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**Parent - Student Rights and Procedural Safeguards**

**Under Section 504 of the**

**Rehabilitation Act of 1973 and Its Amendments**

**CHARLOTTE-MECKLENBURG SCHOOLS**

The Rehabilitation Act of 1973, commonly referred to as Section 504, is a non-discrimination statute enacted by the United States Congress.  The purpose of the Act is to prohibit discrimination and to assure that within the public schools disabled students have educational opportunities and benefits equal to those provided to non-disabled students.

An eligible student under Section 504 is a student who (a) currently has, (b) has a record of having, or (c) is regarded as having a physical or mental impairment which substantially limits one or more major life activities.  Major life activities include caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning.

**Parents have the rights to:**

1. Have your child take part in, and receive benefits from public education programs without discrimination based on a disability.
2. Have the District advise you as to your rights under federal law.
3. Receive notice with respect to identification, evaluation, or placement of your child.
4. Have your child receive a free appropriate education (FAPE). This includes the right to be educated with non-disabled students to the maximum extent appropriate. It also includes the right to have the District make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided without disabilities.
6. Have your child receive special education and related services if she/he is found eligible under the Individuals with Disabilities Act (IDEA), or to receive reasonable accommodations under Section 504 of the Rehabilitation Act.
7. Have eligibility and educational placement decisions made based upon a variety of information sources, and by individuals who know the student, the eligibility data, and placement options.
8. Have a right to periodic re-evaluation and evaluation before any significant change in placement.
9. Give your child an equal opportunity to participate in nonacademic and extracurricular activities offered by the school District through the provision of reasonable accommodations.
10. Examine all relevant records relating to decisions regarding your child’s identification, eligibility, educational program and placement under the Family Educational Rights and Privacy Act. The requirements are described in the Board’s policy manual on file at the Education Center.
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.
12. Receive a response from the District to 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 District refuses this request, it shall notify you within a reasonable time, and advise you of the right to a hearing.
14. Request an impartial due process hearing related to decisions regarding your child’s identification, eligibility, and educational placement. You and your child may take part in the hearing and have an attorney represent you at your own cost. You have the right, also, to appeal the impartial hearing officer’s decision.
15. File a complaint with the District when you believe your child’s rights have been violated.

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| **School-Level Section 504 Coordinator:** | **Section 504 District Compliance Specialist:** |
| Name   | Cynthia Vines |
| Elisabeth Eklund  | 4511 Monroe Road |
|        | Charlotte, NC 28205 |
|   | PH: (980) 343-0589 |
| Phone Number  | FAX: (980) 343-0972 |
| (980) 343-0400 | cynthiap.vines@cms.k12.nc.us |
|       | cmssection504@cms.k12.nc.us |