

Section 504 Parent Handbook

USD 353 – Wellington

USD 353 – Wellington
221 S Washington
Wellington, KS 67152
620-326-4300
FAX 620-326-4304

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SECTION 504 – HANDBOOK FOR PARENTS

INTRODUCTION

Section 504 of the Rehabilitation Act (“Section 504”) is a federal civil rights law (not an education law) passed by the U.S. Congress in 1973 that prohibits entities receiving federal financial assistance from discriminating against individuals on the basis of disability. In addition, the law requires that public elementary and secondary schools provide a free and appropriate public education (“FAPE”), which may include accommodations and related aids and services that are designed to meet the individual educational needs of students with disabilities as adequately as the needs of a nondisabled student are met and are based upon adherence to evaluation, placement and procedural safeguard requirements.

The U.S. Department of Education Office for Civil Rights (“OCR”) enforces the law. Both the education and legal systems have increasingly focused attention on Section 504 requirements to insure that education systems do not discriminate on the basis of a qualified disability and do provide qualified disabled students equal access to public education programs and activities.

This handbook is intended to be utilized by parents as a resource regarding the provisions of Section 504 regarding equal access for disabled students. It contains general information and is not intended to address all unique and specific circumstances a student or parent may encounter or to constitute legal advice and should not be relied upon as such. For specific details regarding referral, eligibility and equal access to the district’s programs and activities, parents are encouraged and invited to contact the school principal, the Section 504 building representative for the school attended by their child, and/or the assistant superintendent, who serves as the district’s 504 coordinator.

SECTION 504 DISABILITY DEFINED

A disabled person under Section 504 is defined as any individual who meets the criteria under a three (3) pronged definition. The person either:

1. has a physical or mental impairment which substantially limits one or more major life activity, OR
2. has a record of a physical or mental impairment that substantially limits one or more major life activity, OR
3. is regarded as having a physical or mental impairment that substantially limits one or more major life activity.

With regard to students, OCR has clarified that students are not entitled to reasonable accommodations or modifications to policies, practices and procedures or the provision of related services simply because they have a record of a disability or are regarded as having an impairment. Unless a student actually has an impairment that substantially limits a major life activity, the mere fact that a student has a “record of” or is “regarded as” disabled is insufficient, in itself, to trigger those Section 504 protections that require the provision of a FAPE.

To further define these terms:

A “physical or mental impairment” is either:

- a) a 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, genito-urinary, hemic and lymphatic, skin, and endocrine, or
- b) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. In determining whether a student’s impairment “substantially limits” a major life activity, the student’s ability to perform a major life activity is compared to the ability of most people in the general population to perform that major life activity. Specific factors to consider include, but are not limited to the:
 - a. condition under which the student performs the major life activity;
 - b. manner in which the student performs the major life activity;
 - c. duration of time it takes the student to perform the major life activity;
 - d. duration for which the student can perform the major life activity;
 - e. difficulty, effort, or time required to perform a major life activity;
 - f. pain experienced when performing a major life activity;
 - g. way an impairment affects the operation of a major bodily function; and
 - h. negative impact of any mitigating measures, such as negative side effects of medication or burdens associated with following a particular treatment regimen.

“Major life activities” include, but are not limited to: caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating, and “the operation of a major bodily

function, including but not limited to, the function of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.”

Mitigating Measures “Mitigating measures” are devices or practices that a person uses to correct or reduce the effect of a person’s mental or physical impairment. Examples of mitigating measures include, but are not limited to, medication, prosthetics, hearing aids, cochlear implants, mobility devices and assistive technology. The law requires that the ameliorative effects of mitigating measures (except glasses and contacts) not be considered by schools in determining whether an impairment substantially limits a major life activity. As noted above, however, the negative impact of any mitigating measures is a consideration in determining whether impairment substantially limits a major life activity.

