

## 45 C.F.R. § 1170.42

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### Admissions and recruitment.

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- (a) *General.* Qualified handicapped persons may not, on the basis of handicap, be denied admission or be subjected to discrimination in admission or recruitment by a recipient to which this subpart applies.
- (b) *Admissions.* In administering its admission policies, a recipient to which this subpart applies:
  - (1) May not apply limitations upon the number or proportion of handicapped persons who may be admitted;
  - (2) May not make use of any test or criterion for admission that has a disproportionate, adverse effect on handicapped persons or any class of handicapped persons unless
- (i) The test or criterion, as used by the recipient, has been validated as a predictor of success in the education program or activity in question and

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