



ASPEN ACADEMY SECTION 504 PROCESS

Section 504 of the Rehabilitation Act of 1973 is federal law created to protect the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education. Section 504 covers qualified students with disabilities who are determined to:

- 1) have a physical or mental impairment that substantially limits one or more major life activities; or
- 2) have a record of such an impairment; or
- 3) be regarded as having such an impairment.

If you suspect that your child may have a disability that meets Section 504 criteria please contact the Aspen Academy's 504 Coordinator.

If you have questions about Section 504 please contact Melanie Jiskra, Principal, at 952-226-5940 or Melanie.jiskra@aspencademymn.org

The following outlines the 504 process implemented at Aspen Academy.

Section 504 Evaluation Process:

If you feel that a referral for a 504 evaluation is warranted, please contact the building's 504 Coordinator to begin the process.

Steps in the process include:

- Referral is received
- The 504 school team meets to review the referral and design the 504 Evaluation Plan. The 504 Evaluation Plan *may* include review of medical information and documentation, observation(s), academic/behavioral testing, checklists, interviews, or other data that the district deems relevant in determination.
- Proposed Evaluation Plan is proposed to the parent/guardian.

- Parent either provides permission for the 504 Evaluation by signing the 504 Evaluation Plan or declines permission.
- If permission is granted, the 504 Evaluation is completed within *approximately* 30 school days of receiving parent permission.
- Evaluation results are shared with parents/guardians and a determination is made by the 504 school team regarding qualification for a Section 504 plan.
- If team determination does qualify for a Section 504 plan, the 504 Accommodation Plan Process begins.

504 Accommodation Plan Process

- The 504 Plan is written by the 504 Team and proposed to the parents within approximately 30 calendar days of evaluation being completed.
- The 504 Prior Written Notice is proposed to parents and must be signed prior to the implementation of the initial 504 Plan.
 - 504 Plan is implemented
 - 504 Plan is reviewed annually

PARENT AND STUDENT RIGHTS UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 of the Rehabilitation Act of 1973 ("Section 504") prohibits discrimination on the basis of disability in programs and activities that receive federal funds. In accordance with Section 504, Independent School District No. 535 ("District") prohibits discrimination on the basis of disability in its programs and activities. The policy of this District is that no otherwise qualified individual with a disability may, on the basis of that disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination in any program or activity that is provided or sponsored by the District.

Under Section 504, the School District is required to identify, evaluate and, if the student is determined to be eligible under Section 504, provide accommodations and services that afford equal access to educational opportunities in the District's programs and activities.

Section 504 defines an individual with a disability as a person who has a physical or mental impairment that substantially limits a major life activity (as compared to the average student), a person who has a record of such an impairment, or a person who is regarded as having such an impairment. If your child is an individual with a disability, under Section 504 you have the right to:

1. Receive notice of your rights under Section 504.
2. Receive all information in your native language or primary mode of communication.
3. Have your child take part in and receive benefits from public education programs without discrimination because of your child's disabling condition.

4. Receive notice with respect to the identification, evaluation, program, or placement of your child under Section 504, including any significant change to your child's placement. Parental consent must be obtained before conducting an initial evaluation and for initial placement.
5. Have your child receive a free appropriate public education ("FAPE"). This includes the right to be educated with nondisabled students to the maximum extent appropriate. It also includes the right to have the District make reasonable accommodations that give your child an equal opportunity to participate in school and school-related activities.
6. Have your child receive an education in facilities and receive services comparable to those provided to nondisabled students.
7. Have your child receive special education and related services if your child is found to be eligible under the Individuals with Disabilities Education Act.
8. Have decisions related to evaluation, educational programming, and placement be based upon a variety of information sources, and be made by persons who are knowledgeable about your child, the evaluation data, and placement options.
9. Have transportation provided to and from any alternative placement setting at no greater cost to you than would be incurred if your child were placed in a program operated by the District.
10. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the District.
11. Examine all relevant records relating to the District's decisions about the identification, evaluation, educational program, and placement of your child under Section 504.
12. Obtain copies of educational records at a reasonable cost unless the cost would effectively deny you access to the records.
13. Ask the District to explain and interpret your child's records.
14. Ask the District to amend your child's educational records on the ground that they are inaccurate, misleading, or otherwise in violation of the privacy rights of your child. You may request a hearing if the District denies such a request.
15. Ask for an impartial hearing if you disagree with the District's decisions or actions relating to your child's identification, evaluation, educational program, or placement. You and the student may participate in the hearing and have an attorney represent you. Hearing requests must be submitted in writing to the District's Director of Student Support Services. The District will select the impartial hearing officer.
16. Appeal from an adverse decision by the impartial hearing officer.
17. File a complaint with the Office for Civil Rights.
18. File a complaint (also referred to as a "grievance") with the District regarding an alleged violation of Section 504. You also have the right to receive a prompt and equitable resolution of a complaint. Complaints must be submitted in writing to the Section 504 Coordinator, unless the complaint relates to the Section 504 Coordinator, in which case the complaint

should be submitted to the District's Director of Student Support Services. Upon filing a complaint with the District, you will be asked to provide a brief description of the alleged discriminatory action, the date of the alleged action, and the name of the person(s) responsible for the alleged action. The District will then conduct an investigation, unless the matter can be resolved informally. The Section 504 Coordinator will maintain the files and the records relating to the complaint, unless the complaint relates to the Section 504 Coordinator, in which case the Executive Director of Aspen Academy will maintain the files and records.

If you have any questions regarding Section 504, you are encouraged to contact the Section 504 Coordinator for your child. The principal or assistant principal of each school building in the District is the Section 504 Coordinator for students in that building.