

NOTICE OF SECTION 504 DUE PROCESS RIGHTS

When a student is referred for an evaluation because of a suspected disability, or when a student has been determined to need special instruction or related services, the parent or guardian of that student has certain rights. The purpose of these rights is to help the parent/guardian to be sure that the student has been correctly identified as disabled and that the special instruction and services are appropriate to meet the student's education needs.

NOTICE: YOU HAVE THE RIGHT TO:

Receive notice before the district initiates an evaluation for your child, refuses to evaluate your child, makes a decision as to whether your child is disabled, or makes a decision as to what accommodations are appropriate to meet your child's needs.

CONSENT: YOU HAVE THE RIGHT TO:

Agree or disagree to the proposed district action in evaluation your child, identifying your child as disabled, and determining accommodations.

QUESTIONING THE DISTRICT'S DECISION: YOU HAVE THE RIGHT TO:

1. File a grievance over an alleged violation of Section of 504 or the district's Section 504 policy.
2. Request a hearing if you question the district's identification, evaluation, instruction and/or services for your child or provision of a free appropriate public education.
3. Have the hearing conducted by an impartial hearing officer.
4. Be accompanied to the hearing and advised by counsel and/or individuals with special knowledge or training in problems of the disabled.
5. Have a record of the hearing.
6. Obtain written findings of fact and written decision.
7. Appeal the hearing officer's decision to a court of appropriate jurisdiction.
8. Have your child receive his/her present instruction and/or services during the pending of the administrative proceeding, unless you and the district agree otherwise.