

LEXINGTON CHINESE SCHOOL NON-DISCRIMINATION POLICY

A. Policy

- i. LCS does not discriminate against any individual on the basis of disability; and
- ii. LCS does not impose or apply eligibility criteria that screens out or tends to screen out individuals with disabilities, pursuant to 28 C.F.R. § 36.301; and
- iii. Individuals with disabilities have an equal opportunity to participate in or benefit from the LCS' goods, services, facilities, privileges, advantages, and accommodations; and
- iv. LCS will make reasonable modifications to its policies, practices and procedures upon request to accommodate students who have been identified by their parents or guardians as disabled and when reasonable modifications are necessary to afford goods, services, facilities, privileges, advantages, or accommodations to individuals with disabilities, pursuant to 42 U.S.C. § 12182(b)(2)(A)(ii) and 28 C.F.R. § 36.302, provided the reasonable modifications requested will not impose an undue burden or fundamentally alter LCS's program.

B. Process for LCS Provision of Reasonable Modifications and Auxiliary Aids and Services to Individuals with Disabilities, as required under Title III of the ADA.

- i. After a student is accepted to LCS, a parent/guardian shall have the opportunity to notify LCS that a student has a disability, and to request a reasonable modification.

ii. Upon receipt of a request for a reasonable modification, LCS will conduct an individualized inquiry that includes consideration of the student's specific circumstances and the purpose of the rule, policy, or practice at issue, to decide whether to allow the modification. LCS will allow a modification unless the modification is unreasonable or would fundamentally alter an essential aspect of LCS's program.

iii. LCS will provide the individual requesting the modification with written notice of their decision within three Sundays of the request. Although LCS will respond appropriately and in a reasonable amount of time to a request for a reasonable modification regardless of when it is received, students and their families are strongly encouraged to make such requests at least five (5) weeks prior to the start of the school year.

iv. LCS is not a public school, and thus not required to comply with Child Find requirements to locate, identify, and evaluate all students with disabilities (20 U.S.C. § 1412(a)(3)), nor is it subject to any of the other requirements of the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. §§ 1400 et seq.).