

# **PARENT GUIDE TO PAOLA USD 368 SECTION 504 & Title II**

## **I. Introduction**

It is the policy of the Paola USD #368 to provide a free and appropriate public education (FAPE) to each qualified student with a disability within its jurisdiction, regardless of the nature or severity of the disability. Consequently, it is the intent of the District to identify and evaluate qualified students with disabilities within the meaning of Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act who are in need of accommodations or services, including related services, to participate in District programs on an equal basis with the students without disabilities.

As detailed in these procedures, students who may be in need of accommodations or services, including related services, are evaluated by a Section 504 and Title II Team, and when appropriate and the parent or guardian provides consent, are provided accommodations or services, including related services, pursuant to a written Section 504 and Title II Accommodation Plan that outlines the accommodations or services, including related services, the student will receive.

### **A. Dissemination of Policy**

The District will post the combined notice of non-discrimination at each district building, on the district website at [www.usd368.org](http://www.usd368.org) office, in the building handbooks, and district handbook found on the website. The online notice of nondiscrimination shall contain a link to the District's BOE Policies to find anti-discrimination, anti-harassment, and anti-retaliation policies and grievance procedures, including grievance procedures to address discrimination based on disability (BOE Policies: District/Board of Education/Board Docs/Board Policies GAAB, JGECA, and KN). The District will also annually publish a Section 504 Notification in the local newspaper.

## **II. Overview of Section 504 and Title II**

Section 504 and Title II of the Rehabilitation Act of 1973 is designed to eliminate discrimination on the basis of handicap in any program or activity receiving Federal financial assistance.

Section 504 and Title II states:

**"No otherwise qualified person with a disability in the United States shall, solely on the basis of disability, be denied access to, or the benefits of, or be subjected to discrimination under any program or activity provided by any institution receiving federal assistance."**

Qualified Individual with a Disability: A person with a disability means any person who (1) has a physical or mental impairment which substantially limits one or more major life activities, (2) has a record of such impairment, or (3) is regarded as having such impairment. The definition of disability shall be construed in favor of broad coverage of individuals, to the maximum extent permitted by Section 504 and Title II.

The term “*physical or mental impairment*” means (1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genitor-urinary; hemic and lymphatic; skin; and endocrine; or (2) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. Physical or mental impairments include, but are not limited to, such contagious and non-contagious diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

The term “*major life activities*” includes, but is not limited to, functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and communicating. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability. Also, an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

The determination of whether impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures, such as:

- (1) medication, medical supplies, equipment, or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies;
- (2) use of assistive technology;
- (3) reasonable accommodations or services, including related services, or auxiliary aids or services; or
- (4) learned behavioral or adaptive neurological modifications.

The ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity.

In the educational context, a “qualified person with a disability” is a person with a disability who is (1) of an age during which persons without disabilities are provided such services, (2) of an age during which it is mandatory under state law to provide such services to persons with disabilities, or (3) a person for whom a state is required to provide a free appropriate public education under Individuals with Disabilities Education Act.

### **III. Student Identification and Referral Procedures**

The District shall provide a free appropriate public education (FAPE) to each qualified student with a disability in the District's jurisdiction. An appropriate education is the provision of regular or special education and related aids and services that are designed to meet individual educational needs of students with disabilities as adequately as the needs of students without disabilities are met, and complies with applicable federal regulations.

The District shall educate, or shall provide for the education of, each qualified student with a disability in its jurisdiction with students without disabilities to the maximum extent appropriate to the needs of the students with a disability. The District shall place a student with a disability in the regular educational environment unless it is demonstrated by the District that the education of the student in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily.

The District shall ensure that students with disabilities participate with students without disabilities in nonacademic and extracurricular services and activities to the maximum extent appropriate to the needs of the student with a disability. Nonacademic and extracurricular services and activities include, but are not limited to, meals, recess periods, counseling services, physical recreational athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the District.

