

---

**EXAMINATION OF RECORDS:** You have the right to see and examine education records pertaining to all of your child's 504 processes.

**CONFIDENTIALITY:** 504 processes and records have confidentiality protections under FERPA.

**COMPLAINTS:** It is recommended you first seek to resolve 504 disagreements/complaints with school level administrators. If not resolved at this level, it is suggested you contact Monongalia County Schools 504 Coordinator for assistance: **Angela Hayes/504 Coordinator: c/o Monongalia County Schools; 13 S. High St.; Morgantown, WV 26501; Telephone (304-291-9210, Extension 1517); or e-mail to [acaterin@k12.wv.us](mailto:acaterin@k12.wv.us).** If you disagree with any 504 decision, however, you have the right to request and participate in an impartial hearing. You may be represented by a person of your choice, including an attorney. You must make a written request within 30 calendar days from receipt time of the grieved action. This should be filed with county 504 coordinator. Upon receipt of request, district will notify you of date, time, and location of the hearing. If you disagree with the hearing officer, you have right to request court of jurisdiction review this decision. You also have the right to file complaints pertaining to harassment, retaliation or discrimination against your child in ways that do not involve your child's 504 processes. You also have the right to file a complaint with the U.S. Office of Civil Rights at 400 Maryland Av, SW, Washington, D.C. 20202-1100.

**PERSONNEL:** Prospective employees and employees of Monongalia County Schools who have physical and mental impairments that substantially limit one or more major life functions are entitled to 504/ADA protections. Potentially eligible current employees should contact their building level administrator or the county 504 coordinator to initiate a referral.

Employee 504 processes are conducted by a committee composed of at least one building level administrator or employee's immediate supervisor, the employee, and the county 504 coordinator. 504 employee processes and procedures should parallel those established for students in this pamphlet and implementation guidelines—except when not relevant.

**PARENT/GUARDIAN(S):**

Recognizing that parent/guardian(s) of our students may also be disabled and require accommodations, Monongalia County Schools promotes equal access by following ADA recommended procedures, such as maintaining an ADA approved website, making provisions for interpreters, arranging individual student meetings/conferences in accessible locations, etc. If you are disabled or you know of a disabled parent or guardian in need of accommodations to access school environment, school information, and/or obtain information regarding your/their child, please contact a building level administrator, SAT/504 coordinator, and/or county 504 coordinator for assistance.



---

## Notice of Rights and Procedural Protections Under Section 504 and the ADA (Americans with Disabilities Act)

---

**Notice and Introduction:** Monongalia County Schools does not discriminate on the basis of race, color, religion, sex, age, national origin, or disability in admission, access, treatment, or employment in its programs, services, and activities. Applicants, students, parents/ guardians, employees, referral agencies, and all organizations holding agreements with us are hereby notified of this policy. Additional information regarding guidelines/ procedures for policy implementation, including grievances/ complaints, can be located on our county website. Individual assistance regarding implementation and/or compliance with regulations should contact: Angela Hayes/504 Coordinator: c/o Monongalia County Schools; 13 S. High St.; Morgantown, WV 26501; Telephone (304-291-9210, Extension 1517); or e-mail to [acaterin@k12.wv.us](mailto:acaterin@k12.wv.us).

Please note the rights of identified special education students are addressed under IDEA and not addressed here.

**FAPE/DISCIPLINARY ACTION NOTICE:** 504 eligible students are entitled to a free and appropriate public education, which means their individual education needs will be met as adequately as those of nondisabled peers. No fees will be imposed upon your disabled student other than those that might be imposed on parents of nondisabled peers. Insurance companies, however, and other third party providers may still be obligated to pay. Protections regarding disciplinary actions taken against 504 eligible students are the same as those for IDEA eligible students.

**NOTICE/CONSENT:** You have the right to be notified of any prior actions that would identify your child as having a disability, evaluate your child for services under 504/ADA (consent needed), or place your child in a program based on disability (consent needed).

**504 REFERRAL/IDENTIFICATION PROCESSES:** Referrals for possible 504 eligibility and planning in Monongalia County Schools come from a variety of sources, including Student Assistance Teams (SAT) in schools, parents, via 504 referral form, or from Eligibility Committees when students have failed to qualify under IDEA. For the most part, referrals are primarily funneled through SAT teams in schools that may also serve as a school's 504 Committee (unless established differently in a school). School administrators or SAT coordinators can help you with referral procedures.

**EVALUATION NOTICE:** Your informed consent will be sought prior to conducting any individual evaluations that might be recommended through 504 processes. Although no individual evaluation will be conducted without your consent, schools may review existing records, test scores, teacher reports, recommendations, grades and other such information without your consent. Please be advised: all testing and other evaluation procedures that might be conducted are validated for the specific purposes they are used; they include tests and other evaluation materials designed to assess specific areas of education need and not merely those designed to elicit a general IQ score; and tests are selected and administered to best ensure they accurately measure what the test seeks to measure, rather than any sensory, speaking, or manual impairments that might be present (except when the test is designed to measure sensory, speaking, or manual skills). Plus, evaluation(s) utilized to make significant changes or renew eligibility must also meet or satisfy these same requirements.

## Accommodation Plan

*All eligible students and employees will have a written accommodation plan developed annually. Plans may be adjusted or altered more frequently if needed. Plans should address testing accommodations and may include health plans. Focus of plans is not on performance enhancement but on providing fairness and equal access to education and work place environments. Plans should address all needed services/ accommodations that are impacted by and/or linked to the identified disability or disabilities.*

**ELIGIBILITY AND PLACEMENT:** The 504 Committee, consisting of at least an administrator/504 coordinator, teacher(s), and you, will be responsible for determining eligibility and making placement decisions. Other appropriate personnel may be invited, such as the evaluator, nurse, and/or counselor. You also have the right to invite others to attend and be involved in all 504 processes, including plan development. Placement decisions are based on a variety of information resources. Reevaluations or verification of continued need for 504 planning will occur every three years in addition to annual plan development.

**LEAST RESTRICTIVE ENVIRONMENT NOTICE:** 504 eligible students have the right to be educated in facilities comparable to nondisabled peers, and they will be served with nondisabled students in the regular education environment to the maximum extent appropriate. Prior to removing your child from the regular education environment schools must consider supplementary aids and services.