

§504 POLICY

Pursuant to Section 504 of the Rehabilitation Act of 1973 (§504), the Board of Education (the Board) of the Bethlehem Central School District (the District) adopts the following policy that prohibits discrimination against persons with disabilities, as defined by law, in any school program or activity and provides for the Child Find mandate to evaluate, identify, and provide the accommodations and services necessary to afford access to students with disabilities attending its schools and/or receiving services from the District.

1. The administrator of each building shall be directed to implement those procedures established pursuant to this policy.
2. The District shall ensure that students who are suspected of having a disability under §504, as described herein, who are not identified as students with disabilities as defined under the Individuals with Disabilities Education Improvement Act, are evaluated and identified as disabled by the §504 Team and, if determined eligible, provided those supports necessary to afford the student access to the District's programs and activities. The District shall arrange for a reevaluation of any student, so identified, prior to any change in placement and shall review such student's plan when deemed necessary, but at least once a year.
3. The building administrator shall be responsible for assigning the appropriate individuals to participate in a §504 committee meeting to include, at a minimum, a staff person familiar with the nature of the student's disability, the evaluations completed and the curriculum and/or program in which the student's participation may be affected, the parent of the student, and the student, where appropriate.
4. For purposes of this policy, a person with a disability is someone who:
 - a. Has a mental or physical 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, and working;
 - b. Who requires accommodations or supports and/or special education services to access District programs and/or activities.
5. The District shall post annually in at least one publication distributed to all residents of the District the procedures for requesting an evaluation of a child suspected of having a disability, identification, and an appropriate plan. The District shall post its general policy of nondiscrimination in multiple locations and publications, as appropriate.
6. It shall be the duty of the director of Special Education and Student Services to arrange periodically for training of new building administrators of their responsibilities under §504 to students with disabilities and to ensure that the same procedures, including notice of procedural safeguards with the name, address, telephone numbers, and email address for the District's §504 compliance officer and the United States Department of Education are included.

7. If the parent(s) and/or guardian(s) seek to challenge any matter relating to the evaluation, identification, or plan developed for a child with a disability or suspected of having a disability under §504, such person may file a complaint with the director of Special Education and Student Services, and/or the §504 compliance officer of the District who shall immediately commence an investigation and issue a written determination of such complaint within thirty days of receipt of such complaint or request an impartial hearing. Such hearing shall be scheduled in accordance with the procedures set forth under the Individuals with Disabilities Education Improvement Act and shall provide for a one-tier review by a hearing officer appointed by the Board of Education or their designee.
8. Inquiries about §504 issues, referrals to the §504 Team, or requests for an impartial hearing under §504 shall be directed to the building principal where the student is enrolled or, if not enrolled, to the building the student would attend if enrolled in the public schools of the District.
9. Inquiries and or complaints regarding this policy and its implementation may also be directed to the United States Department of Education, Office for Civil Rights, New York Office, 32 Old Slip, 26th Floor, New York, NY 10005, (646) 428-3800, OCR.NewYork@ed.gov.

Authority: Section 504 of the Rehabilitation Act of 1973.

Adoption Date: June 19, 2002

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