

PROCEDURAL SAFEGUARDS NONDISCRIMINATION ON THE BASIS OF HANDICAP/DISABILITY

The District provides the following Notice of Procedural Safeguards to parents/guardians, and handicapped persons, as required by 34 C.F.R. Sections 104.7, 104.8, 104.22 (4) (f), and 104.36 of the Regulations implementing Section 504 of the Rehabilitation Act of 1973.

The District does not discriminate on the basis of disability in admission or access to, or treatment or employment in, its programs and activities.

The District provides a grievance procedure with appropriate due process rights. Martha Miller, Special Education Director, is the designated employee, charged with coordinating efforts to comply with Section 504. The parent/guardian of handicapped students or any handicapped person may use the grievance procedure established by the Board.

Grievance Procedure: As the parent/guardian of a student with a disability you have the right to notify the above designated employee with your complaint either verbally or in writing. (Martha Miller, Berlin Special Education Director, 193 Pine St. Berlin, NH 03570, 752-5068).

The designated employee will make an initial response to the complainant within ten (10) days of receipt of complaint. The parties will attempt to work out their differences promptly and equitably informally, or the option of a formal stage can be provided. A written record of the resolution of the complaint should be made within ten (10) working days of completion. Both parties will receive a copy of the written record. Additionally, the Superintendent will keep a copy on file.

If that effort fails, you may notify the Superintendent of the complaint. If the issue is not resolved after the informal resolution process, the complainant may appeal to the next level. The complainant may request that the School Board places this matter on its agenda. This request is through the Superintendent. You may be represented by anyone of your choosing, may present information through documents and other evidence and witnesses, and may examine witnesses presented by the School District.

Within ten (10) working days of either of the above options, a written record should be made of the decision. Both parties will receive a copy of the written record. Additionally, the Superintendent will keep a copy on file.

Section D Procedural Safeguards: As required by Section 104.36, as the parent/guardian of a student, who because of handicap needs or is believed to need special instruction and related services, you have the right, with respect to any action regarding identification, evaluation, and placement to:

1. Notice of referral/identification, evaluation, and placement process, with appropriate consent form.
2. Examine all relevant records.
3. At an impartial hearing, at any time, with respect to any actions regarding identification, evaluation, or placement of persons who need or are believed to need special education and related services, an opportunity for participation by you and representation of counsel as provided under the Individuals with Disabilities Education Act.
4. A process for reviewing complaints raised under these Procedural Safeguards. Such review process need not be formal.

Reference

34 C.F.R., Sections 104.7, 104.8, 104.22 (4) (f), and 104.36 of the Section 504 Regulations.

Reviewed: February 2004

Revised: July, 1998

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