

STUDENTS WITH DISABILITIES PURSUANT TO SECTION 504

The Somers Central School District does not discriminate on the basis of disabling condition or gender in its educational program, activities or employment practices, in compliance with Section 504 of the Rehabilitation Act of 1973, Title IX, the Americans with Disabilities Act, and New York State Human Rights Law. The District will make reasonable accommodations for students, parents, and employees with disabilities and will provide appropriate educational programs for all resident students. The Superintendent shall establish: (a) a District Accommodation Plan which fully complies with Section 504; and (b) grievance procedures that provide for the prompt and equitable resolution of complaints alleging discrimination. The Superintendent shall appoint 504 officers to deal with student/parent 504 grievances and employee 504 grievances. Furthermore, the Superintendent shall also take the necessary steps to publicize and disseminate, internally and externally, the Board policy, District Accommodation Plan and Grievance Procedure, to insure its availability to students, staff, interested citizens and interested groups.

**SOMERS CENTRAL SCHOOL DISTRICT
ROUTE 202
SOMERS, NEW YORK 10589**

**SECTION 504 OF THE REHABILITATION ACT OF 1973
ACCOMMODATION PLAN**

1. POLICIES OF THE SOMERS CENTRAL SCHOOL DISTRICT BOARD OF EDUCATION

A. NON DISCRIMINATION

The Somers Central School District does not discriminate on the basis of disabling condition or gender in its educational program, activities or employment practices, in compliance with Section 504 of the Rehabilitation Act of 1973, with Title IX and the Americans with Disabilities Act.

Individuals who need auxiliary aids for effective communication or reasonable accommodations to participate and benefit equally from programs and services should make their needs and preferences known to the Building Principal, Director of Special Services or Assistant Superintendent for Business.

B. EQUAL EMPLOYMENT OPPORTUNITY

The Board of Education, its officers, and employees shall not discriminate against any employee or applicant for employment on the basis of race, color, national origin, creed or religion, marital status, sex, age, or disability.

This policy of nondiscrimination includes recruitment and appointment of employees, and employment pay and benefits.

Provisions will be provided for the publication and dissemination, internally and externally, of this accommodation plan to insure its availability to interested citizens and groups.

Those intending to file a grievance due to alleged discrimination must follow the grievance procedures as established by the District.

C. INDIVIDUALS WITH DISABLING CONDITIONS

The Board of Education confirms its commitment to ensuring nondiscriminatory treatment toward qualified individuals with disabling conditions in all employment practices and related activities. Job descriptions for all District positions shall be developed and maintained by administration, reflecting the essential functions that an employee must be able to perform, with or without reasonable accommodation. Additionally, administration shall establish grievance procedures that provide for the prompt and equitable resolution of complaints alleging discrimination.

D. STUDENTS WITH DISABLING CONDITIONS PARTICIPATING IN SCHOOL DISTRICT PROGRAMS

The District shall provide every student with equal educational opportunities regardless of color, creed, sex, national origin, religion, age, marital status, or disability.

No student will be excluded on such basis from participating in or having access to any course offerings, student athletics, counseling services, employment assistance, extracurricular activities or other school resources.

Parents/legal guardians of students with disabling conditions, including those students faced in out-of-school district programs, shall receive timely notice of such District programs and activities.

II. INTRODUCTION AND PURPOSE

The Somers Central School District does not discriminate on the basis of disability with regard to admission access to programs or services, treatment or employment in programs and activities conducted by the District or contracted with another entity. The District will make reasonable accommodations for students, parents, and employees with disabilities and will provide appropriate educational programs for all resident students.

Section 504 regulations at Title 34, Code of Federal Regulations (CFR), Part 104.3 indicates:

A person is regarded as having a disability if he/she:

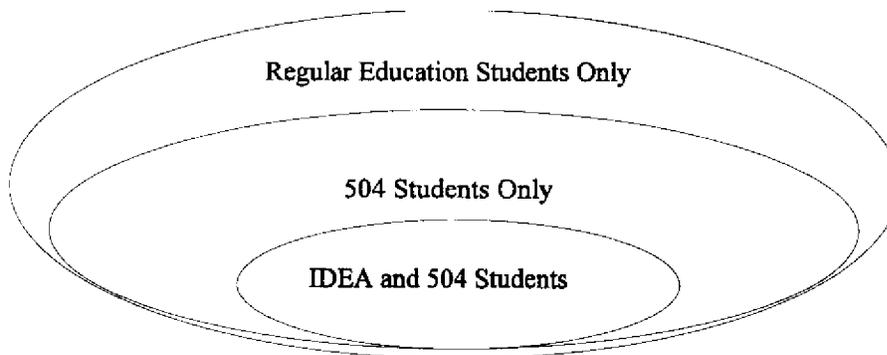
- a. has a physical or mental disability that substantially limits one or more major life activities;
- b. has a record of this impairment; or
- c. is regarded as having an impairment.

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with disabilities including students by school districts receiving federal financial assistance. Within the regulations, written by the U.S. Department of Education for Section 504, students with disabilities must receive a free appropriate public education. The Somers Central School District policies and procedures insure that students are afforded identification, evaluation, the provision of appropriate services, and procedural safeguards. Students who are disabled under Section 504 shall not be categorically excluded from the process of referral, evaluation, classification, or placement under Article 89 of the Education Law on the basis of a medical diagnosis not included among the classification, enumerated in Part 200 of the Commissioner's Regulations.

This plan provides the Somers School District's policy and procedures that fully comply with Section 504. For further information please contact:

504 Compliance Officer/Coordinator

The Individuals with Disabilities Education Act (IDEA), Public Law 94142 defines as eligible only students who have certain specified types of disabilities and who, because of one of these conditions, need special education programs and/or related services. Section 504 protects the civil rights of all disabled students, defined as those having any physical or mental impairment that substantially limits one or more major life activities. Section 504 covers students who meet this definition, even if they do not fall within the IDEA enumerated categories. The needs of students pursuant to the IDEA are identified under New York State Education Law Section 4402 and Part 200 of the Commissioner of Education's Regulations, regarding the Committee on Special Education and Committee on Preschool Special Education (CSE/CPSE). The following figure illustrates the service delivery concepts:



Adoption date: December 14, 1998