

SPRING BRANCH INDEPENDENT SCHOOL DISTRICT
Section 504

NOTICE OF RIGHTS UNDER SECTION 504

The Rehabilitation Act of 1973, commonly known as “Section 504” or “504,” is a federal law that prohibits governmental entities—including school districts—from discriminating on the basis of disability. In addition, it requires school districts to ensure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

Section 504 protects any student who has a physical or mental impairment that substantially limits one or more major life activities, such as walking, learning, breathing, seeing, hearing, working, or performing manual tasks. Students can be considered disabled, and receive services under Section 504, even if they do not qualify for or receive services through the Special Education Department.

The purpose of this notice is to inform parents and students of their rights under Section 504.

1. You have a right to receive a notice of your rights upon the District’s identification, evaluation, refusal to provide an evaluation, educational placement, denial of educational placement, and any significant change in the educational placement of your child. If you have questions or need explanation regarding any of these rights, you may contact the Section 504 Coordinator.
2. The Section 504 Coordinator for Spring Branch ISD is:
Joni Warren
Director of Special Education
2100 Shadowdale
Houston, TX 77043

713-251-1700
3. You have the right to receive a copy of this notice if the District has reason to believe that your child has a mental or physical impairment that substantially limits learning or some other major life activity:
 - a. before the initial placement; and
 - b. before any subsequent significant change in placement.
4. You have the right to an opportunity to examine all relevant records for your child.
5. Your child has the right to free educational services, with the exception of certain costs normally also paid by the parents of non-disabled students. To the maximum extent appropriate, your child will be educated with children who are non-disabled.
6. The District has an obligation to evaluate your child prior to determining whether your child is eligible for services under Section 504 and before any significant change in placement. If your child is eligible for services under Section 504, he or she has the right to periodic reevaluations (generally, every three years).
7. Placement decisions regarding your child must be made by a group of persons knowledgeable about your child, the meaning of the evaluation data, possible placement options, and the requirement that to the maximum extent appropriate, disabled children be educated with children who are not disabled.
8. Your child has a right to a free appropriate public education which includes services that are designed to meet your child’s educational needs as adequately as the needs of non-disabled persons are met.

9. You have the right to an impartial hearing, with participation by you and representation by counsel, concerning any complaint you have about the identification, evaluation, or educational placement of your child.
10. If you wish to request an impartial hearing to contest any action with regard to your child's identification, evaluation or placement under Section 504, you must submit a request for hearing, in writing, to the District Section 504 coordinator at the address listed above. The request must be submitted within one year of the date the action complained of is taken. Upon receipt of the request, the District will appoint a hearing officer, who need not be an attorney. The hearing officer will notify you of the time, date and place of the hearing. The hearing officer is authorized to conduct a pre-hearing conference for the purpose of identifying the issues for the hearing. If a pre-hearing conference is conducted, the hearing shall be confined to the issues identified in the pre-hearing conference unless the hearing officer determines there is good cause to include additional issues. In lieu of a pre-hearing conference, the hearing officer may require you to identify the issues for the hearing in writing and may limit the hearing to those issues so identified. Cross-examination shall not be allowed at the hearing. The hearing officer may place reasonable restrictions on the amount of time each side is allowed to present evidence or argument on the issues. Within a reasonable time after the conclusion of the hearing, as determined by the hearing officer, a written decision shall be issued by the hearing officer.
11. You have the right to appeal the final decision of the impartial hearing officer to a court of competent jurisdiction.
12. You also have the right to file a complaint with the Office for Civil Rights (OCR) of the Department of Education. The address of the OCR Regional Office that covers Texas is:

Office for Civil Rights, Region VI
1999 Bryan Street, Suite 2600
Dallas, Texas 75201

214 880-2459