

**THE PANGBURN SCHOOL DISTRICT  
PARENT NOTICE SECTION 504 ELIGIBILITY  
OR NON-ELIGIBILITY (Form 504-5)**

Student Name: \_\_\_\_\_ Date: \_\_\_\_\_

Student ID#: \_\_\_\_\_ Birth Date: \_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_

On \_\_\_\_\_, the School Section 504 Team at your child's school met to discuss your child's academic progress. Based on the materials the team reviewed, a determination was made that:

\_\_\_\_\_ Your child has a disability under Section 504 of the Rehabilitation Act that requires an accommodation plan to ensure your child full access to all school activities.  
A copy of the plan is enclosed for your review. The disability is \_\_\_\_\_.

\_\_\_\_\_ Your child is **NOT ELIGIBLE** for a Section 504 plan because:

If you disagree with the above determination you have the right to request an impartial hearing. If you wish to proceed to a formal hearing, please complete the enclosed Request for Hearing form.

If you have any questions please do not hesitate to contact \_\_\_\_\_ at \_\_\_\_\_.

**Signatures of Section 504 Team:**

	Date	Agree	Disagree
_____	_____	_____	_____
Section 504 Coordinator			
_____	_____	_____	_____
Administrator			
_____	_____	_____	_____
School Counselor			
_____	_____	_____	_____
Parent			
_____	_____	_____	_____
Teacher			
_____	_____	_____	_____
Other			

**THE PANGBURN SCHOOL DISTRICT  
NOTICE OF PARENT/STUDENT RIGHTS  
Section 504 and the Americans with Disability Act (ADA)  
(Form 504-4)**

Section 504 and the ADA were enacted for the purpose of prohibiting discrimination and assuring that disabled students have educational opportunities and benefits equal to those provided to nondisabled students. Rights provided under Section 504 and the ADA are essentially the same. An eligible student or "qualified individual" under Section 504 is a student who (a) has: a mental or physical impairment which substantially limits one of the major life activities (b) has a record or history of having, or (c) is regarded as having, a physical or mental impairment which substantially limits a major life activity such as learning, self-care, walking, seeing, speaking, breathing and working.

Students eligible for educational services under the Individuals with Disabilities Education Improvement Act (IDEIA – 2004) are also protected under Section 504. However, students who are eligible under the IDEIA have many specific rights that are not available to students who are eligible solely under Section 504. The Rights of Children with Disabilities and Parent Responsibilities booklet, available through the Special Education Department, sets out the rights assured by the IDEIA-2004. It is the purpose of this NOTICE to set out the rights assured by Section 504 to those disabled students who do not qualify under the IDEIA-2004.

Section 504 provides the following rights to disabled students and their parents:

- The right to be informed of your rights under Section 504. The purpose of this NOTICE is to advise you of those rights.
- The right to take part in, and receive benefits from public education programs without discrimination because of a disability. The disabled student also has the right to have an equal opportunity to participate in nonacademic and extracurricular activities offered by the school system, for which they are otherwise qualified.
- The right to a notice prior to evaluation, identification or placement under Section 504; and the right to have evaluation, education and placement decisions made based upon a variety of information sources, and by persons who know the student, the meaning of evaluation data and placement options fully explained. Disabled students also have the right to evaluation procedures which are valid, appropriately administered and nondiscriminatory.
- The right to an evaluation prior to an initial Section 504 placement and any subsequent significant change in placement and the right to periodic re-evaluations.
- The right to a free appropriate public education which may be the provision of regular education with reasonable accommodations. A disabled student found to be eligible under the IDEIA-2004 has the right to receive special education and related services.
- The right to free educational services except for those fees that are imposed on nondisabled students or their parents. Insurers and similar third parties are not relieved from an otherwise valid obligation to provide or pay for services provided to disabled students.

- The right to facilities, services, and activities that are comparable to those provided for nondisabled students. The disabled student also has the right to placement in the least restrictive environment.
  
- The right to request mediation or an impartial hearing with respect to the school system's decisions or actions regarding a student's evaluation, identification, educational program or educational placement under Section 504. Parents and students have the right to participate in the hearing and to be represented by an attorney. They also have the right to appeal the impartial hearing officer's decision. If you wish to challenge the actions of the school system in regard to a student's identification, evaluation or educational placement you should file a written notice of appeal with the school system's Section 504 coordinator.
  
- The right to file a local grievance. The right to file a complaint with the district's Section 504 coordinator on matters other than the identification, evaluation, and placement of a student. The coordinator will investigate the allegations to the extent warranted by the nature of the complaint in an effort reach a prompt and equitable resolution. Following is the address and phone number of The School District's Section 504 coordinator:

*Dr. Kathy Berryhill*  
 Section ADA/504 Compliance Coordinator  
 1100 Short St.  
 Pangburn, AR 72121  
 501-728-4511

- The right to file a complaint with the Office for Civil Rights (OCR). The address of the Regional Office which covers The State is:

Office for Civil Rights, Region IV  
 U.S. Department of Education  
 P.O. Box 2048, 04-3010  
 Atlanta, Georgia 30301-2048 404-  
 331-2954; TDD 404-331-7816

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records. This Act gives parents or legal guardians (and in some cases, the student) the right to examine relevant records relating to decisions regarding a student's identification, evaluation, educational program or placement; to obtain copies of educational records at a reasonable cost (unless a fee would effectively deny access to the record(s)); to receive a list of all individuals having access to the records; to ask for an explanation of any item in the records; to ask for an amendment to any report on the grounds that it is inaccurate, misleading or violates the child's rights; and if the school district refuses to amend the record, the right to request a hearing.