



SECTION 504 PROCEDURAL SAFEGUARDS & PARENT/STUDENT RIGHTS

District Mission

We are a community of educators, scholars, parents and staff working together to inspire high academic achievement among all students, serve their needs, challenge their minds, and enrich their lives, laying a foundation for success and participation in our democratic society and as citizens of the world.

Section 504 of the Rehabilitation Act of 1973

Section 504 is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education (ED). Section 504 provides: "No otherwise qualified individual with a disability in the United States shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

The Office for Civil Rights (OCR) enforces Section 504 in programs and activities that receive Federal financial assistance from ED. Recipients of this Federal financial assistance include public school districts, institutions of higher education, and other state and local education agencies. The regulations implementing Section 504 in the context of educational institutions appear at 34 C.F.R. Part 104.

The Section 504 regulations require a school district to provide a "free appropriate public education" (FAPE) to each qualified student with a disability who is in the school district's jurisdiction, regardless of the nature or severity of the disability. Under Section 504, FAPE consists of the provision of regular or special education and related aids and services designed to meet the student's individual educational needs as adequately as the needs of nondisabled students are met.

It is the intent of the Menlo Park City School District that parents of students who may have a disability under Section 504 be informed of their rights. A person with a disability is defined as a person who has a physical or mental impairment which substantially limits one or more major life activity, has a record of such impairment, or is regarded as having such impairment, excepting disabilities that are transitory (6-months duration or less) and minor. Major life activities include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

You have the right to:

1. Have your child take part in, and receive benefits from, public education programs without discrimination because of his/her disability.
2. Have the District advise you of your rights under federal law.
3. Receive notice with respect to identification, evaluation, or placement of your child.
4. Have your child receive a free, appropriate public education. This includes the right to be educated with nondisabled students to the maximum extent appropriate. It also includes the right to have the District make reasonable accommodations in the educational program and placement to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive services comparable to those provided to students without disabilities.
6. Have your child receive special education and related services if he/she is found to be eligible under state or federal special education law or if he/she requires specialized services under Section 504.

7. Have evaluation, planning and placement decisions made based upon a variety of information sources, and by persons who know your child, the evaluation data, and placement/program options.
8. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the District.
9. Examine all of your child's educational records and obtain copies of those records at a reasonable cost, unless the fee would effectively deny you access to the records. You also have the right to request an explanation and interpretation of your child's records. Should you disagree with the records maintained by the district for your child because you believe them to be inaccurate, misleading, or otherwise in violation of the privacy rights of your child, you may request that they be amended. If the District refuses your request, you have the right to a hearing.
10. Request a meeting with the 504 Compliance Officer to review any concern over the actions of the District with respect to the identification, evaluation, educational programs, or placement of your child. This meeting is not required by law, but frequently can resolve concerns.
11. Request a mediation and/or an impartial hearing related to any decision or action regarding your child's identification, evaluation, educational program or placement. You and your student may take part in the hearing before an impartial hearing officer and have an attorney represent you. Under certain circumstances, you may be entitled to an award of reasonable attorney fees.
12. Appeal the decision of the hearing to a court of competent jurisdiction.
13. File a Complaint with the District or the Office for Civil Rights if you feel the District has not acted in accordance with the law. The District 504 Compliance Officer will assist you in filing a Complaint or you may directly contact:

Office for Civil Rights
 U.S. Office of Education
 Old Federal Building
 50 United Nations Plaza
 San Francisco, CA 94102-4102

The District 504 School Coordinators are:

Laurel Ashley Guilliot, School Counselor
 Encinal Joan von der Linden, Assistant Principal
 Oak Knoll Leah Kessler, Assistant Principal
 Hillview Robyn Watts, School Counselor and Kristyn Cardosi, School Counselor

The 504 Compliance Officer for the Menlo Park City School District is:

Ginny Maiwald, Director of Student Services (321-7140 x5610)

I have been informed and understand the Procedural Safeguards & Parent/Student Rights.

 Parent

 Date

I have explained and provided a copy of these Procedural Safeguards & Parent/Student Rights to the parent.

 School 504 Coordinator

 Date