SECTION 504 POLICY

The Community Learning Center Schools (d.b.a Nea Community Learning Center and Alameda Community Learning Center)"CLCS"shall be solely responsible for its compliance with Section 504 and the ADA. The facilities to be utilized by CLCS shall be accessible for all learners with disabilities.

CLCS recognizes its legal responsibility to ensure that no qualified person with a disability shall, on the basis of disability, be excluded from participation, be denied the benefits of, or otherwise be subjected to discrimination under any program of the schools. Any learner, who has an objectively identified disability which substantially limits a major life activity including but not limited to learning, is eligible for accommodation by the \school.

A 504 team will be assembled by the Lead Facilitator and counselor and shall include the parent/guardian, the learner (where appropriate) and other qualified persons knowledgeable about the learner, the meaning of the evaluation data, placement options, and accommodations. The 504 team will review the learner's existing records; including academic, social and behavioral records, and is responsible for making a determination as to whether an evaluation for 504 services is appropriate. If the learner has already been evaluated under the IDEIA but found ineligible for special education instruction or related services under the IDEIA, those evaluations may be used to help determine eligibility under Section 504. The learner evaluation shall be carried out by the 504 team who will evaluate the nature of the learner's disability and the impact upon the learner's education. This evaluation will include consideration of any behaviors that interfere with regular participation in the educational program and/or activities. The 504 team may also consider the following information in its evaluation:

- Tests and other evaluation materials that have been validated for the specific purpose for which they are used and are administered by trained personnel.
- Tests and other evaluation materials include those tailored to assess specific areas of educational need, and not merely those which are designed to provide a single general intelligent quotient.
- Tests are selected and administered to ensure that when a test is administered to a learner with impaired sensory, manual or speaking skills, the test results accurately reflect the

learner's aptitude or achievement level, or whatever factor the test purports to measure, rather than reflecting the learner's impaired sensory, manual or speaking skills.

The final determination of whether the learner will or will not be identified as a person with a disability is made by the 504 team in writing and notice is given in writing to the parent or guardian of the learner in their primary language along with the procedural safeguards available to them. If during the evaluation, the 504 team obtains information indicating possible eligibility of the learner for special education per the IDEIA, a referral for assessment under the IDEIA will be made by the 504 team.

If the learner is found by the 504 team to have a disability under Section 504, the 504 team shall be responsible for determining what, if any, accommodations or services are needed to ensure that the learner receives the free and appropriate public education ("FAPE"). In developing the 504 Plan, the 504 team shall consider all relevant information utilized during the evaluation of the learner, drawing upon a variety of sources, including, but not limited to, assessments conducted by the School's professional staff.

The 504 Plan shall describe the Section 504 disability and any program accommodations, modifications or services that may be necessary.

All 504 team participants, parents, guardians, facilitators and any other participants in the learner's education, including substitutes and tutors, must have a copy of each learner's 504 Plan. The site administrator will ensure that facilitators include 504 Plans with lesson plans for short-term substitutes and that they review the 504 Plan with a long-term substitute. A copy of the 504 Plan shall be maintained in the learner's file. Each learner's 504 Plan will be reviewed at least once per year to determine the appropriateness of the Plan, needed modifications to the plan, and continued eligibility.

Policy Approved: 01/19/2023