

# BOARD POLICY

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## NONDISCRIMINATION ON THE BASIS OF HANDICAP—SECTION 504

**MARCH 21, 2016**

The School District, in accordance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations, is committed to providing a free appropriate education to each qualified handicapped student within its jurisdiction, regardless of the nature or severity of the handicap.

The administrative rules establish the procedure in which the School District may meet this commitment. The School District may, as an alternative or in combination with this procedure, follow the provisions established for identification, evaluation, and placement of students under the Individuals with Disabilities in Education Act (IDEA).

This Board Policy and the Administrative Procedure have been developed and adopted for the purpose of complying with the School District's educational services obligations under Section 504 of the Rehabilitation Act of 1973 and its implementing regulations, and it is not designed or intended, nor should it be construed, to grant broader rights or remedies. This Board Policy and Administrative Procedure do not, and should not be construed to, create rights or remedies enforceable in contract or by any law other than Section 504 and its implementing regulations.

The School District's administration may issue interpretative memoranda and adopt directives and procedures to implement this Section 504 of the Rehabilitation Act of 1973, Board Policy, and Administrative Procedure.

The Director of Student Services is designated as the School District's Section 504 Educational Services Coordinator. As such, the Director of Student Services is responsible for coordinating the implementation of the School District's obligations under Section 504 of the Rehabilitation Act of 1973, its implementing regulations, Board Policy, and the Administrative Procedure. A student or parent/guardian, who believes that the School District has violated its obligation under Section 504 of the Rehabilitation Act of 1973 or its implementing regulations, Board Policy, or the Administrative Procedure, may file a written complaint with the School District's Section 504 Coordinator within ten (10) calendar days of the alleged violation. The Coordinator will meet with the person who filed the complaint and conduct a reasonable investigation of the facts and circumstances surrounding the complaint. If the Coordinator determines that a violation has not occurred, the Coordinator shall, in writing, so advise the person who filed the complaint and the School District's Superintendent. If the Coordinator determines that a violation has occurred, he/she shall put his/her determination in writing, propose a fair resolution of the complaint and deliver the determination to the person who filed the complaint and the School District Superintendent.

The person who filed the complaint on the School District may appeal the Coordinator's determination to the Superintendent by so notifying the Superintendent in writing within ten (10) calendar days of the Coordinator's determination. The Superintendent may conduct additional investigation of the facts and circumstances surrounding the complaint. The Superintendent shall affirm or reverse the Coordinator's decision and, if warranted, implement the Coordinator's proposed resolution or a modification thereof. The Superintendent's decision shall be final.

A person is not required to use the procedure outlined above and may instead file a complaint directly with the U.S. Department of Education Office for Civil Rights, 600 Superior Avenue East, Suite 750, OH 44114-2611.