



Section 504 Notice

Any student, employee or parent who has a mental or physical impairment which substantially limits one or more of a person's major life activities is eligible for services and accommodations under Section 504 of the Rehabilitation Act of 1973 ("Section 504"). Section 504 was the first disability civil rights law to be enacted in the United States of America. It prohibits discrimination against people with disabilities in programs that receive federal financial assistance and set the stage for enactment of the Americans with Disabilities Act ("ADA"). Section 504 works together with the ADA and the Individuals with Disabilities Education Act ("IDEA") to protect children and adults with disabilities from exclusion, and unequal treatment in schools, jobs, and the community. These rights are codified at the state level under 22 Pa. Code § 15.

Overview:

Boys' Latin of Philadelphia ("Boys' Latin" or "the school") provides a student with mental, physical, or health impairments that substantially limit one or more of the student's major life activities, without discrimination or cost to the student or parent/guardian, those related aids, services, or accommodations, which are needed to provide equal opportunity to participate in and obtain the benefits of the school program and extracurricular activities to the maximum extent appropriate to the student's abilities. These aids, services, and accommodations may include, but are not limited to, special transportation, modified equipment, adjustments in the student's roster, or the administration of needed medication.

On or before the first day of a school year, Bys' Latin shall inform parents of enrolled students that the school does not discriminate against protected handicapped students and the school's responsibilities under 22 Pa. Code § 15.

School-initiated Evaluation and Provision of Services:

Boys' Latin shall send a written notice to the student's parent/guardian, in the native language or mode of communication of the parent, if the school believes that a student (1) should be identified as a protected handicapped student; (2) should no longer be identified as a protected handicapped student; and/or (3) requires a change in or modification of the student's current 504 Service Agreement ("504 Plan"). The notice shall state the following:

- The school believes that the student is a protected handicapped student or is no longer a protected handicapped student.
- The basis for the school's belief.
- The proposed change or modification in the 504 Plan.
- The parent's/guardian's right to inspect and review all relevant school records.
- The parent's right to meet with appropriate school officials to discuss the issues associated with evaluating or accommodating the student.
- The specific related aids, services, or accommodations the school is proposing.

- The requirement that the parent/guardian agree to the student's identification as a protected handicapped student and execute a 504 Plan before the school will provide the proposed related aids, services, or accommodations.
- The school will modify or terminate the student's current 504 Plan without the parent's/guardian's written consent, pending completion of the procedures afforded in 22 Pa. Code § 15.8. Procedural safeguards.
- The procedural safeguards available to students and their parent/guardian.

Please note that if the school needs additional information before it can make a specific recommendation concerning the related aids, services, or accommodations needed by the student, the school may ask the parent/guardian to provide additional medical records which the parent/guardian may have and to grant the school permission to evaluate the student. Please also note that the school-initiated request to evaluate a student shall specifically identify the procedures and types of tests which is proposes to use to evaluate the student and inform the parent/guardian that they have the rights to give or withhold their written consent to these evaluations.

Parent-initiated Evaluation and Provision of Services:

A parent/guardian shall request in writing that their student be evaluated and provided services if they believe that their student (1) should be identified as a protected handicapped student; (2) should not longer be identified as a protected handicapped student; and/or (3) requires a change in or modification of the student's current 504 Plan.

The parent/guardian should include all available relevant medical records along with their written request for the provision of services. Whenever possible, the parent's/guardian's request for the provision of services shall state the following:

- The specific reasons the parent/guardian believes the student is or is no longer a protected handicapped student.
- The specific related aids, services, or accommodations the parent/guardian believes the student needs.
- The specific modifications the parent/guardian would like the school to make in the student's current 504 Plan, if the parent/guardian is requesting modification of the student's current 504 Plan.

Within 25 school days of receipt of the parent's/guardian's written request for the provision of services the school shall evaluate the information submitted by the parent/guardian and send a written response to the request. Please note that the school's response shall be in the native language or mode of communication of the parent/guardian and shall state the following:

- Whether the parent's/guardian's request or a portion of the request is being granted or denied.
- The parent's/guardian's right to meet with the appropriate school officials to discuss the issues associated with accommodating the student.
- The procedural safeguards available to students and their parent/guardian under 22 Pa. Code § 15.8. Procedural safeguards.
- A parent/guardian using the procedural safeguards in 22 Pa. Code § 15 may also file suit in federal court under Section 504.

