

[NOTE: Section 504 requires a system of procedural safeguards that includes notice to the parents; however, no timelines are set forth. By following the annual notification requirements set forth under the IDEA, the district fulfills its notice obligations under Section 504 as well. (The district must provide a Section 504 specific statement.) In addition, parents/guardians must be provided written notice any time the district proposes or refuses to initiate or change the identification, evaluation, or educational placement of the student.]

Grace **School District No. 148**
Section 504 of the Rehabilitation Act of 1973
Notice of Rights to Identification, Evaluation, and Placement

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to:

1. Have your child take part in, and receive benefits from, public education programs without discrimination because of his or her disability.
2. Have the school district advise you of your rights under federal law.
3. Receive notice with respect to identification, evaluation, or educational placement of your child.
4. Have your child receive a free appropriate public education (FAPE). This includes the right to be educated with nondisabled students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school related activities.
5. Have your child educated in facilities and receive services comparable to those provided to students without disabilities.
6. Have your child receive regular or special education and related aids and services if he or she is found to be eligible under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act (Section 504).
7. Have identification, evaluation, and service decisions made based upon a variety of information sources and by persons who know your child, the evaluation data, and the service options.
8. Have transportation provided to and from a program not operated by the district if the district places the student in the program.

9. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the school district.
10. Examine all relevant records relating to decisions regarding your child’s identification, evaluation, educational program, and services.
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
12. Receive a response from the school district to reasonable requests for explanations and interpretations of your child’s records.
13. Request amendments 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. If the school district refuses this request for amendment, it will notify you within a reasonable amount of time and advise you of the right to a hearing.
14. Request mediation or an impartial due process hearing related to decisions or actions regarding your child’s identification, evaluation, educational program, or services. If you disagree with the decision, you have a right to a review. You and the student may take part in the hearing and have an attorney represent you. Hearing or meditation requests must be made to the district’s *Section 504 Compliance Officer*.
15. Ask for payment of reasonable attorney fees if you are successful on your claim.
16. File a local grievance.
17. File a complaint with the Office for Civil Rights, 915 2nd Avenue, Room 3310, Seattle, WA 98174-1099.

The person in this district who is responsible for assuring that the district complies with Section 504 is:

[Section 504 Compliance Officer]
Grace School District No. 148
Grace, ID 83241
Phone: (208) 425-3984
Fax: (208) 425-3809
E-mail: _____



LEGAL REFERENCE:

Section 504 of the Rehabilitation Act of 1973

29 USC 794

34 CFR Part 104

Family Educational Rights and Privacy Act (FERPA)

20 USC 1232g

34 CFR Part 99