EVALUATION FOR ELIGIBILITY DETERMINATION

Section 504 regulations, at 34 C.F.R.104.35 (b), require school districts to individually evaluate a student before classifying the student as having a disability or before providing the student a 504 Accommodation Plan (“504 Plan”) outlining changes to policies, practices or procedures or the provision of related services that are needed for the student to gain equal access to the district’s programs and activities. The Wellington School District has established standards and procedures consistent with Section 504 regulations for initial evaluation and periodic re-evaluation of students who need or are believed to need a 504 Plan as a result of their disability.

At the elementary and secondary level, a 504 Team determines whether a Wellington student is a qualified student with a disability, as defined by Section 504. The student’s 504 Team should include persons knowledgeable about the student, a person who can interpret the meaning of the evaluation data, and a person who can identify options for accommodations, modifications and/or related services. Section 504 regulations do not specify who should comprise the team, but the Wellington School District has identified the following suggested team members: the principal, the student’s teacher(s), a staff member with knowledge of evaluation data, the parent, the student when appropriate, and others as deemed appropriate.

The 504 Team must decide whether they have sufficient information in hand, (including any preexisting assessment data) to make decisions. If the 504 Team determines that additional information needs to be collected through evaluation, the procedures used in that evaluation must ensure that:

- children are not misclassified;
- children are not unnecessarily labeled as having a disability;
- evaluation procedures are appropriately selected, administered, and interpreted; and
- children are not incorrectly placed.

Note: Parental consent is required for an initial 504 evaluation.

The 504 Team must first determine whether the student has an impairment that substantially limits a major life activity. However, not every student who has a physical or mental impairment that substantially limits a major life activity will qualify for and need accommodations under Section 504. The actual presence of an identified disability is not sufficient, in and of itself, to qualify a student as eligible for a 504 Plan. The 504 Team also must determine whether the student needs changes to the district’s policies, practices or procedures or the provision of related services in order to provide him or her with equal access to its programs and activities. If so, the student qualifies for a 504 Plan.

EXISTING EVALUATIONS

Some students who are referred for eligibility determination under Section 504 may have existing medical conditions that have already been diagnosed outside of the school setting. In cases where evaluation data already exists, the 504 Team may utilize that information in their decision-making process. In these instances the school members of the 504 Team may request consent from the parent to obtain copies of the existing evaluation or to speak to the evaluator or physician diagnosing or treating the medical condition(s). In making an eligibility determination, the 504 Team is required to consider all relevant information from a variety of sources but is not obligated to adopt the evaluation or recommendations made by other agencies or individuals. While a physician's medical diagnosis may be considered among other information in evaluating a student suspected of having a disability, a medical diagnosis alone does not suffice for the purposes of Section 504 eligibility determination. The 504 Team must be able to document a resulting substantial limitation of a major life activity and a need for changes to the district's policies, practices or procedures or the provision of related services to gain equal access to the district's programs and activities.

EVALUATION AT PARENTAL REQUEST

The district is not obligated to conduct an evaluation upon parent request if the 504 Team can document that there is no reason to suspect that the student might be eligible for support under Section 504. The district is required to evaluate a student only when it has reason to believe the student may need a Section 504 Plan or otherwise be eligible for special education or related services under other federal or state regulations. If a 504 Team determines that a student will not be evaluated, the district will send written notice of that decision to the parent.

INDEPENDENT EDUCATIONAL EVALUATION ("IEE")

A parent does not have the right to obtain a 504 IEE of a student at public expense. The 504 Team will, however, consider any outside evaluations obtained at parent expense.

RE-EVALUATION

Section 504 requires re-evaluation of student needs periodically. This may be conducted in accordance with regulations governing the Individuals with Disabilities Education Act ("IDEA"), which require re-evaluation at three-year intervals (unless the parent and public agency agree that re-evaluation is unnecessary) or more frequently if conditions warrant, or if the child's parent or teacher requests a re-evaluation, but not more than once a year (unless the parent and public agency agree otherwise). In addition, dismissing a student from a 504 Plan requires a re-evaluation, except upon graduation.

