## SET PROCEDURES FOR IMPARTIAL HEARINGS

- Section 504 recommends schools districts "establish and implement a system of procedural safeguards that includes procedures for 'Impartial Hearings' under Section 504."
- Adopt IDEA procedures: or create distinct but different Section 504 procedures.

  Remember procedures under IDEA are more complicated than they need to be under Section 504.
- Keep your process simple
- ➤ Create a one-page document: that addresses the specific procedural safeguards that are mentioned in the regulations.
  - o Parents have a right to their procedural safeguards
  - o Opportunity to review all pertinent records and/or data
  - Opportunity for an impartial hearing that parents and their legal council may attend, with sufficient time for their legal council to review all relevant records and/or data
- ▶ Parents should: submit their request for any impartial hearing to your district's Section 504 Coordinator.
- Ask Parents: to sign a release form allowing your Coordinator to release all necessary documentation to the Hearing Officer.
- > The Section 504 Hearing Officer: Should contact the parent(s) about a hearing, within the same time frame recommended under IDEA, of 75 days, from the date the parent requests a hearing.
- Grievance Procedures No Substitute for Impartial Hearing:
  - Section 504 violated when district did not offer sufficient
  - protections to parents, by NOT having an impartial hearing
  - o process for Section 504 claims.

Leon County(FL) sch. Dist.,50 IDELR 172 (OCR 2007).

