

**EDUCATION OF STUDENTS WITH DISABILITIES UNDER SECTION 504
OF THE REHABILITATION ACT OF 1973**

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

Section 504 of the Rehabilitation Act of 1973 is a civil rights law that 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 or 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; and
- B. Is between the ages of 3 to 21 years old.

The district will comply with the federal policies that require free appropriate public education, Child Find, equal educational opportunity, confidentiality of information, parent involvement, participation in least restrictive environment, evaluations, placement, reevaluation, programming to meet individual needs, placement procedures, nonacademic services, preschool and adult education programs, disciplinary exclusion, transportation, procedural requirements, appropriate funding, accessibility, special issues related to drug or alcohol addicted students, special considerations for students having AIDS or HIV infection, and special issues related to ADD/ADHD students.

The superintendent 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: 3247 Required Notification of Isolation or Restraint of
Students with IEPs or Section 504 Plans
3210 Nondiscrimination
2161 Special Education and Related Services for Eligible
Students

Legal References: 42 USC 12212 Section 512 Americans With Disabilities
Act of 1990
34 CFR Part 104 Section 504 Rehabilitation Act of 1973
45 CFR Part 99 Family Education and Privacy Act
Restraint of students with individualized education
programs or plans developed under section 504 of the
rehabilitation act of 1973 — Procedures — Definitions.

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

Management Resources: 2014 June Issue
2011 June Issue