

IDENTIFICATION AND EDUCATION UNDER SECTION 504

Children with disabilities need to be identified and evaluated in order to provide them with the services required by law.

The Monterey County Office of Education (MCOE) shall provide a free appropriate public education to students who are enrolled in MCOE programs and who are classified as disabled under Section 504 of the federal Rehabilitation Act of 1973. Such students shall receive regular or special education and related aids and services designed to meet their individual educational needs as adequately as the needs of nondisabled students are met. [34 Code of Federal Regulations (CFR) 104.33]

(cf. 0410 - Nondiscrimination)
(cf. 5141.24 - Administering Medication and Monitoring Health Conditions)
(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

Legal Reference:

EDUCATION CODE

49423.5 *Specialized physical health care services*

CODE OF REGULATIONS, TITLE 5

3051.12 *Health and Nursing Services*

UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act of 1974*

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

794 *Rehabilitation Act of 1973, Section 504*

CODE OF FEDERAL REGULATIONS, TITLE 34

104.1-104.61 *Nondiscrimination on the basis of handicap, especially:*

104.1 *Purpose to effectuate Section 504 of the Rehabilitation Act of 1973*

104.3 *Definitions*

104.33 *Free appropriate public education*

104.35 *Evaluation and placement*

104.36 *Procedural safeguards*

COURT DECISIONS

Christopher S. v. Stanislaus County Office of Education, (2004) 384 F.3d 1205