#### **A. Requests Initiated by Parents**

Parental requests for Section 504 and Title II accommodations or services, including related services, may be requested verbally or submitted in writing to the Building-based Section 504 and Title II Coordinator, using the Section 504 and Title II Evaluation Referral Form available at the end of this document. Request forms can also be obtained from the Building-based Section 504 and Title II Coordinator.

### **IV. Student Evaluation**

The District shall conduct an evaluation of any student who, because of a disability, needs or is believed to need special education or related services before taking any action with respect to the initial placement of the student in regular or special education and any subsequent significant change in placement.

The District shall ensure that during the evaluation process the Section 504 and Title II Team:

- (i) draws upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior, and
- (ii) establishes procedures to ensure that information obtained from all such sources is documented and carefully considered.

The Section 504 and Title II Team shall consider all available relevant information, including but not limited to any reports, evaluations or diagnoses provided by the student's parents as well as student's grades, disciplinary referrals, health information, language surveys, parent information, standardized test scores, and teacher comments.

The definition of disability shall be construed to be in favor of broad coverage of individuals under Section 504 and Title II to the maximum extent permitted by the terms of those laws.

The District will ensure that students with disabilities who are receiving a free appropriate public education under Section 504 and Title II will be reevaluated at least annually, or more frequently if conditions warrant, including:

- (i) if there is a significant change in placement, or
- (ii) if the student's parent, guardian, or teacher requests a reevaluation.

#### **A. Composition of Section 504 and Title II Team**

A Section 504 and Title II Team shall include persons knowledgeable about the student, the meaning of the evaluation data, and the placement options.

Team membership will be determined by the needs of the individual student being evaluated and may not be composed of a single pre-determined group assembled to assess all students.

To the extent possible, on-site school personnel should participate as Section 504 and Title II Team members. Examples of appropriate personnel include, but are not limited to classroom teachers, school psychologists, and counselor.

The District will take steps to ensure that the parent(s) of a student with a disability, who are knowledgeable about the student, are present at the Section 504 and Title II Team meeting or are afforded the opportunity to participate, including notifying the parents of the meeting early enough to ensure that they will have an opportunity to attend and scheduling the meeting at a mutually agreeable time and place.

The Section 504 and Title II Team may meet and decide issues relating to the referral, evaluation, and identification of accommodations or services, including related services, without the attendance or participation of the student's parent as long as the school has provided the parent with reasonable notice of the meeting and attempts to schedule the meeting at a mutually agreeable time and place and the parent either does not attend or declines to attend. The Section 504 and Title II Coordinator must maintain a record of the notices sent to the parent and the attempts to arrange for the parent's participation at a

mutually agreeable time and place. At least two (2) such attempts should be documented before a meeting is held without the parent.

## **B. Eligibility Determination**

### **1. Section 504 and Title II Initial Team Meeting**

The Building-based Section 504 and Title II Coordinator shall schedule the Section 504 and Title II Evaluation Meeting within fifteen (15) school days of receipt of an initial written request for Section 504 and Title II Accommodations or services, including related services, or a written request for a change to a student's Section 504 and Title II plan.

Parents shall be notified in writing of the purpose, date, time, and place of the Section 504 and Title II Team Meeting. Such notice shall be given at least seven (7) school days prior to the meeting.

### **2. Eligibility Determination**

The Section 504 and Title II Team must first decide whether the student is a qualified individual with a disability pursuant to Section 504 and Title II of the Rehabilitation Act of 1973 before determining what, if any, accommodations or services, including to provide a free appropriate public education to the student and to enable the student to attend school and participate in school activities on an equal basis with his/her non-disabled peers. Parents shall be notified in writing within thirty (30) school days after the Section 504 and Title II Initial Team meeting as to whether the student is eligible for Section 504 and Title II services.

