Notice of Rights Under Section 504 of the Rehabilitation Act of 1973

These rights set forth in this notice apply to parents/guardians/caregivers and eligible students who have reached the age of majority, which in Massachusetts is 18 (eighteen), and are the rights granted to them under Section 504. These rights are as follows:

1. You have a right to be informed about your rights under Section 504. If you need further explanation or clarification of any of the rights described in this Notice, contact your building-based Section 504 administrator, your child's principal, or Christine DeAmbrose, Teacher in Charge of Section 504 Planning, for the Cambridge Public Schools at 617.349.6508. You also have the right to receive a copy of this notice of procedural rights when the school district identifies, evaluates, refuses to evaluate, makes a new educational placement, denies a new educational placement or makes any significant change in the placement of the student because of their disability or suspected disability.

2. You have the right to be notified by the Cambridge Public Schools prior to any action regarding the identification, evaluation, or placement of the student.

3. You have the right to an evaluation of the student if the school district has reason to believe that the student has a mental or physical impairment that substantially limits learning or some other major life activity, and you have the right to an evaluation before any plan for accommodation and before any subsequent significant change in the educational placement of the student.

4. The student has the right to a free appropriate public education. The parent/guardian/caregiver is responsible for the same costs as the parents/guardians/caregivers of students who are not disabled.

5. To the maximum extent appropriate, the student has the right to be educated with students who are not disabled.

6. The student has the right to take part in and receive benefits and services without discrimination because of their disability.

7. The student has the right to services, facilities, and activities comparable to those provided to non-disabled students.

8. If formal assessment instruments are used as part of an evaluation, procedures used to administer assessments and other instruments must comply with the requirements of Section 504 regarding test validity, proper method of administration, and appropriate test selection. The Cambridge Public Schools will consider information from a variety of sources in making its determinations, including, for example; aptitude and achievement tests, teacher recommendations, reports of physical condition, social and cultural background, adaptive

behavior, health records, report cards, progress notes, parent observations, scores on standardized state and district tests, and mitigating measures.

9. Decisions regarding accommodations, modifications, services and/or placement of the student must be made by a group of persons (a Section 504 team) knowledgeable about the student, the meaning of the evaluation data, possible placement options, and the requirement that to the maximum extent appropriate, disabled children should be educated with non-disabled children.

10. If the student is eligible for services under Section 504, they have a right to periodic evaluations to determine if there has been a change in educational need. Generally, an evaluation will take place at least every three years.

11. You have the right to examine relevant documents and records regarding the student. More specifically, the parent/guardian/caregiver or a student who has reached the age of fourteen or older or entered ninth grade has the right to examine all relevant records the school maintains on the student.

12. Students who are eligible under Sections 504 have certain additional protections when charged with a violation of the Cambridge Public Schools codes of conduct set forth in the Cambridge Public Schools *Rights and Responsibilities Handbook* which may result in a suspension or expulsion that constitutes a significant change in placement. *See* Section 18 of the *Rights and Responsibilities Handbook*.

13. If you have other issues surrounding the student's education that do not specifically involve identification, evaluation or placement, the parent/guardian/caregiver or student who has reached the age of majority has the right to present a grievance or complaint to the Cambridge Public Schools' Section 504 Coordinator who is Christine DeAmbrose, Teacher in Charge of Section 504 Planning, for the Cambridge Public Schools at 617.349.6508.

14. You have the right to an impartial due process hearing if you wish to contest any action of the Cambridge Public Schools with regard to the student's identification, evaluation, or placement under Section 504 of the Rehabilitation Act. A Request for Hearing must be submitted to the Bureau of Special Education Appeals (BSEA), 14 Summer Street, Malden, MA 02148. Phone: 781-397-4750; Fax: 781-397-4770. This written request for a hearing must also be submitted to the attention of the Superintendent of Schools, Cambridge Public Schools, 135 Berkshire Street, Cambridge, MA 02141You have the right to participate personally at the hearing, and to be represented by an attorney, if you wish to hire one. If you ultimately disagree with the decision of the hearing officer, you have a right to seek review of that decision by filing a complaint with the federal district court.

15. You have the right to file a complaint with the Office of Civil Rights of the United States Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-1475
Telephone: 202-453-6020, FAX: 202-453-6021; TDD: TDD: 800-877-8339
Email: OCR.DC@ed.gov