The 504 Team determines the amount of information required for the re-evaluation. The team must determine if they have enough information to make a knowledgeable decision as to whether the student has an impairment that continues to present a substantial limitation and whether the student needs changes to the district's policies, practices and procedures or the provision of related services in order to gain equal access to the district's programs and activities. The re-evaluation process can be simplified and may be limited to existing data and discussion of the student's disability and its impact in the school setting, if no additional data is needed to determine appropriate revisions to the student's 504 Plan. It is the district's practice to obtain parent consent to re-evaluate a student.

IDEA ELIGIBILITY

If through the evaluation process described above it is determined that a student may be eligible for special education services under one or more of the IDEA disability categories, a referral will be made for the student to be evaluated for special education. If eligible for special education, services must be provided through an Individual Education Plan ("IEP") under the IDEA. The OCR has determined that it is not permissible for a student to have both an IEP and a 504 Plan. Neither parents nor the district may opt to provide services and accommodations under Section 504 when the student is IDEA eligible. (Letter to McKethan, 25 IDELR 295.)

504 PLANS FOR STUDENTS

Support and services to be provided to a student under Section 504 are documented in a 504 Plan. In developing that 504 Plan the 504 Team must ensure that the student is educated in the least restrictive environment. The 504 Plan should include changes to the district's policies, practices or procedures (i.e. accommodations/modifications) and/or the provision of related services that the team has determined the student needs in order to gain equal access to the district's programs and activities.

PRIVATE SCHOOL/HOME SCHOOLED STUDENTS

Section 504 does not require a public school to provide services in private or home school settings. See 34 CFR 104.333(c)(4). If the district has offered to provide the student an appropriate education in the public school setting, the district is not responsible for the provision of educational services to students enrolled in a non-public school program based on the personal choice of the parent.

TRANSFER STUDENTS

When a student with a disability transfers from one district to another with a 504 Plan, the receiving district should review the plan and supporting documentation. If the 504 Team at the receiving school determines the 504 plan is appropriate, it will be implemented. If the 504 Team determines that the plan does not appear to be appropriate, the district should initiate a 504 evaluation and convene a 504 Team meeting to revise the plan as necessary to meet the student's needs.

PROCEDURAL SAFEGUARDS

Under Section 504, the rights of the parent and student are protected by a system of procedural safeguards that include:

- notice of meetings/parent participation;
- prior written notice of evaluations, eligibility, and programmatic action proposed;
- opportunity to examine relevant records;
- notice of parent and student rights/procedural safeguards; and
- review procedures.

NOTICE OF MEETING AND PARENT PARTICIPATION

While Section 504 does not specify the degree of parent participation required, the district believes it to be best practice to involve parents in the 504 process. In order to encourage parent participation, the

district will provide parents reasonable notice of all 504 Team meetings and will offer the opportunity to participate in these meetings.

All decisions regarding a student's eligibility and/or accommodation plan under Section 504 are made by the student's 504 Team, which includes the parents/guardians as equal members. The decision making process used by the student's 504 Team is consensus building. A consensus decision involves building agreement by the whole group on a course of action. Although individual members (based on their own unique experiences and expertise) may feel that other choices may be better for one reason or another, a consensus is built when all members come together on the final choices.

Since all decisions must be made by consensus of the 504 Team, reports and recommendations from individuals or groups (including physicians, therapists, and other health professionals) are fully considered by the team, but cannot take the place of team decision making by the 504 Team. If consensus cannot be achieved, the final decisions are made by the principal.

PRIOR WRITTEN NOTICE OF EVALUATIONS, ELIGIBILITY AND PROGRAMMATIC ACTION PROPOSED

The district provides prior written notice of evaluations and requests parent consent. The district also provides prior written notice concerning whether the student is eligible for a 504 Plan. Finally, the district provides prior written notice and requests parent consent for the initial 504 Plan and any subsequent changes to the 504 Plan.

EXAMINATION OF RELEVANT RECORDS

Under Section 504, parents have the right to examine all relevant records relating to decisions regarding their child. In Shawnee Mission, student records related to Section 504 are maintained by the student's school building administrator. If parents wish to examine their child's records, they should contact the building principal and schedule an appointment for this purpose. A member of the school staff will be available to assist the parent and to answer questions as they review records.

