



Annual Notice

504 of the Rehabilitation Act and Americans with Disability Act Parents and Individuals with Disabilities; Students Rights under Section 504

v. 08/01/2018

Notice of Non-discrimination:

Applicants for admission and employment, students, parents, persons with disabilities, employees, and all unions or professional organizations holding collective bargaining or professional agreements with IEA do not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups.

Annual Notice to the Parents and Individuals with Disabilities:

Programs for Students with Disabilities under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibit discrimination against persons with a disability in any program receiving federal financial assistance. Section 504 defines a person with a disability as anyone who:

- Has a mental or physical impairment which substantially limits one or more major life activities such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, sleeping, standing, lifting, reading, concentrating, thinking, communicating, helping, eating, bending, or operation of a bodily function. (This is not an exhaustive list of major life activities, which means even if an activity or function is not listed it can, nonetheless, be a major life activity.)

IEA has the responsibility to provide accommodations and services to eligible individuals with disabilities. IEA acknowledges its responsibility under Section 504 to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability shall knowingly be permitted in any program or practice in the school.

Parent and/or Student Rights under Section 504:

The following is a description of student and parent rights under Section 504 and other federal laws. The intent of the law is to keep parent(s)/guardian(s) fully informed concerning decisions about their child, and to inform parent(s)/guardian(s) of rights if parent(s)/guardian(s) disagree with any IEA decisions. Each child has the right to take part in and receive benefits from public education programs without discrimination based on a disability. Each child has the right to:

- Receive FAPE (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 IEA make reasonable accommodations to allow each child an equal opportunity to participate in school and school-related activities.
- Be educated in facilities and receive services comparable to those provided for students without disabilities.
- Receive an evaluation, eligibility determination, and if qualified, receive placement and accommodation decisions based upon a variety of information sources and by individuals who know the student, disability, evaluation data, and placement options.
- Receive an equal opportunity to participate in nonacademic and extracurricular activities offered by the school.



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Parent(s)/guardian(s) have the right to:

- Examine all relevant records relating to decisions regarding each child's identification, evaluation, educational program, and placement.
- File a local grievance with IEA if a child is being discriminated against because of his/her disability and/or is not able to access his/her free appropriate public education.
- Request a due process impartial hearing to help resolve issues with IEA. IEA will notify parent(s)/guardian(s) of their right to request a hearing regarding the identification, evaluation, or educational placement of individuals with disabilities and to be represented by counsel [34 CFR § 104.36].
- Access to contact the Section 504 Educational Equity monitor at the Utah State Board of Education in Student Advocacy Services at 801-538-7828.
- File a formal complaint with the regional Office for Civil Rights. The office is part of the U.S. Department of Education. The regional office is located at 1244 Speer Boulevard Ste 310, Denver, Colorado 80204-3582. Telephone: 303-844-5695. Email: OCR.Denver@ed.gov <https://www2.ed.gov/about/offices/list/ocr/docs/howto.html?src=rt>

Any person having inquiries concerning IEA's compliance with the regulations implementing Title VI, Title IX, The Americans with Disabilities Act (ADA) or Section 504 is directed to contact the IEA Director, who has been designated by the school to coordinate efforts to comply with the regulations regarding nondiscrimination.

For additional information, please contact the IEA Director.

You may also visit <https://www.schools.utah.gov/sas/scep/equity>.

Reference

U.S. Department of Education (2018). *Guidelines for administrators and educators for implementing Section 504 of the Rehabilitation Act of 1973 – Subpart D including state laws and board rules*. Retrieved from <https://www.schools.utah.gov/sas/scep/equity>

Instructions: The above information must be displayed and dispersed. Recommendations for notice of dissemination include:

- Inclusion in the IEA Family Handbook;
- Staff, parent, and student annual handouts;
- Bulletin boards;
- School website; and
- Annual staff, parent, and student trainings.