

SECTION 504 PARENT/CHILD RIGHTS AND PROCEDURAL SAFEGUARDS:

1. Your child has a right to take part in and receive benefits from public education programs without discrimination based on a disability.
2. You have the right to receive written notice prior to any action by the district in regard to the identification, evaluation, or placement of your child.
3. Your child has a right to an evaluation prior to the development of an initial § 504 plan and any subsequent significant change in placement. Your child is eligible under § 504 of The Rehabilitation Act of 1973 if the § 504 Committee determines that your child (1) has a physical or mental impairment that substantially limits one of the major life activities; (2) has a record of such impairment; or (3) is regarded as having such an impairment. Major life activities include caring for oneself, bending, lifting, performing manual tasks, eating, sleeping, reading, concentrating, thinking, communicating, operation of a major bodily function (including but not limited to functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions), standing, walking, seeing, hearing, breathing, speaking, learning, and/or working. Your child will be eligible for a § 504 plan if he/she has a condition that substantially limits his/her ability to engage in any major life activity and requires accommodations to access educational programs.
4. In making § 504 eligibility decisions, the district shall consider information from a variety of sources, including (as appropriate) but not limited to aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background, adaptive behavior, physical or medical reports, student grades, progress reports, parent observations, anecdotal reports, and test scores when making eligibility, educational, and placement decisions.
5. Eligibility decisions must be made by a group of persons, i.e., the § 504 Committee, including persons knowledgeable about your child.
6. If qualified as disabled under § 504, your child has a right to periodic reevaluations, generally every three years.
7. Your child has the right to a free appropriate public education ("FAPE"), except for those fees that are imposed on non-disabled students or their parents. Insurers and similar third parties are not relieved from their obligation to provide for services to a disabled student.
8. Your child has a right to facilities, services, and activities that are comparable to those provided for non-disabled students.
9. You have the right to examine educational records of your child and obtain copies at a reasonable cost.
10. You have a right to request an amendment to your child's educational record if there is reasonable cause to believe that it is inaccurate, misleading, or otherwise in violation of the privacy rights of your child.
11. You have the right to an impartial hearing with respect to the district's actions regarding your child's eligibility, accommodations or provision of a FAPE, with opportunity for parental participation in the hearing and representation by an attorney.
12. If you wish to challenge the actions of the district's § 504 Committee in regard to your child's eligibility, accommodations or provision of a FAPE, you should file a written grievance with the district's § 504 Compliance Officer for students Jan Rayfield, Heard County School System, P O Box 1330, 131 East Court Square, Franklin, GA 30217, within 10 calendar days from the time you received written notice of the § 504 Committee's action(s). A hearing will be scheduled before an impartial hearing officer selected and appointed by the district and you will be notified in writing of the date, time, and place for the hearing.
13. If you disagree with the decision of the impartial hearing officer appointed by the district, you have a right to a review of that decision by a court of competent jurisdiction.
14. You have a right to file a complaint with the United States Department of Education Office for Civil Rights.
15. On any § 504 matters, you have a right to file a complaint (grievance) with the district's § 504 Compliance Officers. Section 504 complaints, questions or concerns about staff may be sent in writing to Jan Rayfield, Heard County School System, P O Box 1330, 131 East Court Square, Franklin, GA 30217.