

## MONTGOMERY COUNTY PUBLIC SCHOOLS

# Due Process Safeguards Information: Section 504 of the Rehabilitation Act of 1973

The following is a summary of the rights granted by federal law and Montgomery County Public Schools (MCPS) Regulation ACG-RB, *Reasonable Accommodations and Modifications for Students Eligible Under Section 504 of the Rehabilitation Act of 1973*, to students with disabilities who are eligible for accommodations under Section 504.

### UNDER SECTION 504, you have the right to the following:

1. **Have your student take part in and receive benefits** from public education programs without being discriminated against on the basis of their disability.
  2. **Receive notice** with respect to identification, evaluation, reevaluation, or placement/program decisions involving your student.
  3. **Have your student receive a free appropriate public education.** This includes the right to be educated with students who do not have disabilities, to the maximum extent appropriate.
  4. **Have your student afforded an opportunity**, equal to that of students who do not have a disability, to participate in school programs and extracurricular activities sponsored by the school.
  5. **Have identification, evaluation, and placement/program** decisions made, based on information from a variety of sources and by persons who know the needs of the student, the meaning of evaluation data, and placement/program options.
  6. **Examine your student's educational records** and obtain a copy of those records, pursuant to law and MCPS Regulation JOA-RA, *Student Records*.
  7. **Seek resolution of issues** if you are dissatisfied with any decision regarding the identification, evaluation, reevaluation or placement/program of your student.
- You may request a Section 504 Administrative Review by contacting the Section 504 coordinator in the MCPS Office of Special Education, Resolution and Compliance Unit.
  - You may request mediation through the Maryland Office of Administrative Hearings by contacting the MCPS Section 504 coordinator. Mediation allows for parents/guardians to be active partners while negotiating an agreement.
  - You may request a Section 504 hearing through the Maryland Office of Administrative Hearings by contacting the MCPS Section 504 coordinator. The hearing will be conducted by an administrative law judge. The hearing provides opportunity for participation by the parents/guardians and representation by counsel. Either party may appeal the decision of the hearing officer and request a review of that decision.
  - In addition, you may contact the U.S. Department of Education, Office for Civil Rights at 215-656-8541.

#### The person who is responsible for monitoring MCPS compliance with Section 504 is—

#### MCPS Section 504 Coordinator Resolution and Compliance Unit

850 Hungerford Drive, Room 208  
Rockville, MD 20850  
Telephone: 240-740-3230  
TDD/TTY: 301-279-312

# MCPS NONDISCRIMINATION STATEMENT

Montgomery County Public Schools (MCPS) prohibits illegal discrimination based on race, ethnicity, color, ancestry, national origin, nationality, religion, immigration status, sex, gender, gender identity, gender expression, sexual orientation, family structure/parental status, marital status, age, ability (cognitive, social/emotional, and physical), poverty and socioeconomic status, language, or other legally or constitutionally protected attributes or affiliations. Discrimination undermines our community's long-standing efforts to create, foster, and promote equity, inclusion, and acceptance for all. The Board prohibits the use of language and/or the display of images and symbols that promote hate and can be reasonably expected to cause substantial disruption to school or district operations or activities. For more information, please review Montgomery County Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*. This Policy affirms the Board's belief that each and every student matters, and in particular, that educational outcomes should never be predictable by any individual's actual or perceived personal characteristics. The Policy also recognizes that equity requires proactive steps to identify and redress implicit biases, practices that have an unjustified disparate impact, and structural and institutional barriers that impede equality of educational or employment opportunities. MCPS also provides equal access to the Boy/Girl Scouts and other designated youth groups.\*\*

<b>For inquiries or complaints about discrimination against MCPS students*</b>	<b>For inquiries or complaints about discrimination against MCPS staff*</b>
Director of Student Welfare and Compliance Office of District Operations Student Welfare and Compliance 850 Hungerford Drive, Room 55, Rockville, MD 20850 240-740-3215 SWC@mcpsmd.org	Human Resource Compliance Officer Office of Human Resources and Development Department of Compliance and Investigations 45 West Gude Drive, Suite 2500, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org
<b>For student requests for accommodations under Section 504 of the Rehabilitation Act of 1973</b>	<b>For staff requests for accommodations under the Americans with Disabilities Act</b>
Section 504 Coordinator Office of Academic Officer Resolution and Compliance Unit 850 Hungerford Drive, Room 208, Rockville, MD 20850 240-740-3230 RACU@mcpsmd.org	ADA Compliance Coordinator Office of Human Resources and Development Department of Compliance and Investigations 45 West Gude Drive, Suite 2500, Rockville, MD 20850 240-740-2888 DCI@mcpsmd.org
<b>For inquiries or complaints about sex discrimination under Title IX, including sexual harassment, against students or staff*</b>	
Title IX Coordinator Office of District Operations Student Welfare and Compliance 850 Hungerford Drive, Room 55, Rockville, MD 20850 240-740-3215 TitleIX@mcpsmd.org	

*\*Discrimination complaints may be filed with other agencies, such as the following: U.S. Equal Employment Opportunity Commission (EEOC), Baltimore Field Office, GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, MD 21201, 1-800-669-4000, 1-800-669-6820 (TTY); Maryland Commission on Civil Rights (MCCR), William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, MD 21202, 410-767-8600, 1-800-637-6247, mCCR@maryland.gov; or U.S. Department of Education, Office for Civil Rights (OCR), The Wanamaker Building, 100 Penn Square East, Suite 515, Philadelphia, PA 19107, 1-800-421-3481, 1-800-877-8339 (TDD), OCR@ed.gov, or www2.ed.gov/about/offices/list/ocr/complaintintro.html.*

*\*\*This notification complies with the federal Elementary and Secondary Education Act, as amended.*

This document is available, upon request, in languages other than English and in an alternate format under the *Americans with Disabilities Act*, by contacting the MCPS Office of Communications at 240-740-2837, 1-800-735-2258 (Maryland Relay), or [PIO@mcpsmd.org](mailto:PIO@mcpsmd.org). Individuals who need sign language interpretation or cued speech transliteration may contact the MCPS Office of Interpreting Services at 240-740-1800, 301-637-2958 (VP) [mcpsinterpretingservices@mcpsmd.org](mailto:mcpsinterpretingservices@mcpsmd.org), or [MCPSInterpretingServices@mcpsmd.org](mailto:MCPSInterpretingServices@mcpsmd.org).