

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 (Section 504) 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 (IDEA).

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 or she:

1. Has a physical or mental impairment that substantially limits one or more major life activities (such as caring for one self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, eating, sleeping, standing, lifting bending, reading, concentrating, thinking, communicating and working), has a record of such an impairment, or is regarded as having such an impairment; and
2. Is between the ages of 3 to 21 years old.

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.

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Cross Reference:

- Policy 2161, Education of Students with Disabilities
- Policy 3210, Nondiscrimination
- Policy 3246, Restraint, Isolation and Other Uses of Reasonable Force

Legal References:

- 42 USC 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
- 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.600.485, District policy on use of isolation or 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:

2016 - November Issue

2011 - June Issue Policy Alert

2014 - June Policy Alert

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