

T I P S
for
**Effective Communication
with Educators:**

- Arrange a specific time and location to discuss the 504 related matter with teacher, counselor, nurse, and/or principal.
- Maintain specific notes in regard to the 504/ADA matter and bring them to the meeting or provide them to the school.
- Inquire about the standard procedures used in the school to process situations involving Section 504/ADA.
- The goal of all interactions is to solve problems through mutual listening, sharing perspective, and problem-solving.

**DUBUQUE COMMUNITY
SCHOOL DISTRICT
PROCEDURES PERTAINING TO
SECTION 504/ADA:**

Identification

Evaluation

Planning for services

Review and reevaluation

Grievance

Notes/Questions:

A Section 504 and American with Disabilities Act Desk Reference is available at The Forum and the health offices of our schools.

It is available for review during normal school hours.

Copying of any portion is available for \$.20 per page.

It is also available on our DCSD web site:

www.dbqschools.org

For more information you can visit:

The website of The U.S. Dept of Health and Human Services/Office of Civil Rights



**Section 504
and
Americans with
Disabilities Act**

**Parent/Guardian Rights
and Information Summary**

Published by:

**Dubuque Community
School District**

Dear Parent/Guardian:

Our school district is dedicated to the equitable treatment of and maximum learning for all students. We abide by the spirit and the letter of the law pertaining to Section 504 of the Rehabilitation Act and The Americans with Disabilities Act.

As with many other aspects of schooling for your daughters and sons, we do the best when we act in a spirit of cooperation, active listening, and good will. This brochure is designed to provide you with the essential information needed for your genuine participation in situations applicable to the federal laws listed above.

While all students are unique, the students who qualify under the provisions of Section 504 and the ADA need/deserve the additional attention, services, and other accommodations provided by these federal laws.

Should you have questions, I ask that you first contact the 504/ADA Compliance Officer, Rhonda Simpson. Her address, phone, fax, and e-mail are listed in this brochure. Should the need for my assistance be urgent, please do not hesitate to contact me at (563) 552-3012.

Sincerely,

**Stan Rheingans,
Superintendent of Schools**

PUBLIC NOTICE

The person in the
Dubuque Community School District
who coordinates compliance with
Section 504 matters is:

Mae Hingtgen
Learning Supports and Equity Liaison
The Forum
2300 Chaney Road
Dubuque, IA 52001-3095

E-mail: mhingtgen@dbqschools.org
Telephone: (563) 552-3105
Fax: (563) 552-3102

Discrimination and Harassment Not Tolerated

Any form of discrimination or harassment can be devastating to an individual's academic progress, social relationships and sense of self-worth. Therefore, the Dubuque Community School District will not tolerate discrimination or harassment in its educational program on the basis of a person's protected status, such as age, ancestry, color, creed, familial status, gender identity, marital status, national origin, physical attributes, physical or mental ability or disability, political belief, political party preference, race, religion, sex, sexual orientation, or socioeconomic status.

- DCSD School Board Policy #1001

Public Notice: Section 504 and Americans with Disabilities Act

Section 504 and ADA is an Act which prohibits discrimination against persons with a disability by any institution receiving federal financial assistance. These Acts define a person with a disability as anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working);
2. has a record of such impairment; or
3. is regarded as having such an impairment.

In order to fulfill obligations under Section 504, the Dubuque Community School District has the responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability will knowingly be permitted in any program or practice of the school system.

The school district has responsibilities under Section 504, which include the obligation to identify, evaluate, and if the student is determined to be eligible under Section 504, to afford access to appropriate educational services.

A parent may request a Section 504 Referral Request Form to initiate a referral for any student by contacting the principal or building liaison of any school or the Section 504/ADA Coordinator at the Forum.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing officer.

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records. This Act gives the parent or guardian the right to:

1. inspect and review his/her child's educational records;
2. make copies of these records;
3. receive a list of all individuals having access to those records;
4. ask for an explanation of any item in the records;
5. ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights;
6. a hearing on the issue if the school refuses to make the amendment

Section 504/ADA: Student & Parent Rights in Identification, Evaluation, and Placement

The following is a description of student and parent rights granted by federal law. 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:**

- Have your child take part in and receive benefits from public education programs without discrimination based on a disability.
- Have the school district advise you as to your rights under federal law.
- Receive notice in the parents'/guardians' native language and/or primary mode of communication with respect to identification, evaluation, or placement of your child.
- Have your child receive a free, appropriate public education. This includes the right to be educated with other students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.
- Have your child educated in facilities and receive services comparable to those provided students without disabilities.
- Have your child receive special education and related services if she/he is found to be eligible under the Individuals with Disabilities Education Act (IDEA) (PL 101-476), or to receive reasonable accommodations under Section 504 of the Rehabilitation Act or the Americans with Disabilities Act.
- Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by individuals who know the student, the evaluation data, and placement options. Have periodic evaluations and/or reevaluations before any significant change in program/service.
- Have transportation provided to an alternative school placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the school district.
- Give your child an equal opportunity to participate in non-academic and extracurricular activities offered by the school district.
- Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement.
- Obtain copies of educational records at a reasonable cost if the fee would effectively deny you access to the records.

You have the right to (continued):

- Receive a response from the school district to reasonable requests for explanations and interpretations of your child's records.
- Request amendment of your child's educational records if there is a 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, it shall notify you within a reasonable time, and advise you of the right to a hearing.
- Request mediation or an impartial due process hearing and subsequent appeals related to decisions regarding your child's identification, evaluation, educational program, or placement. You and your child may take part in the hearing and have an attorney represent you.
- Ask for payment of reasonable attorney fees if you are successful on your claim.
- File a local grievance.

Grievance Procedure for Section 504:

It is the policy of the Dubuque Community School District to process any grievance arising from the procedures related to Section 504/ADA in a fair, expeditious, and confidential manner. The following grievance procedure has been established to provide due process to persons interacting with any aspect of the District's Section 504/ADA policy and procedures.

1. Grievance Process:

Level One: Principal or Immediate Supervisor
Level Two: Section 504/ADA Compliance Officer
Level Three: Superintendent

2. External Due Process:

Impartial Hearing: Should none of these steps resolve the matter, the grievant may file a written request with the Section 504/ADA Compliance Officer for an impartial hearing. All requests for a hearing must be filed with the Compliance Officer within (10) working days of the receipt of the Level Three decision. The Compliance Officer shall arrange for an impartial hearing officer within fifteen (15) working days of receipt of the request. The hearing will be conducted in accordance with the procedures and regulations of the Family Educational Rights and Privacy Act. The Hearing Officer will render a decision solely on the evidence presented at the hearing and shall provide a summary of the evidence and a rationale for the decision to all relevant parties. At any point in the process, the grievant may communicate with the U.S. Department of Education, Office of Civil Rights, Kansas City, MO.