

EQUAL EDUCATIONAL OPPORTUNITY

FB  
(LOCAL)

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Note: The following provisions address equal educational opportunity for all students in accordance with law. For provisions addressing discrimination, harassment, and retaliation involving District students, see FFH.

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TITLE IX  
COORDINATOR

The District has designated a Title IX coordinator for students to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended. [See FB(EXHIBIT)]

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

Name: ~~John Massey~~

Position: ~~Superintendent~~

Address: ~~315 Rock Island Avenue, Dalhart, TX 79022~~

Telephone: ~~(806) 244-7810~~

ADA / SECTION 504  
COORDINATOR

The District has designated an ADA/Section 504 coordinator for students to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973 ("Section 504"), as amended. [See FB(EXHIBIT)]

~~Reports of discrimination based on disability may be directed to the ADA/Section 504 coordinator. The District designates the following person to coordinate its efforts to comply with Title II of the Americans with Disabilities Act of 1990, as amended, which incorporates and expands upon the requirements of Section 504 of the Rehabilitation Act of 1973, as amended:~~

Name: ~~John Massey~~

Position: ~~Superintendent~~

Address: ~~315 Rock Island Avenue, Dalhart, TX 79022~~

Telephone: ~~(806) 244-7810~~

SUPERINTENDENT

The Superintendent shall serve as coordinator for purposes of District compliance with all other antidiscrimination laws.

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COMPLAINTS

~~Allegations of unlawful discrimination, prohibited harassment, including sexual harassment, or retaliation shall be made according to FFH(LOCAL).~~

RECORDS  
RETENTION

~~Copies of reports alleging discrimination, prohibited harassment, including sexual harassment, and retaliation; 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, prohibited harassment, or retaliation was a minor, the records shall be maintained until the person reaches the age of 21.~~

EQUAL EDUCATIONAL  
OPPORTUNITY

The District shall provide necessary services and supports to provide students equal access to educational opportunities. [See EHBC] Certain instructional or other accommodations, including on state-mandated assessments, may be made when necessary, when allowable, and when these accommodations do not modify the rigor or content expectations of a subject, course, or assessment. [See EKB]

ADDITIONAL SERVICES  
AND SUPPORTS

If the District has reason to believe that a student has a disability that may require additional services and supports in order for the student to receive an appropriate education as this term is defined by law, Section 504 and/or the Individuals with Disabilities Education Act (IDEA) shall govern the evaluation, services, and supports provided by the District. [See also EHBA series]

[For information regarding dyslexia and related disorders, see EHB.]

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Note: The following provisions address the District's compliance efforts and system of procedural safeguards as required by federal regulations for a student with a disability as defined by Section 504. A report of discrimination or harassment based on a student's disability shall be made in accordance with FFH.

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SECTION 504  
COMMITTEES

The District shall form Section 504 committees as necessary. The Section 504 coordinator and members of each the Section 504 committee shall receive training in the procedures and requirements for identifying and providing educational and related services and supports to a those students who have has a disability that results in a substantial limitation of a major life activity. disabilities, but who are not in need of special education in accordance

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~~with the Individuals with Disabilities Education Act (IDEA). [See EHBA]~~

The Section 504 committee shall be composed of **a group of persons** ~~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

**If a teacher, school counselor, administrator, or other District employee has reason to believe that a student may have a disability as defined by Section 504, the District shall evaluate the student. A student may also be referred for evaluation by the student's parent.**

~~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 AND  
CONSENT

**The District shall seek written parental consent prior to conducting a formal evaluation. Ordinary observations in the classroom or other school setting shall not require prior parental consent.**

~~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 AND  
PLACEMENT

The results of the ~~an~~ **evaluation** shall be considered before any action is taken to place a student with ~~a disabilities~~ **disability** or make a significant change in placement in an instructional program. **The Superintendent shall ensure that the District's procedures for tests and other evaluation materials comply with the minimum requirements of law. In interpreting evaluation data and when making decisions related to necessary services and supports, each Section 504 committee shall carefully consider and document information from a variety of sources in accordance with law.** ~~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.~~

**REVIEW AND  
REEVALUATION  
PROCEDURE**

UPDATE  
FB(LOCAL)-A

To address the periodic reevaluation requirement of law, the District shall adhere to the reevaluation timelines in the IDEA regulations.

EXAMINING RECORDS

A parent shall make any request to review his or her child's education records to the campus principal or other identified custodian of records. [See FL]

RIGHT TO  
IMPARTIAL  
HEARING

A parents shall be given written notice of their due process right to an impartial hearing if ~~they~~ **the parent has** have a concern or complaint about the District's actions regarding the identification, evaluation, or educational placement of a student with **a disability** ~~disabilities~~. The impartial hearing shall be conducted by a person who is knowledgeable about ~~the issues involved in~~ Section 504 **issues** 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. **The District and the parent shall be entitled to legal representation at the impartial hearing.**

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]

RECORDS  
RETENTION

Records specific to identification, evaluation, and placement as these pertain to Section 504 shall be retained by the District in accordance with the law and the District's local records retention schedules. [See CPC]