

REFERENCE COPY

FILE: IGB
Critical

EXPLANATION: ACCOMMODATION OF STUDENTS WITH DISABILITIES

This is a NEW policy. This topic was previously covered in policy IGBA, but MSBA is separating the policy language, procedures and forms for providing special education under the Individuals with Disabilities Education Act (IDEA) from those addressing accommodation of students with disabilities under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA). While all these laws involve students with disabilities, the legal obligations to students are different depending on whether the student is eligible for special education. MSBA is separating these documents to avoid confusion.

Please note that MSBA's form AC-AF1, Notice of Nondiscrimination (not included in this update), contains the notice language referenced in this policy. The district should notify the public that it will not discriminate on any illegal basis, not just on the basis of disability. For that reason, MSBA has not created a separate notice form.

<i>MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.</i>					
	Board Secretary		Business Office	X	Coaches/Sponsors
	Facility Maintenance		Food Service		Gifted
	Human Resources	X	Principals		Library/Media Center
X	Health Services	X	Counselor	X	Special Education
	Transportation		Public Info/Communications		Technology

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ACCOMMODATION OF STUDENTS WITH DISABILITIES

No qualified student with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any district program, including nonacademic services and extracurricular activities. The district seeks to identify and evaluate students who may have disabilities as defined by Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA). The district will provide students with disabilities a free and appropriate public education as required by law.

The superintendent or designee is directed to create procedures to assist the district in properly identifying, evaluating and serving students with disabilities who need accommodation to participate in the district's educational programs.

Section 504 and ADA Compliance Officer

The district compliance officer listed in policy AC or designee serves as the district's Section 504 and ADA compliance officer. All complaints or concerns regarding illegal discrimination must be brought to the attention of the compliance officer or designee.

Notice and Child Find

District publications will include notification to students and the public that the district does not discriminate on the basis of disability in admission or access to, or treatment in, its programs or activities. The notice will provide district contact information for members of the public to notify the district if they know or believe that a child may have a disability.

Grievance Procedure

All complaints alleging discrimination, violation of law or failure to follow district policies or procedures regarding the education or accommodation of students with disabilities will be made to the compliance officer and will be investigated immediately. The district will use the grievance procedure outlined in policy AC. Complaints may be made at any time to the U.S. Department of Education, Office for Civil Rights.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

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Adopted:

Cross Refs: AC, Prohibition against Discrimination, Harassment and Retaliation
ECG, Animals on District Property
FB, Facilities Planning
FEF, Construction Contracts Bidding and Awards
JGE, Discipline of Students with Disabilities
JHCF, Student Allergy Prevention and Response
JHDA, Surveying, Analyzing or Evaluating Students
JO, Student Records

Legal Refs: The Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794
34 C.F.R. Part 104
Americans with Disabilities Act, 42 U.S.C. §§ 12101 - 12213

Raytown C-2 School District, Raytown, Missouri