



504 NOTICE OF PARENT AND STUDENT RIGHTS

An eligible student under Section 504 is a student who (a) has, (b) has a record of having, or (c) is regarded as having, a physical or mental impairment which substantially limits a major life activity such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, working, or operation of a major bodily function.

The enabling regulation for Section 504 as set out in 34 C.F.R. Part 104 provides parents and/or students with the following rights:

You have a right to be informed by the school district of your rights under Section 504. (The purpose of this Notice is to advise you of those rights.) 34 C.F.R. 104.32.

Your child has the right to an appropriate education designed to meet his/her individual educational needs as adequately as the needs of nondisabled students are met. 34 C.F.R. 104.33.

Your child has the right to free educational services except for those fees that are imposed on nondisabled students or their parents. Insurers and similar third parties are not relieved from an otherwise valid obligation to provide or pay for services provided to a disabled student. 34 C.F.R. 104.33.

Your child has a right to placement in the least restrictive environment. 34 C.F.R. 104.34.

Your child has a right to facilities, services, and activities that are comparable to those provided for nondisabled students. 34 C.F.R. 104.34.

Your child has a right to an evaluation prior to an initial Section 504 placement and any subsequent significant change in placement.

Testing and other evaluation procedures must conform with the requirements of 34 C.F.R. 104.35 as to validation, administration, areas of evaluation, etc. The district shall consider information from a variety of sources, including aptitude and achievement tests, teacher recommendation, physical condition, social and cultural background, adaptive behavior, physical or medical reports, student grades, progress reports, parent observations and anecdotal reports.

Placement decisions must be made by a group of persons (i.e., the Section 504 Team), including persons knowledgeable about your child, the meaning of the evaluation data, the placement options, and the legal requirements for least restrictive environment and comparable facilities. 34 C.F.R. 104.35.

If eligible under Section 504, your child has a right to periodic reevaluations, generally every three years. 34 C.F.R. 104.35.

You have the right to notice prior to any action by the district in regard to the identification, evaluation, or placement of your child. 34 C.F.R. 104.36.

You have the right to examine relevant records. 34 C.F.R. 104.36.

You have the right to an impartial hearing with respect to the district's actions regarding your child's identification, evaluation, or educational placement, with opportunity for parental participation in the hearing and representation by an attorney. 34 C.F.R. 104.36.

If you wish to challenge the decisions of Section 504 Team in regard to your child's identification, evaluation, or educational placement, you should file a written Notice of Appeal with the district's Section 504 Coordinator within 10 calendar days from the time you received written notice of the Section 504 Team's action(s). A hearing will be scheduled before an impartial hearing officer and you will be notified in writing of the date, time, and place for the hearing.

If you disagree with the decision of the impartial hearing officer, you have a right to a review of that decision by a court of competent jurisdiction. 34 C.F.R. 104.36.

On Section 504 matters other than your child's identification, evaluation, and placement you have a right to file a grievance with the district's Section 504 Coordinator (or designee), who will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution.

The district may not intimidate, threaten, coerce, discriminate, or retaliate against you or your child for the purpose of interfering with any right or privilege secured by Section 504.

You also have a right to file a complaint with the United States Department of Education, Office of Civil Rights at 1010 Walnut Street, Suite 320, Kansas City, MO 64106; Telephone (816) 268-0550; Fax (816) 823-1404; TTY (877) 521-2172; Email OCR.KansasCity@ed.gov.

The district's Section 504 Coordinator is Elizabeth A. Heide, 8701 Holmes Road, Kansas City, MO 64131, Telephone (816) 349-3300; Email bheide@center.k12.mo.us.