

Section 504 Notice of Parent/Guardian and Student Rights

This is a notice of your rights under Section 504 of the Rehabilitation Act of 1973 ("Section 504"). These rights are designed to keep you fully informed regarding District decisions about your child and to inform you of your rights if you disagree with any of these decisions.

If your child is identified for Section 504 services, you have the right to the following actions:

1. To have the District notify you of your rights (this document);
2. To have your child take part in, and receive benefits from, public education programs without discrimination based upon a disability;
3. To receive written notice with respect to identification, evaluation, and placement of your student;
4. To have your child receive a free and appropriate public education (FAPE). This includes the right to be educated with other students without disabilities to the maximum extent appropriate. It also includes the right to reasonable accommodations, modifications, and supports necessary for the student to benefit from FAPE.
5. To have your child educated in comparable facilities and to receive comparable services to those provided for students without disabilities;
6. To have evaluation, program, and placement decisions made based upon a variety of information sources, and by individuals familiar with the student, the meaning of the evaluation data, and the placement options;
7. If eligible, to have your child receive accommodations under Section 504.
8. To have your child re-evaluated periodically, to the extent necessary, including before any significant changes are made to your child's educational program or placement;
9. To have your child receive an equal opportunity to participate in appropriate non-academic and extra-curricular activities offered by the school;
10. To examine all relevant educational records relating to decisions regarding your child's identification, evaluation, education program, and placement;
11. To obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access;

12. To receive a response from the school to reasonable requests for explanations and interpretations of your child's records;
13. To request amendment of your child's educational records if there is reasonable cause to believe they are inaccurate, misleading, or otherwise in violation of privacy rights. If the District refuses a request for amendment, it shall notify you within a reasonable time, and advise you of the right to an impartial due process hearing;
14. To request mediation or file a complaint through the local grievance-complaint procedure (AAC-AR1). The availability and use of this grievance procedure does not prevent an individual from filing a request for an impartial due process hearing or a complaint of discrimination with the Office for Civil Rights at any time before or during the grievance procedures; and
15. To request an impartial due process hearing related to decisions regarding your child's identification, evaluation, educational program, or placement. You and your child may take part in the hearing and may choose to have an attorney represent you at your cost. Requests for an impartial due process hearing must be filed with the Superintendent of Public Instruction at 600 East Boulevard Avenue, Department 201, Bismarck, ND 58505-0340.

Questions or concerns regarding a student's performance or their Section 504 Plan shall be referred to the student's 504 Team.

The Human Resources Director is responsible for assuring District compliance with Section 504. This individual can be reached at: 701-323-4000 or 128 Soo Line Drive, Bismarck, ND 58501.