



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS
BANK ONE CENTER, SUITE 750
600 SUPERIOR AVENUE, EAST
CLEVELAND, OHIO 44114-2611

JAN 04 2001

Mr. Alan E. Duncan
840 Ardmoor Drive
Bloomfield Hills, Michigan 48301

Re: #15-01-1029

Dear Mr. Duncan:

On November 20, 2000, the U.S. Department of Education, Office for Civil Rights (OCR) received the above-referenced complaint you filed against the Birmingham Public Schools (the District). You alleged that the District discriminated against your son (the student) on the basis of disability. Specifically, you alleged that the District denied your request to conduct a multi-functional team evaluation to consider new medical information, behavioral changes, and updated academic goals in order to maximize the student's educational potential. Also, you alleged that the District denied your request for an impartial due process hearing to challenge its decision to deny the evaluation.

As a public education entity that is also a recipient of Federal financial assistance from the U.S. Department of Education, the District is subject to the provisions of Section 504 of the Rehabilitation Act of 1973 and of Title II of the Americans with Disabilities Act of 1990, which prohibit discrimination based upon disability; accordingly, OCR has jurisdiction over this complaint.

OCR works to resolve allegations of discrimination promptly and appropriately. Please refer to your above-referenced case docket number in any contacts with this office. If you have any questions, please call Mr. Myrle Weems at (216) 522-7629.

Sincerely,

A handwritten signature in cursive script that reads "Frederick S. Head".

Frederick S. Head
Team Leader, Cleveland Office
Midwestern Division