Parents may request copies of records in their child's file, with the exception of records that may not be duplicated due to copyright infringement laws. The school may charge a reasonable fee for copies of student records unless the fee would effectively deny the parent access to the records.

NOTICE OF PARENT AND STUDENT RIGHTS/PROCEDURAL SAFEGUARDS

A copy of the district's Section 504 Notice of Parent and Student Rights/Procedural Safeguards the district provides parents is in Appendix B. A copy will be made available to the parents of eligible students at least one time each year. Parents will also be given a copy of Notice of Parent and Student Rights/Procedural Safeguards when:

- a parent requests an evaluation of a student or the district proposes to conduct such an evaluation;
- parents file an appeal of the 504 Team's decision (see page 9);
- a 504 Team conducts a manifestation determination (see page 11); and
- a copy of Notice of Parent and Student Rights/Procedural Safeguards is requested by a parent.

REVIEW PROCEDURES

Students who are denied eligibility for a 504 Plan or are not satisfied with the contents of a 504 Plan may contact the assistant superintendent, who will reconsider the decision. The assistant superintendent can be reached at:

USD 353 District Office
221 S Washington
Wellington, KS 67152.

Telephone 620-326-4300, Fax 620-326-4304

The appeal request must be in writing, state the reasons for the appeal and be made within 5 school days following receipt of notice denying eligibility or receipt of the disputed 504 Plan. The review by the assistant superintendent may include a meeting with the parent or student, a meeting with other members of the 504 Team, as appropriate, and a review of the file and supporting documentation. The assistant superintendent may also meet with other district staff members who have information about the student. Based on this review, the assistant superintendent will make a determination in writing to grant or deny the appeal.

If a student is not satisfied with the assistant superintendent's decision, the student can request review by an impartial hearing officer. This request must be in writing, state the reasons for the appeal and be made within 5 school days of receipt of the deputy superintendent's decision. The district will arrange for an independent hearing officer to hear the appeal. The student is entitled to have his or her parent/guardian participate in the hearing and to be represented by counsel.

THE RELATIONSHIP BETWEEN SECTION 504 AND IDEA

When comparing the relationship between Section 504 and the IDEA, it is recognized that there are similarities. For the purpose of providing information regarding the relationship, the following are the most salient differences. The list is not exhaustive.

1. All individuals who receive special education and related services under IDEA are also protected by Section 504. However, not all individuals defined as disabled under Section 504 qualify for special education under IDEA.
2. The IDEA includes thirteen (13) specific disability categories: Autism, Deaf/Blind, Developmental Disabilities, Early Childhood Disabilities, Emotional Disturbance, Hearing Impaired, Learning Disabilities, Mental Retardation, Other Health Impaired, Orthopedic Impairment, Speech/Language, Traumatic Brain Injury, and Visual Impairment. Special education eligibility under the IDEA is defined by the existence of one or more of these disabilities that result in the need for special education (specially designed instruction) and/or related services. The Section 504 definition of a disability is much broader than the IDEA definition. A student may have a physical or mental condition that substantially limits a major life activity creating a significant limitation to access and participate in the district's programs and activities but not to the extent that establishes a need for "specially designed" instruction. The student would not, therefore, be eligible under IDEA.
3. The IDEA is a special education law requiring specially designed instruction. Section 504 is a civil rights law prohibiting discrimination based on disability.

4. The district receives some federal funds to provide IDEA services to students. The district does not receive federal funds to provide changes to policies, practices, procedures or the provision of related services that a 504 Team deems necessary for a student to gain equal access to the district's programs and activities.
5. The IDEA requires an IEP for eligible students. The IEP identifies goals for which the student will receive specially designed instruction from special education certified personnel. Section 504 eligible students require a 504 Plan. A 504 Plan does not contain goals or involve specially designed instruction. It contains changes to policies, practices or procedures (i.e. accommodations) or identifies related services that the student needs to gain equal access to the district's programs and activities.
6. Section 504 rights are not as detailed as under IDEA.
7. The IDEA has provisions for an independent education evaluation at public expense; Section 504 does not.

