

Policy Information

Series 4000 - Personnel

Provision of a Free Appropriate Public Education to Students Pursuant to Section 504 of the Rehabilitation Act of 1973

Policy # 4167

The Board of Education shall ensure that no student is discriminated against in programs or activities receiving federal financial assistance. Students protected by Section 504 of the Rehabilitation Act of 1973 are those individuals who have a physical or mental impairment which substantially limits one or more major life activities; both those who have a record of such impairment; or are regarded as having such an impairment.

The Board has appointed the Director of Pupil Personnel Services to serve as the District's Student Section 504 Coordinator and directs said individual to:

1. Establish a team comprised of a group of persons knowledgeable about the child and person(s) familiar with the meaning of the evaluative data and program access options. This team shall consider students' eligibility for and recommend the provision of regular education and/or related aids and services and/or other accommodations, as appropriate, to provide a student with a disability with a free appropriate public education.
2. Implement procedures to ensure the dissemination of the contents of each student's 504 Plan to the persons on the District's staff who will be charged with implementing the program and any recommended accommodations, related services and/or aids.
3. Implement procedures and efforts to identify all school-age residents of the District who are not receiving a public education, who have or are suspected to have, a physical or mental impairment which substantially limits one or more major life activities.
4. Provide a copy of this policy, together with the attached "Notice of Student Rights," at least annually to all families of students residing in the District, at the time of a student's referral, prior to the student's evaluation or reevaluation and prior to actions involving the educational placement of a student.
5. Create procedures to insure that each student who is believed to have such a disability shall be evaluated prior to the provision of special education and/or related services and/or other reasonable accommodations and prior to any subsequent significant change in placement.
6. Reevaluate students who receive related services and/or other reasonable accommodations pursuant to Section 504 at least once every three years.
7. Provide students who have a physical or mental impairment which substantially
8. Limits one or more major life activities, with services, reasonable accommodations and transportation necessary to afford each student a free appropriate public education.
8. Afford students who have a physical or mental impairment which substantially limits one or more major life activities with an equal opportunity to participate in non- academic and extracurricular services, pre-school education and adult education to the extent offered to non-disabled person, to the maximum extent appropriate.
9. Inform parents that they have the right to inspect relevant student records.

Disputes

Any disputes by parents/guardians or students relating to decisions of the Section 504 team, shall be made in writing within 30 days of the decision complained of. A written description of the dispute should be sent by the parent/guardian or student to the District's Section 504 Coordinator at the Administrative Office, 1086 East Main Street, Shrub Oak, New York 10588.

1. Any dispute regarding whether the School District has made a free appropriate education available to the student shall be heard by an impartial hearing officer.
2. Parents shall have an opportunity to participate in the hearing and be represented by counsel.
3. The impartial hearing officer shall be directed to issue a written decision following the close of the hearing. A copy of the decision shall be sent to both the Section 504 Coordinator and the Parent and/or Student.
4. A parent may appeal the hearing officer's decision to the Board of Education within 30 days following the parent's receipt of the hearing officer's decision.
5. Complaints may also be made to the United States Department of Education, Office of Civil Rights, Washington, D.C. 20201.

Policy Cross References:

- » 5150 - Provision of a Free Appropriate Public Education to Students Pursuant to Section 504

Adoption Date: 4/20/2006
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