

Northern Berkshire Vocational Regional School District



McCANN TECHNICAL SCHOOL

SECTION 504 PARENT/STUDENT RIGHTS IN IDENTIFICATION, EVALUATION, AND PLACEMENT

Please Keep This Explanation for Future Reference (Section 504 of the Rehabilitation Act of 1973)

Section 504 is an Act that prohibits discrimination against persons with a disability in any program receiving Federal financial assistance. The Act defines a person with a handicap as anyone who:

1. Has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working);
2. Has a record of such an impairment; or
3. Is regarded as having such impairment.

In order to fulfill its obligation under Section 504, the Northern Berkshire Vocational Regional School District recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a handicap will knowingly be permitted in any of the programs and practices in the school system.

The School District has specific responsibilities under the Act, which include responsibility to identify, evaluate, and, if the child is determined to be eligible under Section 504, to afford access to appropriate educational services.

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to:

1. Have your child take part in, and receive benefits from, public education programs without discrimination because of his/her disability;
2. Have the School District advise you of your rights under this federal law;
3. Receive notice with respect to identification, evaluation, or placement of your child;
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the School District make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities;
5. Have your child be educated in facilities and receive services comparable to those provided to nondisabled student;

6. Have your child receive special education and related services if she/he is found to be eligible under the Massachusetts Special Education procedures or Section 504 of the Rehabilitation Act;
7. Have evaluation, education, and placement decisions made based upon a variety of information sources, and by a group of knowledgeable persons who know the student, the evaluation data, and placement options;
8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district;
9. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by the district;
10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement;
11. Obtain copies of your child's educational records at a reasonable cost unless the fee would effectively deny you access to the records;
12. A response from the School District to reasonable requests for explanations and interpretations of your child's records;
13. Request amendment of your child's educational records if there is a 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 the right to a hearing;
14. Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. You and the student may take part in the hearing and have an attorney represent you. Hearing requests must be made to the Bureau of Special Education Appeals;
15. File a local grievance.

The person in this district who is responsible for assuring that the district complies with Section 504 is:

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