

MERRIMACK SCHOOL DISTRICT

36 McElwain Street, Merrimack, New Hampshire 03054

NOTICE OF PARENT/GUARDIAN/STUDENT RIGHTS UNDER SECTION 504

Please Keep This Explanation for Future Reference

Merrimack School District does not discriminate on the basis of disability in its programs and activities. The following is a description of the rights granted by federal law to students with disabilities. The intent of the law and this notice 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. Adult students may assert these rights on their own behalf.

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 disabilities;
2. Have the school district advise you of your rights under federal law;
3. Receive notice with respect to identification, evaluation, or placement of your child. Parental consent must be obtained before conducting an initial evaluation and placement;
4. Have your child receive a free appropriate public education. This includes the right to be educated with students without disabilities 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;
5. Have your child educated in facilities and receive services comparable to those provided students without disabilities;
6. Have your child receive special education and related services if s/he is found to be eligible under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. § 1400, et. seq);
7. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons, including the student's parent(s) or guardian(s), who know the student, the evaluation data, and placement options;
8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district;
9. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district;
10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement;
11. Obtain copies of relevant records at a reasonable cost unless the fee would effectively deny you access to the records;
12. Obtain a response from the school district to reasonable requests for explanations and interpretations of your child's record;
13. Request amendment of your child's educational records if there is a reasonable cause to believe that they are inaccurate, misleading, or otherwise are in violation of the privacy rights of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time, and advise you of the right to an impartial hearing;
14. File a local grievance, in accordance with the school district's 504 nondiscrimination grievance procedure;
15. Request mediation or an impartial hearing related to decisions or actions regarding your child's identification, evaluation, or placement. You and the student may take part in the hearing and have an attorney represent you. Section 504 Hearing requests must be made to the NH Commissioner of Education, NH Department of Education, 101 Pleasant Street, Concord, NH 03301;
16. File a complaint with the Office of Civil Rights, U.S. Department of Education, 5 Post Office Square, 9th Floor, Boston, Massachusetts, 02109-3921; Tel: (617) 289-0111/ FAX: (617) 289-0150.
17. Ask for payment of reasonable attorney fees if you are successful on your claim.

The person in this District who is responsible for assuring that the District complies with Section 504 is:

Dr. Kathleen Scholand, Interim Assistant Superintendent for
Curriculum, Instruction and Assessment
Merrimack School District
E-mail: kathleen.scholand@sau26.org

The person at Merrimack High School who is responsible for overseeing Section 504 at MHS is:

Christina Connor, 504 Coordinator
E-mail: christina.connor@sau26.org