



**WESTERN WAYNE SCHOOL DISTRICT**

1970C Easton Turnpike

Lake Ariel, Pennsylvania 18436

**SECTION 504 of the Rehabilitation Act / 22 PA Code Chapter 15**

**FORM I**

**NOTICE OF PROCEDURAL SAFEGUARDS**

The Rehabilitation Act of 1973, commonly known as "Section 504," is a federal law passed by the United States Congress with the purpose of prohibiting discrimination against disabled persons who may participate in, or receive benefits from, programs receiving federal financial assistance. In public schools, Section 504 applies to ensure that eligible students with disabilities are provided with educational benefits and opportunities equal to those provided to non-disabled students.

Under Section 504, a student is considered eligible for protections if he or she suffers from a physical or mental impairment that substantially limits one or more major life activities, such as: caring for oneself, performing manual tasks, seeing, hearing eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, working, and major bodily functions (including but not limited to functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions). Section 504 protections are also available to students with a record of having a disability or who are regarded as being disabled even if they are truly not disabled. They are also available to students whose disabilities are episodic or in remission and not currently active but substantially limit one or more major life activities when active, such as epilepsy or cancer. Students can be considered disabled under Section 504 even if they do not qualify for or receive special education services. Provision of special education pursuant to the Individuals with Disabilities Education Act is one means of complying with Section 504.

As a parent/guardian, you and your child have the right to:

1. Have your child take part in and receive benefits from public education programs without discrimination based on a disability.
2. Receive written notice of your rights and with respect to identification, evaluation, or placement of your child.
3. Have your child receive a free appropriate public education (FAPE), if eligible. 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.
4. If eligible for FAPE, have eligibility and educational placement decisions for your child, and an individualized plan for accommodations and modifications made, based upon a variety of information sources. This will be done by individuals who know the student.
5. If your child is eligible for services under Section 504, he or she has a right to periodic evaluations to determine if there has been a change in educational need. Generally, an evaluation will take place at least every three years.



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6. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement upon written request to the Section 504 Coordinator; request amendment of the records if you have reasonable cause to believe a record is misleading, inaccurate or otherwise a violation of your child's rights; if the school district rejects your request, you may seek a hearing.
7. File a complaint or request a due process hearing regarding your child's rights under this law, in accordance with the District's Section 504 School Board Policy. At a formal hearing you may be represented by legal counsel. You may appeal the decision of a hearing officer to a court of competent jurisdiction.

Additional information about your rights in Pennsylvania under Section 504 or the IDEA may be obtained from: The Office for Dispute Resolution's "ConsultLine." The ConsultLine is a toll free number for parents and advocates. The Consultline Specialists assist callers by providing information on the special education laws and parental rights and options:  
[consultline@pattan.net](mailto:consultline@pattan.net); 800-879-2301

Complaints or requests for hearing should be forwarded to:

Cynthia LaRosa  
Assistant Director of Special Education  
Western Wayne Middle School  
1970B Easton Turnpike  
Lake Ariel, PA 18436