

Notice to Parents of Due Process Procedures

SECTION 504

Rye City School District Rye, New York Pupil Personnel Services and Special Educational

The Rye City School District does not discriminate on the basis of disability with regard to admission, access to programs or services, treatment or employment in programs and activities conducted by the District or contracted with another entity. The District will make reasonable accommodations for students, parents, and employees with disabilities and will provide appropriate educational programs for all resident students.

It is important that you understand that a parent or person in parental relationship have the following legal rights according to Section 504.

Evaluation

Any student who needs or is believed to need special accommodations, related services or programs under Section 504 of the Rehabilitation Act 1973, may be referred to the Section 504 Committee for evaluation.

- The Section 504 Committee shall be composed of persons knowledgeable about the student's school history, the student's school history, the student's individual needs, the meaning of evaluation data, and the placement options.
- The student's parent or person in parental relationship shall be notified of the Section 504 Committee meeting at least 5 calendar days prior to the meeting and invited to participate in it.
- The Section 504 Committee shall consider all relevant information on the Student to determine whether he/she is disabled under Section 504. Information may include reports from physicians, observations from parents, teachers, school personnel, results of standardized tests, etc.
- The Section 504 Committee shall determine whether the student is disabled under Section 504, and if so, develop a written educational plan describing what accommodations or services will be provided to meet the student's needs.
- The student's parent or person in relationship shall be notified in writing of the Section 504 Committee's determination and accommodation plan.

Programs and Accommodations

A disabled student shall be placed in the regular educational environment of the District, with the use of the supplementary aids and services, unless the District demonstrated that such placement cannot be achieved satisfactorily. The disabled student shall be educated with those who are not disabled to the maximum extent appropriate to the individual needs of the student.

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- The parent or person in parental relationship shall be notified in writing of the hearing officer's decision. The school district or parent or person in parental relationship may seek review of the decision of Section 504 hearing officer by the Commissioner of Education, or the State Review Officer, as appropriate, and by a federal court of competent jurisdiction

Procedures to Follow at the Hearing

- A Section 504 due process hearing may be called at the request of the school district or a parent or person in parental relationship. The proceedings shall be presided over and decided by an impartial hearing officer.
- Requests for a due process hearing must be submitted in writing to the district. Parents or person in parental relationship shall be notified of the hearing at least 7 days prior to the date set for the hearing. The notice shall contain:
 1. A statement of time, place and nature of the hearing.
 2. A statement of the legal authority and jurisdiction under which the hearing is being held.
 3. A statement of the matters asserted.
 4. A statement of the right to be represented by counsel.
 5. A statement of the right to examine relevant records.

- Information shall be provided in English or in the native language or mode of communication of the parent or person in parental relationship.
- At the hearing, each party shall have an opportunity to present relevant information and outside expert testimony.
- A copy of the hearing officer's decision shall be delivered to the school district and the parent or person in parental relationship within 45 days following completion of the hearing.
- The decision of the hearing officer is binding on all parties involved; it is subject to review by the Commission of Education, or the State Review Officer, as appropriate, and by a federal court of competent jurisdiction.

Please contact the school district if you have any questions:

Pupil Personnel Services and Special Education
324 Midland Avenue
Rye, NY 10580
914-967-6100 x1980
914-921-2414 Fax