

MOUNT BAKER POLICY 2162
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 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 one self, 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.

Cross Reference:

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

Legal References:

12101 et seq.	Americans With Disabilities Act of 1990
34 CFR Part 104	Section 504 of the Rehabilitation Act of 1973
45 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 web site
RCW 28A.600.486	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:

Policy & Legal News, November 2016
Policy Alert, June 2014
Policy News, June 2011 – Additional Policy Updates

Adoption Date:

Classification: Essential

Mount Baker School District

Revised: 11.18.04; 05.23.13; 07.10.14; 12.8.16