

PROCEDURAL SAFEGUARDS FOR PARENTS



of the Rehabilitation Act of 1973

**San Diego Unified School District
ADA/504 Office
5465 El Cajon Blvd., B2
San Diego, CA 92115**

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504 District Coordinator**

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Procedural Safeguards

The following section describes student and parental rights granted by federal law. The intent of the law is to keep you fully informed regarding decisions about your student and to inform you of your rights should you disagree with any of these decisions.

You have the right to:

- Have your student take part in and receive benefits from public education programs without discrimination based on his/her disability.
- Have the school advise you of your rights under federal law.
- Receive notice with respect to identification, evaluation, program or placement of your student.
- Be involved before the initial evaluation and placement for services for your student. Written consent is not required. However, we strongly encourage your involvement and support before the initial evaluation and placement for services.
- Have your student receive a free appropriate public education (FAPE). Related aids or services must be designed to meet the individual educational needs of your student as adequately as the needs of students without disabilities are met. This includes the right to be educated with non-disabled students and the opportunity to participate in school and school-related activities to the maximum extent appropriate.
- Have your student educated in facilities and receive services comparable to those provided to students without disabilities.
- Have your student evaluated for eligibility under Individuals with Disabilities Education Act (IDEA), and if found eligible, receive special education and related services.
- Have identification, evaluation, and educational placement decisions made based upon a variety of information sources, and by individuals who know the student, disability, evaluation data, and placement options.
- Give your student an equal opportunity to participate in non-academic and extracurricular activities offered by the school.
- Examine all relevant records relating to decisions regarding your student's identification, evaluation, educational program, and placement.
- 504 Plan Review. Section 504 Plans should be reviewed and rewritten at least annually. While Section 504 regulations do not require specific personnel to participate in the review process, it is recommended that all personnel responsible for the implementation of a student's Section 504 Plan contribute to the review process.
- File a complaint with the school if you feel your student is being discriminated against because of his/her disability.
- Request the assistance of a mediator to help resolve issues with the school.
- Request a Due Process Hearing to help resolve issues with the school.

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Important information you need to know before requesting a Section 504 Due Process Hearing:

- An impartial hearing officer presides over the due process hearing.
- The law encourages mediation at all stages of the hearing process as a preferred method of resolving disputes. Therefore, a mediation conference can be scheduled whenever there is a hearing request. Mediation is strictly voluntary on the part of all parties.
- Attorneys or advocates may represent parties during the mediation or hearing.

If you wish to file a request for a Section 504 Due Process Hearing, complete and print a copy of the 504 Due Process Hearing Request Form (NOTE: The required information must be provided for request to be processed). The form must be mailed or emailed to the below address in order to have properly served the District and initiate the hearing procedures:

San Diego Unified School District
504 Office
5465 El Cajon Blvd., B2
San Diego, CA 92115
E-mail: 504office@sandi.net

Section 504 Due Process Hearing Request Form

PARENT INFORMATION:

NAME, First and Last (Required) _____

ADDRESS (Required) _____

HOME PHONE () _____

WORK PHONE () _____

FAX () _____

PARTIES TO BE NAMED:

DISTRICT OF RESIDENCE (Required) _____

ADDITIONAL PARTIES (Required) _____

(Any other school district, including school of attendance, or public agency that is responsible for providing services that should be a party in the mediation and hearing.)

REQUESTING PARTY (Circle) (Required)

• PARENT	• PARENT REPRESENTATIVE
• SCHOOL DISTRICT	• SCHOOL DISTRICT REPRESENTATIVE
• OTHER AGENCY	

If the requesting party is not the parent, please complete the following:

NAME _____

ADDRESS _____

ORGANIZATION _____

PHONE () _____

FAX () _____

Section 504 Due Process Hearing Request Form (cont.)

BRIEF SUMMARY OF REASON FOR REQUEST (Describe the nature of the problem including all facts relating to the problem.) **(Required)**

PROPOSED RESOLUTION OF PROBLEM STATED ABOVE **(Required)**