

Menasha Joint School District

Section 504 Parent/Student Rights in Identification, Evaluation, Accommodation, and Placement

This document summarizes the rights that Section 504 of the Rehabilitation Act grants to students with disabilities and their parents. A student with a disability is a student who has a mental or physical impairment that substantially limits one or more major life activities. 34 C.F.R. § 104.3(j). Parents and students have the following rights under Section 504.

1. Have your child to take part in, and receive benefits from, public education programs without discrimination based on his/her disability.
2. Have the District inform you of your rights under Section 504. 34 C.F.R. § 104.32. Specifically, the District must provide you with written notice of your rights under Section 504. This document serves as written notice of rights as required under Section 504. If you need further explanation or clarification of any of the rights described in this Notice, contact the Section 504 Coordinator, **Lisa Kuehl, Director of Special Services, Kuehl@mjsd.k12.wi.us, 920-967-1429.**
3. Have notice provided to you from the District with respect to Section 504 identification, evaluation or placement of your child.
4. Have a District evaluation of your child before determining his or her appropriate educational placement or program of services under Section 504, and before every subsequent significant change in placement. 34 C.F.R. § 104.35. If your child is eligible for services under Section 504, he or she has a right to periodic evaluations to determine if his/her educational needs have changed. 34 C.F.R. § 104.35.
5. Have your child receive a free appropriate public education. 34 C.F.R. § 104.33 This means that the District must provide your child with an appropriate education designed to meet his or her educational needs to the same extent as nondisabled students. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the District make reasonable accommodations that allow your child an equal opportunity to participate in school and school-related activities.
6. Have your child educated in facilities and provide services comparable to those provided to non-disabled students. 34 C.F.R. § 104.43
7. Have an evaluation, educational recommendation, and placement decisions based on a variety of information sources and developed by a team of individuals who are knowledgeable about your child, the evaluation data, and placement. 34 C.F.R. § 104.35(c).
8. Have transportation provided by the District to and from any alternative placement settings at no greater cost to you than would be incurred if your child were placed in a program operated by the District. 34 C.F.R. § 104.35(c)(2).
9. Have the District provide your child an equal opportunity to participate in nonacademic and extracurricular activities. 34 C.F.R. § 104.37.
10. Have the right to examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program and placement. C.F.R. § 104.36. Have the right to obtain a response from the District to reasonable requests for explanations and interpretations of your child's records.
11. Have the right to request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement.
12. Have the right to participate in the hearing and have an attorney represent you. The District's *Impartial Due Process Hearing Procedure* contains additional information regarding due process hearings. You may request a copy by contacting **Lisa Kuehl at (920) 967-1429.**
13. Have the right to seek review of a decision if you disagree with the hearing officer's decision.
14. Have the right to file a complaint with the Office of Civil Rights (OCR) of the Department of Education at any time: Office of Civil Rights, 500 West Madison Street, Suite 1475, Chicago, IL 60661 (312) 730-1560, or e-mail OCR.Chicago@ed.gov.
The person in this District who is responsible for assuring that the District complies with Section 504 is **Lisa Kuehl, Director of Special Services at (920) 967-1429.**