

**BOARD OF TRUSTEES
CARSON CITY SCHOOL DISTRICT**

**POLICY No. 107
OBJECTIVES**

**NONDISCRIMINATION UNDER
SECTION 504 OF THE REHABILITATION ACT OF 1973 (AS AMENDED) AND
THE AMERICANS WITH DISABILITIES ACT OF 1990 (AS AMENDED)**

Pursuant to Section 504 of the Rehabilitation Act of 1973, as amended (Section 504), the Americans with Disabilities Act of 1990, as amended (ADA), and the implementing regulations (collectively Section 504/ADA), no otherwise qualified individual with a disability shall, solely by reason of disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. The District does not discriminate in admission or access to, participation in, or treatment or employment in its programs or activities, including career and technical education. As such, the Board of Trustees policies and practices will not discriminate against students with disabilities and will make accessible to qualified individuals with disabilities its facilities, programs, and activities. No discrimination will be knowingly permitted against any individual with a disability on the sole basis of that disability in any of the programs, activities, policies, and/or practices in the District.

Federal civil rights laws prohibit discrimination against an individual because the person has opposed any discriminatory act or practice or because that person has filed a charge, testified, assisted or participated in any investigation, proceeding or hearing. The ADA also prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under the ADA.

“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, eating, sleeping, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Major life activities also include the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

An impairment that is episodic in nature or in remission is considered a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity must be made without regard to the ameliorative effects of mitigating measures such as medication, medical supplies, equipment or appliances, low-vision devices (not including ordinary eyeglasses or contact lenses), prosthetics (including limbs and devices), hearing aids and cochlear implants or other implantable hearing devices, mobility devices, oxygen therapy equipment or supplies, assistive technology, reasonable accommodations or auxiliary aids or services, or learned behavioral or adaptive neurological modifications.

POLICY No. 107 - CONTINUED

Facilities and Equipment

No qualified person with a disability will, because the District's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504 or the ADA applies.

The District is committed to operating its programs and activities so that they are readily accessible to persons with disabilities. This commitment includes, but is not limited to providing accommodations to parents with disabilities who desire access to their child's educational program or meetings pertinent thereto. Programs and activities will be designed and scheduled so that the location and nature of the facility or area will not deny a student with a disability the opportunity to participate on the same basis as students without disabilities. The Board will meet its obligation through such means as redesign of equipment, reassignment of classes or other services to accessible buildings, assignment of aides to beneficiaries, alteration of existing facilities and/or construction of new facilities, or any other method that results in making its programs and activities accessible to persons with disabilities. In choosing among available methods for meeting its obligations, the school District will give priority to those methods that serve persons with disabilities in the most integrated setting appropriate.

Education

The District is committed to identifying, evaluating, and providing a Free Appropriate Public Education (FAPE) to students within its jurisdiction who are disabled within the definition of Section 504 regardless of the nature or severity of their disabilities. The Board recognizes and acknowledges that students may have disabilities and may be eligible for services under Section 504 even though they do not qualify for or require special education or related services pursuant the Individuals with Disabilities Education Act (IDEA). Students eligible for services under the IDEA will be served under existing special education programs.

If a student has a physical or mental impairment that significantly limits the student's learning or other major life activity, but does not require specially designed instruction to benefit educationally, the student will be eligible for reasonable accommodations and/or modifications of the regular classroom or curriculum in order to have the same access to an education as students without disabilities. Supplementary aids, modified instructional material, and special services are provided to students with disabilities to enable them to participate equally in career and technical education programs. Supplementary aids, modified materials, and special services include but are not limited to the use of guide dogs, tape recorders, note takers, reader services, instructional adaptations (e.g., pre-teaching, repeating directions, extra examples and non-examples, providing visual cues, providing guided notes), test modifications, assistive technology services and devices (materials on tape, alternate computer access).

Non-Academic and Extra-Curricular Services

The District will provide non-academic and extra-curricular services and activities in such a manner as is necessary to afford qualified persons with disabilities an equal opportunity for participation in such

POLICY No. 107 - CONTINUED

services and activities. Non-academic and extra-curricular services and activities may include counseling services, physical recreational athletics, transportation, health

services, recreational activities, special interests groups or clubs sponsored by the District, referrals to agencies that provide assistance to persons with disabilities, and employment of students. In providing or arranging for the provision of meals and recess periods, and non-academic and extra-curricular services and activities, including those listed above, the District will verify that persons with disabilities participate with persons without disabilities in such activities and services to the maximum extent appropriate to the needs of the person with a disability.

Authorization for Procedures

The Board authorizes and directs the Superintendent or his/her designee to develop, implement, and revise procedures as necessary to implement the Board's nondiscrimination under Section 504 and the ADA policy. These procedures shall include a system of procedural safeguards in accordance with Section 504, including the right to an impartial due process hearing.

Notice of Nondiscrimination

Notice of the Board's policy on nondiscrimination in employment and education practices and the contact information for the District's Section 504/ADA Coordinator will be posted throughout the District and published in the District's general information publications.

Compliance

The following person has been designated to handle inquiries regarding the Board's policy prohibiting discrimination under Section 504 and the ADA:

Title IX, Section 504/ADA Coordinator
Carson City School District
1402 W. King Street
Carson City, NV 89703
775-283-2100

The District's Title IX, Section 504/ADA Coordinator will oversee the investigation of any complaints of discrimination based on disability which may be filed pursuant to this Policy and will attempt to resolve such complaints. If the District Title IX, Section 504/ADA Coordinator is the alleged perpetrator of the discrimination based on disability, the complaint may be filed with the Superintendent. The Board will provide for the prompt and equitable resolution of complaints alleging violations of Section 504/ADA.

Legal References:

Americans with Disabilities Act, as amended, 42 USC 12101 et seq.
Rehabilitation Act of 1973, as amended, 29 USC 793
34 CFR Part 104

Adopted: October 27, 2015