

NOTICE OF PARENT AND STUDENT RIGHTS
UNDER SECTION 504, THE REHABILITATION ACT OF 1973

The Rehabilitation Act of 1973, commonly referred to as "Section 504", is a non-discrimination statute enacted by the United States Congress. One purpose of the Act is to prohibit discrimination and to assure that disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

An eligible student under Section 504 is a student who (a) currently has, or (b) has a record of having, or (c) is regarded as having a physical or mental impairment which substantially limits a major life activity such as learning, self-care, walking, seeing, hearing, speaking, breathing, working or performing manual tasks.

DUAL ELIGIBILITY: Many students will be eligible for educational services under both Section 504 and the Individuals with Disabilities Education Act (IDEA/PL 94-142). Students who are eligible under the IDEA/PL 94-142 have many specific rights that are not available to students who are eligible solely under Section 504. It is the purpose of this notice form to set out the rights assured by Section 504 to those disabled students who do not qualify under the IDEA/PL 94-142.

The enabling regulations for section 504 as set out in 34 CFR 104 provide parents and/or students with the following rights:

1. You have the right to be informed by the school district of your rights under Section 504. (The Purpose of this notice form is to advise you of those rights). 34 CFR 104.32.
2. Your child has the right to a free appropriate public education designed to meet his/her individual educational needs as adequately as the needs of non-disabled students are met. 34 CFR 104.33.
3. Your child has the right to free educational services except for those fees that are imposed on non-disabled 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. 34 CFR 104.33.
4. Your child has the right to placement in the least restrictive environment. 34 CFR 104.34.
5. Your child has a right to facilities, services and activities that are comparable to those provided for non-disabled students. 34 CFR 104.34.
6. Your child has a right to an evaluation prior to an Initial Section 504 placement and any subsequent significant change in placement. 34 CFR 104.35.
7. Testing and other evaluation procedures must conform with the requirements of 34 CFR 104.35 as to validation, administration, areas of evaluation, etc. The district shall consider, as appropriate, information from