A student is a qualified individual with a disability pursuant to Section 504 and Title II *only if* the student has a physical or mental impairment which substantially limits one or more of the major life activities of such individual.

The Section 504 and Title II Team may refer to Section II of this regulation to assess whether the student is a qualified student with a disability, in accordance with the three-step process outlined below.

#### **(i) Does the student have a physical or mental impairment?**

A student who does not have a physical or mental impairment is not entitled to receive accommodations or services, including related services, through a Section 504 and Title II Plan. The term "physical or mental impairment?" means (1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genitor-urinary; hemic and lymphatic; skin; and endocrine; or (2) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. Physical or mental impairments include, but are not limited to, such contagious and non-contagious diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, specific

learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism.

(ii) Does the student's physical or mental impairment substantially limit one or more major life activities?

The term "major life activities" includes, but is not limited to, functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and communicating. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability. Also, an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.

The determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of mitigating measures, such as:

- a) medication, medical supplies, equipment, or appliances, low-vision devices (which do not include ordinary eyeglasses or contact lenses), prosthetics including limbs and devices, hearing aids and cochlear implants or other implantable hearing devices, mobility devices, or oxygen therapy equipment and supplies;
- b) use of assistive technology;
- c) reasonable accommodations or auxiliary aids or services; or
- d) learned behavioral or adaptive neurological modifications.

The ameliorative effects of the mitigating measures of ordinary eyeglasses or contact lenses shall be considered in determining whether an impairment substantially limits a major life activity. A student whose physical or mental impairment does not substantially limit one or more major life activities is not eligible under Section 504 and Title II.

Section 504 and Title II Teams should contact the District Section 504 and Title II Coordinator if they have questions or need guidance, etc. on this federal law.

An impairment that substantially limits one major life activity need not limit other major life activities in order to be considered a disability.

An impairment that is episodic' or in remission is a disability if it would substantially limit a major life activity when active.

## **V. Placement**

For students who have been found eligible under Section 504 and Title II, the Section 504 and Title II Team will determine what educational services, related services, and supplementary aids and services, and accommodations are needed to ensure that the student receives a free and appropriate public education (FAPE).

The District shall ensure the following actions are taken when interpreting evaluation data and making placement decisions:

- (i) Draw upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior;
- (ii) Establish procedures to ensure that information obtained from all such sources is documented and carefully considered;
- (iii) Ensure that the placement decision is made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data, and the placement of options. A parent(s) or guardian is a required participant if he or she is a person knowledgeable about the student;
- (iv) Ensure that the placement decision is made in a timely manner, and in the least restrictive environment in accordance with 34 C.F.R. Section 104.34.

*If the District determines that the student is eligible for special education and related services under both the IDEA and Section 504 and Title II of the Rehabilitation Act of 1973, those services shall be delivered pursuant to an Individual Education Plan (IEP).*

If the District determines that the student is eligible under Section 504 and Title II of the Rehabilitation Act of 1973, but does not meet the definition of disabled under IDEA, the District will determine, through a Section 504 and Title II meeting, whether the student requires services or modifications to his/her regular education program to allow the student's educational needs to be met as adequately as the educational needs of students without disabilities. The services or modifications recommended should be listed in writing in a Section 504 and Title II Accommodation Plan *but not in an IEP*.

If the Section 504 and Title II Team determines that the student has a physical or mental impairment that substantially impairs a major life activity, it must next decide what, if any, accommodations or services are necessary for the student to receive FAPE to participate on an equal basis with his/her non-disabled peers. The Team shall then draft a Section 504 and Title II Accommodation Plan for the student.

