NOTICE OF PARENT and STUDENT RIGHTS and PROCEDURAL SAFEGUARDS Section 504, The Rehabilitation Act of 1973

The Rehabilitation Act of 1973, commonly referred to as Section 504, is a federal nondiscrimination statute. The purpose of the Act is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to nondisabled students.

An eligible student under Section 504 is a student who (a) has, (b) has a record of having, or (c) is regarded as having, a physical or mental impairment which substantially limits a major life activity such as learning, self-care, walking, seeing, hearing, speaking, breathing, working and performing manual tasks.

The purpose of this Notice is to delineate the rights assured by Section 504. The enabling regulations for Section 504 at 34 CFR Part 104, entitle students to the following rights:

1. Your child has the right to an appropriate education designed to meet his/her individual educational needs as adequately as the needs of nondisabled students are met. 34 CFR 104.33.
2. Your child has the right to free educational services except for those fees that are imposed on nondisabled students or their parents. Insurers and similar third parties are not relieved from an otherwise valid obligation to provide or pay for services provided to a disabled student. 34 CFR 104.33.
3. Your child has a right to placement in the least restrictive environment. 34 CFR 104.34.
4. Your child has a right to facilities, services, and activities that are comparable to those provided for nondisabled students. 34 CFR 104.34.
5. Your child has a right to an evaluation prior to an initial Section 504 placement and any subsequent change in placement. 34 CFR 104.35.
6. Testing and other evaluation procedures must conform with the requirement of 34 CFR 104.35 as to validation, administration, areas of evaluation, etc. The district shall consider information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, adaptive behavior, physical or medical reports, student grades, progress reports, parent observations, anecdotal reports, and assessment scores. 34 CFR 104.35.
7. Placement decisions must be made by a group of persons (i.e., Section 504 Committee), including persons knowledgeable about your child, the meaning of the evaluation data, the placement options, and the legal requirements for least restrictive environment and comparable facilities. 34 CFR 104.35.
8. If eligible under Section 504, your child has a right to periodic reevaluations, generally every three years. 34 CFR 104.35.
9. You have the right to notice prior to any action by the district in regard to the identification, evaluation, or placement of your child. 34 CFR 104.36.
10. You have the right to examine relevant records. 34 CFR 104.36.
11. You have the right to an impartial hearing with respect to the district's actions regarding your child's identification, evaluation, or educational placement, with opportunity for parental participation in the hearing and representation by an attorney. 34 CFR 104.36.
12. If you wish to challenge the actions of the district's Section 504 Committee in regard to your child's identification, evaluation, or educational placement, you should file a written request for a due process hearing with the district's Section 504 Coordinator.
13. If you disagree with the decision of the impartial hearing officer, you have a right to a review of that decision by a court of competent jurisdiction. 34 CFR 104.36.
14. You also have a right to file a complaint with the Office of Civil Rights. The address of the Regional Office, which covers Tennessee, is:
    Office for Civil Rights
    61 Forsythe Street, SW, Suite 19T10
    Atlanta, GA 30323
    (404) 974-9406

My signature indicates that I have received this Notice of Rights.

Parent Signature_____**Date**_____

District Representative Signature_____**Date**_____

Bartlett City Schools offers educational and employment opportunities without regard to race, color, creed, national origin, religion, sex, age, or disability and adheres to the provisions of the Family Education Rights and Privacy Act (FERPA).