**ACE**

**PROCEDURAL SAFEGUARDS – NON-DISCRIMINATION**

**ON THE BASIS OF HANDICAP/DISABILTIY**

The District provides the following Notice of Procedural Safeguards to parents/guardians, and disabled persons, as required by 34 C.F.R. Sections 104.7, 104.8, 104.22 (4) (f), and 104.36 of the Regulations implementing Section 504 of the Rehabilitation Act of 1973.

The District does not discriminate on the basis of disability in admission or access to, or treatment or employment in, its programs and activities.

The school district will ensure that all students with a handicap or disability are provided all necessary procedural safeguards as are required by law. Such procedural safeguards are found in pertinent federal and state laws and regulations. In addition, all staff, students, parents and other interested persons are directed to the New Hampshire Department of Education Procedural Safeguards Handbook.

The Director of Pupil Services, Lincoln-Woodstock Cooperative School District, 72 Linwood Dr., Lincoln, NH 03251 (Telephone: (603)745-2214), is the designated Section 504 Coordinator. The parent/guardian of disabled student(s) or any disabled person may use the following grievance procedure established by the Board.

Grievance Procedure:

A complaint regarding a violation of law shall be subject to a grievance procedure that provides for the prompt and equitable resolution of disputes.

Upon request, the Section 504 Coordinator will provide a copy of the District's grievance procedures. The person who believes they have a valid basis for grievance shall discuss the grievance with the Section 504 Coordinator, who shall, in turn, investigate the complaint and respond to the complainant as follows:

Step 1:

A written statement of the grievance signed by the complainant shall be submitted to the Section 504 Coordinator within five (5) business days of receipt of the informal complaint. The Coordinator shall further investigate the matters of grievance and reply in writing to the complainant within five (5) business days.

Step 2:

If the complainant wishes to appeal the decision of the Section 504 Coordinator, the complainant may submit a signed statement of appeal to the Superintendent, or to an impartial hearing officer if it is determined that the Director of Pupil Services is not impartial, within five (5) business days after receipt of the Coordinator’s response. The Director of Pupil Services shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) business days.

Step 3:

If the complainant remains dissatisfied, the complainant may appeal through a signed written statement to the local School Board within five (5) business days of his/her receipt of the Director of Pupil Services

**ACE**

response in Step 2. The local School Board, or an independent hearing officer if it is determined that the Board is not impartial, shall hold an impartial hearing within thirty

(30) calendar days of the receipt of such an appeal. A copy of the disposition of the appeal shall be sent to each concerned party within ten (10) business days of this hearing.

Step 4:

The decision of the School Board or hearing officer is final pending any further legal resource as may be described in local School District, state or federal statutes relating to Section 504. Further appeal may be made to the Office for Civil Rights, U.S. Department of Health & Human Services, Regional Office, JFK Building, Rm. 1875, Boston, MA 02203-2100, (617) 565-1340.

A copy of the regulations on which this notice is based, may be found in the office of the Section 504 Coordinator, 72 Linwood Drive, Lincoln NH, 03251, 745-2214.

Section D Procedural Safeguards: As required by Section 104.36, as the parent/guardian of a student, who because of disability needs or is believed to need special instruction and related services, you have the right, with respect to any action regarding identification, evaluation, and placement to:

1. Notice of referral/identification, evaluation and placement process, with appropriate consent form.
2. Examine all relevant records.
3. At an impartial hearing, at any time, with respect to any actions regarding identification, evaluation, or placement of persons who need or are believed to need special education and related services, an opportunity for participation by you and representation of counsel as provided under the Individuals with Disabilities Education Act.
4. A review process.

Legal References:

NH Department of Education Administrative Rules, Ed 1120, Procedural Safeguards

34 C.F.R. Part 104, Nondiscrimination on the Basis of Handicap

Section 504 of The Rehabilitation Act of 1973

First Reading: March 27, 2001

Second Reading: April 10, 2001

Adopted: April 10, 2001

Reviewed: January 11, 2005 (Amended to include any legal references.)

Reviewed: May 13, 2008

First Reading: April 12, 2011

Second Reading: April 26, 2011

Revised: April 26, 2011

Reviewed: December 20, 2011

First Reading: June 14, 2017

Second Reading: June 28, 2017

Revised: June 28, 2017