## **VI. Section 504 and Title II Accommodation Plan**

If the Section 504 and Title II Team determine that accommodations or services are required, they shall draft a Section 504 and Title II Accommodation Plan (Form I) for the student. The Plan shall specify the names and titles of the Section 504 and Title II Team

participants, the materials considered in reaching the decisions, and the accommodations or services, including related services that will be offered to the student

#### **A. Notification and Consent**

Once a determination has been made, the Building-based Section 504 and Title II Coordinator shall notify the parent in writing of the decision of the Section 504 and Title II Team regarding the student's eligibility for Section 504 and Title II accommodation. The notice shall include a description of the parent's right to challenge any decision made by the Section 504 and Title II Team, in accordance with Student and Parent Rights of this regulation.

No Accommodation Plan may be implemented without written parental consent. The Building-based Section 504 and Title II Coordinator shall provide two copies of the Section 504 and Title II Accommodation Plan to the parent for his/her approval and signature.

The parent shall return one copy of the plan with his/her signature to the Building-based Section 504 and Title II Coordinator and shall retain the other copy for his/her records. Parental consent shall be valid for the duration of the current plan unless the parent informs the Building-based Section 504 and Title II Coordinator that she/he no longer consents to the provision of the agreed-upon accommodations or services, including related services.

#### **B. Transfers between schools within the District during the School Year**

If a student transfers between schools within the District during the school year, the sending school shall include the Section 504 and Title II Accommodation Plan when the sending school forwards the records to the receiving school. The receiving school should immediately implement the Section 504 and Title II Plan in effect for the current academic year.

#### **C. Review**

Section 504 and Title II Plans will be reviewed on an as needed basis. The initial date of the plan will be recorded and the Building-based Section 504 and Title II Coordinator shall monitor the initial plan dates to ensure all plans are reviewed at least every third year. Plans will be reviewed more frequently if the Section 504 and Title II Team believe a change in circumstances warrant it. Parent/guardians may also request a more frequent review.

If the parent or guardian indicates that changes need to be made to the Section 504 and Title II Plan, or personnel responsible for implementing the Section 504 and Title II Plan indicate that there is a problem with implementation, or request that the Plan be modified, a full team must convene to modify the Section 504 and Title II Plan.

#### **D. Transfers from another School District or Private or Charter School**

If the student has a Section 504 and Title II Plan from another school district or a private or charter school, that plan will be implemented to the extent possible until the student is evaluated in accordance by a District Section 504 and Title II Team in accordance with this regulation.

#### **E. Required Referral to Special Education**

Some students referred for Section 504 and Title II accommodations or services, including related services, may be eligible for services under the Individuals with Disabilities Act (IDEA). In this situation, the Section 504 and Title II Team shall refer the student to the Director of Special Education or Building School Psychologist for evaluation. A student may be in need of Special Education services if she/he has a disability as defined in the Individual with Disabilities Education Act (IDEA) that impacts his/her ability to learn.

### **VII. Record Keeping**

A copy of each student's Section 504 and Title II Plan for each academic year must be maintained in the student's cumulative file, so that it can be transferred with the student if the student changes schools.

### **VIII. Procedural Safeguards**

#### **A. Notices**

The District will notify parents or guardians of any evaluation or placement actions and will provide parents or guardians with a copy of the District's Notice of Student and Parent Rights: (1) annually at the student's Section 504 and Title II meeting; (2) upon request; and (3) when the District takes any action with respect to the identification, evaluation, or educational placement of the student including enrollment in new school.

Written notification of the decision of the Section 504 and Title II Team shall be provided to the parent within ten (10) school days of the accommodation meeting.

#### **B. Opportunity to Examine Relevant Records**

Parents have the right to examine the records of their child relating to the referral, evaluation, development, and implementation of Section 504 and Title II Plans.

