

## SECTION 504

### PARENT RIGHTS AND PROCEDURAL SAFEGUARDS

**Free Appropriate Education.** You have the right to a free and appropriate public education in the least restrictive environment for your child.

1. Your child is to be educated with non-handicapped, age-appropriate children to the maximum extent appropriate.
2. All assessments needed for evaluation are to be provided at no cost to you.

**Information.** You have the right to be fully informed about your child. This means that:

1. You must be informed of the nature of tests and evaluation utilized by the school to assess your child. These tests and evaluations must not be either culturally or racially discriminatory.
2. You must receive written notice when the school proposes or refuses to evaluate your child or to change the educational placement of your child.
3. You must receive a copy of your child's Section 504 Accommodation Plan at no cost to you.
4. Your child's educational records, evaluations, and reports must be treated in a confidential manner and must be made available for you to inspect and review upon request. The school must grant your request immediately if possible, but in no case more than five administrative working days after the date of your request. If the school determined that it is practically impossible to provide the requested records or to determine whether they are available within the five administrative working days, you must be informed and then the school will have an additional seven working days to provide the requested records.

**Consent.** You have the right to give written permission before:

1. Your child is given individual tests or evaluations.
2. A significant change in your child's educational placement is made. This does not apply to expulsion and graduation.
3. Any confidential information is released to another agency.

**Note: Release of academic records will be implemented as per the management of students scholastic records.**

**Participation.** You have the right to the opportunity to participate in conferences regarding the development of your child's Section 504 Accommodation Plan.

**Parent/School Disagreement.** You have the right to disagree on matters relating to the identification, evaluation, or educational placement of your child or the provision of a free appropriate public education. Both you and the school may request informal mediation and/or an impartial due process hearing to appeal refusals for evaluation or the provision of services. TO REQUEST MEDIATION OR A DUE PROCESS HEARING, WRITE TO THE DIRECTOR FOR SPECIAL EDUCATION/SECTION 504 COORDINATOR AT THE ABOVE ADDRESS.

1. Mediation: an informal voluntary process, used by agreement of parent and school, in which school officials and parent(s) make a sincere effort to resolve all differences without a due process hearing.
2. Impartial Due Process Hearing: a formal proceeding in which an independent qualified hearing officer decides the issue. You may initiate a due process hearing without going through the mediation process.
  - a. If you disagree with the school's evaluation of your child, you have the right to an independent educational evaluation of your child at public expense. However, the school may initiate a due process hearing to show that its evaluation is appropriate. If the final decision is that the evaluation is appropriate, you still have the right to an independent evaluation but not at public expense.
  - b. If it is believed that information in your child's record is incorrect, misleading, or in violation of your child's right to privacy, you have the right to request that the information be changed or removed. If a disagreement occurs when information in your child's records is challenged, an opportunity for a due process hearing must be provided.
  - c. During a due process hearing you have the following rights:
    1. Your child will remain in his/her present placement during the proceedings.
    2. Your case will be heard no later than 45 calendar days after your initial request.
    3. You have the right to obtain information regarding free or low-cost legal services and information as to where an independent educational evaluation may be obtained.
    4. You have the right to have the 504 Coordinator appoint a reviewing officer to conduct an impartial review of the hearing within 30 calendar days if there is an appeal of the decision of the hearing officer by either party.
    5. You have the right to exhaust the school appeal mechanisms before seeking relief in due process hearings or court action.
    6. You have the right to bring civil action in the appropriate court when all administrative procedures have been completed.