

## **Milton School District**

### **Section 504 Parent/Student Rights**

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(i). If your child is identified as a child with a disability under Section 504, you and your child have the following rights:

1. The District must allow your child to take part in, and receive benefits from, public education programs without discrimination based on his/her disability.
2. The District must 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 Section 504 Coordinator, **Susan Probst, Director of Student Services**.
3. You have a right to receive notice regarding identification, evaluation or placement of your child.
4. The District must evaluate 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. The District must provide a free appropriate public education to your child. 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. The District must educate your child in facilities and provide services comparable to those it provides to non-disabled students.
7. Persons who are knowledgeable about your child, the evaluation data, and placement options must make all placement decisions regarding your child. Placement decisions must also be based on a variety of information sources. 34 C.F.R. § 104.35(c).
8. The District must provide transportation 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.
9. Your child must have an equal opportunity to participate in nonacademic and extracurricular activities offered by the District.
10. You have the right to examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program and placement.
11. You 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. You and your child may 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 **Susan Probst** at **(608) 868-9221 x1806**.
12. If you disagree with the hearing officer's decision, you have a right to seek review of the decision.
13. You have a right to request payment of reasonable attorneys' fees if your claim is successful.
14. You also have a 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](mailto:OCR.Chicago@ed.gov).

The person in this District who is responsible for assuring that the District complies with Section 504 is **Susan Probst, Director of Student Services** at **(608) 868-9221 x1806**.