



Westerly Public Schools
23 Highland Avenue
Westerly, RI 02891
(P)401-315-1533 | (F)401-315-1545

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 activity; (b) has a record of such an impairment that substantially limits a major life activity and is discriminated against based on that record; or (c) is regarded as having a physical or mental impairment which substantially limits a major life activity and is discriminated against based on being regarded as having the impairment.

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 a 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 a right to an evaluation prior to an initial § 504 placement and any subsequent significant change in placement. 34 CFR 104.35.
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 a right to periodic reevaluations, 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. 34 CFR 104.36.



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Notice of Parent and Student Rights under Section 504 (continued)

11. You have a right to file a complaint and request a hearing at the

Rhode Island Department of Education
Shepard Building
255 Westminster 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 of Civil Rights
John McCormack Post Office and Court House Building
8th Floor
Boston, MA 02109-3921
(617) 289-0111