

Hoosac Valley Regional School District
Notification of Parent and Student Rights
Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 Section 504 of the Rehabilitation Act of 1973, commonly called "Section 504," is a federal law that protects students from discrimination/harassment based on disability. Section 504 assures that students with disabilities have educational opportunities and benefits equal to those provided to students without disabilities. To be eligible, a student must have a physical or mental impairment that substantially limits one or more major life activities.

You have the following rights:

1. To have your child with disabilities take part in, and receive benefits from public education programs without discrimination or retaliation because of his/her disability or engagement in a protected activity;
2. To receive a copy of this notice when the district takes any action regarding the identification, evaluation and placement of a student pursuant to Section 504;
3. To receive notice from the school with respect to the identification, evaluation, and educational program or placement of your child;
4. Right to inspect and review all of your child's educational records, including the right to obtain copies of education records at reasonable cost unless the cost would deny you access to the records, and the right to add to the record if you believe information contained in the record is inaccurate or misleading;
5. To receive all information in the parent's or guardian's native language or primary other mode of communication;
6. To have your child receive a free appropriate public education which includes the right of the child to be educated with students without disabilities to the maximum extent appropriate;
7. To receive accommodations and/or related aids and services without cost to allow your child an equal opportunity to participate in school activities;
8. To be educated in facilities and receive services that are comparable to those provided to students without disabilities;
9. To have your child have equal opportunity to participate in school programs and extracurricular activities sponsored by the school;
10. To refuse consent for any assessments proposed by the school district (the school district may seek substitute consent at an impartial hearing);
11. To have evaluation and placement decisions made by a group of knowledgeable persons (504 Team), including persons who know your child, can interpret evaluation information, and know the accommodations, related aids and service and placement options available;
12. To evaluations from a variety of sources by trained personnel prior to an initial Section 504 placement, any subsequent significant changes in placement, and periodic reevaluations;
13. To have 504 Team consider outside medical and/or independent evaluation information you provide to the 504 Team;
14. To a school district response to your reasonable requests for explanations/interpretations of your child's educational records;
15. Right to file a complaint of disability-based discrimination or harassment with your child's building principal, who will investigate the complaint.
16. Right to disagree with the Section 504 Team's decision with regard to his/her child's identification, evaluation, or educational placement may file a grievance with your child's building principal.

17. Right to disagree with the school district's decisions regarding your child's identification, evaluation, educational program, or placement under Section 504 and request mediation or an impartial due process hearing at the Massachusetts Bureau of Special Education Appeals (BSEA). You and your child have the right to take part in the hearing and be represented by counsel at your own expense. You also have the right to appeal the impartial hearing officer's decision. The BSEA is located at 14 Summer Street, 4th floor, Malden, MA 02148 and can be reached by phone (781-397-4750) or fax (781-397-4770). You can find more information about the mediation and impartial hearing process on the BSEA's website: <https://www.mass.gov/orgs/bureau-of-special-education-appeals>. If you disagree with the decision of the BSEA's impartial hearing officer, you have a right to review that decision by a court of competent jurisdiction.
18. Right to file a complaint of discrimination with the United States Department of Education's Office for Civil Rights (OCR) or to file a complaint in federal court. The regional offices are located at 5 Post Office Square, 8th Floor, Boston, MA 02109 and can be reached by phone (617-289-0111), fax (617-289-0150) and e-mail (OCR.Boston@ed.gov). You can find more information about how to file a complaint on OCR's website: <https://www2.ed.gov/about/offices/list/ocr/docs/howto.html?src=rt>.

Specific questions and concerns regarding Section 504 including referral for evaluation, eligibility and services can be directed to your child's building principal.