

## Chicago Public Schools' Notice of Procedural Safeguards and Rights Pursuant to Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 (Section 504) is a nondiscrimination statute barring discrimination on the basis of disability. The Chicago Public Schools' Americans with Disabilities Act and Section 504 Policy, which is attached, prohibits discrimination on the basis of disability in its educational programs, activities or employment policies as required by the Acts.

Section 504 requires the Chicago Public Schools to locate, evaluate, and determine if a student is a qualified individual under Section 504 requiring accommodations necessary to provide access to its educational programs.

Parents/guardians are entitled to have the opportunity to review relevant educational records under the Family Educational Rights and Privacy Act (FERPA) and the Illinois School Student Records Act. Requirements for obtaining access are described in the Chicago Board's Parent & Student Rights of Access to and Confidentiality of Student Records, Section 706.3, Board Report 08-0123-PO2, dated January 23, 2008 which is available in the Chicago Public Schools Policy Handbook accessible at: [http://www.cps.edu/About\\_CPS/The\\_Board\\_of\\_Education/Pages/TheChicagoBoardofEducation.aspx](http://www.cps.edu/About_CPS/The_Board_of_Education/Pages/TheChicagoBoardofEducation.aspx).

Parents/guardians are entitled to receive notice at least ten (10) calendar days prior to any Section 504 meeting to be held concerning their child.

Parents/guardians must provide prior written consent for an initial Section 504 evaluation to be conducted. The initial evaluation will be conducted within sixty (60) calendar days of the school receiving this prior written consent.

Parents/guardians disagreeing with a determination by their child's school regarding (a) their child's identification, evaluation, or educational placement; (b) the implementation of their child's 504 Plan; (c) the resolution of an accommodation request on behalf of their child; or d) an adverse result at a manifestation determination review, may appeal the determination by requesting an informal reconsideration by the Chicago Public Schools' Office for Students with Disabilities (OSD) or by requesting a formal 504 Hearing.

- Requests for reconsideration or for a 504 Hearing must be submitted in writing to OSD, 42 West Madison, 3rd Floor, Chicago, Illinois 60602. The OSD telephone number is (773) 553-1800 and email is osd@cps.edu.
- If the parents/guardians choose to submit a request for reconsideration, OSD will complete its reconsideration and issue a written determination within 30 calendar days of receipt of the written request.
- If the parents/guardians disagree with the OSD reconsideration determination, the parents/guardians may request a 504 Hearing by submitting a written request to OSD.
- Section 504 Hearings will be conducted before an impartial hearing officer appointed by the Chicago Public Schools. Parents/guardians may examine the relevant student records prior to the hearing. Parents/guardians are entitled to participate in the hearing and be represented by counsel.



Parents/guardians may also submit a written complaint on behalf of students or expected District students alleging discrimination regarding (a) intentional unequal or adverse treatment on the basis of disability; (b) retaliation or harassment on the basis of disability; or (c) any other type of disability-based discrimination not otherwise covered explicitly under the Board's Combined Americans with Disabilities Act and 504 Policy or the Board's Comprehensive Non-Discrimination Policy.

- The complaint must be submitted within 90 calendar days of the actions complained of in order for the District to investigate the complaint.
- The complaint can be submitted to (a) OSD, 42 West Madison, 3rd Floor, Chicago, Illinois 60602 (b) the Principal or 504 Coordinator of their child's school, or (c) the central office department head of the applicable office.
- Within 45 calendar days after receipt of the written complaint, OSD will report to the complainant its final determination in writing or a projected timeline for issuing its determination. Resolutions of complaints are not appealable within the District.

If parents/guardians of a student with disabilities are dissatisfied with any 504 Hearing decision or final determination of an accommodation request or complaint, they may submit a complaint to the United States Department of Education, Office of Civil Rights, 500 West Madison, Suite 1475, Chicago Illinois 60661.

The complaint can be submitted to (a) OSD, 42 West Madison, 3rd Floor, Chicago, Illinois 60602 (b) the Principal or 504 Coordinator of their child's school, or (c) the central office department head of the applicable office.