



SECTION 504 RIGHTS AND PROCEDURES

Section 504 of the Rehabilitation Act of 1973 and its implementing regulations prohibit discrimination on the basis of disability by any program or activity that receives or benefits from federal funding. Section 504 requires that disabled students be provided with a free appropriate public education including education with non-disabled peers to the maximum extent appropriate.

The following procedures apply regarding the evaluation, identification, and provision of services to the students under Section 504:

I. Definition Of Qualified Individual With A Disability Under Section 504

A person has a disability within the meaning of Section 504 of the *Rehabilitation Act of 1973* if they have a mental or physical impairment, has a record of such impairment, or is regarded as having such an impairment, which substantially limits one or more major life activities. An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active. The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures (except for ordinary eyeglasses or contact lenses).

Major life activities include, but are not limited to, functions such as caring for one's self, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. Major life activities also include the operation of a major bodily function.

II. Prohibition Against Discrimination

No qualified individual with a disability under Section 504 shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination in any program or activity. It is the intent of Township High School District 214 to identify, evaluate and provide appropriate education aids and services to meet the needs of students who are qualified individuals with disabilities under Section 504.

III. Designation Of Responsibility

It is the responsibility of the District to provide a free appropriate public education to each qualified student with a disability who is a resident of the District regardless of the nature or severity of the student's disability.

IV. 504 Evaluation

Referrals for consideration for Section 504 eligibility may be made at any time. A referral must be made in writing and dated at the time the request is made, including the reason for the referral. Referrals may be made by individuals with knowledge of the student's needs and/or educational programming, including teachers, other staff members, parent(s)/guardian(s), etc.

Referrals should be directed to the home school 504 coordinator or designee for consideration. The

coordinator or designee can be notified by contacting the home school student services department.

An assessment or evaluation team, consisting of persons knowledgeable about the student, will conduct an individual evaluation of a student initially referred for a Section 504 evaluation. If the District declines to evaluate a child under Section 504, it will provide notice to the child's parent(s)/guardian(s) of procedural safeguards, including the right to challenge the District's refusal to evaluate the child under Section 504. The designated team will review all submitted documentation, current teacher reports, past records and tests. Additional evaluation tests will be conducted by the District if deemed necessary. Parental/guardian consent will be obtained prior to the initial evaluation completed by the District. If a parent/ guardian declines consent for an initial evaluation, the school district may (but is not required to) use hearing procedures to seek to override the parent(s)/guardian(s) denial of consent.

For additional 504 Handbook procedures, go to: <https://www.d214.org/district-departments/student-services>

