

NOTICE OF PROCEDURAL SAFEGUARDS – SECTION 504

The following is a summary description of the rights provided by Section 504 of the Rehabilitation Act of 1973 to students with disabilities, or suspected disabilities. The intent of the law is to keep you fully informed about decisions concerning your child, to have you be an active participant in the educational planning for your child, and to inform you of your rights in the event you disagree with any decisions concerning your child.

You have the right to:

1. Have the Birmingham Public Schools advise you of your rights under federal law;
2. Receive notice with respect to Section 504 identification, evaluation, and/or eligibility determinations of your child;
3. Have evaluation, educational programming, and placement decisions made based upon a variety of information sources, and by a team of persons who are knowledgeable about the student, the evaluation data, and placement options;
4. Examine all education records related to your child, including those concerning the decisions regarding your child's Section 504 identification, evaluation, educational program, and placement;
5. Obtain copies of educational records at a reasonable cost, unless the fee would effectively deny you access to the records;
6. Receive a response from the Birmingham Public Schools to reasonable requests for explanations and interpretations of your child's records;
7. Request an 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 Birmingham Public Schools refuses this request for amendment, the School District shall notify you within a reasonable time and advise you of your right to an impartial hearing;
8. Have your child receive special education services and related services if he/she is found to be eligible under the Individuals with Disabilities Education Act ("IDEA") or appropriate educational services and related services if he/she is found to be eligible under Section 504 of the Rehabilitation Act;
9. Have your child take part in, and receive benefits from, the School District's education programs without discrimination because of his/her disabling condition(s);
10. Have your child receive a free appropriate public education. This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes

11. the right to have the Birmingham Public Schools make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities;
12. Have your child educated in facilities and receive services comparable to those provided non-disabled students;
13. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the Birmingham Public Schools;
14. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the Birmingham Public Schools;
15. Request an impartial due process hearing regarding the Section 504 identification, evaluation, eligibility, placement or provision of a Free Appropriate Public Education (“FAPE”) for your child.
16. File a complaint in accordance with the Birmingham Public Schools’ Section 504 grievance procedure.