



Blue Valley School District
Notice of Parents and Student Rights
(Section 504 of the Rehabilitation Act of 1973)

The following is a description of the rights granted by Section 504 of the Rehabilitation Act of 1973 for students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your student and to inform you of your rights if you disagree with any of these decisions. Please keep this explanation for future reference.

DISABLED STUDENTS HAVE THE RIGHT TO:

- take part in and receive benefits from the school district's programs and activities without discrimination because of a disability.
- receive a free and appropriate public education, which may include the provision of specific accommodations (*i.e.* modification of the districts polices and/or procedures), related services and/or specially designed instruction if required to meet individual educational needs as adequately as the needs of nondisabled students are met.
- be educated with nondisabled students to the maximum extent appropriate and in facilities which are comparable to those provided to students without disabilities.
- have evaluations, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluation data, and placement options.
- have transportation provided to and from an alternate placement setting at no greater cost to the student's parents than would be incurred if the student were placed in a program operated by the district.

PARENTS OF DISABLED STUDENTS HAVE THE RIGHT TO:

- have notice of their rights under federal law.
- receive notice with respect to identification, evaluations or placement of their student.
- examine all relevant records relating to decisions or actions regarding their student's identification, evaluations, services and/or placement.
- file a complaint related to decisions or actions by the district:

U.S. Department of Education
Office for Civil Rights
One Petticoat Lane
1010 Walnut, Suite 320
Kansas City, MO 64106-2106
Telephone: 816-268-0550
Facsimile: 816-268-0599
E-mail address:
ocr.kansascity@ed.gov

GRIEVANCE PROCESS/DUE PROCESS HEARING

Complaints with regard to deprivation of these rights may be addressed through the School District's Grievance Procedure and/or Due Process Hearing.

Grievance Process

The District has an internal grievance procedure providing for prompt and equitable resolution of complaints which cannot be resolved at the building level. An individual student, or parent/guardian on behalf of the student, who feels they have been discriminated against on the basis of a disability may file a grievance.

The grievance procedure is intended to address claims of harassment, disparate treatment, lack of accessible facilities, etc. The grievance procedure may also be used to address identification, evaluation or placement issues, if parents desire. The grievance process is separate and distinct from the impartial due process hearing procedure.

A grievance should be initiated through the Section 504 Compliance Officer, Melissa Hillman.
Address: 15020 Metcalf Overland Park, KS 66223
E-mail: mhillman@bluevalleyk12.org Phone: 913-239-4221

1. A complaint should be in writing, containing the following information:
 - a. Name, address and phone number of person making the complaint.
 - b. Whether the person represents an individual or group.
 - c. Whether the person making the complaint has discussed the problem with the building administrator.
 - d. A summary of the complaint.
2. The Section 504 Compliance Officer will conduct an informal investigation of the complaint which may include a meeting with the student and/or parent(s), meetings with schools staff, as appropriate, and a review of the file and supporting documentation.
3. Based on this review, the Section 504 Compliance Officer will make a determination.
4. Within ten (10) days after receiving the written determination, the complainant may request an impartial hearing regarding the complaint. A hearing with the opportunity for participation by the student's parent/guardian shall be conducted upon request.

Impartial Due Process Hearing Procedure

An impartial due process hearing will be utilized to resolve differences involving the education of a Section 504 qualified student when such differences cannot be resolved at the building level. Individual students and/or parent/guardian on behalf of student, are entitled to an impartial due process hearing with respect to actions relating to the identification, evaluation or placement of their student with disabilities. Individual students, and/or parent/guardian on behalf of student, have the right to obtain a Section 504 due process hearing without going through the grievance procedure. The informal hearing will be presided over and decided by an impartial hearing officer.

To initiate an impartial due process hearing, please contact the Section 504 Compliance Officer, Melissa Hillman.

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E-mail: mhillman@bluevalleyk12.org Phone: 913-239-4221

1. The party requesting a hearing shall do so in writing, providing the following information:
 - a. Name, address and phone number of person making the complaint.
 - b. Whether the person represents an individual or group.
 - c. Whether the person requesting the hearing has discussed the problem with the building administrator.
 - d. A summary of the issues to be addressed at the hearing.
2. Once a request for hearing is received, the District will select an impartial hearing officer to preside over the hearing.
3. The hearing officer shall send notice to the parties of the date, time and place of the hearing.
4. The parties have the right to be represented by counsel at the hearing, and each party is responsible for its attorney's fees.
5. During the hearing, each party will have an opportunity to present evidence and testimony relevant to the issue.

6. The hearing officer will issue a written determination within a reasonable period of time following the conclusion of the hearing.
7. If either party is not satisfied with the hearing officer's decision, they may appeal the decision to federal court.

Individuals with Disabilities Education Act

Relief sought under Section 504/Title II may also be available under the Individuals with Disabilities Education Act. Please review the Individuals with Disabilities Education Act to determine your student's rights.

**Blue Valley Section 504 Compliance Officer
Melissa Hillman
15020 Metcalf, Overland Park, KS 66283-0901
mhillman@bluevalleyk12.org • 913-239-4221**