

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 its 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 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