

Parental Notice of Rights Regarding Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against individuals with a disability in any program receiving Federal financial assistance. The Act defines a person with a disability as anyone who:

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

The following is a description of the rights granted by this federal law to students with disabilities. The intent of the law is to keep you fully informed concerning your rights.

You have the right to:

- Have your child take part in, and receive benefits from, public education programs without discrimination because of his/her disability.
- Have the school district advise you of your rights under this law.
- Receive notice with respect to identification, evaluation, or placement of your child.
- Have your child receive a free and appropriate public education. This includes the right to be educated with a non-disabled student 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.
- Have your child educated in facilities and receive services comparable to those provided to non-disabled students.
- Have your child receive special education and/or related services if he/she is found to be eligible under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act.
- Have evaluation, educational and placement decisions made based upon a variety of informational sources; and by a group of persons, including persons who know the student, the evaluation data and the placement options.
- Periodic re-evaluations prior to any significant change in program or service accommodations.
- Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by the district.
- Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement.
- Obtain copies of your child's educational records at a reasonable cost unless the fee would effectively deny you access to those records.

- For a student eligible under Section 504, have a manifestation determination before student may be subjected to a disciplinary change of placement (i.e., suspension of more than 10 days) for violation of the District's code of conduct.
- Receive a response from the school district to reasonable requests for explanations and interpretations of your child's records.
- Request amendment of your child's educational records if there is reasonable cause to believe that they may be 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.
- 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 request must be made in writing to:

**Assistant Superintendent of Pupil Personnel Services
Section 504 Compliance Officer
Bedford Central School District
Fox Lane Campus
PO Box 180
Mount Kisco, NY 10549**

- File a complaint with the Office of Civil Rights (OCR) for alleged violations of Section 504.
- File a local grievance.

In order to fulfill its obligation under Section 504, the Bedford Central School District recognizes the responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person solely due to his/her disability will knowingly be permitted in any of the programs and practices in the school district.

If the parent or guardian disagrees with the determination made by the school staff, he/she has the right to a hearing with an impartial hearing officer.

The Family Educational Rights and Privacy Act (FERPA) also specifies the rights related to educational records. This Act gives the parent or guardian the right to:

1. Inspect and review his/her child's educational records;
2. Make copies of those records;
3. Receive a list of individuals that have access to those records;
4. Ask for an explanation of any item in the records;
5. Ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violated the child's right;
6. A hearing on the issue if the school refuses to make the amendment.