

SAU #34 - HILLSBORO-DEERING, WASHINGTON, WINDSOR

NOTICE OF PARENT/STUDENT RIGHTS

Section 504 of the Rehabilitation Act of 1973

The following is a description of the rights granted by Section 504 of the Rehabilitation Act ("Section 504") to parents and their children who are identified as disabled. The school district is obligated to inform you of decisions about your child and of your rights if you disagree with any of those decisions.

You have the following rights:

1. To have your child take part in, and receive benefits from, public education programs without discrimination because of his/her disability;
2. To have the school district advise you of your rights under federal law;
3. To receive notice from the school with respect to the identification, evaluation, educational program or placement of your child;
4. According to the Department of Education's 504 Regulations, to have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to reasonable accommodations, modifications, and related aids and services necessary for your child to benefit from his or her educational program;
5. To have your child educated in comparable facilities and receive comparable services to those provided non-disabled students;
6. To have decisions regarding your child's evaluation, program and placement based upon a variety of information sources, and made by persons familiar with the student, the evaluation data, and the placement options;
7. To have your child re-evaluated periodically, to the extent necessary, including before any significant changes are made to your child's educational program or placement;
8. To have your child receive an equal opportunity to participate in extra-curricular school activities;
9. To examine all relevant educational records relating to decisions regarding your child's identification, evaluation, education program, and placement;
10. To obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records;

11. To receive a response from the school district to reasonable requests for explanations and interpretations of your child's records;
12. To 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 the right to a hearing;
13. To file a complaint through local complaint procedures regarding any alleged violation of the Rehabilitation Act;
14. To request an impartial hearing, to be conducted by a person who is not an employee of the district, to dispute decisions or actions regarding your child's identification, evaluation, educational program or placement as a student with a disability. You and your child may take part in the hearing and have an attorney represent you at your own expense. Questions about how to request a hearing may be forwarded to the person responsible for the district's compliance with Section 504 listed below;
15. To have the decisions made by hearing officers or others reviewed in state or federal court.

The person in this District who is responsible for assuring that the District complies with Section 504 is: Patricia Parenteau, Director of Student Support Services, 464-4466

School: _____

Name of 504 Coordinator: _____

Phone Number: _____

Address: _____

PROCEDURAL SAFEGUARDS
NONDISCRIMINATION ON THE BASIS OF HANDICAP/DISABILITY

The School District provides the following Notice of Procedural Safeguards to parents/guardians, and handicapped persons, as required by 34 C.F.R. Sections 104.7, 104.8, 104.22 (4) (f), and 104.36 of the Regulations implementing Section 504 Of the Rehabilitation Act of 1973.

The School District does not discriminate on the basis of handicap in admission or access to, or treatment or employment in, its programs and activities.

The School District provides a grievance procedure with appropriate due process rights. ***Patricia Parenteau*** is the designated employee, charged with coordinating efforts to comply with Section 504. The parent/guardian of handicapped students or any handicapped person may use the grievance procedure established by the School Board.

Grievance Procedure: As the parent/guardian of a handicapped student or as a handicapped person, you have the right to notify the above designated employee with your complaint.

The designated employee will make an initial response to the complaint within ten (10) days of receipt of complaint. The parties will attempt to work out their differences promptly, equitably and informally. A written record of the resolution of the complaint should be made within ten (10) working days of completion.

If that effort fails, you may (a) request that the School Board place this matter on its agenda or (b) notify the Superintendent of Schools of the complaint. Either request shall be delivered to the above-cited designated employee. You may be represented by anyone of your choosing, may present information through documents and other evidence and witnesses, and may examine witnesses presented by the School District.

Within ten (10) working days of either of the above adjudication options, a written record should be made of the decision.

Section D Procedural Safeguards: As required by Section 104.36, as the parent/guardian of a student, who because of handicap needs or is believed to need special instruction and related services, you have the right, with respect to any action regarding identification, evaluation, and placement to:

1. Notice of referral/identification, evaluation, and placement process, with appropriate consent form.
2. Examine all relevant records.

3. At an impartial hearing, at any time, with respect to any actions regarding identification, evaluation, or placement of persons who need or are believed to need special education and related services, an opportunity for participation by you and representation of counsel as provided under the Individuals with Disabilities Education Act.
4. A review process.

Reference:

34 C.F.R.

Sections 104.7, 104.8, 104.22 (4) (f), and 104.36 of the Section 504 Regulations.

First Reading - 9/8/98

Adopted by School Board - 10/5/98