

Section 504 is a federal law designated to protect the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education (ED)

Section 504 provides: "No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance"

Public and private K-12 schools must provide appropriate educational services designed to meet the individual needs of disabled students to the same extent as the needs of students without disabilities are met.

The Section 504 regulations require a school district to provide a "free appropriate public education" (FAPE) to each qualified student with a disability who is in the school district's jurisdiction, regardless of the nature or severity of the disability. Under Section 504, FAPE consists of the provision of regular or special education and related aids and services designed to meet the student's individual educational needs as adequately as the needs of nondisabled students are met.

Further, the District shall not discriminate against any student based upon (1) any prior record of physical or mental impairment, or (2) a student being regarded as having a physical or mental impairment (e.g., based upon an assumption or perception of a disability). In connection with these obligations, the District shall take reasonable steps intended to protect a student with a disability from being harassed or retaliated against on the basis of the student's disability.

It is the intent of the District to ensure that students with disabilities as defined by Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services in accordance with legal requirements and established procedures outlined for the District. The District shall provide reasonable accommodations to allow students with disabilities to have an equal opportunity to participate in school and school-related activities.

The District encourages informal resolution of complaints and concerns regarding the implementation of Section 504 procedures. Accordingly, the Section 504 Coordinator shall make efforts to address a parent's or guardian's complaints or other concerns by appropriate means that may include scheduling additional meetings of relevant members of the applicable 504 team or attempting to mediate a resolution. Any informal resolution of a complaint or concern that requires a modification to a student's 504 plan shall be incorporated into the plan using appropriate procedures.

A parent/guardian who disagrees with the identification, evaluation, educational placement, or the provision of a free appropriate public education of a student with a disability under Section 504, and who has been unable to reach a satisfactory resolution of the issue(s) with the District, has the right to request an impartial hearing. The complaining party shall have the right to participate in such a hearing, to present evidence, and to be represented by a person of their choice, including an attorney. A request for an impartial hearing must be made in writing and mailed or delivered to the building principal. Upon receipt of a request for a hearing, the necessary arrangements will be made by the

District, including the officer. Any party aggrieved by the officer may seek judicial review of extent permitted by applicable law.

The District Administrator or designee shall be responsible for administering this policy within established administrative procedures. This includes preparation of assurances of compliance, development of all required plans and reports, administration of complaint procedures and the operation of the educational program.

This policy shall be implemented and complaints processed accordingly.

LEGAL REF: Section 118.13 Wisconsin Statutes
 PI 9, Wisconsin Administrative Code
 Section 504 of the Rehabilitation Act of 1973
 Americans with Disabilities Act of 1990

APPROVED: 1/13/2014