

Parent and Student Rights to Identification, Evaluation, and Placement Under Section 504

The following is a description of the rights granted by federal law, Section 504 of the Rehabilitation Act of 1973, to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child as well as to inform you of your rights if you disagree with any of these decisions.

You have the right to:

1. have your child take part in, and benefit from, public education programs without discrimination because of his or her disabling conditions;
2. have the school district advise you of your rights under federal law;
3. receive notice regarding identification, evaluation, placement, or change of placement of your child.
4. receive information in your native language and primary mode of communication;
5. have your child receive a free appropriate public education. This includes the right to be educated with students without disabilities to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodation to allow your child an equal opportunity to participate in school and school-related activities;
6. have your child educated in facilities and receive services comparable to those provided to students without disabilities;
7. have your child receive special education and/or related services if he or she is found to be eligible under the Disabilities Act (P.L. 101-476) or Section 504 of the Rehabilitation Act;
8. have evaluation sources and by persons who know the student, the evaluation data and placement options;
9. have periodic reevaluations and an evaluation prior to any significant change in program or service modifications, including placement;
10. have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by a district;
11. have your child be given equal opportunity to participate in nonacademic and extracurricular activities offered by the district;
12. examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement;
13. obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records;
14. a response from the school district to reasonable requests for explanations and interpretations of your child's records;
15. request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time and advise you of your right to a hearing.

16. request mediation or an impartial due-process hearing related to decisions or actions regarding your child's identification, evaluation, educational program, or placement (you and the student may take part in the hearing and have an attorney represent you; hearing requests must be made to Scott Fenter, Superintendent)
17. ask for payment of reasonable attorney fees if you are successful on your claim;
and
18. file a local grievance.

The person in this district who is responsible for assuring that the district complies with Section 504 is Scott Fenter, Superintendent telephone # (360) 978-4111