## C. Complaints

Parents may challenge the District's actions pertaining to a student with a disability by doing the following:

- i. **Impartial Hearing:** Parents or guardians have the right to file a request with the District for an impartial hearing by an objective, neutral hearing officer to challenge any District action with respect to the identification, evaluation, or educational placement of the student. Parents may request an impartial hearing by making a written request to Section 504 and Title II Coordinator. Parents or guardians will be provided an opportunity to participate in the impartial hearing and to be represented by counsel. In addition, parents or guardians will have a record of the hearing and will be provided with a written decision, including findings of fact and conclusions of law. If a parent or guardian is dissatisfied with the hearing officer's decision, he or she may appeal the decision to a court of appropriate jurisdiction.
- ii. **Internal Complaint:** Parents or guardians may file an internal complaint with the District's Section 504 and Title II Coordinator, using the District's grievance procedures for complaints of discrimination (see Complaint Policy KN by going to [www.usd368.org/District/Board of Education/Board Docs/Policies](http://www.usd368.org/District/Board%20of%20Education/Board%20Docs/Policies)). The contact information for the District's Section 504 and Title II Coordinator is: Matt Meek, 1115 East 303rd, Paola, KS 66071, 913-294-8000.
- iii. **OCR Complaint:** Parents, guardians, or others may file a complaint with the Office for Civil Rights (OCR) in the U.S. Department of Education to address complaints based on disability discrimination. The contact information for OCR is:  
Office for Civil Rights U.S. Department of Education  
1010 Walnut Street, Suite 320  
Kansas City, MO 64106  
Telephone: 816-268-0550; Fax: 816-823-1404; TDD: 877-521-2172  
Email: [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov)

## IX. Inquiries

Inquiries regarding Section 504 and Title II compliance should be directed to the District's Section 504 and Title II Coordinator: Matt Meek, Superintendent of Schools at 1115 East 303rd, Paola, KS 66071 Telephone: 913-294-8000

## Section 504 and Title II Evaluation Referral Form

**How to Make a Section 504 and Title II Referral:** A referral of children for Section 504 can be made by anyone. Generally, teachers and parents make most referrals. Referrals should be made on the Referral for Section 504 and Title II Evaluation form and should be submitted to the building principal. The building principal will contact a parent for consent to evaluate. When parental consent is received, the principal will forward the referral to the Section 504 and Title II Team. The principal will also forward Section 504 and Title II Evaluation Information sheet to all teachers working with the student. Compiled information will be returned to the principal who will forward them to the Section 504 and Title II Team. The Section 504 and Title II Team will conduct a complete evaluation and determine if: 1) the student has a mental or physical impairment (s), has a record of such an impairment, or is regarded as having an impairment. 2) The impairments results in a substantial limitation of major life activity. The team will complete the Section 504 and Title II Notice of Eligibility Determination Form documenting the results of the evaluation. Should the student be ineligible for Section 504 and Title II accommodations or services, the parent or guardian will be notified. If, however, an impairment exists that results in a substantial limitation of a major life activity, the parent will be invited to attend a Section 504 and Title II meeting at which time the team will determine what accommodations are necessary to enable the student to receive a free appropriate public education.

Building Section 504 and Title II Coordinator: **Building Principal**  
District Section 504 and Title II Coordinator: **Matt Meek**

Student Name: \_\_\_\_\_

Birth Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Grade: \_\_\_\_\_ School: \_\_\_\_\_

Parent/Guardian Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work/Cell Phone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Today's Date: \_\_\_\_\_ Date of Receipt of Request: \_\_\_\_\_

Person Making Referral: \_\_\_\_\_

Signature: \_\_\_\_\_

Reason(s) for Referral (list specific concerns/behavior):

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To date, what accommodations or special provisions have been made to assist the student?

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Is the student currently receiving special education or other services? \_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, what services is the student currently receiving?

