

It is the policy of the School that no otherwise qualified person shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by the School.

As used in this policy, “an individual with a disability” means a person who has, had a record of, or is regarded as having, a physical or mental impairment that substantially limits one or more major life activities. Major life activities are functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Notice of the School’s policy on nondiscrimination in employment and education practices shall be given in this Policy manual, posted in the School, and published in any School statement regarding the availability of employment positions or special education services.

### Employment

No employee or candidate for employment shall be discriminated against in recruitment, employment, promotion, training, or transfer solely because of his/her disabling condition.

No candidate for employment shall be required to answer a question regarding a disabling condition and no such candidate will be discriminated against on the basis of a disabling condition that is not directly related to the essential functions of the position for which she/he has applied.

Reasonable modifications in scheduling and the allocation of duties, not directly affecting the instructional program, shall be made to accommodate employment conditions to the needs of individuals with disabilities.

### Facilities

Barrier free access to School facilities or an alternative means of providing services shall be provided as required by law so that no individual with a disability is excluded from participation in a School program solely by reason of his/her disability. The School will comply with the building, program and other accessibility requirements of the Americans with Disabilities Act (ADA) and other applicable laws.

### Program

All reasonable efforts shall be made to serve the School’s special needs children eligible for special education and/or related services in accordance with the School’s Special Needs policy. A free appropriate public education shall be provided for each child determined to be in need of special education and/or related services. Such a program of special education shall be provided in the least restrictive environment and in barrier free facilities comparable to those provided for non-disabled students. To the maximum extent appropriate to the student’s disability, a disabled student shall be placed in an educational setting with non-disabled or less severely disabled students.

No student will be denied, because of his/her disability, participation in co-curricular, intramural, or interscholastic activities or any of the services offered or recognitions rendered regularly to the students of the School.

The due process rights of disabled students and their parents will be rigorously enforced.

### **Section 504**

It is the intent of the School to ensure that students who are handicapped within the definition of Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794), are identified, evaluated, and provided with appropriate educational services. Students may be identified as handicapped under Section 504 even though they are not eligible to receive services under the Individuals with Disabilities Act.

The Superintendent or his/her designee shall be the Section 504 Compliance Officer. A complaint regarding a violation of law and this policy in an employment decision shall be subject to a grievance procedure (Policy 228) that provides for the prompt and equitable resolution of disputes.

### **Procedures**

The School shall annually adopt procedures for the Education of Children with Disabilities as approved by the Ohio Department of Education Office of Exceptional Children in **Appendix 227-A**.

*20 USC 1412; 34 CFR 300.220.*