

## **PARENT RIGHTS NOTICE**

Overview:

There are two primary federal laws that impact the educational rights of children with disabilities relating to special education and related services.

- Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is a federal civil rights law that prohibits discrimination on the basis of disability in programs and activities that receive any Federal financial assistance from the U.S. Department of Education. Section 504 was enacted to "level the playing field" - to eliminate impediments to full participation by persons with disabilities. Section 504 establishes a student’s right to full access and participation to education and all school-related activities and requires schools to provide appropriate services to meet the individual needs of qualified students.
- The Individuals with Disabilities Education Act (“IDEA”) is a federal law that requires school districts receiving federal IDEA funding to guarantee special education and related services so that eligible children with disabilities receive a free and appropriate public education. It is the responsibility of your home school district to ensure each IDEA-eligible student with a disability receives appropriate educational services. As a laboratory school, the University Laboratory Schools endeavors to work with parents and home school districts in determining how a student’s needs can be met in the most suitable setting.

What follows is a brief summary of your rights relating to the two statutes and how the Laboratory Schools can assist in this process.

### **Section 504 of the Rehabilitation Act of 1973**

The Laboratory Schools of Illinois State University will identify, evaluate students who are disabled within the meaning of Section 504 of the Rehabilitation Act of 1973. Students may be entitled to services under Section 504, even if they do not qualify as a student with a disability under the IDEA (described further below).

The definition of “disabled” under Section 504:

- Is any person who has a physical or mental impairment which substantially limits one or more of such person’s major life activities; or
- Has record of such impairment; or
- Is regarded (perceived) as having such an impairment.

Major life activities under Section 504 including caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. The disabling condition need only substantially limit one major life activity for the student to be eligible.

Under Section 504, you have the right to:

1. Have your child take part in, and receive benefits from public education programs without discrimination because of his/her disability;
2. Have the Laboratory Schools advise you of your rights under federal law;

3. Receive notice with respect to identification, evaluation, or placement of your child for Section 504 related services;
4. Have your child receive services under Section 504, including the right to be educated with nondisabled students to the maximum extent appropriate. It also includes the right to have the Laboratory Schools 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 nondisabled students;
6. Have your child receive an individualized evaluation, develop a Section 504 plan for your student outlining specialized education services, including appropriate accommodations, if s/he is found to be eligible under Section 504;

*You may request an evaluation by contacting:*

- *Metcalf: Jason Surian, Principal, at 438-7621 or via email at [jmsuria@ilstu.edu](mailto:jmsuria@ilstu.edu)*
- *University High School: Bethany Hoffert, School Psychologist, at 438-8449, or via e-mail at [bdhoffe@ilstu.edu](mailto:bdhoffe@ilstu.edu)*

*The Laboratory Schools may also refer your child for an evaluation under Section 504. If your child may require services under the IDEA, the process outlined in the next section will be followed.*

7. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluation data, and placement options;
8. When transportation is provided by the Lab Schools for field trips and other extracurricular activities, it will be provided at no greater cost to you;
9. The Laboratory Schools will follow the manifestation determination process for discipline decisions that may require removing a student from a placement for more than 10 school days, cumulatively for the year.
10. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the Laboratory Schools;
11. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program and placement and 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 Laboratory Schools 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 or other rights of your child. If the Laboratory Schools refuses this request for amendment, it shall notify you within a reasonable time, and advise you of the right to a hearing. Information about how to request access to records and a potential hearing to challenge information in your child's educational record is available under the Laboratory School's FERPA Notice  
<https://education.illinoisstate.edu/labschools/policies/Annual%20Notice%20to%20Parents-%20SOPPA.pdf> ;
14. Request any issues be resolved by notifying the School Principal (or designee) detailing the issues you are experiencing and the facts about the situation.

15. If issues cannot be resolved at the building-level, you may request an impartial due process hearing related to decisions or actions regarding your child's 504 identification, evaluation, educational program or placement. You and the student may take part in the hearing with an impartial hearing officer and have an attorney represent you at your own expense. Please contact your school for additional information about the hearing process.

## **Individuals with Disabilities Education Act (“IDEA”):**

IDEA requires your home school district to provide a free appropriate public education to eligible students with disabilities. IDEA differs from Section 504 in several respects, including:

- Section 504 is a non-discrimination statute intended to level the playing field for eligible students. The IDEA requires school districts to provide special education and related services and/or specially designed instruction to meet the unique needs of an eligible child with a disability.
- Under the IDEA, the definition of “disability” is narrower than the Section 504 definition. The IDEA covers children who fall into 13 specific disability categories (autism, deafness, deaf-blindness, hearing impairments, intellectual disability, multiple disabilities, orthopedic impairments, other health impairments, serious emotional disturbance, specific learning disabilities, speech or language impairments, traumatic brain injury, and visual impairments) and who need special education and related services based on one or more of these disabilities.
- The IDEA uses different evaluation procedures and requires school districts to develop an Individualized Education Plan (or “IEP”) for eligible students. In the event the Laboratory Schools suspect the need for services under IDEA, the Laboratory schools will report the issue to the students’ home school district and coordinate on additional steps as determined by the home school district..

It is the responsibility of your home school district to ensure each IDEA-eligible student with a disability receives appropriate educational services. As a laboratory school, the University Laboratory Schools endeavors to work with parents and home school districts in determining how a student’s needs can be met in the most suitable setting. If you would like to request further information on the IDEA evaluation-process, please contact

*Metcalf- Jason Surian, Principal, at 438-7621 or via email at [jmsuria@ilstu.edu](mailto:jmsuria@ilstu.edu)*

*University High School- Bethany Hoffert, School Psychologist, at 438-8449, or via e-mail at [bdhoffe@ilstu.edu](mailto:bdhoffe@ilstu.edu)*

Parents of students placed at the Laboratory Schools through the HILIA Program, should consult their home school district with any questions in respect to IDEA.