

**PROCEDURAL SAFEGUARDS
NONDISCRIMINATION ON THE BASIS OF HANDICAP/DISABILITY**

The District provides the following Notice of Procedural Safeguards to parents/guardians, and handicapped persons, as required by 34 C.F.R. Sections 104.7, 104.8, 104.33, (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 handicap in admission or access to, or treatment or employment in, its programs and activities.

The District provides a grievance procedure with appropriate due process rights. The Assistant Superintendent for Student Services is the designated employee charged with coordinating efforts to comply with Section 504. The parent/guardian of a handicapped student or any handicapped person may use the grievance procedure established by the Board.

Grievance Procedure:

The parent/guardian of a handicapped student or as a handicapped person, has the right to notify the above designated employee with any complaint.

The above designated employee will respond to the complaint within ten (10) working days of receipt of the complaint. The parties will attempt to resolve their differences informally and in a timely manner. A written record of the outcome will be given to the complainant within ten (10) working days of the attempt to arrive at a solution.

If the above process fails to achieve a satisfactory resolution, the complainant may:

1. Notify the Superintendent of the complaint.
2. Request that the Board place the matter on its agenda.

The complainant may be represented by any person of their choosing, may introduce documents or other evidence to support their position, and may question witnesses called by the District.

In all of the above, a written decision will be delivered to the complainant within ten (10) working days.

Section D Procedural Safeguards:

As required by Section 104.36, as the parent/guardian of a student, who, because of handicap, 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. Be informed of your rights under Section 504 of the Rehabilitation Act.
2. The right for your child to have equal opportunities to participate in academic, non-academic, and extra-curricular activities in your school.
3. Be notified about referral, evaluation, and programs for your child.
4. The right for your child to be evaluated fairly.
5. To be considered for services under Section 504. If eligible, your child could receive accommodations, modifications, and related services that will meet his/her needs.
6. The right for your child to be educated with non-disabled peers as much as possible.
7. An impartial hearing if you disagree with the school regarding your child's educational program.
8. Review and obtain copies of your child's school records.
9. Request attorney fees related to securing your rights under Section 504
10. Request changes in the educational program of your child.

Reference:

34 C.F.R.

Sections: 104.7, 104.8, 104.22 (4) (f), and 104.36 of the Section 504 Regulations

Adopted 6/26/00

Reviewed 12/07