

**NONDISCRIMINATION IN SCHOOL AND CLASSROOM
PRACTICES – PROTECTED HANDICAPPED STUDENTS UNDER
SECTION 504/CHAPTER 15/ADA (FAPE)**

The Joint Operating Committee (JOC) of the West Side Career & Technology (WSCTC) declares it to be the policy of the West Side CTC to ensure that all of its programs and practices are free from discrimination against any disabled person(s).

The JOC recognizes its responsibility to provide academic and nonacademic services and programs to both disabled and non-disabled persons equally.

The WSCTC shall provide to each protected handicapped student enrolled at the WSCTC, without cost to the student or family, a **Free and Appropriate Public Education (FAPE)**. This includes those related aids, services or accommodations which are needed to afford the student equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities without discrimination, to the same extent as non-disabled students, consistent with the requirements of federal and state law and regulation.

The JOC encourages students and third parties who believe they have been subject to discrimination to promptly report such incidents as provided herein. Neither reprisals nor retaliation shall occur against complainants as a result of charges of discrimination. The district will respond to all good faith charges of discrimination as set forth in the grievance procedure.

Parents/Guardians will be provided with written notice of district action in relation to the need to evaluate, identify, develop a written Section 504 Service Plan, modify a service plan or terminate eligibility for a student.

The definition of **protected handicapped student** is the same as under federal law. This is any student who: (1) has a physical or mental impairment which substantially limits one or more major life activities; (2) has a record of such impairment; or (3) is regarded as having such an impairment.

Section 504 - Section 504 of the Rehabilitation Act of 1973 (29 U.S.C.A. §794).

Chapter 15 - Pennsylvania's implementing regulations for Section 504 of the Rehabilitation Act (22 PA Code §15).

Section 504 Team - The Section 504 Team is a group of persons which includes persons knowledgeable about the student, the meaning of the evaluation data and the accommodation options for the student. A school nurse shall be involved wherever appropriate.

Section 504 Service Plan - A student's Section 504 Service Plan is an individualized plan for an eligible child which sets forth the modifications and accommodations needed by a disabled student, which shall be implemented in school or in transit to school, in all programs and procedures, so that the student has equal access to the educational benefits of the school's program.

Delegation of responsibility in order to maintain a program of nondiscrimination practices that is in compliance with applicable laws and regulations, the Joint Operating Committee

designates the Special Education Supervisor as the Section 504 Compliance Officer. Copies of this policy shall also be made available to parents/guardians/students upon request.

Guidelines Evaluation And Service Plan Procedures

to ensure identification of disabled students, all WSCTC employees, parents/guardians and others are encouraged to refer any student believed to be in need of an evaluation for Section 504/Chapter 15 protection to the Section 504 Coordinator so that the evaluation process can be initiated.

Parental permission will be obtained to conduct any formalized evaluation. In conducting an evaluation and making eligibility decisions, the designated employees shall draw on a variety of sources for information relating to the student's disability including but not limited to reviews of student work, observation data, aptitude and achievement tests, teacher input, physician input, school nurse input, information regarding functional limitations, parent/guardian input and any other relevant information. If, after considering all of the relevant information, the reviewing team determines that a student meets the eligibility requirements, a written Section 504 Service Plan describing the needed accommodations, services or programs shall be developed. The Section 504 Service Plan shall be provided to the parents/guardians in writing, for their approval or disapproval. Parental permission will be obtained before implementation of any Section 504 Service Plan.

Any parent/guardian who does not agree with the proposed plan or their child's educational program may request an informal meeting with the Section 504 Coordinator. If an informal meeting is unsuccessful, the parent/guardian may use other provisions of the grievance procedure. Anyone who has general concerns about discrimination or Section 504 may utilize the grievance procedure set forth below. In some cases, it could become necessary for the school district to request a hearing if it is concerned about the provision of appropriate accommodations for a child.

The Section 504 Service Plan shall be reviewed regularly. The protected student shall be re-evaluated as appropriate. New information about a student shall be considered by the Section 504 Coordinator. A parent/guardian may request to review their child's educational records at any time. Any agreed upon Section 504 Service Plan will be shared with staff members who have a need to know the information in the plan, including staff members who work with the student regularly. Parental permission is not needed to share the plan with individuals working with the child who have a legitimate educational interest in being familiar with the plan so they can implement it.

The WSCTC shall keep the Section 504 Service Plan in the student's educational file. The WSCTC will require that staff responsible for following the accommodations in the plan maintain the information in a totally confidential manner. Teachers or other essential employees, such as the school nurse, who works with the child, will be invited to Section 504 meetings as needed and/or appropriate