



Policy #7621

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Students

SUBJECT: SECTION 504 OF THE REHABILITATION ACT OF 1973

The Board of Education affirms its compliance with Section 504 of the Rehabilitation Act of 1973, as amended, ("Section 504"). Section 504 prohibits discrimination on the basis of disability in any program or activity receiving federal assistance. The District strictly prohibits this type of discrimination within its schools.

The District will also identify, evaluate and extend to every qualified student with a disability under Section 504 a free, appropriate public education, including modifications, accommodations, specialized instruction or related aids and services, as deemed necessary to meet their educational needs as adequately as the needs of non-disabled students are met.

The District's Section 504 Coordinator(s) is responsible for coordination of activities relating to compliance with Section 504. The Section 504 Coordinator will provide information, including complaint procedures, to any person who feels that his/her rights pursuant to Section 504 have been violated. The name and contact information for the District's Section 504 Coordinator(s) is available on the District's website.

Prohibition Against Disability-Based Discrimination in Accelerated Programs/Classes

The practice of denying, on the basis of disability, a qualified student with a disability the opportunity to participate in an accelerated program violates both Section 504 and Title II of the Americans with Disabilities Act, which prohibits public entities from discriminating on the basis of disability. The District may not impose or apply eligibility criteria that screens out or tends to screen out a student with a disability from fully and equally enjoying any service, program, or activity, unless the criteria can be shown to be necessary for the provision of the service, program or activity that is offered.

It is also unlawful to deny a student with a disability admission to an accelerated class or program solely because of that student's need for special education or related aids or service (*i.e.*, related services, supplementary aids and services, program modification and supports for school personnel) or because the student has an Individualized Education Program or Section 504 plan.

The District's schools may employ appropriate eligibility requirements or criteria in determining whether to admit students, including students with disabilities, into accelerated classes or programs. However, Section 504 and Title II do not require schools to admit into accelerated classes or programs students with disabilities who would not otherwise be qualified for these classes or programs.

Americans with Disabilities Act, 42 USC § 12101 et seq.
Individuals with Disabilities Education Act (IDEA), 20 USC § 1400 et seq.
Section 504 of the Rehabilitation Act of 1973, 29 USC § 794 et seq.
28 CFR Part 35
34 CFR Parts 104 and 300

Adopted: