

NONDISCRIMINATION ON THE BASIS OF DISABILITIES

The Board of Education will not discriminate against qualified 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 services to persons with disabilities in the most integrated setting appropriate to the person's needs so they 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 will develop appropriate procedures, as appropriate, to ensure district compliance with this nondiscrimination policy. The Superintendent or designee will:

1. submit an assurance of nondiscrimination with each application for federal financial assistance;
2. designate a person or persons who will coordinate the district's efforts to comply with Section 504 of the Rehabilitation Act of 1973 and its regulations, and the Americans with Disabilities Act, and its regulations;
3. publish the name, address and phone number of the 504 coordinator and the ADA coordinator 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;
4. make complaint procedures available that provide opportunities for prompt and equitable resolution of complaints alleging actions prohibited by 504 or ADA or regulations for those statutes (see Administrative Procedures 1730-P for a description of the complaint procedures);
5. 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. Such notice will be accessible to employees, applicants, students and parents;
6. make reasonable accommodation 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;

7. not inquire in regard to any disabilities which may need accommodation until after an applicant has been made an offer. Furthermore, employment tests or other selection criteria will not be used that tend to screen out persons with disabilities unless the criteria are demonstrably job related and unless effective alternatives are not available.
8. provide a free appropriate public education to each qualified student with a disability in accordance with Section 504 and its regulations.

Legal References: The Rehabilitation Act of 1973, 29 U.S.C. 705(820), 794, 34 C.F.R. pt. 104; The Americans With Disabilities Act, 42 U.S.C. 12101, 28 C.F.R. pt. 35.

Cross References: Discrimination, Harassment and Bullying Complaint Procedure (policy 1720); 504 Complaint Procedures (administrative procedure 1730-P)

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