

No. _____



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC _____ Second Reading of Policy FB (LOCAL) – Equal Educational Opportunity _____

SUBMITTED BY: _____ Gloria S. Rendon _____ **OF:** _____ Asst. to the Superintendent _____

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: _____ October 17, 2007 _____

RECOMMENDATION:

It is recommended that the Board of Trustees approve Second Reading of Policy FB (LOCAL) – Equal Educational Opportunity

RATIONALE:

BUDGETARY INFORMATION

BOARD POLICY REFERENCE AND COMPLIANCE:

EQUAL EDUCATIONAL OPPORTUNITY

FB
(LOCAL)

The Superintendent shall serve as coordinator for purposes of District compliance with antidiscrimination laws, except as provided below.

TITLE IX
COORDINATOR

The District designates the following employee to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Rita Garner

Position: Director of Employee Relations

Address: 201 Lindenwood Dr., Laredo, TX 78045

Telephone: (956) 473-6284

SECTION 504
COORDINATOR

The District designates the following employee to coordinate its efforts to comply with Section 504 of the Rehabilitation Act of 1973, as amended:

Name: Guadalupe Gorordo

Position: Executive Director of Instructional Accountability

Address: 4410 State Hwy. 359, Laredo, TX 78043

Telephone: (956) 473-2000

COMPLAINTS

Allegations of unlawful discrimination shall be directed to the appropriate coordinator and shall be heard through FNG(LOCAL). Reports regarding prohibited harassment, including sexual harassment, shall be made according to FFH(LOCAL).

RECORDS
RETENTION

Copies of reports alleging discrimination or prohibited harassment, including sexual harassment; investigation reports; and related records shall be maintained by the District for a period of at least three years. If the person alleged to have experienced discrimination or prohibited harassment was a minor, the records shall be maintained until the person reaches the age of 21.

SECTION 504
COMMITTEE

The Section 504 coordinator and members of the Section 504 committee shall receive training in the procedures and requirements for identifying and providing educational and related services to those students who have disabilities, but who are not in need of special education in accordance with the Individuals with Disabilities Education Act (IDEA). [See EHBA]

The Section 504 committee shall be composed of at least two persons, including persons knowledgeable about the student, the meaning of the evaluation data, the placement options, and the legal requirements regarding least restrictive environment and comparable facilities for students with disabilities.

EQUAL EDUCATIONAL OPPORTUNITY

FB
(LOCAL)

REFERRALS

A student may be referred by parents, teachers, counselors, administrators, or any other District employee for evaluation to determine if the student has disabilities and is in need of special instruction or services.

PARENTAL
CONSENT

The Section 504 coordinator shall notify parents prior to any individual evaluation conducted to determine if their child has disabilities or to determine what educational or related services should be provided to the student. Parental consent shall be obtained before the initial student evaluation procedures for the identification, diagnosis, and prescription of specific education services.

NOTICE TO
PARENTS

Parents shall be given written notice of the District's refusal to evaluate a student or to provide specific aids and services the parents have requested.

PREPLACEMENT
EVALUATION

The results of the evaluation shall be considered before any action is taken to place a student with disabilities or make a significant change in placement in an instructional program. The evaluation shall include consideration of adaptive behavior. Adaptive behavior is the effectiveness with which the individual meets the standards of personal independence and social responsibility expected of his or her age and cultural group.

IMPARTIAL
HEARING

Parents shall be given written notice of their due process right to an impartial hearing if they have a concern or complaint about the District's actions regarding the identification, evaluation, or educational placement of a student with disabilities. The impartial hearing shall be conducted by a person who is knowledgeable about the issues involved in Section 504 and who is not employed by the District or related to a member of the Board in a degree that would be prohibited under the nepotism statute [see DBE]. The impartial hearing officer is not required to be an attorney.

STATE-MANDATED
ASSESSMENTS

Modifications in taking the state-mandated assessments may be made for a Section 504 student when the modifications have been determined not to destroy the validity of the test, are necessary for the student to take the test, are consistent with modifications provided the student in the classroom, and are approved by TEA.
[See EKB]