

Parental Rights

Review of student's cumulative records:

You may schedule an appointment with the building administrator to review the contents of your child's cumulative folder. You may also see test results and have them explained.

Conduct an independent evaluation: If you disagree with the school's evaluation, and would like a second evaluation, you may seek out the services of a qualified examiner who doesn't work for the school.

Take part in eligibility and placement decisions: You may have input in any major decisions that affect your child's education.

Formal hearing: If you disagree with a decision you may request a formal hearing. The school may also request a hearing.

Reevaluations: Plans will be reevaluated on at least every 3 years.

This brochure serves as official notification of rights under Section 504.

Remember—teamwork among parents, teachers and other school staff is a key to your child's success!

WHO IS THE DISTRICT'S OFFICER?

Your first contact should be your child's principal, who is knowledgeable in Section 504 requirements. Considering the nature of your concern, the principal or school counselor should be able to resolve the issue. If you are not satisfied, you may contact the district's central office administrator listed below. At this stage, you will be asked to put your concerns in writing to formalize the process. The school superintendent would be the second point of contact. If you are still not satisfied with the response or action taken, and feel that your child's civil rights have been violated, you should contact the Office of Civil Rights. According to the district guidelines, this process must be followed in sequence.

For more information contact:

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Building 504 Designees

**James Caldwell High School: Ms. Lisa Blackman
Grover Cleveland Middle School:
Mrs. Susan Nogales (A-K)
Mr. David Kaczmarek (L-Z)
Jefferson Elementary: Mr. Tim Ayers
Lincoln Elementary: Mr. Adam Geher
Washington Elementary: Ms. Judi Jacobs
Wilson Elementary: Mr. Scott Keena**

Caldwell-West Caldwell Public Schools Section 504 Rehabilitation Act



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What is SECTION 504?

Section 504 of the Rehabilitation Act of 1973 is a federal civil rights act, which protects the rights of students and staff members with disabilities. It prohibits discrimination by school districts receiving federal funds. These regulations require identification, evaluation, the provision of appropriate services, and procedural safeguards.

An eligible student under 504 is one who:

1. Has a physical or mental impairment which substantially limits one or more major life activities,
2. Has a record of such an impairment or
3. Is regarded as having such an impairment that substantially limits a major life activity.

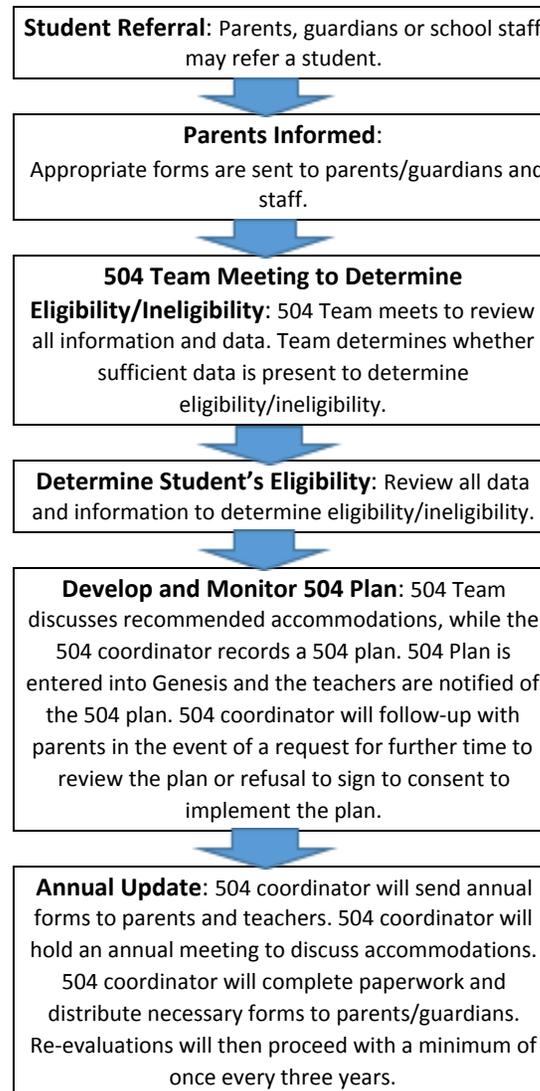
What is a "Major Life Activity?"

Major life activities include walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, and performing manual tasks. There are other handicapping conditions which may affect other major life activities. In addition, Section 504 may include students with communicable diseases, attention deficit disorder, behavior disorders, chronic asthma and severe allergies, physical handicaps, diabetes and temporary disabling conditions.

How do I know if my child is eligible?

If you think your child may be eligible, you can request an eligibility determination from the school or the school may initiate it. This will determine if your child needs services. It involves: an evaluation of your child's health history, which shall include a review of your child's medical history, along with a review of the cumulative school records. Special tests may be required to help measure your child's development, abilities, intelligence, and academic progress. Observations from professionals, such as teachers, who have worked with your child and your own observations are an important part of this process. Eligibility will be determined with the consideration of mitigating measures, such as eyeglasses and medication according to the Americans with Disabilities Act (ADA-Sutton v United Air Lines Inc., 1999).

504 Flow Chart



Does Section 504 require evaluations?

Section 504 Regulation, 34 CFR Section 104.35 (a) requires that a district evaluate "any student who, because of handicap, needs or is believed to need special education or related services." An evaluation is also required prior to any significant change in placement. Prescreening methods which affect a student's eligibility for special education may be considered "evaluations" and are subject to proper notice requirements. A Section 504 evaluation is not performed by a child study team. The evaluation must be performed by the I&RS/504 team. Students will be reevaluated to determine eligibility at a minimum of once every three years.

Parent procedural safeguards

To be in compliance with Section 504, school districts must:

1. Provide a listing of written assurances of nondiscrimination.
2. Designate a Section 504 Officer/Coordinator.
3. Provide grievance procedures to resolve complaints.
4. Provide notice of nondiscrimination in admission or access to its programs or activities. Notice must be included in student/parent handbook.
5. Annually notify students with disabilities and their parents or guardians of the district's responsibilities under Section 504.
6. Provide parents or guardians with procedural safeguards.

GRIEVANCE PROCEDURES

If you would like to appeal a decision made by the building 504 team the following guidelines must be followed in sequence.

1. Write a letter of appeal to the 504 coordinator.
2. If further action is required, a formal letter of complaint must be written to the Superintendent within 10 business days.
3. The final step in the process is to contact the regional Office of Civil Rights.