

DISCIPLINE - SECTION 504 STUDENTS

A handicapped student under Section 504 means an individual of school age who has a physical or mental impairment which substantially limits one or more major life activities such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

There are many handicapping conditions that may qualify a student under Section 504. Recently additional categories of handicapping conditions have been considered. Students in these categories might never have been considered for special educational services or denied eligibility under Individualized with Disabilities Education Act (IDEA), but might be eligible under Section 504. Some examples are Attention Deficit Disorder (ADD)/Attention Deficient Hyperactive Disorder (ADHD), other Health needs, Drug & Alcohol Dependency, etc.

When a student who is identified as eligible under Section 504 is referred for disciplinary action, a decision must be made regarding whether the student's actions relate to his/her handicap. This decision is to be made by the teacher and staff member involved. Once the committee makes the determination of relatedness, disciplinary action proceeds as with Special Education students.

If the action that caused referral is determined to be unrelated to the handicap, then discipline proceeds as with regular students. If the action in question is determined by the SBLC to be related to the student's handicap, then alternative methods of resolving the problem must be considered. These may include placing behavioral objectives in the student's education plan, exclusion from the campus if student actions present a danger to others or rewriting the education plan.

This same process should be used for discipline of students for whom the SBLC is considering eligibility for Section 504 services.