

Notice of Parent and Student Rights Section 504 and the Americans with Disabilities Act (ADA)

Section 504 of the Rehabilitation Act and the Americans with Disabilities Act provides services for students identified as having a disability as defined by the act.

1. You have the right to be informed by the school district of your rights under Section 504 and the Americans with Disabilities Act.
2. Your child has the right to an appropriate education designed to meet his or her individual needs as adequately as the needs of non-disabled students are met.
3. Your child has the right to free educational services except for those fees that are imposed on non-disabled students or their parents. Insurers and similar third parties are not relieved from an otherwise valid obligation to provide or pay for services provided to disabled students.
4. Your child has a right to facilities, services, and activities that are comparable to those provided for non-disabled students.
5. Your child has a right to an evaluation prior to an initial 504/ADA placement and any subsequent significant change in placement.
6. Testing and other evaluation procedures must conform to the requirements of 34 CFR 104.35 as to validation, administration, areas of evaluation, etc. The district shall consider information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social and cultural background and adaptive behavior.
7. Placement decisions must be made by a group of persons including persons knowledgeable about your child, the meaning of evaluation data, the placement options, and the legal requirements for least restrictive environment and comparable facilities.
8. If eligible under 504/ADA, your child has a right to periodic reevaluations, generally every three years.
9. You have the right to notice prior to any action by the district in regard to the identification, evaluation, or placement of your child.
10. You have the right to examine relevant records.

11. You have the right to an impartial hearing with respect to the district's actions regarding your child's identification, evaluation, or educational placement, with opportunity for parental participation in the hearing and representation by an attorney.
12. If you wish to challenge the actions of the schools' 504/ADA committee in regard to your child's identification, evaluation, or educational placement, you should file a written Notice of Appeal with the District's 504/ADA coordinator: Pupil Services Department, 555 Portola Drive, San Francisco, CA 94131, within 30 calendar days from the time you receive written notice of the committee's actions.
13. On 504/ADA matters other than your child's identification, evaluation, and placement you have a right to file a complaint with the District's Office of Equity Assurance, 555 Franklin Street, San Francisco, CA 94102. The office will investigate the allegations to the extent warranted by the nature of the complaint in an effort to reach a prompt and equitable resolution.
14. You also have a right to file a complaint with the Office of Civil Rights. The address of the Regional Office for California is:

U.S. Department of Education
Old Federal Building
50 United Nations Plaza, Room 239
San Francisco, CA 94102-4102
Telephone: 415-556-4275
FAX: 415-437-7783
TDD: 415-437-7786

Parent(s) Signature: _____ Date: _____

School Representative: _____ Date: _____