

Procedural Safeguards Statement

Notice of Parent and Student Rights Under Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 (Section 504) and the Americans with Disabilities Act (ADA) prohibit discrimination based on disability. This district has adopted policies and procedures to ensure compliance with both Section 504 and the ADA.

An eligible student under Section 504/ADA is a student who (i) has, (ii) has a record of having, or (iii) is regarded as having, a physical or mental impairment which substantially limits one or more major life activities. Eligible students are entitled to non-discrimination protection, and any appropriate services.

Parents and/or students have the following rights under Section 504:

1. The right to a free and appropriate education designed to meet the student's needs as adequately as non-disabled students. The term "free" excludes fees that are imposed on non-disabled students.
2. The right to be educated in facilities and receive services comparable to those provided to nondisabled students.
3. The right to an evaluation prior to an initial placement or any significant change in placement.
4. The right to an equal opportunity to participate in nonacademic and extracurricular activities offered by the district.
5. The right to an evaluation, if appropriate, includes an evaluation of data from a variety of sources, including cumulative data information, attendance records, discipline data, report card grades, curriculum based assessments, informal teacher observations, parent/student input, medical information and other sources as appropriate. Testing and other evaluation procedures will comply with Section 504 requirements in regards to validation, administration, and areas of evaluation.
6. If eligible, the right to placement is determined by a group of persons with knowledge of (1) the child, (2) the meaning of the evaluation information and (3) the placement options, including the legal requirements for placement in the least restrictive environment.

7. The right to a periodic reevaluation, generally every three years. 8. Notice prior to any action by the district in regard to the identification, evaluation or placement under Section 504.
8. An opportunity to review relevant records.
9. The right to an impartial hearing with respect to the district's actions regarding identification, evaluation, or educational placement. In addition, the right to parent participation in the hearing and the right to representation by an attorney, at your own expense, if desired.
10. The right, if you disagree with the decision of the impartial hearing, to a review of the decision by a court of competent jurisdiction.
11. The right to file a local grievance with respect to alleged disability discrimination with the district's designated Section 504 coordinator.

The contact information is:

Jamie Scott, Special Education Director

210 E Washington

East Prairie, MO 63845

Phone: (573) 649-9368, ext. 2306

Fax: (573) 649-5455

jamie.scott@eastprairie.org

12. The right to file a complaint with the U.S. Department of Education, Office for Civil Rights. The contact information is:

Office for Civil Rights

One Petticoat Lane

1010 Walnut Street, Suite 320

Kansas City, Missouri 64106

Telephone: (816) 268-0550

Fax: (816) 268-0559

Email: OCR.KansasCity@ed.gov