



Adopted: April, 1996

EMID 6067Board Policy 521

Revised: September 2004; January, 2015

521 STUDENT DISABILITY NONDISCRIMINATION

I. PURPOSE

The purpose of this policy is to protect students with disabilities (who, within the intent of Section 504 of the Rehabilitation Act of 1973, need special services, accommodations, or programs) from discrimination on the basis of disability.

II. GENERAL STATEMENT OF POLICY

- A. Disabled students who meet the criteria of Paragraph B below are protected from discrimination on the basis of a disability.
- B. For this policy, a learner who is protected under Section 504 is one who:
 - 1. has a physical or mental impairment that substantially limits one or more major life activities; or
 - 2. has a record of such impairment; or
 - 3. is regarded as having such impairment.
- C. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.
- D. Students whose IEP indicates a needed accommodation relative to extended day programs, must be provided those accommodations from the student's home district.

Legal References: Pub. L. 110-325, 122 Stat. 3553 (ADA Amendments Act of 2008, §7)
29 U.S.C. § 794 *et seq.* (§ 504 of Rehabilitation Act of 1973)
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

Cross References: EMID Policy 402 (Disability Nondiscrimination)