Education of Students With Disabilities
Under Section 504 of the Rehabilitation Act of 1973

It is the intent of the district to ensure that students who are disabled within the definition of Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. Students may be disabled under this policy even though they are not eligible for services pursuant to the Individuals with Disabilities Education Act (IDEA).

Section 504 of the Rehabilitation Act of 1973 is a civil rights law which protects the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education. Based upon the results of a 504 evaluation a child is a “qualified disabled person” under Section 504 if he or she:

A. Has a physical or mental impairment that substantially limits one or more major life activities (such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, reading, concentrating, thinking, communicating and working), has a record of such an impairment, or is regarded as having such an impairment; and

B. Is between the ages of 3 to 21 years old.

The district will comply with the federal policies that require free appropriate public education, childfind, equal educational opportunity, confidentiality of information, parent involvement, participation in least restrictive environment, evaluations, placement, reevaluation, programming to meet individual needs, placement procedures, nonacademic services, preschool and adult education programs, disciplinary exclusion, transportation, procedural requirements, appropriate funding, accessibility, special issues related to drug or alcohol addicted students, special considerations for students having AIDS or HIV infection, and special issues related to ADD/ADHD students.

The superintendent will establish procedures to ensure that students who are disabled within the definition of Section 504 are educated in full compliance with the law.

Cross Reference: 
Board Policy 2161  Education of Students with Disabilities
Board Policy 2163  Response to Intervention
Board Policy 3210  Nondiscrimination
Board Policy 3247  Required Notification of Isolation or Restraint of Students with IEPs or Section 504 Plans

Legal References:  RCW 28A.600.485  Restraint of students with individualized education programs or plans developed under Section 504 of the Rehabilitation Act of 1973
RCW 28A.600.486  District policy on use of isolation or restraint – Notice to parent and guardians of children who have individualized education program or plans developed under Section 504 of the Rehabilitation Act of 1973.

42 USC 12212  Section 512 Americans With Disabilities Act of 1990

34 CFR Part 104  Section 504 of the Rehabilitation Act of 1973

45 CFR Part 99  Family Education and Privacy Act

Management Resources:

Policy Alert, June 2014
Policy News, June 2011  Additional Policy Updates

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