

**MI: NOTICE OF PROCEDURAL REQUIREMENTS UNDER SECTION 504  
AND THE ADA**

The Sullivan School District does not discriminate on the basis of disability in their programs and activities.

Under Section 504 of the Rehabilitation Act of 1973 (“Section 504”) and the Americans with Disabilities Act of 1990 (“ADA”), an individual with a disability is someone who has a physical or mental impairment, or is regarded as having such an impairment. The district is obligated to provide a free, appropriate public education (FAPE) to each child eligible under these laws.

In accordance with Section 504 and the ADA, as the parent or guardian, you are entitled to receive the following procedural safeguards in relation to your child:

- A. You have the right to receive a copy of this notice with notification of any district action regarding identification, evaluation or placement of a student pursuant to Section 504. This includes any time that the district intends to screen, evaluate or reevaluate, make changes in classification, placement or any component of the child’s free, appropriate public education (FAPE), or upon refusal to act on any parental request.
- B. If your child needs or is believed to need special education or related services, you have the right to an evaluation of your child (1) before the initial placement, and (2) before any subsequent significant change in placement.
- C. You have the right to an opportunity to examine all relevant records for your child.
- D. You have the right to an impartial hearing, with participation by you and representation by counsel, concerning the identification, evaluation or educational placement of your child.
- E. You have the right to appeal the final decision of the impartial hearing officer to a court of competent jurisdiction.

The following people have been designated to handle inquiries regarding the non-discrimination policies:

Julie Fenrich  
Director of Student Services  
jfenrich.sullivan@gmail.com

Kim Caron  
Superintendent  
kcaronsullivan@gmail.com

To file a formal complaint:  
The Office of Civil Rights  
U.S. Department of Education  
5 Post Office Square 9th Floor  
Boston, Massachusetts, 02109-3921  
Tel: (617) 289-0111/ FAX: (617) 289-0150.

## **Section 504 of the Rehabilitation Act of 1973**

### **PARENT/STUDENT RIGHTS**

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. Adult students may assert these rights in their own behalf.

You have the right to:

1. Have your child take part in, and receive benefits from, public education programs without discrimination because of his/her disabling conditions.
2. Have the school district advise you of your rights under federal law.
3. Receive notice with respect to identification, evaluation, or placement of your child. Parent consent must be obtained before conducting an initial evaluation and placement.
4. Have your child receive a free appropriate public education. This includes the right to be educated with nondisabled peers to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to nondisabled students.
6. Have your child receive special education and related services if he/she is found to be eligible under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.
7. Have evaluation, educational, and placement decisions based upon a variety of information sources, and by persons who know the student, the evaluation data, and placement options.
8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district.
9. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district.
10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement.
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
12. A response from the school district to reasonable requests for explanations and interpretations of your child's records.
13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time and advise you of the right to a hearing.
14. 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 the student may take part in the hearing and have an attorney represent you. Hearing requests must be made to <insert name>, <School District>.
15. Ask for payment of reasonable attorney fees if you are successful in your claim.
16. File a local grievance.

The person in the Sullivan School District who is responsible for assuring that the district complies with Section 504 is Julie Fenrich, Director of Student Services. She can be reached at [jfenrich.sullivan@gmail.com](mailto:jfenrich.sullivan@gmail.com)