

Auburn City Schools
Section 504 of the Rehabilitation Act

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| PARENT/GUARDIAN/STUDENT PROCEDURAL SAFEGUARDS AND RIGHTS UNDER SECTION 504 OF THE REHABILITATION ACT Form C |
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Under Section 504 of the Rehabilitation Act of 1973, students with qualifying disabilities have the right to receive a free appropriate public education, which includes the right to an education with students without disabilities to the maximum extent appropriate.

In particular, the enabling regulations for Section 504, as set out in 34 CFR Part 104, provide parents and/or students with the following rights:

1. Your child has the right to an appropriate education in the least restrictive environment that is designed to meet his/her individual educational needs as adequately as the needs of nondisabled students are met.
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.
3. Your child has a right to non-discrimination and to facilities, services, and activities that are comparable to those provided for non-disabled students.
4. Your child has a right to an evaluation prior to an initial Section 504 determination and placement and any subsequent significant change of placement.
5. Placement decisions must be made by a group of persons (i.e., the Section 504 Team), 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.
6. You have the right to examine relevant records prior to any action by the District in regard to the identification, evaluation, or placement of your child or upon request.
7. You have the right to an impartial hearing with respect to the District's actions regarding your child's identification, evaluation, or educational placement. You have the right to participate and to be represented by an attorney at your expense.
8. You have the right to obtain copies of your child's educational records at a reasonable cost unless the fee would effectively deny you access to the records.
9. You have the right to receive a response from the school district to reasonable requests for explanations and interpretations of your child's records.

10. You have the right to request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your child.
11. You may challenge the actions of the District's Section 504 Team in regard to your child's identification, evaluation, or educational placement, by requesting a due process hearing with the District's Section 504 Coordinator, **Dr. Tim Havard**, within 30 calendar days from the time you received written notice of the Section 504 Team's action(s). A due process hearing will be scheduled before an impartial hearing officer and you will be notified in writing of the date, time, and place for the hearing. You have the right to participate in the hearing and to be represented by counsel if you choose. If you disagree with the decision of the impartial hearing officer, you have a right to request a review of the decision in a court of competent jurisdiction.
12. On Section 504 matters other than your child's identification, evaluation, and/or placement, you have a right to file a grievance with the District's Section 504 Coordinator, who will investigate the allegations to the extent warranted by the nature of the grievance in an effort to reach a prompt and equitable resolution.
13. You also have a right to file a complaint with the Office of Civil Rights if you believe that you or your child has been subjected to discrimination on the basis of disability. The contact information is as follows: Office for Civil Rights U.S. Department of Education, 61 Forsyth Street S.W., Suite 19T70, Atlanta, GA 30303-3104. Telephone: (404)562-6350 Fax: (404) 562-6455. Email: OCR.Atlanta@ed.gov.