

# Hermiston School District 8R

Code: **ACA-AR**  
Adopted: 9/3/02  
Readopted: 7/6/04  
Orig. Code(s): ACA

## **Section 504/ADA - Students**

The district is committed to providing disabled children who attend our schools with the opportunity to participate in, and benefit from, our educational system. The following is the official written policy for compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA).

In compliance with its obligations under both Section 504 and the ADA, the district does not discriminate against otherwise qualified disabled students in the provision of its educational programs and activities. The district will make reasonable modifications to its programs and activities to accommodate otherwise qualified disabled students.

In addition to its provision of educational services, the district will not discriminate against otherwise qualified disabled students in its provisions of noneducational programs and services.

The district will provide a free appropriate education (including formalized modifications in the regular education classroom, special education and/or related aids and services) to otherwise qualified disabled students who reside within, or are invited to attend, the district. Instruction will be individually designed to meet the individualized educational needs of these students. The district will seek to assure that the educational services provided to otherwise qualified disabled students meet the individual education needs of the disabled student as adequately as the needs of nondisabled students.

The Section 504/ADA Coordinator may be contacted at Hermiston School District 8R, 502 West Standards Avenue, Hermiston, Oregon 97838 or by calling 541-667-6013

### **Notice to Parent or Guardian of Actions Affecting Identification, Evaluation or Placement**

The district will notify the parent or guardian of a student suspected of being an otherwise qualified disabled student of his/her rights to initiate the grievance procedure and/or obtain an impartial hearing if the parent or guardian disagrees with any action regarding identification, evaluation, and/or placement of a student suspected of being disabled under Section 504/ADA.

### **General Notice Regarding Nondiscrimination**

The district seeks to notify all the district's students, students' parents, applicants and employees of its policy of nondiscrimination on the basis of disability. To achieve this objective, the district will include the following notice on all applications for employment or admission within the district, collective bargaining proposals, student handbooks and other schoolwide publications where inclusion of such notice would be appropriate:

The district does not discriminate on the basis of race , sex, color, religion, age, national origin or disability in its provision of programs, services or employment. The district has designated the deputy superintendent as the Section 504/ADA Coordinator to coordinate the district’s compliance with federal nondiscrimination laws. Employees, students entitled to an education within the district, or a parent of such a student who believes they are being discriminated against, may file a complaint through the formal grievance process.

### **Definitions Applicable to Hermiston School District 8R Section 504/ADA Policy**

Otherwise qualified disabled student: This term means a student who would qualify for a particular benefit or program in all respects except for the fact that he or she is a “disabled student” under Section 504/ADA.

Disabled student: This term under Section 504/ADA means a student who:

- Has a physical or mental impairment that substantially limits one or more major life activities,
- Has a record of having an impairment that substantially limits one or more major life activities, or
- Is regarded as having an impairment that substantially limits one or more major life activity.

Major life activities: This term means life functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

Record of impairment: This term means having a history of, or being classified as, having a mental or physical impairment that substantially limits one or more major life activity. Regarded as having an impairment: This term refers to persons who do not have any substantial limitations on any major life activities, but are nevertheless perceived or treated as if they had such limitations.

### **Child Find Efforts under 504/ADA**

In order to not duplicate efforts, attempts to locate and identify all qualified persons with disabilities residing in the district who are not presently receiving a public education and whether they are disabled pursuant to The Individuals with Disabilities Education Act (IDEA), 504/ADA or both and will be made under the district’s IDEA/Child Find efforts.