

## 504 Procedural Safeguards and Parent/Student Rights

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### **Must schools secure parental consent before conducting an evaluation meeting?**

Schools must include parents in the evaluation process and provide a written meeting notice prior to the evaluation meeting using the Parent and Student Invitation: Section 504 Meeting. Although Section 504 does not require obtaining parent consent prior to conducting a Section 504 evaluation, OCR has issued several opinions indicating that districts do so. School Counselors should use the Section 504 Eligibility Form which contains a section allowing for acquiring parent consent for collecting additional data and for placement, if the student is eligible, on a Section 504 Student Accommodation Plan.

### **Are schools required to provide parents with a list of parent/student rights under Section 504 before conducting an initial student review?**

Yes. The district is required to establish and implement procedural safeguards that include:

- Notice to the parent explaining any evaluation or placement decisions.
- An opportunity for parents to review relevant records.
- An impartial hearing with opportunity for participation by the student's parent or guardian with representation by counsel.
- An appeal procedure to review the hearing decision.

These procedural safeguards have been addressed by creating Section 504 evaluation procedures and a set of forms that guide the evaluation team through the eligibility determination and placement process.

A notice concerning Parent's Rights and Safeguards Under Section 504 must be included with the Parent Notice for Consideration for Section 504 Protections form given to the parent/guardian prior to the 504-evaluation meeting. Likewise, the Parent's Rights and Safeguards Under Section 504 must be provided to the parent(s)/guardian(s) upon the eligibility determination made by the Section 504 team.