DISCIPLINE

Under Section 504, identified students with disabilities cannot be suspended or expelled from school for more than 10 consecutive school days (or a pattern cumulating to 10 school days) for misconduct that was a manifestation of the student's disability. Whether or not the student's behavior was a manifestation of his/her disability is determined at a meeting of the 504 Team with the provision of at least 24 hours verbal or written notice of the meeting to the parent. If a student's misconduct is not a manifestation of his/her disability, the district may discipline the student as it would a general education student. Unlike the IDEA, students identified with disabilities under Section 504 are not entitled to continued services during the term of their suspension or expulsion if the misconduct was determined not to be a manifestation of their disability.

COMPLAINTS OF DISCRIMINATION/HARASSMENT

Anyone who believes that the district has discriminated against or harassed a student with a disability may take the following steps to resolve their concerns:

- Contact the building principal – Many problems can be solved by an informal meeting with the building principal, who may also invite building members of the 504 Team to participate.
- Submit a complaint form to the district's Section 504 Coordinator – A complaint form as prescribed is available on the district's website www.usd353.com. The form should be submitted to the district's Section 504 coordinator – the assistant superintendent – at:

USD 353 District Office
221 S Washington
Wellington, KS 67152.

Telephone 620-326-4300, Fax 620-326-4304

The Section 504 coordinator will conduct an impartial investigation of the complaint and reply in writing to the parent within ten (10) school days. If discrimination or harassment has occurred, the district will take prompt remedial action to prevent its reoccurrence and correct any discriminatory effects of the harassment on the complainant and others.

Retaliation against any individual filing a complaint or participating in the investigation of a complaint is prohibited.

- Contact the OCR – At any time in the process, parents may file a complaint by contacting the United States Department of Education Office for Civil Rights, 8930 Ward Parkway, Suite 237, Kansas City, Missouri 64114. Telephone 816-268-0550. Please keep in mind that although a parent may file a complaint with the Office of Civil Rights at any time, resolving the differences at a local level may be quicker and more productive.

FOR MORE INFORMATION, CONTACT THE DISTRICT'S 504 COORDINATOR
AT 620-326-4300

Notice of Parent 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.

You have the right to:

- Have your student take part in and receive benefits from the school district's programs and activities without discrimination because of his/her disabling condition;
- Have the school district notify you of your rights under federal law;
- Receive notice with respect to identification, evaluations, or placement of your student;
- Have your student receive a free and appropriate public education. This includes the right to be educated with nondisabled students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your student an equal opportunity to participate in school and school-sponsored activities.
- Have your student educated in facilities and receive services comparable to those provided to non-disabled students;
- 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 you than would be incurred if the student were placed in a program operated by the district;
- Examine all relevant records relating to decisions or actions regarding your student's identification, evaluations, services and/or placement and;
- File a grievance related to decisions or actions regarding your student's identification, evaluations, services, and/or placement.

Kansas Office for Civil Rights
U.S. Department of Education
8930 Ward Parkway, Suite 2037
Kansas City, MO 64114
816-268-0550
877-521-2172 (TDD)
E-mail address: ocr.kansascity@ed.gov

Request an impartial due process hearing through the district's grievance procedure related to decisions or actions regarding your student's identification, evaluations, educational program, or placement. You and the student may take part in the hearing and have an attorney represent you. Hearing requests must be made to the district ADA/Section 504 coordinator.

District 504 Coordinator:
Larry Roth
lroth@usd353.com
620-326-4308

Board Policies

Policies that may pertain to complaints regarding students with disabilities are listed below. A complete list of the USD 353 Board of Education policies of can be found on the district website at:

<http://usd353.wellington.cc/node/98>

Complaints of Discrimination – GAAB

(See also JDDC, JGECA and KN)

The district is committed to maintaining a working and learning environment free from discrimination, insult, intimidation or harassment due to race, color, religion, sex, age, national origin or disability. Any incident of discrimination in any form shall promptly be reported to an employee's immediate supervisor, the building principal or the district compliance coordinator for investigation and corrective action by the building or district compliance officer. Any employee who engages in discriminatory conduct shall be subject to disciplinary action, up to and including termination.

