



Franklin-McKinley School District

PREPARING ALL CHILDREN AS GLOBAL LEARNERS

Section 504 Parent Procedural Safeguards

The purpose of this notice is to describe the procedural safeguards provided to the parents of students with disabilities under Section 504. The intent of the law is to keep parents fully informed concerning the District’s decisions to identify, evaluate, and/or provide accommodations/services for their children. The District encourages and facilitates informal complaint resolutions.

Section 504 of the Rehabilitation Act of 1973 is a federal law prohibiting discrimination against disabled persons who may participate in or receive benefits from programs receiving federal financial assistance. Under Section 504, eligible students with disabilities are provided with educational benefits and opportunities equal to those provided to nondisabled students. Students with disabilities have the right to receive a free appropriate public education (FAPE) and to be educated with nondisabled students to the maximum extent appropriate.

Under Section 504, students are considered disabled if they suffer from a physical or mental impairment that substantially limits one or more major life activities. Section 504 also protects students with a history of impairment, or who are regarded as impaired, from discrimination on the basis of disability. Students can be considered disabled and may receive protections/accommodations under Section 504 even if they do not qualify for or receive special education and related services under the Individuals with Disabilities Education Act (IDEA).

Parents of students with disabilities eligible under §504 have the following rights:

1. To receive written notice of the District’s intent to identify, evaluate, and/or to provide a Section 504 Plan for their child.
2. To review all relevant records regarding their child and obtain copies at reasonable cost.
3. To appeal/disagree with the District’s decisions with regard to the identification, evaluation, or Section 504 Plan accommodations/services, or file a complaint concerning allegations of a violation of Section 504 policy/procedures, or disability-based discrimination/harassment.
4. To request an informal mediation or an impartial hearing if they disagree with their child’s identification, evaluation, or Section 504 Plan, with an opportunity to participate and be represented by an attorney at the parent’s expense.
5. To review the decision of the impartial hearing officer.
6. To have all Section 504 meetings interpreted into the parents’ primary language.
7. To have all Section 504 documents translated into the parents’ primary language.

For further information, you may contact the school principal or Jennifer Klassen, Coordinator, Student Services, Franklin McKinley School District, 645 Wool Creek Dr., San Jose, CA 95112, (408) 283-6085.

Form 2: Section 504 Parent Procedural Safeguards

This form is available in Spanish or Vietnamese.

Este formulario está disponibles en español.

Mẫu này có sẵn bằng tiếng Việt.

John Lindner

Rudy Rodriguez

George Sanchez

Board of Education