

Summary of Legal Rights

You have a right to;

- have your child take part in, and receive benefits from, public education programs or activities without discrimination based on his/her disability.
- have the school district advise you of your rights under Federal law.
- receive notice with respect to the identification and evaluation of your child and the determination if your child is a qualified individual requiring accommodations necessary to provide access to educational programs and activities.
- have your child receive a free appropriate public education in the least restrictive environment. This includes the right to have the School District make reasonable accommodations to allow your child an equal opportunity to participate in school, school related activities, nonacademic and extracurricular activities offered by the district.
- have your child receive services and be educated in facilities comparable to those provided to nondisabled students.
- have evaluation, educational, and placement decisions made based on a variety of information sources, and by persons who know your child and who are knowledgeable about the evaluation data and placement options. This includes your child to receive Special Education and Related Services if he/she is found eligible under Individuals with Disabilities Education Improvement Act (IDEIA).
- have the opportunity to review relevant educational records under the Family Education Rights and Privacy Act (FERPA).
- obtain a response from the School District to reasonable requests for explanations and interpretations of your child's records.

Summary of Legal Rights (con't)

You have a right to;

- request to amend 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 your right to an impartial hearing.
- request mediation or file grievance in accordance with the School District's Section 504 mediation, grievance and hearing procedures- Howard-Suamico School District Guidelines 2260.01B.
- request a hearing before an impartial hearing officer by notifying the district should you disagree with the decisions reached by school/district personnel for accommodations for access to educational programming and/or facilities.
- file a local grievance or contact the Office of Civil Rights at any time.

To file a formal complaint with the US Department of Education

Office for Civil Rights, Chicago Office (Region V)
US Department of Education
500 W. Madison St, Suite 1475
Chicago, IL 60661
Phone- 312-730-1560 Fax- 312-730-1576

The person in this district who is responsible for ensuring compliance with Section 504 is:

Jennifer Garceau, Director of Student Services
2706 Lineville Rd. Green Bay, WI 54313
Phone- 920-662-7881 Fax- 920-662-7900



HOWARD-SUAMICO
S C H O O L D I S T R I C T
SERVING • LEARNING • ACHIEVING – TOGETHER

Section 504

Parents and student rights
of students with disabilities

**Department of
Student Services**
2706 Lineville Road
Green Bay, WI 54313
Ph: (920) 662-7881
Fax: (920) 662-7900
<http://www.hssdschools.org>

What is Section 504?

Section 504 refers to a part of the Rehabilitation Act of 1973. The primary purpose of the Rehabilitation Act of 1973 is to ensure that persons with disabilities are not discriminated against.

Who is Eligible?

A student with a disability should be considered for eligibility under Section 504 if he/she:

- has a physical or mental impairment which substantially limits one or more major life activities
- has a record of such an impairment; or
- is regarded as having such an impairment

Major Life Activities

Major Life Activities include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, sleeping, concentrating, reading, communicating, bending and major bodily functions (immune, digestive, respiratory, circulatory, endocrine, neurological, brain and reproductive systems, bowel and bladder functions, and normal cell growth).

Substantial Limitation

Substantial Limitation is the inability to perform a major life activity that the average person in the general population can perform without the use of mitigating measures, and includes impairments that are episodic or in remission. A diagnosis of a disability does not automatically qualify a student for eligibility under Section 504. School teams and parents who feel a student may meet the criteria for Section 504 eligibility may request that the student be brought up for review at a team meeting.

How is a child identified and evaluated?

The student is referred to the 504 Team (members of the team vary based on need), who will review the information and determine eligibility under Section 504. A parent or staff member may refer a student to the 504 team.

Eligibility is determined by:

- input referenced from written documentation from medical, psychological, or outside agency reports;

Or

- evaluation in which appropriate information is gathered (such as from student records, observations, anecdotal reports, teacher reports, individual and group tests, aptitude and achievement tests, medical information, nursing assessment, occupational or physical therapist assessment, doctor's orders, emergency care plans, and adaptive behavior assessment);

And

- determination that the disability substantially limits a major life skill (breathing, walking, learning, etc).

What is a 504 Plan?

Students who meet the eligibility guidelines for Section 504 will have a 504 Plan developed for use in the general education classroom. The plan specifies the nature of the impairment, the major life activity affected by the impairment, and the accommodations necessary to provide access based on the student's needs. The plan also includes individual staff members responsible for implementing the accommodations.

Accommodations should be specific to the individual with regard to his/her impairment and its effect on the major

life activity. 504 Plans should not include accommodations typically provided to general education students.

The team will review the student's 504 Plan on a periodic basis to ensure its effectiveness. A parent may request at any time that a plan be reviewed and/or revised as needed.

If a parent or the school team suspects that the student is in need of special education and related services, the team will schedule an IEP (Individualized Education Program) meeting.

What are the disciplinary procedures for 504 disabled students?

Suspensions Totaling Ten Days or Fewer

In any disciplinary case deemed to warrant suspension for not more than 10 consecutive school days or when the total for the school year is less than 10 days, a student with disabilities may be suspended in accordance with the procedures in the Code of Student Conduct.

Suspensions Totaling More Than Ten Days

In suspension cases involving over 10 total days for the year, a 504 committee meeting must be held. The committee must determine whether the conduct that prompted the disciplinary action was a manifestation of the student's disability. If the behavior that resulted in the disciplinary action was not the result of the student's disabling condition, the request for a suspension or expulsion remains and follows the regular procedures. If the behavior that resulted in the disciplinary action was a result of the disabling condition as determined by the 504 committee, the suspension or expulsion is discontinued, and the record is removed from the child's files.

The 504 Plan should be reviewed at this time to determine if the Plan is appropriate