

### **Notice of Parent and Student Rights Under Section 504**

Section 504 of 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 on the basis of disability. For eligible school aged students, this guarantees the right for disabled students to have educational opportunities and benefits equal to those provided to non-disabled students.

An eligible student under Section 504 is a school aged student who (a) has a physical or mental impairment that substantially limits a major life activities; (b) has a record of such an impairment that substantially limits a major life activity; or (c) is regarded as having a physical or mental impairment which substantially limits a major life activity.

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 § 504. (The purpose of this Notice form is to advise you of those rights.) 34 CFR 104.32.
2. Your child has the right to a free appropriate public education designed to meet his/her individual educational needs as adequately as the needs of non-disabled students are met. 34 CFR 104.33.
3. Your child has a right to placement in the least restrictive environment. 34 CFR 104.34.
4. Your child has a right to facilities, services, and activities that are comparable to those provided for non-disabled students. 34 CFR 104.34.
5. Your child has the right to an evaluation prior to an initial § 504 placement and any subsequent significant change in placement. 34 CFR 104.34.
6. Placement decisions must be made by a group of persons (i.e. the § 504 Team), including persons knowledgeable about your child, the meaning of the evaluation data, the placement options, and the legal requirements for least restrictive environment and comparable facilities. 34 CFR 104.35.
7. If eligible for protection under § 504, your child has the right to periodic re-evaluations, generally every three years. 34 CFR 104.35.

8. You have the right to notice prior to any action by the District in regard to the identification, evaluation, or placement of your child. 34 CFR 104.36.
9. You have the right to examine relevant records. 34 CFR 104.36.
10. You have the right to file a complaint with the District's § 504 Coordinator (or designee) who will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution.
11. You have a right to file a complaint and request a hearing at the

Rhode Island Department of Education  
Shepard Building  
255 Westminister Street  
Providence, Rhode Island 02903-8702  
(401) 222-8702

12. You also have a right to file a complaint with the Office of Civil Rights at:

U.S. Department of Education  
Office for Civil Rights  
John McCormack Post Office and Court House Building  
8<sup>th</sup> Floor  
Boston, MA 02109-3921  
(617) 289-0111  
OCR.Boston@ed.gov