

Pelham School District SAU # 28
59A Marsh Road, Pelham, NH 03076
(603) 635-1145 – FAX (603) 635-1283

Section 504 Procedural Safeguards and Parent/Student Rights

The following is a listing of student and parent rights granted by federal law. The intent of the law is to keep students and parents fully informed concerning decisions made about their child and to inform them of their rights should they disagree with these decisions.

Parents have the right to:

1. Have their child take part in, and receive the benefits from public education programs without discrimination based on a disability.
2. Have the school system advise them as to their rights under federal law.
3. Receive notice with respect to proposed actions related to evaluation, identification, and placement, or change in services for their child.
4. Have their child be re-evaluated periodically including an evaluation before any significant change in program or services.
5. Have their child receive a free appropriate public education including the right to be educated with non-disabled children to the maximum extent possible.
6. Have their child educated in facilities and receive services comparable to those provided to students without disabilities.
7. Have their child receive special education and related services if he or she is found to be eligible under the Individuals with Disabilities Education Act (IDEA), or to receive accommodations under Section 504 of the Rehabilitation Act in order to receive a free and appropriate public education.
8. Have eligibility and educational placement decisions made based on an evaluation process that draws from a variety of information sources, and by individuals who know the student, the evaluation data, and placement options.
9. Have transportation provided, to a school placement setting, at no greater parental cost than would be incurred if the student accessed typical school transportation to a program operated by the district.
10. Have their child afforded an equal opportunity to participate in non-academic and extracurricular activities offered by the school system through the provision of reasonable accommodations.
11. Examine all relevant records relating to decisions regarding their child's identification, evaluation, educational programs, and placement.
12. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny them access to the records.
13. Receive a response from the school system to reasonable requests for explanations and interpretations of their child's records.
14. Request amendment of their 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 their child. If the school system refuses this request, it shall notify the parents within a reasonable time and notify parents of their right to a hearing.
15. Receive all information in their native language and primary mode of communication.
16. File a complaint/grievance with the school system when they believe their child's rights have been violated.
17. Request an impartial due process hearing related to decisions regarding their child's identification, evaluation, and educational placement. The parent and the child may take part in the hearing and be represented by counsel at their own cost.

18. Appeal the decision of an impartial hearing officer. An appeal should be filed with: The Office of Civil Rights, Boston Office, U.S. Department of Education, 33 Arch Street, Suite 900, Boston, MA 02110-1491 – Telephone Number (617) 289-0111