

Keller ISD  
220907

FB  
Local

## EQUAL EDUCATIONAL OPPORTUNITIES

### 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: ~~Vicki Frost~~ **Penny Benz**

Position: Assistant Superintendent **for Human Resources**

Address: 350 Keller Parkway, Keller, 76248

Telephone: (817) **744-1077**

### SEXUAL HARASSMENT

For student complaints alleging sexual harassment or offensive intimidating conduct of a sexual nature, see FNCJ.

**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: ~~Bill Newton~~ **Mahala Gardner**

Position: ~~Executive Director of Administration and Student Services~~ **Director of State and Federal Programs**

Address: 350 Keller Parkway, Keller, 76248

Telephone: (817) **744-1056**

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]

### SECTION 504 COMMITTEE

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.

### REFERRALS

Students may be referred by parents, teachers, counselors, administrators, or any other District employees for evaluation to determine if they have disabilities and are in need of special instruction or services.

### PREPLACEMENT EVALUATION

An evaluation shall be conducted 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.

#### NOTICE TO PARENTS

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

#### 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]

#### 'NO PASS, NO PLAY' EXEMPTIONS

When a Section 504 student cannot meet the regular academic standards of the "no pass, no play" law, the District may follow TEA procedures to determine continued eligibility for extracurricular activities.

#### DISCRIMINATION ALLEGATIONS

Parent or student complaints alleging discrimination against a student in a District program or activity in violation of a Title IX and/or Section 504 provision, other than allegations of sexual harassment or the identification, evaluation, or educational placement of students with disabilities, shall be heard through the procedure set out in FNG(LOCAL).