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**Please submit completed referral to the Building Principal or Section 504 and Title II coordinator.**

## **Section 504 and Title II Student and Parent Rights**

**The following is a description of student and parent rights granted by federal law. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.**

YOU HAVE THE RIGHT TO:

1. Have your child take part in, and receive benefits from public education programs without discrimination based on a disability.
2. Have the school advise you as to your rights under federal law.
3. Receive written 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 other students without disabilities to the maximum extent appropriate. It also includes the right to have the school provide accommodations and services to allow your child an equal opportunity to participate in school and school-related activities.
5. Have your child educated in facilities and receive comparable educational services to those provided to students without disabilities.
6. Have your child receive accommodations and services under Section 504 and Title II of Americans with Disabilities Act of the Rehabilitation Act of 1973 if he/she qualifies.
7. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by individuals who know your child, the evaluation data, and placement options.
8. Have transportation provided to a school placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the school.
9. Give your child an equal opportunity to participate in non-academic and extracurricular activities offered by the school.
10. Examine all records relating to decisions regarding your child's identification, evaluation, educational program, and placement.
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records.

12. Receive a response from the school to reasonable requests for explanations and interpretations of your child's records.

13. Request mediation to settle disputes arising out of any decision about your child's identification, evaluation, educational program or placement.

14. Impartial Hearing: Parents or guardians have the right to file a request with the District for an impartial hearing by an objective, neutral hearing officer to challenge any District action with respect to the identification, evaluation, or educational placement of the student. Parents may request an impartial hearing by making a written request to Section 504 and Title II Coordinator. The hearing officer will not be an employee or an independent contractor of the district. Parents or guardians will be provided an opportunity to participate in the impartial hearing and to be represented by counsel. In addition, parents or guardians will have a record of the hearing and will be provided with a written decision, including findings of fact and conclusions of law. If a parent or guardian is dissatisfied with the hearing officer's decision, he or she may appeal the decision to a court of appropriate jurisdiction.

15. Internal Complaint: Parents or guardians may file an internal complaint with the District's Section 504 and Title II Coordinator, using the District's grievance procedures for complaints of discrimination. (See Complaint Policy at [www.usd368.org/District/Board of Education/Board Docs/Policy KN](http://www.usd368.org/District/Board%20of%20Education/Board%20Docs/Policy%20KN))

16. OCR Complaint: Parents, guardians, or others may file a complaint with the Office for Civil Rights (OCR) in the U.S. Department of Education to address complaints based on disability discrimination.

The contact information for OCR is:

District Section 504 and Title II Coordinator:

**Matt Meek**  
Superintendent of Schools  
1115 East 303rd  
Paola, KS 66071  
Telephone: 913-294-8000

Building Section 504 and Title II Coordinator: **Building Principal**

Office for Civil Rights U.S. Department of Education  
1010 Walnut Street, Suite 320  
Kansas City, MO 64114-3320  
Telephone: 816-268-0550  
Fax: 816-823-1404; TDD: 877-521-2172  
Email: OCR.KansasCtiy@ed.gov

## **Derechos de los estudiantes/padres sección 504 título II**

**La siguiente es una descripción de los derechos de los estudiantes y padres otorgados por la ley federal. La intención de la ley es para mantenerlo plenamente informado sobre las decisiones acerca de su hijo/a así como para informarle sus derechos si no está de acuerdo con cualquiera de estas decisiones.**

USTED TIENE EL DERECHO DE:

