

West Carroll SSD Parent/Student Rights in Identification, Evaluation, and Placement

The following is a description of the rights granted to students with a disability by Section 504 of the Rehabilitation Act of 1973, a civil rights statute, which prohibits discrimination against persons with a disability in any program or activity receiving federal financial assistance. 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/her disability;
2. Have your school district advise you of your rights under federal law;
3. Receive notice with respect to identification, evaluation, or placement of your child;
4. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled 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 non-disabled students;
6. Have your child receive special education and related services if s/he is found to be eligible under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act;
7. Have evaluation, education, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluation data, and placement options;
8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would have been incurred if the student were placed in a program operated by the district;
9. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district;
10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, education program, and placement;
11. Obtain copies of education records at a reasonable cost, unless the fee would effectively deny you access to the records;

12. A response from the school district to reasonable requests for explanations and interpretations of your child's records;

13. Request the 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. If the school district refuses this request for amendment, it shall notify you within a reasonable time, and advise you of the right to a hearing;

14. File a local grievance;

15. Request voluntary mediation or an impartial hearing related to decisions or action regarding your child's identification, evaluation, educational program or placement. You and the student may take part in the hearing and have an attorney represent you. Written hearing requests must be submitted to the 504 Coordinator/designee of the local school system and include the following information:

- The reason for the request;
- A suitable time for the hearing: morning, afternoon, evening;
- Two possible dates for the hearing; and
- Whether the hearing will be closed or open to the public

The hearing must be held no less than fifteen (15) days and no more than thirty (30) days from the time you asked for the hearing, unless you agree otherwise, or the impartial hearing officer grants a continuance at the request of one of the parties.

Reasons for the request:

1. Denied identification, evaluation or educational placement of persons who, because of a disability, need or are believed to need special education or related services.
2. Placed in a setting which is not the least restrictive environment.
3. Denied appropriate services due to inaccessibility of programs.
4. Denied modifications to regular education program because of identified disability.
5. Denied participation in extracurricular and nonacademic activities because of disability.

16. Ask for payment of reasonable attorney fees.

The person in West Carroll SSD who is responsible for ensuring compliance with Section 504 is:

Betty Wallace, Section 504 Coordinator
731-662-4200