

## ACE - PROCEDURAL SAFEGUARDS NONDISCRIMINATION ON THE BASIS OF HANDICAP/DISABILITY

### *Category P*

The District provides the following Notice of Procedural Safeguards to parents/guardians and handicapped persons, as required by 34 C.F.R. Sections 104.7, 104.8, 104.22(4)(f), and 104.36 of the Regulations implementing Section 504 of The Rehabilitation Act of 1973.

The District provides a grievance procedure with appropriate due process rights. the Superintendent or Superintendent designee is the designated employee, charged with coordinating efforts to comply with Section 504. The parent/guardian of handicapped students or any handicapped person may use the grievance procedure established by the Board.

### Grievance Procedure

If the Board schedules the matter for a hearing, the complainant may be represented by any person the complainant chooses, including legal counsel. The complainant may present information through documents and other evidence and witnesses, and may examine witnesses presented by the School District.

### Procedural Safeguards

As required by 34 C.F.R. Section 104.36, parents/guardians of a student who needs or is

believed to need special instruction and related services have the right, with respect to any action regarding identification, evaluation, and placement to:

1. Notice of referral/identification, evaluation, and placement process, with appropriate consent form.
2. Examine all relevant records.
3. An impartial hearing, at any time, with respect to any actions regarding identification, evaluation, or placement of persons who need or are believed to need special education and related services; an opportunity for participation by the parent/guardian and representation of counsel as provided under the Individuals with Disabilities Education Act.
4. A review process

Legal References:

*34 C.F.R. Part 104, Nondiscrimination on the Basis of Handicap*

*Section 504 of The Rehabilitation Act of 1973*

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