

Little Miami Schools

Section 504 Procedural Safeguards/Parent Rights

There are several times during the planning process when parents/guardians should be provided their rights under Section 504:

1. When eligibility is determined
2. When a plan is developed
3. Before there is a significant change in the plan for services

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.

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 condition;
2. Receive notice with respect to identification, evaluation, or placement of your child;
3. Have your child receive a free appropriate public education in the least restrictive environment;
4. Have your child receive services and be educated in facilities which are comparable to those provided to non-disabled students;
5. Have your child receive special education and related services if your child is found to be eligible under the Individual with Disabilities Education Act or a Free Appropriate Public Education (FAPE) if eligible under Section 504/ADA of the Rehabilitation Act.
6. Have evaluation, educational and placement decisions made based on a variety of information sources using valid tests and other evaluation materials designed to assess specific areas of need and by persons who know the student and who are knowledgeable about the evaluation data and placement options;
7. Have transportation provided to and from an alternative placement setting (if the setting is a program not operated by the district) at no greater cost to you than would be incurred if the student were placed in a program operated by the district;
8. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district;

9. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program and placement;
10. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records;
11. 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;
12. File a local grievance;
13. Request an impartial hearing related to decisions or actions regarding your child's identification, evaluation, educational program, or placement. You and your child may take part in the hearing and be represented by counsel. Hearing requests must be made to the District Section 504/ADA Coordinator;
14. Appeal the impartial hearing officer's decision; and
15. Receive all information in your native language and primary mode of communication.

Hearing requests and other concerns can be made to Little Miami's Section 504 Coordinator:
Jamie Miles, Executive Director of Student Services (513) 899-2264 x 50102.

Section 504 regulations do not establish timelines for submission of a hearing request.

Section 504 regulations do not define "impartial". However, in similar processes "impartial" has been defined as a person not employed by or under contract with the district in any capacity.

Section 504 regulations do not require that the selection of the hearing officer be a mutually agreed upon decision between the school district and the parents/guardians.