



## **Rights in Identification, Evaluation and Placement**

### **Pursuant to Section 504 of the Rehabilitation Act of 1973**

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#### **SECTION 504 PROCEDURAL SAFEGUARDS**

The purpose of this notice is to describe the procedural safeguards for students with disabilities under Section 504. The intent of the law is to keep parents or adult students fully informed concerning the District's decisions to identify, evaluate, and/or provide disability-related accommodations/services. The District encourages and facilitates informal complaint resolutions of the same.

Section 504 of the Rehabilitation Act of 1973 is a federal law prohibiting discrimination against disabled persons who may participate in, or receive benefits from programs receiving federal financial assistance. Under Section 504 (§504), eligible students with disabilities are provided with educational benefits and opportunities equal to those provided to nondisabled students. Students with disabilities have the right to receive a free appropriate public education (FAPE) and to be educated with nondisabled students to the maximum extent appropriate. Under §504, students are considered disabled if they suffer from a physical or mental impairment that substantially limits one or more major life activities. Section 504 also protects students with a record of impairment or, who are regarded as impaired, from discrimination on the basis of disability. Students can be considered disabled, and may receive protections/accommodations under §504, even if they do not qualify for, or receive special education and related services under the Individuals with Disabilities Education Act (IDEA).

#### **Parents of students (or adult students) with disabilities eligible under §504 have the following rights:**

- 1) Receive written notice of the District's intent to identify, evaluate, and/or to provide a 504 Plan for their child.
- 2) Review all relevant records regarding their child and obtain copies at reasonable cost.
- 3) Appeal/disagree with the District's decisions with regard to the identification, evaluation, or 504 Plan accommodations/services, or file a complaint concerning allegations of a violation of §504 policy/procedures, or disability-based discrimination/harassment.
- 4) Request an informal mediation or an impartial hearing if they disagree with their child's identification, evaluation, or 504 Plan, with an opportunity to participate and be represented by an attorney at parent's expense.
- 5) Review the decision of the impartial hearing officer.

#### **For more information, you may contact:**

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