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act (IDEA). Metro Tech is committed to providing full access to students pursuing their educational and career goals.

Students, not already identified and addressed by Metro Tech to receive aid through special services, are encouraged to submit the appropriate documentation and to make their requests known within the first week of class to ensure appropriate delivery of services and accommodations.

The following people have been designated to handle inquiries regarding the District’s non-discrimination, diversity, equity, and inclusion policies, and the District’s special populations policies, including:

1. Special Populations Liaison (For educational services related to disability and medical status, including Individual Education Plans and Section 504 plans for secondary and adult students)
2. Coordinator, Student Mentorship & Supports (For questions or complaints based on race, color, national origin, sex, pregnancy, gender, gender expression or identity, sexual orientation, and sexual violence toward students and employees, and/or any other individual who has experienced some other form of discrimination, including discrimination not listed above).

Gerald Scott  
 Coordinator, Student Mentorship & Supports  
 Metro Technology Centers  
 1900 Springlake Drive  
 Oklahoma City, OK 73111  
 405-595-4418  
[gerald.scott@metrotech.edu](mailto:gerald.scott@metrotech.edu)

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Metro Technology Centers believes in the worth of all individuals and is committed to equal opportunity for each employee, student or any person visiting a District campus. Metro Technology Centers does not discriminate on the basis of race, color, national origin, sex, gender, gender expression or identity, sexual orientation, age, veteran status, religion, pregnancy, or genetic information or disability in its programs, services, activities and employment. Metro Technology Centers will provide equal access to the Boy Scouts of America and other designated youth groups.



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## **METRO TECHNOLOGY CENTERS PROCEDURAL SAFEGUARDS**

It is the policy of Metro Technology Centers not to discriminate on the basis of disability in its educational programs or activities.

Metro Technology Centers aligns special populations services' policy with the guidelines set forth by Section 504 of the Rehabilitation Act of 1973, the applicable sections of the Americans with Disabilities Act (ADA) as they pertain to post-secondary educational institutions, OAC §780:20-3-1, and various § of Title 70 O.S. These are overseen by the Oklahoma Department of Career and Technology Education and The Office of Civil Rights of the federal Department of Education. These policies and guidelines differ from those guiding special education services for primary and secondary local education agencies and affiliate schools.

Secondary students coming from a sending school or local education agency (LEA) which issues Individual Education Plans (IEPs) and Section 504 Plans will have their information provided by their sending school or LEA via an amendment or annual meeting, prior to the student's start of coursework at Metro Tech. Metro Tech will first supply the sending school with a list of students, including their potential program, being accepted or considered for acceptance prior to making notifications to students.

In partnership with our sending, secondary schools, Metro Tech aids in formulating specific accommodations and services for a student's Individual Education Plan (IEP) under the Individuals with Disabilities Education Act (IDEA) and Section 504 Plan under the Rehabilitation Act of 1973. Metro Tech's participation in these meetings is required in order to ensure the appropriate accommodations and services are in place for a student's particular program in the postsecondary environment.

No student with a qualifying disability and possessing the appropriate documentation will be denied services at Metro Tech due to the sending school's failure to notify Metro Tech of the student's disability in a timely manner.

Appropriate accommodations, auxiliary aids, and services that are necessary to afford an individual with a disability an equal opportunity to participate in their program may be provided. A student must otherwise meet the regular academic and technical standards for admission.

Accommodations and the provision of aids or services that would result in a fundamental alteration of a student's program or impose an undue burden are not required to be implemented by Metro Technology Centers. Modifications will not be made to programs or curricula.

Accommodations or services for adult students may not be provided until accurate, official documentation, and up-to-date information of a qualifying and/or legitimate qualifying condition is provided to Special Populations Services for review and approval.

Accommodations and services for Metro Technology Center programs will be decided upon by team input put together by Special Populations Services that includes the student, program representative, counselor, sending school / LEA (if applicable), Parent/Guardian (if applicable).

Any adult student seeking enrollment in a Metro Technology Centers' class, full-time or short-term, can request accommodations if they meet the definition of a "qualified student with a disability" under Section 504 of the Rehabilitation Act of 1973.

Students must provide documentation of their ongoing disability such as: IEP/504 documents, doctor statements, medical records, medical evaluations, Voc-Rehab assessments, etc.

Students transferring from high school students to adult students must reapply to Special Populations Services for accommodations and services and provide any required documentation. An adult 504 plan will be created in this event.

Disability and special education records are kept confidential. Accommodations and service's information are provided by Special Populations Services on a need-to-know basis only.

Disabilities include, but are not limited to: invisible disabilities (e.g. learning disabilities, chemical sensitivity, mental and behavioral health disorders), physical disabilities, medical conditions, or temporary conditions resulting from accident, injury, or illness.

Language barriers cannot be the sole factor for requesting accommodations through Special Populations Services. At this time, federal and state law do not recognize language barriers as a disability, and as a post-secondary institution, Metro Tech does not offer ESL classroom services. However, "dual-identified" individuals (those with language barriers and a disability) should seek accommodations through Special Populations Services based on their qualifying condition.

THC use, whether recreational, habitual, or medicinal, is not protected under ADA or Section 504. This is due to current federal law.

The attendance policy at Metro Tech is provided to all students through the Metro Tech Student Handbook and is much stricter than most sending schools due to requirements for clock hours and state certification for many career majors. Metro Tech recognizes appropriate accommodations for the excuse of absences in a high school student's IEP or 504 Plan. However the following process must be following for the excuse of absences to be considered:

- All absences requested for excuse must be accompanied by a licensed physician's statement
- All absences requested for excuse by a licensed physician must be directly related to the accommodation for excused absences in the student's IEP or 504 Plan
- Excessive absences which violate Metro Tech's attendance policy for any reason will require the submission of an Attendance Appeal Request
- Dependent upon the career major, absences - regardless of excuse - will require make up in the form of clock hours due to requirements set by licensing and certification standards. Make up of hours may mean the extension of a program beyond expected graduation date.

Students disagreeing with the decisions reached by school personnel for accommodations and services necessary for access to educational programming and/or facilities may request a hearing before an impartial hearing officer by contacting the Coordinator, Student Mentorship & Supports at [gerald.scott@metrotech.edu](mailto:gerald.scott@metrotech.edu) and 405.595.4418.