Please note that if upon evaluation of the information submitted by the parent/guardian, the school determined that it needs additional information before it can make a specific recommendation concerning the parent's/guardian's request, the school shall ask the parent/guardian to provide additional medical records and grant the school permission to evaluate the student. Please also note that this school-initiated request to evaluate

a student shall be in writing and specifically identify the procedures and types of tests which it proposes to use to evaluate the student and inform the parent/guardian that they have the right to give or withhold their written consent to these evaluations.

504 Plan:

If the parent/guardian and the school agree as to what related aids, services, or accommodations should or should no longer be provided to the student, the school and parent/guardian shall enter into or modify a 504 Plan. The 504 Plan shall be written and executed by Director of Specialized Services and the Chief Executive Officer, and the parent/guardian. The 504 Plan shall set forth the specific related aids, services, or accommodations the student shall receive, or if a 504 Plan is being modified, the modified services the student shall receive. The 504 Plan shall also specify the date the services shall begin, the date the services shall be discontinued, and, when appropriate, the procedures to be followed in the event of a medical emergency. Please note that in implementing the service agreement, the school addresses all relevant factors, including educational resources, physical plant, and personnel capabilities.

If the parent/guardian and the school cannot agree as to the related aids, services, and accommodations that should or should no longer be provided to the student, either party may use the procedural safeguards system under 22 Pa. Code § 15.8. Procedural safeguards to resolve the dispute, and the school shall notify the parent/guardian in writing of their rights in this regard.

Procedural Safeguards:

Parental Request for Assistance:

A parent/guardian may file a written request for assistance with the Pennsylvania Department of Education (“PDE”) if one or both of the following apply: (1) the school is not providing the related aids, services, and accommodations specified in the student’s 504 Plan; and/or (2) the school has failed to comply with the procedures in 22 Pa. Code § 15.

Request Resolution:

PDE shall investigate and respond to requests for assistance and, unless exceptional circumstances exist, shall, within 60 calendar days of receipt of request, send to the parent/guardian and school a written response to the request. The response to the parent’s/guardian’s request shall be in the native language or mode of communication of the parent/guardian.

Informal Conference:

At any time, a parent/guardian may file a written request with the school for an informal conference with respect to the identification or evaluation of a student, or the student’s need or related aid, service, or accommodation. Within 10 school days of receipt of the request, the school shall convene an informal conference. At the conference, every effort shall be made to reach an amicable agreement.

Formal Due Process Hearing:

If the matters raised by the school or parent/guardian are not resolved at the informal conference, the school or parent/guardian may submit a request for a hearing. The hearing shall be held before an impartial hearing officer and shall be governed by § 14.64(a)—(l), (n) and (o) if no issues under Chapter 14 are raised for decision in the hearing by the parents, school district or hearing officer. If issues under Chapter 14 are raised for decision in the hearing by the parents, school district or hearing officer, an appeal from the hearing officer’s decision shall be governed also by § 14.64(m).

Stay Pending Judicial Appeals:

If, within 60 calendar days of the completion of the administrative due process proceedings, an appeal or original jurisdiction action is filed in state or federal court, the administrative order shall be stayed pending the completion of the judicial proceedings, unless the parent/guardian and the school agree otherwise.

Confidentiality:

Please note that the school shall (1) protect the confidentiality of personally identifiable information regarding a protected handicapped student; (2) require parental consent before releasing personally identifiable information to unauthorized persons; (3) provide access to educational records of the student to the parent/guardian or a representative of the parent/guardian; and (4) comply with the Family Educational Rights and Privacy Act (“FERPA”).

More Information:

For more information regarding Section 504, a student’s current 504 Plan, the evaluation process, and/or other related information, please contact the Director of Specialized Services. Information and communications are in English but will be provided in the native language or other modes of communication used by parents/guardians, if appropriate. More information can also be found on the school’s website (www.boyslatin.org).

Contact Information:

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