

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 nondiscrimination Statute enacted by the United States Congress. The 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) has, (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, and performing manual tasks.

The enabling regulations for Section 504 as set out in 34 CFR Part 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 is to advise you of those rights.
2. Your child has the right to an appropriate education designed to meet his/her individual educational needs as adequately as the needs of non-disabled students are met.
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.
4. Your child has a right to be educated, and to participate in activities and services, with students who are not disabled, to the maximum extent appropriate.
5. Your child has a right to facilities, services, and activities that are comparable to those provided for non-disabled students.
6. Your child has a right in his/her native language to evaluation prior to an initial Section 504 placement and any subsequent significant change in placement.
7. With respect to testing and other evaluation procedures, the District shall consider information from a variety of sources; including aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, adaptive behavior, physical or medical reports, student grades, progress reports, parent observations, and anecdotal reports.