

Nassau County School District
Notice of Parent Rights under Section 504 of the Rehabilitation Act of 1973

If it is determined that your child has a physical or mental condition that substantially limits a major life activity and, as a result, requires instructional or other accommodations within the school environment, your child is disabled under Section 504 of the Rehabilitation Act of 1973. In addition, if your child does not have a disability but has a record of a disability or is considered disabled by school personnel, your child is protected from discrimination under Section 504. If your child is disabled or you believe that your child is disabled or has been discriminated against, you are entitled to certain rights. This notice is designed to provide you with information about those rights.

Under Section 504, you have the right to:

1. Have your child participate in all school activities without discrimination solely on the basis of disability.
2. Have your child educated in facilities and receive services that are comparable to those provided to non-disabled students.
3. Have your child receive a free appropriate public education (FAPE) which consists of regular or special education and related services designed to meet the educational needs of your child. If it is determined that your child is eligible for special education, those services will be provided pursuant to the Individuals with Disabilities Education Act (IDEA) through an Individualized Education Plan (IEP).
4. With respect to the provision of special education, related services or FAPE, you are entitled to notice with respect to the identification/eligibility, evaluation, or educational placement of your child, and:
 - Access to all records relevant to decisions concerning identification/eligibility, evaluation or educational placement of your child.
 - The right to challenge any decision made concerning the identification/eligibility, evaluation or educational placement of your child by requesting mediation or an impartial hearing or, in the alternative, filing an informal grievance with the school district's Section 504 coordinator.
 - The right to attend any hearing requested.
 - The right to be represented by counsel if a hearing is requested.
 - The right to have any decision made at a hearing reviewed.

Any request for a hearing should be made to the school district's Section 504 coordinator for a determination as to whether it is an appropriate request for a due process hearing or whether it is merely a claim alleging discrimination on the basis of a disability.

Impartial hearings are conducted by the Division of Administrative Hearings (DOAH) in Tallahassee, Florida, and the results of the Administrative Law Judge's (ALJ) recommended decision is considered final by the School District and is binding on all parties. However, an aggrieved party may appeal the decision of the ALJ within thirty (30) days to the first District Court of Appeal or other court of competent jurisdiction.

5. With respect to complaints of discrimination on the basis of disability that do not relate to the provision of FAPE and/or identification/eligibility, evaluation, or educational placement of your child, you have the right to file a local grievance with the school district in accordance with its grievance policy and procedures.
6. With respect to complaints of discrimination based on a record of a disability or that school personnel have taken adverse action against your child because they regard your child as disabled, you have the right to file a local grievance with the school district in accordance with its grievance procedures.

Parental Notification of McKay Scholarship

Effective July 1, 2011, New Florida Statutes state that by April 1 of each year and within 10 days after a 504 Accommodation plan meeting our district must notify you of all available options. This includes informing you of the availability of the DOE toll free information hotline (1-800-447-1636) and internet website, www.floridaschoolchoice.org and offering the parents an opportunity to enroll the student in another public school within the district during the required time limit if the school is not closed or otherwise at capacity. The procedural safeguards are one of several ways in which our district meets the Florida Statute requirements.