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, or religion in the admission or access to, or treatment or employment in the district's programs and activities is prohibited. (Position, address, phone number of the district compliance coordinator) has been designated to coordinate compliance with nondiscrimination requirements contained in Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act of 1990.

Complaints of discrimination should be addressed to an employee's supervisor or to the building principal or the compliance coordinator. Complaints against the superintendent should be addressed to the board of education.

Complaints of discrimination will be resolved using the district's discrimination complaint procedures.

Complaints – KN

The board encourages all complaints regarding the district to be resolved at the lowest possible administrative level. Whenever a complaint is made directly to the board as a whole or to a board member as an individual, it will be referred to the administration for study and possible resolution.

Discrimination against any individual on the basis of race, color, national origin, sex, disability, age, or religion in the admission or access to, or treatment or employment in the district's programs and activities is prohibited. Harassment of an individual on any of these grounds is also prohibited.

(Position, address and phone number of compliance coordinator) has been designated to coordinate compliance with nondiscrimination requirements contained in Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and The Americans with Disabilities Act of 1990. Information concerning the provisions of these Acts, and the rights provided there under, are available from the compliance coordinator.

Complaints About Discrimination or Discriminatory Harassment

Complaints of discrimination or discriminatory harassment by an employee should be addressed to the employee's supervisor, the building principal, or the district compliance coordinator. Complaints by a student should be addressed to the building principal, another administrator, the guidance counselor, or another certified staff member. Any school employee who receives a complaint of discrimination or harassment from a student shall inform the student of the employee's obligation to report the complaint and any proposed resolution of the complaint to the building principal. If the building principal is the alleged harasser, the complaint shall be reported to the

district compliance coordinator. Complaints by any other person alleging discrimination should be addressed to the building principal or the district compliance coordinator. Complaints about discrimination, including complaints of harassment, will be resolved through the following complaint procedures:

Informal Procedures

The building principal shall attempt to resolve complaints of discrimination or harassment in an informal manner at the building level. Any school employee who receives a complaint of discrimination harassment from a student, another employee or any other individual shall inform the individual of the employee's obligation to report the complaint and any proposed resolution of the complaint to the building principal. The building principal shall discuss the complaint with the individual to determine if it can be resolved. If

the matter is resolved to the satisfaction of the individual, the building principal shall document the nature of the complaint and the proposed resolution of the complaint, and forward this record to the district compliance coordinator. Within 20 days after the complaint is resolved in this manner, the

principal shall contact the complainant to determine if the resolution of the matter remains acceptable. If the matter is not resolved to the satisfaction of the individual in the meeting with the principal, or if the individual does not believe the resolution remains acceptable, the individual may initiate a formal complaint.

Formal Complaint Procedures

A formal complaint should be filed in writing and contain the name and address of the person filing the complaint. The complaint should briefly describe the alleged violation. If an individual does not wish to file a written complaint and the matter has not been adequately resolved, the building principal may initiate the complaint. Forms for filing written complaints are available in each building office and the central office.

A complaint should be filed as soon as possible after the conduct occurs, but not later than 180 days after the complainant becomes aware of the alleged violation, unless the conduct forming the basis for the complaint is ongoing.

If appropriate, an investigation shall follow the filing of the complaint. If the complaint is against the superintendent, the board shall appoint an investigating officer. In other instances, the investigation shall be conducted by the building principal, the compliance coordinator or another individual appointed by the board. The investigation shall be informal but thorough. All interested persons, including the complainant and the person against whom the complaint is lodged, will be afforded an opportunity to submit written or oral evidence relevant to the complaint.

A written determination of the complaint's validity and a description of the resolution shall be issued by the investigator, and a copy forwarded to the complainant no later than 30 days after the filing of the complaint.

