

## **NONDISCRIMINATION ON THE BASIS OF DISABILITIES**

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The board of education will not discriminate against qualified disabled persons on the basis of a disability. This non-discrimination policy includes, but is not limited, to benefits of and participation in district programs and activities. The district will provide aids, benefits and school services to a person with disabilities in the most integrated school setting appropriate to his or her needs so that he or she may have an opportunity commensurate to that provided to persons without disabilities to obtain the same results, gain the same benefit or reach the same level of achievement.

The superintendent is directed to develop appropriate procedures to implement this nondiscrimination policy. The superintendent or designee shall:

1. submit an assurance of nondiscrimination with each application for federal financial assistance;
2. designate a person to coordinate the district's efforts to comply with Section 504 of the Rehabilitation Act of 1973 and its regulations;
3. designate a person to coordinate the system's efforts to comply with the Americans with Disabilities Act, and its regulations;
4. publish the name, office address and phone number of the compliance coordinator(s) in a manner intended to ensure that employees, applicants, students, parents and other individuals who participate in the school district's programs are aware of the coordinators;
5. make complaint procedures available as provided in policy 1710/4020/7230, Discrimination and Harassment Prohibited by Federal Law, which provides opportunities for prompt and equitable resolutions to complaints alleging actions prohibited by 504 or ADA or regulations for the statutes;
6. provide notice that the school district does not discriminate on the basis of disability in violation of Section 504 or the ADA, or their implementing regulations, which notice is to be accessible to employees, applicants, students and parents;
7. make reasonable accommodations for qualifying applicants or employees with disabilities; however, a reasonable accommodation does not include an accommodation that demonstrably would impose an undue hardship on the program or would fundamentally alter the nature of the services, program or activity;

8. not inquire about any disabilities which may need accommodation until after an applicant has been made an offer and, additionally, avoid using employment tests or other selection that tend to screen out persons with disabilities unless the criteria are demonstrably job related and effective alternatives are not available;
9. provide a free appropriate public education to each qualified student with disabilities in accordance with Section 504 and its regulations;
10. establish and implement a system of procedural safeguards with respect to the identification, evaluation or educational placement of a student with disabilities under Section 504 which includes an opportunity for the student's parent or guardian to examine relevant records, an impartial hearing with the opportunity for participation by the parent or guardian and representation by counsel, and a review procedure.

Legal References: Americans with Disabilities Act, 42 U.S.C. 12101 *et seq.*, 28 C.F.R. pt. 35; Rehabilitation Act of 1973, 29 U.S.C. 705(20), 794, 34 C.F.R. pt. 104.

Cross References: Discrimination and Harassment Prohibited by Federal Law (policy 1710/4020/7230) Service Animals in Schools (policy 4202/5029/7272)

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