

## **STUDENTS**

# 5145.4(a)

### **NONDISCRIMINATION**

#### **Americans with Disabilities Act/Section 504**

In compliance with its obligations under both Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act, as amended, the District does not discriminate against otherwise qualified students with disabilities in the provision of its educational programs and activities.

It is the intent of the District to provide a free and appropriate public education to each Section 504/ADA qualified and eligible student with a disability within its jurisdiction, as defined in 28 CFR, Parts 35 & 36, Amendment to Americans with Disabilities Act Title II and Title III.

It is the further intent of the District to ensure that each student with a disability within the meaning of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as amended, is identified, evaluated, and provided with a free and appropriate public education.

Students who because of a disability, need or are believed to need reasonable accommodations, services, and/or programs are addressed under this policy. Under this policy, a student with a disability is one who (a) has a physical or mental impairment that subsequently limits one or more major life activities, including learning; (b) has a record of such impairment; or (c) is regarded as having such an impairment.

A student may be a student with a disability under Section 504 and this policy even though the student does not require services pursuant to the Individuals with Disabilities Education Improvement Act (IDEIA). Students who are identified as individuals with exceptional needs according to the IDEIA criteria are not addressed under this policy, as the needs of such students are provided for elsewhere under state and federal law, and the District's special education procedures.

(cf. 4118.14/4218.14 – Nondiscrimination)

(cf. 6171 – Special Education)

Legal Reference: Conn. Gen. Stat. §10-76a Definitions. (as amended by PA 00-48 and PA 06-18)  
Conn. Gen. Stat. §10-76b State supervision of special education programs and services.  
Conn. Gen. Stat. §10-76c Receipt and use of money and personal property.  
Conn. Gen. Stat. §10-76d Duties and powers of boards of education to provide special education programs and services. (as amended by PA 97-114, PA 00-48 and PA 06-18)

**Nondiscrimination****Americans with Disabilities Act/Section 504**

Legal Reference: Conn. Gen. Stat. §10-76ff Procedures for determining if a child requires special education. (as amended by PA 06-18)  
Conn. Gen. Stat. §10-76h Special education hearing and review procedure. Mediation of disputes. (as amended by PA 00-48)  
Conn. Gen. Stat. §10-76k Development of experimental educational programs.  
PA 06-18 An Act Concerning Special Education.  
State Board of Education Regulations.  
Conn. Gen. Stat. §10-76a-1 et seq. Definitions. (as amended by PA 00-48)  
Conn. Gen. Stat. §10-76b-1 through 10-76b-4 Supervision and administration.  
Conn. Gen. Stat. §10-76d-1 through 10-76d-19 Conditions of instruction.  
Conn. Gen. Stat. §10-76h-1 through 10-76h-2 Due process.  
Conn. Gen. Stat. §10-145a-24 through 10-145a-31 Special Education (re teacher certification).  
34 C.F.R. 3000 Assistance to States for Education for Handicapped Children.  
American with Disabilities Act, 42 U.S.C. §12101 et seq. (42 U.S.C. Ch 126 §12112), as amended by ADA Amendments Act of 2008.  
Individuals with Disabilities Education Act, 20 U.S.C. §1400 et seq.  
Rehabilitation Act of 1973, Section 504, 29 U.S.C. § 794.  
P.L. 108-446 The 2004 Reauthorization of the Individuals with Disabilities Act.  
20 U.S.C. §6368(3) The No Child Left Behind Act.  
Section 504 and the Federal Vocational Rehabilitation Act of 1973, 20 U.S.C. 706(7)(b).  
American Disability Act of 1989 (42 U.S.C. Ch 126 §12112), as amended by ADA Amendments Act of 2008.  
Amendments of Americans with Disabilities Act, Title II and Title III, Regulation to Implement ADA Amendments Act of 2008. Federal Register, Vol. 81, No. 155 (28 CFR Parts 35 & 36)