



BIG SPRING SCHOOL DISTRICT

Student Services
45 Mount Rock Road
Newville, PA 17241
(717) 776-2422

Section 504 Service Contract

Under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, some school age children with disabilities who do not meet the eligibility criteria for special education services under the Individuals with Disabilities Education Act might nevertheless be eligible for special protections and for adaptations in and modifications to their school program or the physical environment of school buildings, grounds, vehicles, and equipment, when such adaptations or modifications are required to enable the student to access or participate meaningfully in academic or nonacademic programming or extracurricular activities. Children are entitled to such protections, adaptations, and modifications if they have a physical or mental disability that substantially limits participation in or access to an aspect of the school program or facilities, whether academic or non-academic in nature. Parents are entitled to a written plan describing the adaptations and modifications that the public school is proposing to implement for their child. This written plan is called a “service agreement” It is based on a pre-placement evaluation that the public school must conduct free of charge to determine whether a child has a disability and, if so, the educational needs of the child. Parents of children with disabilities and who are thought to have disabilities are entitled to receive written notice prior to implementation of any proposed evaluation, program, or placement, or prior to any change thereto. Parents who have reason to believe that their school-age child might have a disability have the right to request a pre-placement evaluation of their child at any time, even if their child is not currently attending public school. Parents who have complaints concerning the evaluation, identification, program, placement, or provision of services to a student, or any change thereto, may request an informal conference with the public school and, if that conference fails to resolve the dispute, a due process hearing. The hearing must be held before an impartial hearing officer at a time and location convenient to the parents. Parents have the right to request a free written or electronic transcript or recording of the proceedings, to present evidence and witnesses disclosed to the public school, to confront evidence and testimony presented by the public school, to review their child’s complete educational record on request before the hearing, to receive a written decision from the hearing officer, and to be represented by counsel of their choice. An appeal may be taken from the decision of the hearing officer to a court of competent jurisdiction.