If the investigation results in a recommendation that a student be suspended or expelled, procedures outlined in board policy and state law governing student suspension and expulsion will be followed.

If the investigation results in a recommendation that an employee be suspended without pay or terminated, procedures outlined in board policy, the negotiated agreement or state law will be followed.

Records relating to complaints filed and their resolution shall be forwarded to and maintained in a confidential manner by the district compliance coordinator.

The complainant may appeal the determination of the complaint. Appeals shall be heard by the district compliance coordinator, a hearing officer appointed by the board, or by the board itself as determined by the board. The request to appeal the resolution shall be made within 20 days after the date of the written resolution of the complaint at the lower level. The appeal officer shall review the evidence gathered by the investigator and the investigator's report, and shall afford the complainant and the person against whom the complaint is filed an opportunity to submit further evidence, orally or in

writing, within 10 days after the appeal is filed. The appeal officer will issue a written determination of the complaint's validity and a description of its resolution within 30 days after the appeal is filed.

Use of this complaint procedure is not a prerequisite to the pursuit of any other remedies including the right to file a complaint with the Office for Civil Rights of the U.S. Department of Education, the Equal Employment Opportunity Commission, or the Kansas Human Rights Commission.

Complaints about Policy

The superintendent shall report any unresolved complaint about policies to the board at the next regularly scheduled board meeting.

Complaints about Curriculum

The superintendent shall report a failure to resolve any complaint about curriculum to the board at the next regularly scheduled board meeting.

Complaints about Instructional Materials

The building principal shall report any unresolved complaint about instructional materials to the superintendent immediately after receiving the complaint.

Complaints about Facilities and Services

The superintendent shall report any unresolved complaint about facilities and services to the board at the next regularly scheduled board meeting.

Complaints about Personnel

The superintendent or the building principal involved shall report any unresolved complaint about personnel to the board at the next regularly scheduled board meeting.

Complaints about Emergency Safety Intervention Use

Complaints concerning the use of emergency safety interventions by district staff shall be addressed in accordance with the local dispute resolution process outlined in board policy GAAF.

504 Contact Information

District Office

221 S Washington
Wellington, KS 67152
620-326-4300
FAX – 620-326-4304

Superintendent – Rick Weiss
rweiss@usd353.com

504 Coordinator – Larry Roth
lroth@usd353.com

Wellington High School

1700 E 16th
Wellington, KS 67152
620-326-4310
FAX – 620-326-4383

Principal – Adam Hatfield
ahatfield@usd353.com

504 Building Contact – Samantha Brown
sbrown@usd353.com

Wellington Middle School

605 North A
Wellington, KS 67152
620-326-4320
FAX – 6326-4390

Principal – Jamie Ybarra
jybarra@usd353.com

504 Building Contact – Nancy Roth
naroth@usd353.com

Eisenhower Elementary

924 North Plum
Wellington, KS 67152
620-326-4340
FAX – 620-326-6322

Principal – Adam Hatfield
ahatfield@usd353.com

504 Building Contact – Tracy Schenk-Lara
tschenklara@usd353.com

Kennedy Elementary

501 N Woodlawn
Wellington, KS 67152
620-326-4350
Fax – 620-326-7813

Principal – Jason Cline
jcline@usd353.com

504 Building Contact – Marla Clouse
mclouse@usd353.com

Lincoln Elementary

104 South F
Wellington, KS 67152
620-326-4360
Fax – 620-326-3273

Principal John Walton
jwalton@usd353.com

504 Building Contact – Kim Hefley
khefley@usd353.com

Washington Elementary

1100 N Washington
Wellington, KS 67152
620-326-4370
FAX – 620-326-4376

Principal – Ann Shinliver
ashinliver@usd353.com

504 Building Contact – Kim Hefley
khefley@usd353.com

Roosevelt Education Center

201 North B
Wellington, KS 67152
620-326-4330
FAX – 620-326-4332

Principal – Zachary Lawrence
zlawrence@usd353.com

504 Building Contact Zachary Lawrence
zlawrence@usd353.com