

## SECTION 504 PLACEMENT

Section 504 of the Federal Rehabilitation Act of 1973 prohibits discrimination against qualified individuals with disabilities in federally assisted programs or activities solely on the basis of disability. The District shall make its program and facilities accessible to all its students with disabilities. It shall provide a free appropriate public education to qualified students with a mental or physical impairment that substantially limits a major life activity, as determined by the District's Section 504 committee.

A student with a disability for the purpose of Section 504 may also be a student identified by the Committee on Special Education (CSE) as a student in need of special education services through an IEP, and there are students who meet Section 504 criteria for having a disability but do not require an IEP. This policy addresses those students who do not require an IEP.

The decision as to whether a student is a student with a disability for the purpose of Section 504 is to be made by a group of persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. Where it is believed that the impairment affects the student's learning or other school-related performance, the committee is to include a school psychologist, a student support services administrator or CSE Chairperson, the student's teacher and such other individuals who may have relevant knowledge. Members of the CSE may act as the Section 504 committee, at which time they are no longer fulfilling the role of the CSE.

The Section 504 committee shall arrange for the evaluation of the student believed to have such a disability by individuals who are trained to administer the particular evaluation and with tests and other evaluation materials validated for the purpose for which they are used and that are in accordance with the Regulations promulgated pursuant to Section 504. No single evaluation shall be determinative. The Section 504 committee shall review the student's report cards and performance on District and State tests in assessing whether the impairment substantially impacts the student's learning.

Where the Section 504 committee has determined that a student is a student with a disability within the meaning of Section 504, a Section 504 accommodation plan is to be developed by the committee to allow the student's needs to be met as adequately as the needs of non-disabled students are met, within the least restrictive environment. The Section 504 accommodation plan is to be a written document, a copy of which is to be provided to the parent or guardian, to be placed within the student's education records and to be shared with those providing instruction or service to the student as appropriate.

### 5020.3

The Superintendent of Schools is directed to develop district regulations and provide training for the Section 504 committee. As a minimum, the regulations for evaluation and placement shall include requirements for: notice to the student's parent; an opportunity for the parent or guardian to examine relevant records; an opportunity for an impartial hearing with participation by the parent or guardian and representation by counsel; and a review process before the Board of Education or other entity or individual designated by the Board of Education, based on the Record generated at the impartial hearing and written submissions of the parties. Such review process shall be available to both the Section 504 Committee and the parent or guardian.

School principals shall be responsible for implementing the Section 504 Accommodation Plan. The Section 504 Chairperson shall monitor the District's compliance with regulations for students with disabilities and shall notify the superintendent and the Board of any needed corrective actions.

References:

The Rehabilitation Act of 1973, Pub. L. 93-112,  
as amended by the Rehabilitation Act Amendments of 1974, Pub. L. 93-516, 29 U.S.C. 794;  
34 C.F.R. 104 et. seq.

Adopted: February 26, 1996

Revised: July 14, 2008