

Education of Students with Disabilities Under Section 504 of the Rehabilitation Act of 1973

Purpose

This policy avers that Valley School District will provide free and appropriate educational services to students with disabilities as defined under Section 504 of the Rehabilitation Act of 1973.

Scope

This policy applies to the Board of Directors, Superintendent, Affirmative Action Officer, Compliance Officer, students, parents and guardians, and all district employees.

Policy

1. 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 law even though they are not eligible for services pursuant to the Individuals with Disabilities Education Act (IDEA).
2. Section 504 is a civil rights law which protects the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education. A child is a “qualified disabled person” under Section 504 if he/she:
 - (a) 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.
 - (b) Is between the ages of three (3) to twenty-one (21) years old.
3. The district will comply with the federal policies that require free appropriate public education (FAPE), Child Find, equal educational opportunity, confidentiality of information, parent involvement, participation in least restrictive environment, evaluations, placement, re-evaluation, programming to meet individual needs, nonacademic services, preschool and adult education programs, disciplinary exclusion, restraint or isolation, transportation, procedural requirements, appropriate funding, accessibility, and special issues related to ADD/ADHD students.
4. 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.

Related Procedures

2161P1-Special Education and Related Services for Eligible Students

2162P1-Education of Students with Disabilities

3210P1-Nondiscrimination

3246P1-Restraint, Isolation and Other Uses of Reasonable Force

Policy Cross References

2161-Special Education and Related Services for Eligible Students

3210-Nondiscrimination

3246-Restraint, Isolation and Other Uses of Reasonable Force

Policy Legal References

RCW 28A.600.485 – Restraint of students – Use of restraint or isolation specified in individualized education programs or plans developed under section 504 of the rehabilitation act of 1973 – Procedures – Summary of incidents of isolation or restraint – Publishing to website

RCW 28A.600.486 – District policy on the use of isolation and restraint – Notice to parents and guardians of children who have individualized education programs or plans developed under Section 504 of the rehabilitation act of 1973

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 99 – Family Educational Rights and Privacy Act

Management Resources

Policy & Legal News, November 2016 – Section 504 policy/procedure updated

Policy & Legal News, June 2014

Policy News, June 2011

Policy History

Action:	Date:
New	January 16, 2013
Revised	March 15, 2017
Revised	
Revised	