1. Que su hijo/a participe y reciba los beneficios de programas de educación pública sin discriminación alguna por su discapacidad.
2. Que la escuela le informe sobre sus derechos estabilizados en las leyes federales.
3. Recibir notificación por escrito con respecto a la evaluación, identificación, y asignación de su hijo/a.
4. Que su hijo/a reciba gratuitamente educación pública pertinente. Esto incluye el derecho a ser educado con alumnos no discapacitados hasta donde sea posible. También incluye el derecho a que el distrito escolar otorgue facilidades razonables para que su hijo/a tenga igualdad de oportunidades de participar en la escuela y en actividades escolares.
5. Que su hijo/a reciba servicios e instrucción en facilidades comparables con los de los alumnos sin discapacidades.
6. Que su hijo/a reciba los acomodados y servicios dentro de la sección 504 y título II de Americanos con Deseabilidades Acta de Rehabilitación 1973 si él o ella cualifica.
7. Que las decisiones sobre la evaluación, identificación, y asignación de su hijo/a se basen en diversas fuentes de información, y que sean tomadas por personas que conozcan al alumno, los datos de evaluación y las opciones de colocación.
8. Que se proporcione transportación hacia y desde un entorno educativo alternativo a un costo no superior al que correspondería si el alumno fuese asignado a un programa operado por el distrito.
9. Le da una oportunidad igual a su hijo/a de participar en actividades no académicas y extracurriculares ofrecidas por la escuela.
10. Examinar todos los archivos relacionados al tomar una decisión de acuerdo a la identificación, evaluación del su hijo/a en programas educativos y colocación.
11. Obtener copias de archivos educativos a un costo razonable a menos que un cargo sea afectado por la negación de acceso del archivo.
12. Recibir una respuesta del distrito escolar a solicitudes razonables de explicaciones sobre los archivos de su hijo/a.

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13. Solicitar mediación o un proceso a una audiencia imparcial debido a las decisiones o acciones con respecto a la identificación, evaluación o nivel de colocación de su hijo/a.

14. Audiencia Imparcial: Los padres y tutores tienen el derecho de archivo o de una solicitud con el distrito para una audiencia imparcial, por un objetivo, oficial de audiencia parcial para realizar cualquier acción del distrito con respecto a identificación, evaluación, o ubicación educacional para el estudiante. Padres pueden pedir una enmienda haciendo un pedido por escrito a la sección 504 y Título II del coordinador. El oficial de audiencia no será un empleado o contrato independiente del distrito. Padres encargados serán provistos de una oportunidad de participar en una audiencia y ser representado por un consejero. En Adición padres o encargados tendrá los archivos de la audiencia y proveerán una decisión escrita incluyendo factores de conclusión por la ley. Si el padre o encargado está insatisfecho con la decisión de la audiencia, él o ella puede apelar la decisión en la corte o jurisdicción apropiada.

15. Quejas Internas: Padres o encargados pueden llenar una queja interna con el Distrito Sección 504 y Título II del Coordinador, usando el procedimiento del distrito para quejas por discriminación (ver póliza KN en [www.usd368.org](http://www.usd368.org)).

16. Quejas al OCR: Padres, encargados, u otros que deseen llenar una queja en la Oficina de Derechos Civiles(OCR) en el Departamento de Educación de E.U. para arreglar quejas basadas en la discriminación por Impedimento.

La información de contacto para OCR es:

District Section 504 and Title II Coordinator:

**Matt Meek**  
Superintendent of Schools  
1115 East 303rd  
Paola, KS 66071  
Telephone: 913-294-8000

Building Section 504 and Title II Coordinator:

**Building Principal**

Office for Civil Rights U.S. Department of Education

1010 Walnut Street, Suite 320  
Kansas City, MO 64114-3320  
Telephone: 816-268-0550  
Fax: 816-823-1404; TDD: 877-521-2172  
Email: [OCR.KansasCtiy@ed.gov](mailto:OCR.KansasCtiy@ed.gov)

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# **USD #368**

## **PAOLA**

### **Section 504**

The Paola School District, USD 368, does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities and provides equal access to the Boy Scouts and other designated youth groups. The following person has been designated to handle inquiries or complaints regarding the non-discrimination policies including requests for accommodations or access to a District facility to participate in a program, activity, or service:

Matt Meek, Superintendent  
Paola USD 368  
1115 East 303rd  
Paola, KS 66071  
913-294-8000  
913-294-8001 (FAX)

For further information about anti-discrimination laws and regulations, or to file a complaint of discrimination with the Office for Civil Rights in the U.S. Department of Education, please contact OCR at (816) 268-0550 (voice), or (877) 521-2172 (telecommunications device for the deaf), or [ocr.kansascity@ed.gov](mailto:ocr.kansascity@ed.gov).

06/06/2018