



Louisburg Unified School District No. 416

29020 Mission Belleview – P. O. Box 550
Louisburg, KS 66053

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USD #416 Section 504 Due Process Procedures

Parents may request an impartial due process to resolve differences involving the identification, evaluation, educational program or placement of a student with a disability under Section 504. The proceedings will be presided over and decided by an impartial hearing officer, selected by the Board of Education.

Requests for a due process hearing must be submitted in writing to the Section 504 Compliance Coordinator, Dr. Brian R. Biermann, Superintendent of Schools, who may be contacted at 913-837-1700, USD #416 District Office, 29020 Mission Belleview Road, Louisburg, Kansas 66053. Upon receipt of a request for hearing, the Section 504 Coordinator shall:

- Secure the services of an impartial hearing officer, approved by the board.
- Provide parents with notice of the following at least fifteen (15) days prior to the date set for the hearing:
 - A statement of the time and place where the hearing will be held.
 - A statement that relevant student records are available for examination.
 - A short and plain statement of the matters asserted.
 - A statement of the rights that will be afforded at the hearing including:
 - The right to be represented by counsel;
 - The right of the student and the parents to be present at the hearing;
 - The right to present their own witnesses;
 - The right to have an orderly hearing; and
 - The right to a fair and impartial decision based on the evidence presented at the hearing.

The hearing officer will preside over the hearing, swear in witnesses, and determine whether the evidence presented should be admitted. The rules of evidence will not apply to these proceedings, but any evidence offered by either party should be relevant to the issues to be decided. The hearing shall be recorded. The recording of the Section 504 due process hearing shall be on file at the District office and will be available for review upon request to the parents and/or any of the involved parties.

The hearing officer's decision will be reduced to writing and will include the date, the hearing officer's findings of fact and conclusions of law. The decision will be delivered to the Superintendent and to the parent or guardian of the student within ten (10) days following completion of the hearing, which in no event shall be later than forty-five (45) days after receipt of the request for a hearing.

The decision of the hearing officer shall be binding on all parties concerned, subject to appeal to the board of education.

A parent dissatisfied with the result of the due process hearing may appeal the decision to the board of education. Notice of appeal, in writing, must be provided to the clerk of the board within ten (10) days after the date on the hearing officer's decision. Within ten (10) days after receiving the notice, the board will set a time and place for the appeal hearing, which shall be held within 30 days after receipt of the notice of appeal. At the appeal hearing, the parent will be afforded the same rights as at the hearing before the impartial hearing officer. The board shall render a decision in the matter within ten (10) days after the close of the hearing. The decision of the board of education in this matter shall be final.