

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

It is the intent of the NWESD 189 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 Act*.

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:

- A. has a physical or mental impairment that substantially limits one or more major life activities (such as caring for oneself, 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 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.

First Reading: 12/15/14
Second Reading: 01/28/15
Revised: 01/25/17

Reference:
RCW 28A.600.485
RCW 28A.600.486
42 USC 12101 et seq.
34 CFR Part 104 Section 504
45 CFR Part 99
Cross Reference:
Policy 2161
Policy 3210
Policy 3246