

**PARENT/STUDENT RIGHTS IN IDENTIFICATION
EVALUATION AND PLACEMENT**
Please Keep This Explanation for Future Reference
(Section 504 of the Rehabilitation Act of 1973)

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 benefit from public education programs without discrimination because of his/her disabling conditions.
2. Have the school district inform you of your rights under Section 504.
3. Receive notice with respect to any action by the district in regard to identification, evaluation, or placement of your child. Parent consent must be obtained before conducting an initial evaluation and placement.
4. Your child has the right to free educational services except for those fees that are imposed on non-disabled 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 a disabled student.
5. Have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
6. Have your child placed in the least restrictive environment.
7. Have your child educated in facilities and receive services comparable to those provided non-disabled students.
8. Have evaluation, educational, and placement decisions based upon a variety of information sources and by a group of persons, 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.
9. Have your child receive periodic reevaluations, at least every three years or whenever a change of placement is considered.

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. 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. You have the right to an impartial hearing with respect to the district's actions regarding your child's identification, evaluation, or educational placement, with opportunity for parental participation in the hearing and representation by an attorney. Hearing requests must be made in writing to the Director of Pupil Services, 148 N. Binkley, Soldotna, AK 99669. Phone: (907) 714-8888.

You also have the right to file a complaint with the US Office of Civil Rights (OCR). The address of the Regional Office which covers Alaska is: U.S. Department of Education, Office of Civil Rights, Region X, 915 Second Avenue, Room 3310, Seattle, WA 98174-1009.

You have the right to file an action in federal district court alleging a violation of Section 504. You do not have to go through the due process hearing procedure before filing a complaint in federal district court or with OCR.

You are encouraged to use the attached District's Section 504 Complaint Resolution Procedures to resolve any problems you may have with your child's 504 plan.

The person in this district who is responsible for assuring that the district complies with Section 504 student issues is the Director of Pupil Services, 907-714-8881.

**Kenai Peninsula Borough School District
Section 504 Complaint Resolution Procedure**

Step 1: Discussion with Principal/Supervisor

Your issue or complaint is first orally presented to your child's immediate supervisor/principal or designee with the intent of resolving the matter informally. The supervisor/principal shall confer with you about your complaint with the intent to arrive at a mutually satisfactory resolution. At the conference, you may appear alone or be accompanied by a mutually acceptable person. The supervisor/principal shall have the same privilege.

Step 2: Written Statement of Complaint

If discussions with the supervisor/principal do not satisfactorily resolve your complaint within five (5) school days after the Step 1 conference you shall express your complaint in writing to the supervisor/principal or designee specifying the following.

- a) Nature of complaint.
- b) How your child and/or you have been harmed by the action/inaction of the District.
- c) What suggestions and options, if any, to resolve the situation were made during the Step 1 conference and why these suggestions and options are not sufficient.
- d) What remedy is being sought.
- e) Why the remedy is deemed appropriate.

The supervisor/principal shall communicate his/her written decision to you within five (5) school days of receipt of the written complaint. If the complaint is pursued beyond this level, you shall forward written records to each successive level of procedure.

Step 3: Written Notice of Appeal to the District's Section 504 Coordinator

If you are not satisfied with the disposition of the complaint after Step 2 has been completed, within five (5) school days after the date of the decision you must present your complaint in writing to the Section 504 Coordinator. The Section 504 Coordinator for student issues is the Director of Pupil Services, 907-714-8881.

The Section 504 Coordinator or designee will review the written record, obtain relevant information from others involved and meet with you. The Section 504 Coordinator or designee will render a written decision within ten (10) school days of receipt of the written complaint.

If you are not satisfied with the disposition of the complaint after Step 3, you still have the right to request in writing a hearing by an impartial hearing officer, file a complaint with the federal district court alleging a 504 violation, or file a complaint with the OCR.

Hearing request should be made in writing to the Director of Pupil Services, 148 North Binkley, Soldotna, Alaska 99669.