

Fauquier County Public Schools Procedural Safeguards for Section 504

In accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and the American with Disabilities Act of 1990 (ADA), Fauquier County Public Schools (FCPS) provides the parent with the following procedural safeguards in relation to the student;

1. The parent has the right receive notice of any proposed actions related to the identification, evaluation, or education placement of the student as well as a Prior Written Notice documenting such actions.
2. The parent has the right to consent to the administration of any individually administered assessments.
3. The parent has the right to inspect and review all relevant educational records of the student.
4. For act of misconduct, when a decision is made to remove a Section 504 qualified student from school for more than ten consecutive days or when the Section 504 qualified student is subjected to a series of removals during a year that constitute a pattern and accumulates more than ten days, a knowledgeable committee shall convene to determine whether the student's conduct was caused by the student's disability. Such process is called Manifestation Determination Review.
5. If parent disagrees with the identification, evaluation, or placement, the parent has the right to an impartial hearing, which includes participation by parents and representation by counsel.
6. The parent may file a grievance with the school division over the alleged violations of Section 504.
7. The parent has the right to appeal an impartial hearing officer's final decision in court if the parent disagrees with that decision.
8. The parent may file a complaint with the Office of Civil Rights at the United States Department of Education with the regional office, typically within 180 days of the alleged discriminatory act.

9. The parent may request an Independent Educational Evaluation if they disagree with the schools' testing, if testing occurred during the Section 504 eligibility process.
10. For further assistance, the Parental Education Advocacy Training Center (PEATC) provides resources and the Virginia Department of Education Office of Dispute Resolution and Administrative Services can be reached at (800)292-3820.

The Section 504/ADA Coordinator for FCPS is the Director of Special Education and may be contacted at the following telephone number; (540)422.7140. Please contact the Section 504 /ADA Coordinator regarding any questions related to Section 504 of the ADA. You may obtain a copy of the FCPS's Section 504 Policies and Procedures by visiting the division website or by contacting the Section 504/ADA Coordinator at the above number. Please note that all complaints and requests for impartial hearing and reviews must be in writing and submitted to the Section 504/ADA Coordinator at the following address; 430 East Shirley Avenue Warrenton, VA 20186. The request for hearing must include; name of student, address of the student, name of the school the student is attending, a description of the nature of the problem with supporting facts, and a proposed resolution of the problem.